

3 ELIZ. II. No. 27, 1954. *Irrigation Acts and Other Acts, Etc., Act.*

**WATER SUPPLY AND SEWERAGE.**

**An Act to make Provision for Reviewing the Rents of certain Crown Leaseholds ; and to Amend "The Irrigation Acts, 1922 to 1949," "The Water Acts, 1926 to 1942," and "The Irrigation Areas (Land Settlement) Acts, 1933 to 1951," each in certain particulars.**

3 ELIZ. II.  
No. 27.  
THE  
IRRIGATION  
ACTS AND  
OTHER ACTS  
AMENDMENT  
ACT OF  
1954.

[ASSENTED TO 11TH OCTOBER, 1954.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

**PART I.—PRELIMINARY.**

**PART I.—**  
**PRELIMINARY.**

**1.** This Act may be cited as "*The Irrigation Acts and Other Acts Amendment Act of 1954.*" Short title.

**2** This Act is divided into Parts as follows:— Parts of  
Act.

**PART I.—PRELIMINARY ;**

**PART II.—REVIEW OF RENTS OF CERTAIN CROWN LEASEHOLDS ;**

**PART III.—AMENDMENTS OF \* "THE IRRIGATION ACTS, 1922 TO 1949" ;**

**PART IV.—AMENDMENTS OF † "THE WATER ACTS, 1926 TO 1942" ;**

**PART V.—AMENDMENTS OF ‡ "THE IRRIGATION AREAS (LAND SETTLEMENT) ACTS, 1933 TO 1951."**

**PART II.—REVIEW OF RENTS OF CERTAIN CROWN LEASEHOLDS.**

**PART II.—**  
**REVIEW OF**  
**RENTS OF**  
**CERTAIN**  
**CROWN**  
**LEASEHOLDS.**

**3.** In this Part of this Act—

"Irrigation Acts"—means \* "*The Irrigation Acts, 1922 to 1954,*" and † "*The Irrigation Areas (Land Settlement) Acts, 1933 to 1954*";

**Interpreta-**  
**tion.**

"Shire of Theodore"—means that part of the Dawson Valley Irrigation Area and of the Land Agent's District of Theodore described in the Schedule to this Part of this Act; and

\* 13 G. 5 No. 29 and amending Acts.

† 17 G. 5 No. 12 and amending Acts.

‡ 24 G. 5 No. 21 and amending Acts.

“Rental period”—means, in respect of any holding to which this Part of this Act applies, any and every period of years in respect whereof successively the rent reserved to the Crown is determinable.

Minister may cause rents of certain Crown leaseholds in Shire of Theodore to be redetermined.

4. Notwithstanding anything contained in \**The Land Acts, 1910 to 1953*, †*The Prickly-pear Land Acts, 1923 to 1951*,” and the *Irrigation Acts*, or any of them, the Minister may refer to the Land Court the matter of the determination as prescribed by this Part of this Act of the annual rent of the following holdings under \**The Land Acts, 1910 to 1953*,” and the *Irrigation Acts*, or under those Acts and †*The Prickly-pear Land Acts, 1923 to 1951*,” that is to say—

- (a) Any and every perpetual lease selection selected before and subsisting at the passing of this Act and situate wholly or partly within the Shire of Theodore ;
- (b) Any and every Perpetual Town Lease, Perpetual Suburban Lease, and Perpetual Country Lease issued before and subsisting at the passing of this Act and situate within the Shire of Theodore ; and
- (c) Any and every Special Lease issued before and subsisting at the passing of this Act and situate within the Shire of Theodore,

and the Land Court shall determine under, subject to, and in accordance with the applicable provisions of \**The Land Acts, 1910 to 1953*,” the *Irrigation Acts*, and, if applicable, †*The Prickly-pear Land Acts, 1923 to 1951*,” the annual rent of—

- (i.) Any and every perpetual lease selection the subject of such a reference—for the period of seven years to commence on the first day of January, one thousand nine hundred and fifty-five ;
- (ii.) Any and every Perpetual Town Lease, Perpetual Suburban Lease, or Perpetual Country Lease the subject of such a reference—for the period of fifteen years to commence on the first day of January, one thousand nine hundred and fifty-five ; and

\* 1 G. 5 No. 15 and amending Acts.

† 14 G. 5 No. 34 and amending Acts.

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- (iii.) Any and every Special Lease the subject of such a reference—for the period of the duration prescribed by section five of this Act to commence on the first day of January, one thousand nine hundred and fifty-five.

5. The duration of the period to commence on the first day of January, one thousand nine hundred and fifty-five for which the Land Court shall determine the rent of a Special Lease the subject of a reference as specified in section four of this Act shall be—

Period for which Court to determine rent of Special Lease upon reference by the Minister.

- (a) In the case of such a Special Lease the rental period whereof current as at the said first day of January, has longer than two years to run—the period commencing on and including the said first day of January and enduring thereafter until the expiration of that current rental period ; or
- (b) In the case of such a Special Lease the rental period whereof current as at the said first day of January has not longer than two years to run—the period commencing on the said first day of January and enduring thereafter until the expiration of the rental period next succeeding that current rental period.

6. Determinations subsequent to the first determination made by the Land Court pursuant to this Part of this Act of the annual rent of any of the holdings hereinbefore specified in this Part of this Act shall be made by that Court from time to time.

Determinations of rents for rental periods subsequent to that commencing 1st January, 1955.

Subject to this section every such subsequent determination shall be made under, subject to and in accordance with such of the provisions of \**“The Land Acts, 1910 to 1953,”* the *Irrigation Acts*, and †*“The Prickly-pear Land Acts, 1923 to 1951,”* as are applicable in the case.

For the purposes of such subsequent determinations rental periods shall be calculated by reference to the first day of January, one thousand nine hundred and fifty-five, so that—

- (a) The rental period next succeeding that commenced on that date, being the period in respect whereof the Court shall have made

\* 1 G. 5 No. 15 and amending Acts.

† 14 G. 5 No. 34 and amending Acts.

the first determination in pursuance of this Part of this Act, shall follow immediately thereafter; and

- (b) Successively rental periods calculated respectively by reference to that date shall follow each other in immediate succession.

Rent payable pending a determination in pursuance of this Part.

7. (1.) The annual rent in respect of the rental period current as at the passing of this Act of any holding which is the subject of a reference under this Part of this Act shall continue to be the rent reserved to the Crown of the lease in question up to and including the thirty-first day of December, one thousand nine hundred and fifty-four.

(2.) In any and every case where the Land Court shall not have determined the annual rent in respect of the rental period current as at the passing of this Act of a selection or lease the subject of a reference under this Part of this Act before the Minister makes that reference, the Land Court shall not make that determination but the selector or lessee concerned shall pay, and it is hereby declared always was liable to pay, in respect of the aforesaid current rental period, rent at the rate determined in respect of the next preceding rental period up to and including the thirty-first day of December, one thousand nine hundred and fifty-four.

(3.) Until the determination by the Land Court, in pursuance of this Part of this Act, of the annual rent, in respect of the rental period to commence on the first day of January, one thousand nine hundred and fifty-five, of a holding the subject of a reference under this Part of this Act, the selector or lessee shall continue to pay, on and after the first day of January, one thousand nine hundred and fifty-five, an annual rent at the rate payable according to subsection one or, as the case requires, subsection two of this section :

Provided that when a determination of the annual rent is made in pursuance of this Part of this Act an adjustment shall be duly made, for which purpose amounts of rent paid in excess by the selector or lessee shall, at his election, be either refunded to him or credited to him in payment of rent or charges thereafter payable by him in respect of the selection or lease, and amounts of rent short paid shall be recoverable as arrears.

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8. (1.) This section applies to the following holdings under \**“The Land Acts, 1910 to 1953,”* and the Irrigation Acts, or under those Acts and †*“The Prickly-pear Land Acts, 1923 to 1951,”* that is to say:—

Holdings situated in that part of the Dawson Valley Irrigation Area outside the Shire of Theodore.

- (a) Any and every perpetual lease selection selected before and subsisting at the passing of this Act and situate wholly within that part without the Shire of Theodore of the Dawson Valley Irrigation Area and of the Land Agent's District of Theodore; and
- (b) Any and every Perpetual Town Lease, Perpetual Suburban Lease, and Perpetual Country Lease issued before and subsisting at the passing of this Act and situate wholly within that part without the Shire of Theodore of the Dawson Valley Irrigation Area and of the Land Agent's District of Theodore.

(2.) Where, before the passing of this Act, the Land Court shall not have determined the rent of any holding to which this section applies for the rental period commenced before and current as at the passing of this Act, then that Court shall determine that rent under the provisions applicable with respect to the determination in question of \**“The Land Acts, 1910 to 1953,”* the Irrigation Acts and, if applicable, †*“The Prickly-pear Land Acts, 1923 to 1951,”* as if that rental period were a rental period commenced after the passing of this Act.

#### SCHEDULE.

##### SHIRE OF THEODORE.

Commencing on the right bank of the Dawson River at the south-west corner of portion 36, parish of Woolthorpe, and bounded thence by the west and north-western boundaries of that portion, by roads forming the south-western boundaries of portions 31 and 30 and the western boundaries of portions 30 and 29, by the north boundary of portion 29, the north boundary of R. 14 (Water Reserve) and a line crossing Lonesome Creek to the north-west corner of R. 32 in the parish of Walloon, by the north boundaries of that reserve and of portions 337 to 340 by the east boundary of portion 340, by the south-west boundary of portion 42, parish of Woolthorpe, and a line in continuation crossing Castle Creek to its left bank, by the left bank of that creek upwards to the north-west corner of portion 418,

\* 1 G. 5 No. 15 and amending Acts.

† 14 G. 5 No. 34 and amending Acts.

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parish of Walloon, by the west boundary of that portion, by the west, south-west and south boundaries of portion 419, by the south boundary of portion 469, by the east boundaries of portions 398, 399, 401, 402, 407, 408 and 409, by the south boundaries of portions 409 and 298 to the Dawson River, by that river downwards to the south-east corner of portion 11, parish of Gibber Gunyah, by the south boundary of that portion, by the eastern, south and south-west boundaries of portion 13, by the south-western and north-western boundaries of original portion 1 to the Dawson River and by that river upwards to the point of commencement.

PART III.—  
AMENDMENTS  
OF "THE  
IRRIGATION  
ACTS, 1922  
TO 1949."

PART III.—AMENDMENTS OF \*"THE IRRIGATION ACTS, 1922 TO 1949."

Construction  
of Part III.  
and  
collective  
title.

9. This Part III. of this Act shall be read as one with \*"*The Irrigation Acts, 1922 to 1949,*" and those Acts and this Part III. of this Act may be collectively cited as "*The Irrigation Acts, 1922 to 1954.*"

Amendment  
of s. 2. of  
13 Geo. V.  
No. 29.

10. Section two of \*"*The Irrigation Acts, 1922 to 1949,*" is amended—

Commis-  
sioner.

(a) By repealing the definition "Commissioner" and by inserting, in lieu of that repealed definition, the following definition, namely:—

" "Commissioner"—The Commissioner of Irrigation and Water Supply under and within the meaning of †"*The Irrigation and Water Supply Commission Acts, 1946 to 1949*" ; "

(b) By inserting, after the definition "Domestic purposes," the following definitions, namely:—

Drainage.

" "Drainage"—Includes the draining, by means of any work, of any low-lying or swampy ground, or of flood or other waters of any stream or lake, or of any surplus surface or subsurface irrigation waters ; and "drainage work" includes a work constructed or used for any purpose of drainage ;

Drainage  
Area.

" Drainage Area"—A Drainage Area constituted under this Act ; "

(c) By inserting, after the definition "Irrigable", the following definition, namely:—

Irrigation  
Acts.

"Irrigation Acts"—This Act and †"*The Irrigation Areas (Land Settlement) Acts, 1933 to 1954*" ; and

\* 13 G. 5 No. 29 and amending Acts.  
† 11 G. 6 No. 11 and amending Acts.  
‡ 24 G. 5 No. 21 and amending Acts.

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TO 1949."

(d) By repealing in the definition "Road" the colon and words " : the term where necessary includes the roadway or pavement of a road ", and by inserting, in lieu of those repealed words, the word and subparagraphs—

" and—

- (a) Any bridge, culvert or other structure and the approaches thereto constructed by the Commissioner or permitted by him to be constructed on, over, under, through or across any channel or land set aside or reserved for channel purposes for providing a means of access to any road from land wherefrom that road is separated by that channel or land so reserved ; and
- (b) The roadway or pavement of any road within the meaning of this definition."

11. Subsection three of section four of \**The Irrigation Acts, 1922 to 1949*," is repealed. Amendment of s. 4 of 13 Geo. V. No. 29.

12. Subsection three of section seven of \**The Irrigation Acts, 1922 to 1949*," is amended by repealing paragraph (e) and the marginal note thereto and by inserting, in lieu of that repealed paragraph and marginal note, the following paragraph and marginal note, namely :—

- " (e) The method by which it is proposed that moneys should be provided for defraying the cost of the works ;". Proposed method of defraying cost.

13. Subsection one of section nine of \**The Irrigation Acts, 1922 to 1949*," is amended— Amendments of s. 9 (1) of 13 Geo. V. No. 29.

(a) By repealing paragraph (i.) and by inserting, in lieu of that repealed paragraph, the following paragraph, namely :—

- " (i.) Constitute an area defined in the Order in Council to be, in relation to the established irrigation undertaking specified therein, an Irrigation Area and assign a name to that Irrigation Area ; " ;

\* 13 G. 5 No. 29 and amending Acts.

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(b) By repealing paragraph (iv.) and by inserting, in lieu of that repealed paragraph, the following paragraph, namely :—

“(iv.) Alter an Area by amending the boundaries thereof so as to exclude therefrom any part thereof or so as to include therein any additional area, or so as to both so exclude and include ;” ; and

(c) By adding, after paragraph (vii.), the following paragraph, namely :—

“(viii.) Change the name of an Area.”.

**14.** The following section is inserted after section nine of \**The Irrigation Acts, 1922 to 1949*,” namely :—

“[9A.] (1.) The Governor in Council may from time to time by Order in Council—

(i.) Constitute an area defined in the Order in Council to be a Drainage Area, and assign a name to that Area ;

(ii.) Alter a Drainage Area by amending the boundaries thereof so as to exclude therefrom any part thereof, or so as to include therein any additional area ;

(iii.) Change the name of a Drainage Area ; or

(iv.) Abolish a Drainage Area.

(2.) An area either wholly within or partly within and partly without an Irrigation Area may be constituted to be a Drainage Area.

An additional area either within or without, or partly within and partly without an Irrigation Area may be included in a subsisting Drainage Area.”

**15.** Section thirteen of \**The Irrigation Acts, 1922 to 1949*” is repealed and, in lieu of that repealed section, the following section is inserted, namely :—

“[13.] In respect of each irrigation undertaking, a separate and distinct account shall be maintained by the Commissioner in his books to be called the ‘(Name of Area) Irrigation Fund Account’.

All moneys received by the Minister or Commissioner under this Act shall be paid into the Treasury and the Commissioner shall cause every such payment to be credited to the proper fund account.

\* 13 G. 5 No. 29 and amending Acts.

New s. 9A  
inserted in  
13 Geo. V.  
No. 29.

Drainage  
Area.

Repeal of  
and new s.  
13 of 13 Geo.  
V. No. 29.

Irrigation  
undertaking  
fund  
accounts.



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All payments in respect of each undertaking, together with such contributions to reserve fund or sinking fund, if any, as the Commissioner from time to time directs, shall be charged against the proper fund account.

All payments in respect of the administration of Commissioner's Department and of this Act shall be apportioned between and chargeable to the divers fund accounts created pursuant to this Act in such proportions as the Commissioner from time to time directs.

When joint works are constructed for the supply of water for the benefit of two or more areas, the proportion of the capital cost to be charged to each fund account shall be fixed and declared by the Commissioner."

16. Section fifteen of \**"The Irrigation Acts, 1922 to 1949,"* is amended—

Amendments  
of s. 15 of  
13 Geo. V.  
No. 29.

(a) By repealing in the first paragraph of subsection one the word "undertaking" and by inserting, in lieu of that repealed word, the word "works";

(b) By repealing the first paragraph of subsection two and by inserting, in lieu of that repealed paragraph, the following paragraph, namely:—

"The Secretary for Public Lands may from time to time, by notification published in the *Gazette*, set apart any Crown land in an Irrigation Area for the purposes of this Act.";

(c) By repealing subsection three;

(d) By renumbering subsection four as subsection three; and

(e) By repealing subsections five and six.

17. The following section is inserted after section fifteen of \**"The Irrigation Acts, 1922 to 1949,"* namely:—

New s.15A  
inserted in  
13 Geo. V.  
No. 29.

"[15A.] (1.) The Minister may acquire either by agreement or by resumption—

Acquisition  
of land.

(a) Any land within or without an Irrigation Area which, in the opinion of the Minister, is required for a purpose of this Act; or

- (b) Any land within an Irrigation Area which, in the opinion of the Minister, is suitable for closer settlement under \**"The Land Acts, 1910 to 1953,"* and the Irrigation Acts.

With respect to an acquisition of land by resumption for closer settlement the Minister may, upon application in writing by the owner, permit him to retain unresumed so much of the land as is reasonably sufficient, in the opinion of the Minister, to enable him to carry on agricultural pursuits.

(2.) In respect of the acquisition by resumption of any such land the Minister shall have and may exercise the powers and authorities had by the Crown as a constructing authority under †*"The Public Works Land Resumption Acts, 1906 to 1952,"* and, subject as modified by this section, those Acts shall apply and extend accordingly.

(3.) Neither section six nor paragraph (i.) of section seven of †*"The Public Works Land Resumption Acts, 1906 to 1952,"* shall apply or extend to or with respect to land proposed to be taken by the Minister under the authority of this section but, in lieu of the said section six, the following provisions shall apply, namely:—

When the Minister proposes to acquire by resumption under the authority of this section any land he shall, not less than thirty clear days before the Proclamation in respect of that land prescribed by paragraph (ii.) of section seven of †*"The Public Works Land Resumption Acts, 1906 to 1952,"* is made, serve upon the owner, lessee or occupier and any and every other person who to his knowledge is entitled in pursuance of section fifteen of that Act to make a claim for compensation, a notice—

- (a) Stating that, pursuant to the power had by him under this section to acquire by resumption land, he proposes to take that land; and
- (b) Containing a description of that land sufficiently identifying it.

The Minister need not state in such a notice the purpose for which he proposes to take the land.

\* 1 G. 5 No. 15 and amending Acts.

† 6 E. 7 No. 14 and amending Acts.

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(4.) In the application, with respect to the taking by the Minister of any land in pursuance of this section, of section 12A of \*"*The Public Works Land Resumption Acts, 1906 to 1952,*" that section shall be read with and subject to the following modifications, namely :—

- (a) The right of election to discontinue a resumption with respect to the whole or to continue a resumption with respect to part only of any land the subject of a notice under subsection three of this section may be exercised by the Minister at any time after that notice shall have been served but not later than three months after the compensation payable in respect of the taking of the land shall have been finally determined;
- (b) The Minister need not notify his election to continue with a resumption in full, it being hereby declared that he shall be deemed to continue in full any and every resumption unless he shall have duly elected to either discontinue, or continue in respect of part only of the land, that resumption ;
- (c) By substituting for the words " three years " appearing in subsection six of the said section 12A the words " six months ".

(5.) A notice under subsection three of this section may be served personally or by post, and for the purpose of service by post such a notice shall be properly addressed if it is addressed to the place of abode or business address of the person to be served therewith last known to the Minister.

(6.) The omission by the Minister to serve upon any person entitled thereto a notice as prescribed by subsection three of this section shall not prejudice any Proclamation made under paragraph (ii.) of section seven of \*"*The Public Works Land Resumption Acts, 1906 to 1952,*" with respect to any land, and land included in any such Proclamation shall be deemed to be taken in terms thereof notwithstanding any such omission :

Provided that a person entitled thereto who is not served by the Minister with a notice as prescribed by subsection three of this section may claim compensation

at any time within three months after the making of the Proclamation taking the land in question comes to his knowledge.

(7.) Subsection three of section eight of \**The Public Works Land Resumption Acts, 1906 to 1952,*" shall, with and subject to all necessary adaptations, apply to and with respect to any notice under subsection three of this section as well as to any Proclamation taking land.

(8.) Land acquired, whether by agreement or by resumption, by the Minister pursuant to this section shall become and be Crown land.

(9.) The claim for compensation of the trustee or trustees of any land in respect of the taking of the same by the Minister pursuant to this section shall be limited to the amount of actual damage caused to the trust by reason of the taking, and no such trustee shall have any other right, remedy or claim whatsoever in respect of such taking against the Crown, the Minister, the Commissioner or any other person whomsoever, and this section, \**The Public Works Land Resumption Acts, 1906 to 1952,*" and every other relevant rule, practice or process of law shall be read, construed and applied subject to this subsection.

(10.) Notwithstanding anything contained or implied in any rule, practice or process of law, in assessing the compensation to be paid for or in respect of any land taken by the Minister pursuant to this section, the enhancement or prospective enhancement in the value of that land resultant or likely to be resultant from the carrying out or prospective carrying out of any works or purpose for which the land is taken shall be entirely disregarded.

(11.) Section twenty-five of \**The Public Works Land Resumption Acts, 1906 to 1952,*" shall apply so that the power thereby conferred upon the Governor in Council to grant land shall include power (without certification by the Land Court as prescribed by that section) to demise land for such leasehold estate as the Governor in Council deems appropriate in the circumstances."

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18. The following section is inserted after section 15A of \**“The Irrigation Acts, 1922 to 1949,”* as previously inserted by this Act, namely :—

New s.15B  
inserted in  
13 Geo. V.  
No. 29.

“ [15B.] The Commissioner may use for depasturing stock, or may lease for that purpose or for any other purpose, for a term not exceeding seven years, any land vested in him or set apart for the purposes of this Act or acquired by the Minister pursuant to section 15A of this Act which for the time being is not being used for a purpose of this Act.”.

Commis-  
sioner may  
use lands.

19. Clause two of Part I. of the Schedule to \**“The Irrigation Acts, 1922 to 1949,”* is amended by adding thereto the following subclause, namely :—

Amendment  
of clause 2  
of Part I. of  
the Schedule  
to 13 Geo. V.  
No. 29.

“(3.) The Commissioner may arrange with any Minister of State or any Local Authority, or any authority or instrumentality constituted under any Act, for the performance by that Minister, Local Authority, authority or instrumentality, of any work on behalf of the Commissioner.”

20. Subclause two of clause eight of Part I. of the Schedule to \**“The Irrigation Acts, 1922 to 1949,”* is amended by inserting in paragraph (i.) before the word “exchange” the words “surrender to the Crown”.

Amendment  
of clause  
8 (2) of  
Part I. of the  
Schedule to  
13 Geo. V.  
No. 29.

21. Subclause one of clause nine of Part I. of the Schedule to \**“The Irrigation Acts, 1922 to 1949,”* is amended by inserting after the word “fund”, where that word appears twice, the word “account”.

Amendment  
of clause 9 (1)  
of Part I. of  
the Schedule  
to 13 Geo. V.  
No. 29.

22. Subclause one of clause twelve of Part I. of the Schedule to \**“The Irrigation Acts, 1922 to 1949,”* is amended by repealing the words “the Area” and by inserting, in lieu of those repealed words, the words “any Irrigation Area or Drainage Area”.

Amendment  
of clause  
12 (1) of  
Part I. of  
the Schedule  
to 13 Geo. V.  
No. 29.

23. The following clause is inserted after clause 14A of Part I. of the Schedule to \**“The Irrigation Acts, 1922 to 1949,”* namely :—

New clause  
14B inserted  
after clause  
14A of Part  
I. of the  
Schedule to  
13 Geo. V.  
No. 29.

“ [14B.] (1.) Where there is no direct access from a piece or parcel of land to any road other than a road from which that piece or parcel of land is separated by land reserved or set aside for channel

Road access  
across  
irrigation  
channels.

purposes then the Commissioner shall, upon the construction on the land so reserved or set aside of a channel, provide a means of access from that piece or parcel of land to that road.

That means of access shall be constructed and maintained by the Commissioner, shall be situate where determined by him, and shall comprise such bridge, culvert or other structure and the approaches thereto on, over, under, through or across the channel in question and the land appurtenant to that channel so reserved or set aside as aforesaid as the Commissioner deems sufficient in the circumstances.

(2.) Subject to this subclause, the owner of any piece or parcel of land to which subclause one of this clause applies may, with the prior approval in writing of the Commissioner,

- (a) Remove to another site any means of access as aforesaid provided by the Commissioner ; or
- (b) Additionally to the means of access provided by the Commissioner, provide other means of access from that piece or parcel of land to the road wherefrom it is separated by land reserved or set aside for channel purposes.

A means of access as aforesaid shall not be removed or provided by any owner of a piece or parcel of land to which this clause applies.—

- (a) Except to or at a site approved by the Commissioner ; and
- (b) Unless that means of access as so removed to or provided at the site approved by the Commissioner is, as respects any bridge, culvert or other structure and the approaches thereto on, over, under, through or across the channel in question and the land reserved or set aside for channel purposes appurtenant to that channel comprised in that means of access constructed in compliance in every respect with plans and specifications stipulated by the Commissioner.

(3.) Where, subsequent to the construction of a channel, any piece or parcel of land to which this clause applies is lawfully subdivided, the owner for the time being of every subdivision thereof which abuts upon the land reserved or set aside for channel purposes whereby that piece or parcel of land is separated from a road may provide under, subject to and in compliance with subclause two of this clause but not otherwise, a means of access from the subdivision to that road.

(4.) No liability whatsoever shall attach to the Commissioner in respect of the removal or provision of a means of access under subclause two or subclause three of this clause.

(5.) For the purposes of any provision of this Act or of any other Act or law with respect to the giving of access to a road from any land, every piece or parcel of land to which this clause applies shall be deemed to have access to the road wherefrom the same is separated by land reserved or set aside for channel purposes notwithstanding that a means of access has not been provided in pursuance of this section."

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PART III.—  
AMENDMENTS  
OF "THE  
IRRIGATION  
ACTS, 1922  
TO 1949."

**24.** Subclause one of clause fifteen of Part I. of the Schedule to \*"*The Irrigation Acts, 1922 to 1949,*" is amended by repealing in paragraph (b) the word "Area" and by inserting, in lieu of that repealed word, the words "Irrigation Area or Drainage Area".

Amendment  
of clause  
15 (1) of  
Part I. of  
the Schedule  
to 13 Geo. V.  
No. 29.

**25.** Clause sixteen of Part I. of the Schedule to \*"*The Irrigation Acts, 1922 to 1949,*" is amended—

Amendments  
of clause  
16 of Part I.  
of the  
Schedule  
to 13 Geo. V.  
No. 29.

(a) By repealing in subclause one the words "the Area" and by inserting, in lieu of those repealed words, the words "any Irrigation Area or Drainage Area"; and

(b) By repealing in subclause two the words "the Area" and by inserting, in lieu of those repealed words, the words "any Irrigation Area or Drainage Area".

**26.** The following clause is inserted after clause twenty-six of Part I. of the Schedule to \*"*The Irrigation Acts, 1922 to 1949,*" namely:—

New clause  
27 inserted  
in Part I. of  
the Schedule  
to 13 Geo. V.  
No. 29.

"[27.] Subject to this Act, the Commissioner may, in any Drainage Area, construct, maintain and operate such works of drainage as he deems necessary or expedient and may, in respect of lands within the Drainage Area, make and levy such rates or charges as may be prescribed according to the nature of the benefits received, directly or indirectly, from those works."

Drainage  
works.

**27.** Clause thirty of Part I. of the Schedule to \*"*The Irrigation Acts, 1922 to 1949,*" is amended by repealing the words "any rent or charges for water" and by inserting, in lieu of those repealed words, the words "any rent, rate or charge".

Amendment  
of clause 30  
of Part I. of  
the Schedule  
to 13 Geo. V.  
No. 29.

**28.** Clause thirty-one of Part I. of the Schedule to \*"*The Irrigation Acts, 1922 to 1949,*" is amended by repealing the second paragraph.

Amendment  
of clause 31  
of Part I. of  
the Schedule  
to 13 Geo. V.  
No. 29.

**29.** The following clause is inserted after clause thirty-one of Part I. of the Schedule to \*"*The Irrigation Acts, 1922 to 1949,*" namely:—

New clause  
31A inserted  
after clause  
31 of  
Part I. of  
the Schedule  
to 13 Geo. V.  
No. 29.

"[31A.] (1.) Freehold land within an Irrigation Area shall not be subdivided without the prior approval of the Commissioner.

Subdivision  
of freehold  
land within  
Irrigation  
Area.

PART III.—  
AMENDMENTS  
OF “THE  
IRRIGATION  
ACTS, 1922  
TO 1949.”

*Irrigation Acts and Other Acts, Etc., Act.* 3 ELIZ. II. No. 27,

(2.) Application for such approval shall be accompanied by a plan of the proposed subdivision signed by all persons who are parties to the transaction.

(3.) The Commissioner may approve, refuse to approve, or approve with modifications of any proposed subdivision.

(4.) Any person aggrieved by the refusal of the Commissioner to approve of a proposed subdivision, or by his approval thereof with modifications, may appeal to the Minister in writing not later than one month after he has been notified of the decision of the Commissioner.

(5.) Upon appeal as aforesaid the Minister may confirm, reverse, or modify as he deems fit the decision of the Commissioner who shall give to the determination of the Minister upon the appeal the same effect as if that determination were the decision of the Commissioner upon the matter.

(6.) The approval of the Commissioner to a plan of subdivision shall be evidenced by a notation of approval endorsed thereon under the seal of the Commissioner.

(7.) The provisions of \**“The Local Government Acts, 1936 to 1953,”* relating to the subdivision of land shall be read subject to this clause, and accordingly a Local Authority shall not approve of a plan of subdivision of freehold land in an Irrigation Area unless that plan has been approved by the Commissioner, his approval is evidenced thereon as provided by subclause six of this clause, and the approval by the Local Authority of that plan is duly applied for not later than six months after the date of the notation thereon evidencing approval as aforesaid by the Commissioner.

(8.) The Minister may, from time to time, by notification published in the *Gazette* exempt from this clause freehold land in any part defined in that notification of an Irrigation Area. The Minister may by a like notification revoke such an exemption.”

Repeal of  
clause 39 of  
Part I. of  
the Schedule  
to 13 Geo. V.  
No. 29.

**30.** Clause thirty-nine of Part I. of the Schedule to †*“The Irrigation Acts, 1922 to 1949”* is repealed.

PART IV.—  
AMENDMENTS  
OF “THE  
WATER ACTS,  
1926 TO 1942.”

PART IV.—AMENDMENTS OF ‡*“THE WATER ACTS, 1926 TO 1942.”*

Construction  
of Part IV.  
and  
collective  
title.

**31.** This Part IV. of this Act shall be read as one with ‡*“The Water Acts, 1926 to 1942,”* and those Acts and this Part IV. of this Act may be collectively cited as ‡*“The Water Acts, 1926 to 1954.”*

\* 1 G. 6 No. 1 and amending Acts.

† 13 G. 5 No. 29 and amending Acts.

‡ 17 G. 5 No. 12 and amending Acts.



1954. *Irrigation Acts and Other Acts, Etc., Act.*

PART IV.—  
AMENDMENTS  
OF “THE  
WATER ACTS,  
1926 TO 1942.”

**32.** Section three of \**“The Water Acts, 1926 to 1942,”* is amended by repealing the definition “Commissioner” and by inserting, in lieu of that repealed definition, the following definition, namely:—

Amendment  
of s. 3 of 17  
Geo. V.  
No. 12.

“ “Commissioner” —The Commissioner of Irrigation and Water Supply under and within the meaning of †*“The Irrigation and Water Supply Commission Acts, 1946 to 1949”*; ”.

Com-  
missioner.

**33.** The following section is inserted after section eleven of \**“The Water Acts, 1926 to 1942,”* namely:—

New s. 11A  
inserted in  
17 Geo. V.  
No. 12.

“ [11A.] (1.) Subject to this section an application for a license as prescribed by section eleven of this Act may be made in respect of land which does not abut upon a watercourse, lake or spring, nor upon a weir, reservoir or dam constructed by the Crown or the Commissioner.

Rights of  
non-riparian  
owners and  
occupiers of  
land to  
obtain  
licenses.

(2.) The applicant may make with owners and occupiers of lands intervening between the land and the watercourse, lake, spring, weir, reservoir or, as the case may be, dam in respect whereof the application is made arrangements with respect to the construction, use and maintenance on, in, over or under those intervening lands of works necessary to carry out the purpose for which the application is made.

If made, those arrangements shall be in writing signed by the persons who are parties thereto, and a copy thereof so signed shall accompany the application.

If the applicant is unable to make those arrangements he shall accompany his application with a written statement to that effect.

(3.) The Commissioner may, in writing, authorise an applicant to construct, use and maintain on, in, over or under lands, which in relation to the application are intervening lands as aforesaid, such works as are specified in that authority.

Such authority shall be subject to such provisions, terms and conditions, including for the making by the applicant of payment to owners and occupiers of the intervening lands by way of compensation or rent, or

\* 17 G. 5 No. 12 and amending Acts.

† 11 G. 6 No. 11 and amending Acts.

PART IV.—  
AMENDMENTS  
OF "THE  
WATER ACTS,  
1926 TO 1942."

*Irrigation Acts and Other Acts, Etc., Act.* 3 ELIZ. II. No. 27,

both, and for the right of ingress, egress and regress of the applicant to and from the intervening lands, as the Commissioner deems just.

Such an authority shall continue in force while the license to which it relates and any and every renewal of that license continue in force, but no longer.

If the holder for the time being of such an authority contravenes or fails to comply in any respect with the provisions, terms and conditions of the authority the Commissioner may cancel the license to which the authority is related.

(4.) The provisions of sections twelve to sixteen, both inclusive, of this Act shall with and subject to all necessary adaptations thereof, apply and extend with respect to applications under this section, notifications of such applications, objections to the grant thereof, appeals from the decision of the Commissioner upon such objections, the issue of licenses pursuant to such applications, the tenure of such licenses, the benefit thereof, the fees payable in respect thereof, the rights and obligations of holders thereof, and all other matters and things to which in respect of licenses, holders of licenses, and other persons whomsoever those provisions apply.

Without limit to the generality of the foregoing provisions of this subsection, owners and occupiers of intervening lands shall have and may exercise, in respect of an application under this section, the right of objection specified in subsection three of section twelve of this Act and, if dissatisfied with the decision of the Commissioner upon such an objection, the applicant or the objector shall have and may exercise the right of appeal to the Minister specified in subsection four of the said section twelve."

New section  
inserted in  
17 Geo. V.  
No. 12.

**34.** The following section is inserted after section 11A of \**The Water Acts, 1926 to 1942,*" as previously inserted by this Act, namely:—

Levee banks.

" [11B.] (1.) A person shall not construct or use a levee bank except under the authority of and in compliance in every respect with the provisions, terms and conditions of a license under this Act issued by the Commissioner.

\* 17 G. 5 No. 12 and amending Acts.

1954. *Irrigation Acts and Other Acts, Etc., Act.*

The Commissioner may issue the license subject to such provisions, terms and conditions relating to the situation of the levee bank the subject thereof, and providing for the construction of that levee bank in accordance with plans and specifications specified by him as he deems fit.

(2.) In this section the term "levee bank" means any embankment or other structure, whether situate within or without or partly within and partly without the bed and banks of any watercourse, whereby the waters, including flood waters, of that watercourse are kept wholly or partly within a channel, or for preventing or reducing inundation by water from that watercourse, or for preventing, regulating or controlling howsoever the flow of water into or out of that watercourse.

(3.) This section shall not apply with respect to the construction of any levee bank—

- (a) In an area of soil erosion hazard under and within the meaning of Part IV. of \**"The Soil Conservation Act of 1951,"* in compliance with a soil conservation order issued in pursuance of that Act; or
- (b) For carrying out, under Part V. of \**"The Soil Conservation Act of 1951,"* a scheme for a soil conservation project."

**35.** Subsection three of section seventeen of †*"The Water Acts, 1926 to 1942,"* is amended by repealing the last paragraph thereof, being the paragraph commencing with the words "The Land Administration Board". Amendment of s. 17 (3) of 17 Geo. V No. 12.

**36.** Section fifty-five of †*"The Water Acts, 1926 to 1942,"* is amended by inserting, after subsection 1A, the following subsection, namely:— Amendment of s. 55 of 17 Geo. V. No. 12.

"(1B.) No artesian well or sub-artesian well, including any such well existing at the date of the passing of †*"The Irrigation Acts and Other Acts Amendment Act of 1954,"* shall be used at any time later than three months after that date unless in pursuance of a license under this Act."

\* 15 G. 6 No. 24.

† 17 G. 5 No. 12 and amending Acts.

‡ This Act.

*Irrigation Acts and Other Acts, Etc., Act.* 3 ELIZ. II. No. 27,

PART V.—  
AMENDMENTS  
OF “THE  
IRRIGATION  
AREAS (LAND  
SETTLEMENT)  
ACTS, 1933  
TO 1951.”

Construction  
of Part V.  
and  
collective  
title.

PART V.—AMENDMENTS OF \**“THE IRRIGATION AREAS (LAND SETTLEMENT) ACTS, 1933 TO 1951.”*

**37.** This Part V. of this Act shall be read as one with \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* and those Acts and this Part V. of this Act may be collectively cited as *“The Irrigation Areas (Land Settlement) Acts, 1933 to 1954.”*

Amendment  
of s. 3 of  
24 Geo. V.  
No. 21.

**38.** Section three of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* is amended by repealing the definition “Dry” and by inserting, in lieu of that repealed definition, the following definition, namely:—

Dry.

“ “Dry” as applied to land in an Irrigation Area—  
Land not commanded by gravitation from works of the irrigation undertaking in relation to which that Irrigation Area is constituted ; ”.

Amendment  
of s. 4 of  
24 Geo. V.  
No. 21.

**39.** Section four of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* is amended by repealing the last paragraph thereof.

New ss. 5c  
and 5d  
inserted  
in 24 Geo. V.  
No. 21.

**40.** The following sections are inserted after section 5B of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* namely:—

When area  
constituted  
or included  
in Irrigation  
Area, then  
this Act to  
apply to  
subsisting  
holdings  
therein.

“ [5c.] (1.) Any and every lease or license under †*“The Land Acts, 1910 to 1953,”* or under that Act and ‡*“The Prickly-pear Land Acts, 1923 to 1951,”* whereby any lands wholly in an area are held from the Crown as at the date of the constitution of that area to be an Irrigation Area, or as at the date of the inclusion of that area in an Irrigation Area, shall, on and from that date, be deemed to be a lease or license under †*“The Land Acts, 1910 to 1953”* (and, if also under ‡*“The Prickly-pear Land Acts, 1923 to 1951,”* that Act), and the Irrigation Acts and accordingly the land shall be deemed to be held from the Crown under, subject to and in accordance with the provisions applicable in respect of the lease or license of such Acts, and all moneys received in respect of rent payable under such a lease or license shall be credited to the fund account for that Area.

\* 24 G. 5 No. 21 and amending Acts.

† 1 G. 5 No. 15 and amending Acts.

‡ 14 G. 5 No. 34 and amending Acts.

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1954. *Irrigation Acts and Other Acts, Etc., Act.*

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(2.) Where an Area is abolished or altered so as to exclude therefrom any part thereof the Irrigation Acts shall, on and from the date of that abolition or alteration, cease to apply with respect to any and every lease or license under those Acts and \**"The Land Acts, 1910 to 1953"* (and, if also under †*"The Prickly-pear Land Acts, 1923 to 1951,"* that Act), whereby any land in the abolished Area or part of an Area excluded therefrom is held from the Crown but \**"The Land Acts, 1910 to 1953"* (and, if also under †*"The Prickly-pear Land Acts, 1923 to 1951,"* that Act), shall, but without prejudice to the selector, lessee or licensee of any such lease or license for that the area of land comprised therein exceeds the maximum area which may lawfully be held by him, continue to apply in respect of the lease or license, and moneys received in respect of rent payable, on or after the date of such abolition or alteration, under such a lease or license shall not be credited to the fund account for that Area.

(3.) In any and every case where the Land Court shall not have determined the annual rent in respect of the rental period current as at the date of the constitution of an area to be an Irrigation Area, or of the abolition of an Irrigation Area or of the exclusion of part of such an Area therefrom, or, as the case may be, of the inclusion of an additional area in any such Area of any selection or lease wholly in that Area or part excluded from an Area, or area included in an Area, then that Court shall make that determination under, subject to and in accordance with such of the Acts specified in subsection one or subsection two of this section as are thereby prescribed to be applicable to the land comprised in the selection or lease in question when the determination is made.

(4.) As well as applying with respect to Irrigation Areas constituted on or after the passing of ‡*"The Irrigation Acts and Other Acts Amendment Act of 1954,"* this section shall, on and from the passing of that Act, apply with respect to Irrigation Areas subsisting at the passing of that Act.

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\* 1 G. 5 No. 15 and amending Acts.

† 14 G. 5 No. 34 and amending Acts.

‡ This Act.

PART V.—  
AMENDMENTS  
OF “THE  
IRRIGATION  
AREAS (LAND  
SETTLEMENT)  
ACTS, 1933  
TO 1951.”

When  
14 Geo. V.  
No. 34 not  
to apply.

*Irrigation Acts and Other Acts, Etc., Act.* 3 ELIZ. II. No. 27,

[5D.] \**“The Prickly-pear Land Acts, 1923 to 1951,”* shall not apply with respect to land in an Irrigation Area which is opened for selection at any time after the passing of †*“The Irrigation Acts and Other Acts Amendment Act of 1954”*.”

Amendment  
of s. 6 of 24  
Geo. V. No.  
21.

41. Section six of ‡*“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951”* is amended—

(i.) By inserting after the words “within three months”, where appearing in paragraph (c) of the proviso to that section, the words “or such time longer than three months as is allowed by the Minister”, and

(ii.) By repealing paragraph (d) of the proviso to that section and by inserting, in lieu of that repealed paragraph, the following paragraphs, namely:—

“(d) Notwithstanding the provisions of the last preceding paragraph of this proviso, at any time from the date of allotment to an allottee the portion may be notified to be open for selection as a Perpetual Lease Selection, with priority of application to such allottee.

Within one month from the date of opening or within such further period as the Minister may allow, the allottee shall complete his application to select the portion, and if he fails to do so the Minister may cancel his priority of selection of the portion and his rights and interests (if any) in respect of the portion shall thereupon and thereby be forfeited without any further notice or process; and

(e) The value of any improvements on a portion allotted to an approved applicant must be paid by that applicant within twenty-one days or, if any extension of that time is allowed by the Minister, within the extended time so allowed after allotment of the portion to him.”

\* 14 G. 5 No. 34 and amending Acts.

† This Act.

‡ 24 G. 5 No. 21 and amending Acts.

1954. *Irrigation Acts and Other Acts, Etc., Act.*

PART V.—  
AMENDMENTS  
OF “THE  
IRRIGATION  
AREAS (LAND  
SETTLEMENT)  
ACTS, 1933  
TO 1951.”

**42.** Subsection one of section seven of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* is amended—

Amendments  
of s. 7 (1) of  
24 Geo. V.  
No. 21.

(a) By repealing paragraph (iii.) and by inserting, in lieu of that repealed paragraph, the following paragraph, namely :—

“ (iii.) Specify the numbers of the portions and their respective areas and, in respect of each and every portion, state the capital values (exclusive of the value of improvements, if any) respectively of the irrigable area, the non-irrigable area, and the dry area comprised therein.” ; and

(b) By repealing paragraph (iv.) and by inserting, in lieu of that repealed paragraph, the following paragraph, namely :—

“ (iv.) In respect of each and every portion, state the areas respectively of irrigable land, non-irrigable land, and dry land comprised therein.”.

**43.** Section eight of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* is amended by repealing in paragraph (ii.) the words “ one hundred and fifty acres ” and by inserting, in lieu of those repealed words, the words “ three hundred acres ”.

Amendment  
of s. 8 of  
24 Geo. V.  
No. 21.

**44.** The following section is inserted after section eight of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* namely :—

New s. 8A  
inserted in  
24 Geo. V.  
No. 21.

“ [8A.] (1.) If, consequent upon the construction of new works, or the extension, renewal, improvement, or alteration of existing works, or of any other circumstances arising or becoming apparent subsequent to the issue of any lease or license, the Minister is of opinion that it is necessary or desirable to reclassify the land comprised in any lease or license so far as relates to the areas respectively of irrigable land, non-irrigable land and dry land respectively comprised therein the Minister may recommend accordingly to the Governor in Council who thereupon may by Order in Council reclassify those areas as so recommended.

Reclassification  
of lands  
comprised  
in lease.

PART V.—  
AMENDMENTS  
OF "THE  
IRRIGATION  
AREAS (LAND  
SETTLEMENT)  
ACTS, 1933  
TO 1951."

*Irrigation Acts and Other Acts, Etc., Act.*

3 ELIZ. II. No. 27,

(2.) Every such Order in Council shall be registered in the proper register of the instrument of lease or license affected thereby.

(3.) Upon registration as aforesaid of an Order in Council as aforesaid, the lease or license thereby affected shall have operation and effect subject to that order as if that order were incorporated in and formed part of the relevant instrument.

(4.) In any action or proceeding wherein proof of an Order in Council under this section is relevant, evidence of the registration as aforesaid of the Order in Council in question shall be sufficient such proof and the party leading that evidence shall not be required to prove the due making of the order.

(5.) Upon the reclassification in pursuance of this section, of the areas respectively of irrigable land, non-irrigable land and dry land comprised in a lease or license, the Minister may adjust as he deems fair and equitable having regard to that reclassification the annual rent payable in respect of that lease or license.

(6.) Section eight of this Act shall not apply so as to disqualify any one person from holding two or more perpetual lease selections the aggregate area of irrigable land comprised wherein exceeds the maximum area prescribed by or in pursuance of that section where—

- (a) The excess shall have resulted from a reclassification under and within the meaning of this section; and
- (b) That person or his predecessor in title held those selections when the reclassification was made."

Amendment  
of s. 9 of  
24 Geo. V.  
No. 21.

45. Section nine of \**"The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,"* is amended—

(a) By repealing the first three paragraphs and by inserting, in lieu of those repealed paragraphs, the following paragraphs, namely :—

" During the first fifteen years of the lease the annual rent reserved for a Perpetual Lease Selection shall be a sum equal to one pound ten shillings per centum of the notified capital value of the land :

\* 24 G. 5 No. 21 and amending Acts.



1954. *Irrigation Acts and Other Acts, Etc., Act.*

PART V.—  
AMENDMENTS  
OF “THE  
IRRIGATION  
AREAS (LAND  
SETTLEMENT)  
ACTS, 1933  
TO 1951.”

Provided that the rent for the second year of land other than irrigable land shall be a peppercorn (if demanded).

For each and every period of seven years thereafter the annual rent shall be determined by the Land Court at a sum equal to one pound ten shillings per centum of the unimproved capital value of the land as at the commencement of the period in question and as if the land were freehold.”;

(b) By repealing in the fourth paragraph the word “Irrigation” where that word appears before the words “Perpetual Lease Selection”; and

(c) By repealing subparagraph (c) of the fourth paragraph and by inserting, in lieu of that repealed subparagraph, the following subparagraph, namely:—

“(c) The enhancement in the value of the land for that water is available from works of the irrigation undertaking in relation to which the Irrigation Area in which the land is situated is constituted.”.

46. Section 11F of \**The Irrigation Areas (Land Settlement) Acts, 1933 to 1951*,” is amended—

Amendments  
of s. 11F  
of 24 Geo. V.  
No. 21.

(a) By repealing, in subsection two, the words “and, in the case of a perpetual lease, subject also to subsection six of this section”;

(b) By repealing, in subsection three, the words “and, in the case of a perpetual lease, subject also to subsection six of this section”;

(c) By repealing, in subsection four, the words and brackets “(excepting the provisions relating to annual rent)”;

(d) By repealing, in subsection five, the words and brackets “(excepting the provisions relating to annual rent)”;

(e) By repealing subsection six.

47. The headnote appearing immediately before (section twelve of \**The Irrigation Areas (Land Settlement) Acts, 1933 to 1951*,” is amended by adding thereto the words “, *Perpetual Suburban Leases, and Perpetual Country Leases*”.

Amendment  
of  
headnote.

PART V.—  
AMENDMENTS  
OF “THE  
IRRIGATION  
AREAS (LAND  
SETTLEMENT)  
ACTS, 1933  
TO 1951.”

Amendment  
of s. 12 of  
24 Geo. V.  
No. 21.

*Irrigation Acts and Other Acts, Etc., Act.* 3 ELIZ. II. No. 27,

**48.** Section twelve of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* is amended—

(a) By inserting after the words “Perpetual Town Leases, where appearing in subsection one, the words “Perpetual Suburban Leases or Perpetual Country Leases”; and

(b) By adding to the marginal note thereto the words “, Perpetual Suburban Leases, and Perpetual Country Leases”.

Amendment  
of s. 13.

**49.** Section thirteen of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* is amended by repealing the words “annual rent”, where appearing in paragraph (b), and by inserting, in lieu of those repealed words, the word “price”.

Amendments  
of s. 14.

**50.** Section fourteen of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* is amended—

(a) By repealing the words “annual rent”, where appearing in the first paragraph, and by inserting, in lieu of those repealed words, the words “capital sum”; and

(b) By repealing the words “annual rent”, where appearing in the second paragraph, and by inserting, in lieu of those repealed words, the word “price”.

Amendment  
of s. 15 of  
24 Geo. V.  
No. 21.

**51.** Section fifteen of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* is amended—

(a) By inserting after the words “Perpetual Town Lease”, where twice appearing, the words “, Perpetual Suburban Lease or Perpetual Country Lease”;

(b) By repealing subsection two and by inserting, in lieu of that repealed subsection, the following subsection, namely:—

“(2.) During the first fifteen years the annual rent reserved shall be a sum equal to three pounds per centum of whichever of the following is the greater, namely, the upset price at which the land was notified for sale by auction or the capital sum bid by the purchaser at the auction.”;

3 ELIZ. II. No. 27, 1954. *Irrigation Acts and Other Acts, Etc., Act.*

PART V.—  
AMENDMENTS  
OF “THE  
IRRIGATION  
AREAS (LAND  
SETTLEMENT  
ACTS, 1933  
TO 1951.”

(c) By repealing the first paragraph of subsection three and by inserting, in lieu of that repealed paragraph, the following paragraph, namely :—

“For each and every period of fifteen years thereafter the rent shall be determined by the Land Court at a sum equal to three pounds per centum of the fair unimproved capital value of the land as at the commencement of the period in question.”;

(d) By repealing subparagraph (a) of the second paragraph of subsection three and by inserting, in lieu of that repealed subparagraph, the following subparagraph, namely :—

“(a) The amount which experienced persons would be willing to pay for land of similar quality in the same neighbourhood; and”; and

(e) By adding the following subsection, namely :—

“(4.) In no case shall the annual rent be less than one pound per annum.”.

52. Section sixteen of \**“The Irrigation Areas (Land Settlement) Acts, 1933 to 1951,”* is amended by inserting after the words “Perpetual Town Leases”, where twice appearing, the words “, Perpetual Suburban Leases and Perpetual Country Leases”. Amendment of s. 16 of 24 Geo. V. No. 21.

\* 24 G. 5 No. 21 and amending Acts.

## WHEAT INDUSTRY STABILISATION.

*See* AGRICULTURE.

## WORKERS' COMPENSATION.

*See* LABOUR.