

No. , 1932.

A BILL

To amend the law relating to the withdrawal of lands held under lease, and the disposal of lands so withdrawn; and for these and other purposes to amend the Western Lands Act of 1901, as amended by subsequent Acts; and for purposes connected therewith.

[MR. TULLY;— 10 *May*, 1932.]

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

5 the same, as follows :—

1. This Act may be cited as the "Western Lands (Amendment) Act, 1932," and shall be read and construed with the Western Lands Act of 1901, as amended by subsequent Acts, which Act as so amended is in this Act referred to as the Principal Act. Short title.

2. The Principal Act is amended by omitting section seventeen and by inserting in lieu thereof the following new section :—

Amendment of Act No. 70, 1901. New s. 17.

5 17. (1) The Governor, after report by the Com-
missioners, may withdraw any lands held under
lease whenever it may be deemed expedient so to
do for the purpose of providing for settlement, and
every such withdrawal shall be notified in the
Government Gazette and a local newspaper.

Withdrawal for the purpose of providing for settlement.

10 All lands withdrawn from lease under this section shall be disposed of under the provisions of this Act.

15 The lands to be withdrawn from any lease under the exercise of this power shall not exceed one-eighth of the area of the lease.

20 Where two or more leases, whether adjoining or not, are held in the same interest, and are in the opinion of the Commissioners reasonably capable of being worked as one holding, the leases so held may be regarded as one lease for the purposes of withdrawals under this section, and any such withdrawals may be made from any one or more of the leases, but withdrawals shall not exceed in the aggregate one-eighth of the total area of the leases so held.

25 Where under the powers contained in this section or the section it replaces land to the extent of one-eighth of the area has been withdrawn from any lease or from any holding comprising two or more leases held in the same interest, no further withdrawal shall be made under this section from the lease or from the leases comprised in the holding from which a withdrawal was made.

30 As compensation for any such withdrawal the Governor shall, after report by the Commissioners, extend the term of any lease from which a withdrawal under this section or the section it replaces is or has been made or the terms of the leases comprised in the holding from which the withdrawal is or has been made, but in no case shall the term be extended by more than six years.

Where

Where the whole of the land held under a lease is withdrawn in pursuance of this section, the liability of the lessee for payment of rent shall cease as from the date of such withdrawal.

5 Where part of the land held under a lease is so withdrawn the rent for the succeeding years of the lease shall be reduced in proportion to the area withdrawn, and the conditions of the lease during
10 any extended term shall be the same as immediately prior to the commencement of such extension.

15 After the exercise of such power the land so withdrawn shall remain under preferential occupation license to the lessee at a rent to be fixed by the Commissioners until the said land shall be disposed of under the provisions of this Act.

20 Upon the disposal of any land so withdrawn the lessee shall be entitled to tenant right as hereinafter provided in all improvements effected or paid for by him on such land.

25 (2) Any land surrendered prior to the commencement of the Western Lands (Amendment) Act, 1932, in pursuance of any agreement made between the Minister and the holder of any lease of land in the Western Division whereby any lease under the provisions of the Western Lands Act of 1901 was, in consideration of the surrender by the lessee of the whole or part of a lease of land within the Western Division, exempted from
30 liability for withdrawals under section seventeen of that Act, shall for the purposes of this section be regarded as having been withdrawn from lease.

