



ANNO QUINTO

EDWARDI VII REGIS.

A.D. 1905.

No. 899.

An Act to amend "The Crown Lands Act, 1903," and for other purposes.

[Assented to, December 9th, 1905.]

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

1. This Act may be cited as "The Crown Lands Act Amendment Act, 1905," and shall be read and incorporated with "The Crown Lands Act, 1903" (hereinafter referred to as "the principal Act"). Short title.

2. This Act is divided into three Parts, as follows:— Division of Act.

PART I.—Reclaimed Swamp Lands:

PART II.—Closer Settlement:

PART III.—Lands Outside Goyder's Line:

PART IV.—Repeal and Amendments.

PART I.

RECLAIMED SWAMP LANDS.

PART I.

3. The Commissioner may cause any reclaimed lands, or lands in course of being reclaimed, to be surveyed and offered for lease in blocks of such an area as he shall determine. Commissioner may survey and offer reclaimed lands.

4. The Board shall, subject to the approval of the Commissioner, fix the annual rent to be paid for each block. Board to fix rent.

5. Each

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Terms of lease.

5. Each block shall be offered on perpetual lease at a rental as hereinafter mentioned.

Board to allot.

6. Blocks under this Part of this Act shall be allotted by the Board, and applications therefor shall be published in the *Government Gazette* and dealt with in accordance with the provisions of sections 30, 32, 33, 34, and 36 of the principal Act.

How rent determined.

7. The rent for each block shall not be less than Four Pounds per centum per annum on the unimproved value of the land and the cost of reclaiming the same.

Payment of rent.

8. The said rent shall be payable as follows:—

(a) For the first year one-quarter of the fixed annual rent:

(b) For the second year one-half of such rent:

(c) For the third year three-quarters of such rent:

(d) For the fourth and each succeeding year thereafter the full amount of rent as fixed under section 4.

Rent to be paid in advance.

9. All rents shall be paid in advance.

Area of holdings, two blocks.

10. No person shall either by himself or conjointly with any other person or persons be the holder of more than two blocks.

Dealing with unallotted lands.

11. Any land remaining unallotted for one year after being open to application at the rent fixed pursuant to the provisions of this Act may be let at such reduced rental as may be fixed by the Board and approved by the Commissioner, or on miscellaneous lease, as provided in section 159 of the principal Act.

Repurchased lands may be reclaimed.

12. Land purchased under Part X. of the principal Act may be partially or wholly reclaimed and leased under the provisions of this Part of this Act.

PART II.**PART II.****CLOSER SETTLEMENT.**

Time for payment under closer settlement agreement.

13. Every agreement in respect to the allotment of lands made after the passing of this Act under Part X. of the principal Act shall be for a term of thirty-five years. The first ten half-yearly payments shall each be payable in advance, and shall be calculated at the rate of Four Pounds per centum on the value of the block or blocks, and the improvements (if any) as fixed by the Board. The subsequent sixty half-yearly payments shall be made as provided in section 153 of the principal Act: Provided that the purchaser shall not have the option of completing purchase before the expiration of nine years from the date of the agreement.

14. The

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14. The holder under agreement of any lands purchased by the Crown since the twelfth day of October, one thousand nine hundred and three, may surrender his agreement for an agreement in terms of section 13 of this Act, and the new agreement when executed shall be dated as and from the date of the surrendered agreement.

PART II.

Agreement of lands purchased after October 12th, 1903, may be surrendered.

15. The moneys (if any) remaining to the credit of the holder under such first mentioned agreement shall, after deducting therefrom all interest, charges, and costs due in respect of the said land by such holder, be applied towards payment for the lands held by him under the new agreement: Provided that all moneys paid for improvements under the surrendered agreement shall be accepted as payment on account of such improvements under the agreement made in terms of section 13.

Moneys remaining after payment of interest, &c., to be applied in payment of lands.

16. No growing timber shall be cut or otherwise injured or destroyed, during the first five years of the term, except for the purposes of improvement on the land or for cultivation, and then only with the written consent of the Commissioner.

Reservations as to growing timber.

PART III.

LANDS OUTSIDE GOYDER'S LINE.

PART III.

17. Notwithstanding anything contained in the principal Act, the Commissioner may permit the transfer of any lease of land (not being a pastoral lease) suitable only for grazing purposes, situate outside the line of Goyder's rainfall, upon such terms as may be agreed upon between the lessee and the proposed transferee if the transfer will not increase the holding of the transferee to a larger area than will carry ten thousand sheep, and may permit any rent then owing by such lessee, together with interest at the rate of four per centum per annum, to be paid by the transferee by instalments extending over any period not exceeding five years.

Transfers of leases outside Goyder's line.

18. Any lessee who has transferred his lease under the provisions of section 17 and any lessee of any land suitable only for grazing purposes situated outside Goyder's line of rainfall, whose rent is in arrear and unpaid, and who is unable to transfer his lease, may, on application to and approval of the Commissioner, be allotted by the Board any Crown lands within the said line of rainfall which may be available, and in such case, notwithstanding anything contained in the principal Act, such allottee may, subject to the payment by him of interest thereon at four per centum per annum, be allowed three years wherein to pay the rent or instalments which shall become due on the land so allotted.

Allotment in case of holdings outside Goyder's line.

19. No lease or agreement shall be issued, or transfer allowed, in respect of such last-mentioned land until the moneys due thereon shall be paid.

No lease to issue till rent paid.

PART

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PART IV.

PART IV.

REPEAL AND AMENDMENTS.

Repeal.

20. Section 12 of the principal Act is hereby repealed, and the following substituted in lieu thereof:

“The Governor may appoint a Board, to be called ‘The Land Board,’ consisting of four members, three of whom shall be civil servants.”

Amendments.

21. The principal Act is hereby amended as follows:—

- (a) Section 68 is hereby amended by striking out the word “six” in the third line thereof and substituting the word “three” therefor:
- (b) Section 71 is hereby amended by adding at the end thereof this proviso—“If any such agreement or lease cannot be obtained by the Commissioner, he may cancel the same and prepare a new agreement or lease in lieu thereof for the purchaser at such sale”:
- (c) Section 145 is hereby amended by striking out the words “nor shall any agreement be entered into on surrender of any land” in the sixth and seventh lines thereof:
- (d) Section 168 is hereby amended by striking out the figures “166” in the fourth line thereof and substituting the figures “167” therefor:
- (e) Section 189, subsection (2), is hereby amended by adding at the end thereof after the word “lands” the words “or to any subletting with the consent of the Commissioner, pursuant to section 65 of this Act”:
- (f) Section 244, subsection (1), is hereby amended by striking out the word “and” in the sixth line thereof and substituting the word “or” therefor:
- (g) The Sixth Schedule is hereby amended by striking out the word “Fourth” in the heading to the first column thereof and substituting the word “Fifth” therefor:
- (h) Section 151 is hereby amended by striking out the word “Three” in the second line thereof and substituting the word “Two” therefor, and by striking out the words “two financial years” in the third line thereof and substituting the words “one financial year” therefor:
- (i) Subsection 111. of section 152 is hereby amended by striking out the word “Three” and substituting the word “Four” therefor:
- (j) The last proviso of section 220 is hereby repealed, and the principal Act shall be read and construed as if the said proviso had never been inserted therein.

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

GEORGE R. LE HUNTE, Governor.