

VICTORIA.



ANNO QUADRAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. DCCCI.

An Act to amend "*The Residence Areas Act 1881.*"
[4th December 1884.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may for all purposes be cited as "*The Residence Areas Act 1884,*" and shall be read and construed as part of "*The Residence Areas Act 1881*" and with that Act shall be read and construed as one with the "*Mining Statute 1865.*"

Short title and construction.

2. Section twenty of "*The Residence Areas Act 1881*" is hereby repealed and in section twenty-one of the said Act the words "when sold limited in depth" and the words "one quarter of an acre" in sections five and ten of the "*Mining Statute 1865*" and in section two of "*The Residence Areas Act 1881*" are hereby repealed, and the said sections five and ten of the "*Mining Statute 1865*" and section two of "*The Residence Areas Act 1881*" respectively shall be read with the words "one acre" inserted therein in lieu of the said repealed words.

Repeal section 20 and amendment of sections 2, 21, No. 709.

Amendment ss. 5 and 10 "*Mining Statute 1865.*"

3. When buildings or other improvements have been erected or made upon any Crown lands occupied by the holder of a miner's right or business licence under the provisions of "*The Residence Areas Act 1881*" and of which land the holder has been in possession for

Holders of residence areas to have right of pre-emption at a valuation.

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for a period of at least two years and a half, if it be proved to the satisfaction of the Board that such buildings or other improvements have been erected or made and that the holder has been in possession of such lands as aforesaid and that he has complied with the provisions of the aforesaid Act, and if there be no objection to the alienation of such land on the ground of its being auriferous, or other reasons of a public nature to be stated by the Board within three months after being requested to do so by the holder, or within three months after an application has been made to purchase as hereinafter mentioned, the holder shall have the exclusive right of purchasing the allotment on which such buildings or other improvements have been erected or made at a price to be determined by an appraiser appointed by the Board. In the event of the Crown requiring to resume possession for public or other purposes of any residence area, the holder of such area shall be entitled to payment of compensation for the value of his interest in such residence area together with the value of any buildings or other improvements erected or made thereon. Such value shall be ascertained and determined in the same manner as the value of buildings erections and *bonâ fide* improvements made on land held for residence or business is ascertained and determined under the provisions of the "*Mining Statute 1865.*"

Declaration to be
made by appraiser.

4. Before any appraiser enters into the consideration of any matters referred to him under this Act, he shall in presence of a justice make and subscribe the following declaration (that is to say):—

I do solemnly and sincerely declare that I have no interest either directly or indirectly in the matters in question, and that I will faithfully and honestly and to the best of my skill and ability make any appraisement and valuation required of me under the provisions of "*The Residence Areas Act 1884.*"

MELBOURNE:

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