

CLOSER SETTLEMENT (AMENDMENT) ACT.

Act No. 25, 1947.

George VI.
No. 25, 1947.

An Act to make further provision for and in relation to the settlement on the land of members or discharged members of His Majesty's Naval, Military or Air Forces and other eligible persons; for these and other purposes to amend the Closer Settlement Acts, as amended by subsequent Acts, in certain respects; and for purposes connected therewith. [Assented, to 5th December, 1947.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** This Act may be cited as the "Closer Settlement (Amendment) Act, 1947."

Amendment of Act No. 38, 1943. Sec. 9A. **2.** The Closer Settlement Amendment (Conversion) Act, 1943, as amended by subsequent Acts, is amended—

(a) by omitting subsection (1A) of section 9A.

(Applica-
tions to
Minister to
acquire
private
lands.)

(b)

(b) by inserting next after section 9D the following new section:—

No. 25, 1947.

New sec.
9DA.

9DA. (1) Where, under section 9A of this Act an application has been made to the Minister to acquire any lands and the Minister has approved of the purchase of such lands pursuant to section 9D of this Act, the Minister may, by notification in the Gazette, declare that such lands are and the same shall thereupon be deemed to be vested as if the same had been surrendered to the Crown.

Vesting of
land in the
Crown.

cf. Act No.
46, 1919,
s. 10.

(2) The purchase money in respect of such lands shall bear interest at the rate prescribed from the date of the publication in the Gazette of the notification under subsection one of this section relating to such lands until such purchase money is paid.

(3) Where, in pursuance of a notification under subsection one of this section, any lands are vested in His Majesty and the owner or occupier of such lands or any other person refuses to give up possession of such lands, or hinders the Minister or any person acting on behalf of the Minister from entering upon or taking possession of such lands for and on behalf of the Crown, the Minister may issue a warrant to the sheriff to deliver possession of the same to the person appointed in such warrant to receive the same.

cf. Act No.
45, 1912,
s. 65 (1);
Act No. 46,
1919, s. 11.

(4) Upon the receipt of such warrant, the sheriff shall deliver possession of such lands accordingly, and the costs accruing by reason of the issuing and execution of such warrant, to be settled by the sheriff, shall be paid by the person refusing to give possession; and the amount of such costs shall be deducted and retained by the Minister from the purchase money, if any, then payable to such person, or if no such purchase money is payable to such person, or if the same is less than the amount of such costs, then such

cf. Act No.
45, 1912,
s. 65 (2).

costs,

Kosciusko State Park (Amendment) Act.**No. 25, 1947.**

costs, or the excess thereof beyond such purchase money, shall be payable to the Minister by and be recoverable from such person.

(5) The provisions of this section shall apply to any lands the subject of an application under section 9A of this Act, irrespective of whether the Minister has approved of the purchase of such lands before or after the commencement of the Closer Settlement (Amendment) Act, 1947.

Sec. 9F.
**(Vesting of
land in
applicant.)**

(c) by inserting in subsection one of section 9F after the word "Crown" the words "or upon the vesting of the lands under section 9DA of this Act".
