



ANNO VICESIMO SECUNDO

# GEORGII V REGIS.

## A.D. 1931.

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### No. 2060.

An Act to amend the Crown Lands Act, 1929.

*[Assented to, December 9th, 1931.]*

**B**E it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

**1.** (1) This Act may be cited as the "Crown Lands Amendment Act, 1931". Short titles.

(2) The Crown Lands Act, 1929 (which is hereinafter referred to as "the principal Act"), and this Act may be cited together as the "Crown Lands Acts, 1929 and 1931". No. 1923 of 1929.

**2.** Section 2 of the principal Act is amended by striking out the word "Certain" in the forty-third line thereof and by inserting in lieu thereof the words "Closer Settlement". Amendment of principal Act, s. 2—Arrangement.

**3.** Division I. of Part VII. of the principal Act is amended by inserting therein after section 73 the following section :— Amendment of principal Act—

73A. (1) The Commissioner may on the recommendation of the Board extend the term of any lease with a right of purchase granted under a repealed Act. Extension of certain right of purchase leases.

(2) Every such extension shall expire not later than five years after the passing of the Crown Lands Amendment Act, 1931.

(3) All the provisions, covenants, and conditions (including the right of purchase) of the lease shall be deemed to apply during such extended term.

*Crown Lands Amendment Act.—1931.*

Amendment of  
principal Act—

**4.** Division II. of Part VII. of the principal Act is amended by inserting therein after section 78 the following section :—

Power to reduce  
rent under  
miscellaneous lease.

78A. (1) The Commissioner, if he is satisfied that the rent payable under any miscellaneous lease is too high, may make such (if any) reduction thereof as, after reference by the Commissioner to the Board, is recommended by the Board.

(2) Every reduction of rent under this section shall take effect from such date as the Commissioner in every case determines and every reduction of rent may be for such period as the Commissioner in every case determines.

(3) The powers of the Commissioner under this section may, in the case of any such lease, be exercised from time to time as the Commissioner thinks fit, notwithstanding that one or more reductions have already been made by the Commissioner in respect of the same lease.

Amendment of  
principal Act—

**5.** The principal Act is amended by inserting therein after section 175 the following section :—

Extension of  
period for payment  
of certain limited  
instalments.

175A. (1) In the case of any agreement to which section 180 of the Crown Lands Act, 1915 (as enacted before the passing of the Crown Lands Act Amendment Act, 1929) applies, the Commissioner may direct that the number of instalments payable at the rate specified in paragraph 1. of subsection (1) of the said section shall be increased from sixteen to such number, not exceeding twenty-six, as the Commissioner thinks fit.

(2) If the number of any such instalments payable as aforesaid is increased, the subsequent instalments payable under the agreement shall be re-calculated so as to provide that each of the subsequent instalments shall be equal and calculated at a rate sufficient to repay during the term of sixty-four years the price fixed by the Board, together with interest on the balance thereof at the fixed rate for the whole of the said term.

Amendment of  
principal Act—

**6.** The principal Act is amended by inserting therein after section 176 the following section :—

Power of Board to  
capitalize arrears of  
interest on  
agreement.

176A. (1) In the case of any agreement under Part X. of the Crown Lands Act, 1903, Part X. of the Crown Lands Act, 1915, or Part X. of this Act, the Board may capitalize the whole or any part of such amounts of any instalments then in arrear as represent interest.

(2) Any amount so capitalized shall be added to the purchase-money, and shall be payable at the times the instalments of the said purchase-money are payable. Each of such payments thereof shall be equal, and shall be calculated to repay during the period the said instalments are payable, the said capitalized amount together with interest at the fixed rate on the balance thereof from time to time remaining unpaid.

**7.** The

*Crown Lands Amendment Act.—1931.*

7. The heading to Division VII. of Part X. of the principal Act is amended by striking out the word "Certain" therein and by inserting in lieu thereof the words "Closer Settlement". Amendment of principal Act.
8. Section 198 of the principal Act is repealed. Repeal of principal Act, s. 198.
9. Section 199 of the principal Act is amended by striking out the words "to which this Division applies" in the first line thereof. Amendment of principal Act, s. 199—  
Surrender of agreements.
10. Section 200 of the principal Act is amended by striking out the words "to which this Division applies" in the first line thereof. Amendment of principal Act, s. 200—  
Reduction of purchase-money.
11. Section 201 of the principal Act is amended—
- (a) by striking out the words "by the Board, in the case of a lessee, or" in the fourth line of subsection (2) thereof;
  - (b) by striking out the words "in the case of a purchaser" in the fifth line of subsection (2) thereof; and
  - (c) by striking out the words "rents or" in the penultimate line thereof.
- Amendment of principal Act, s. 201—  
Payment of arrears.
12. Section 202 of the principal Act is amended—
- (a) by striking out the words "where an application under section 199 to surrender an agreement for a perpetual lease, or under section 200 for a reduction of the purchase-money payable under an agreement is refused" in subsection (1) thereof, and by inserting in lieu thereof the words "of an agreement entered into under Part X. of the Crown Lands Act, 1903, Part X. of the Crown Lands Act, 1915, or Part X. of this Act":
  - (b) by striking out paragraph (b) of subsection (2) thereof.
- Amendment of principal Act, s. 202—  
Reduction of interest.
13. Sections 203 and 204 of the principal Act are amended by striking out the passage "subject to section 198 in the first line of each section". Amendment of principal Act, ss. 203 and 204.
14. Division VII. of Part X. of the principal Act is amended by inserting therein after section 204 the following section:—
- 204A. Sections 203 and 204 shall apply only to—
- (a) lands which are situated in the estates known or formerly known as Yallum, Binnun, Hynam, and Kybybolite;
  - (b) lands which are comprised in the estate known or formerly known as Mount Schank Estate, in the Hundred of Kongorong, and which were held under agreement on the nineteenth day of December, nineteen hundred and twelve; and
  - (c) such
- Amendment of principal Act—  
Application of sections 203 and 204.

*Crown Lands Amendment Act.—1931.*

(c) such other lands as are by proclamation declared to be subject to the said provisions after a resolution by both Houses of Parliament approving of the making of the proclamation.

Amendment of principal Act, s. 232.

**15.** Section 232 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof):—

(2) Town and suburban lands offered for sale and not sold may be sold by private contract for cash at any price not less than the upset price at which the same were last offered.

Amendment of principal Act, s. 241—  
Exchange of certain lands.

**16.** Section 241 of the principal Act is amended by striking out the words “paragraph (a) of” in the first line of subsection (2) thereof.

Amendment of principal Act—  
Fourth Schedule.

**17.** The Fourth Schedule to the principal Act is amended by striking out the figures “288” in the penultimate line thereof and by inserting in lieu thereof the figures “289”.

Amendment of principal Act—  
Fifth Schedule.

**18.** The Fifth Schedule to the principal Act is amended by striking out the figures “288” in the last line of paragraph 15 thereof and by inserting in lieu thereof the figures “289”.

Amendment of principal Act—  
Ninth Schedule.

**19.** The Ninth Schedule to the principal Act is amended by striking out the figures “288” in the last line of paragraph 17 thereof and by inserting in lieu thereof the figures “289”.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

A. HORE-RUTHVEN, Governor.