

WESTERN LANDS (AMENDMENT) BILL.

Schedule of the Amendment referred to in Message of 26th November, 1937.

Page 2, clause 2, lines 13 to 17 inclusive. Omit—

(ii) by omitting from the same section the words "one person for any one of such purposes shall not exceed eighty acres, and such area" and by inserting in lieu thereof the words "person for any of such purposes";

insert—

(ii) by omitting from the same section the word "eighty" and by inserting in lieu thereof the words "two hundred"

This Bill is introduced in the Legislative Assembly,
and having been read a second time, the Speaker to the
Legislative Council for its consideration.

W. E. McQUINN,
Speaker of the Legislative Assembly.

Legislative Assembly of Ontario,
Toronto, Ontario.

The Bill is now ready for consideration by the
Legislative Council.

G. H. H. GARDNER,
of the Legislative Council.

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It is enacted by the Queen's Most Excellent Majesty,
by and with the advice and consent of the Senate
and House of Commons of Great Britain, that the
Wales in the following manner, and by the authority of
the said Senate and House of Commons.

1. (1) This Act may be cited as the "Wales Bill" and shall
be construed accordingly.

(2)

Note—The words to be printed in italics should be printed in
black ink.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 11 November, 1937.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

C. H. H. CALVERT,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 26th November, 1937.*

New South Wales.



ANNO PRIMO

GEORGII VI REGIS.

Act No. , 1937.

An Act to amend the Western Lands Act of 1901, and the Wild Dog Destruction Act, 1921, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith.

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. (1) This Act may be cited as the "Western Lands (Amendment) Act, 1937." Short title.

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(2)

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Western Lands (Amendment).

(2) The Western Lands Act of 1901, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

2. The Principal Act is amended—

- 5 (a) by omitting from section twelve the words "him or them" and by inserting in lieu thereof the words "the Minister, the Commissioner or a chairman"; Amendment of Act No. 70, 1901.
Sec. 12.
(Right to enter on Crown lands.)
- 10 (b) (i) by omitting from section 17A the word "Governor" wherever occurring and by inserting in lieu thereof the word "Minister"; Sec. 17A.
(Withdrawal from lease for special purposes.)
- 15 ~~(ii) by omitting from the same section the words "one person for any one of such purposes shall not exceed eighty acres, and such area" and by inserting in lieu thereof the words "person for any of such purposes";~~
- 20 (ii) by omitting from the same section the word "eighty" and by inserting in lieu thereof the words "two hundred";
- (c) by omitting the proviso to section eighteen and by inserting in lieu thereof the following words:— Sec. 18.
(Duration of lease.)

25 Whenever in pursuance of the provisions of this Act any holding or any right, title or interest to or in any land, becomes liable to be forfeited, such forfeiture may be declared by the Minister by notification in the Gazette.

30 Whenever in any instrument of lease in force at the commencement of the Western Lands (Amendment) Act, 1937, or issued after such commencement, it is provided that any lease may be cancelled or cancelled and forfeited or declared to have lapsed, such cancellation or cancellation and forfeiture or lapsing may be declared by the Minister by notification in the Gazette.

35 No forfeiture, cancellation or lapsing shall operate to extinguish any debt to the Crown.

The

Western Lands (Amendment).

6 The Minister may, on the recommendation of the Commissioner, waive or reverse, whether provisionally or otherwise, and on such conditions as he may think fit, any such forfeiture, cancellation, or lapsing. Any reversal shall be notified in the Gazette.

10 (d) by omitting from section 18c the words "and such determination shall in all cases be final and conclusive" and by inserting in lieu thereof the words "The provisions of subsection six of section nine of this Act shall extend to appeals and references to the Land and Valuation Court in respect of any such determination and to the return of any such determination to the local land board."

Sec. 18c.
(Local land board's decision as to fencing.)

15 (e) (i) by omitting from subsection two of section 18g the words "the Minister shall not give such consent unless the application for his consent is accompanied by" and by inserting in lieu thereof the words "no transfer (except a transfer by way of discharge of mortgage), conveyance, assignment or mortgage of, or other such dealing with, a lease applied for after the commencement of the Western Lands (Amendment) Act, 1934, or of any portion thereof, shall be effected unless or until";

Sec. 18c.
(Transfers.)

20 (ii) by inserting in the same subsection after the words "such value" the words "is lodged with the Commissioner";

25 (iii) by omitting from the same subsection the words "application for such consent may be dealt with without recourse to this subsection" and by inserting in lieu thereof the words "transfer, conveyance, assignment, mortgage or other dealing may be effected without lodgment of such certificate";

Western Lands (Amendment).

(iv) by inserting in subsection five of the same section after the word "Act" where firstly occurring the words "or of any holding into which any such lease has been, or may be, converted";

5

(v) by inserting in the same subsection after the word "granted" the words "or confirmed as the case may be";

(f) (i) by omitting from subsection two of section 28B the words "and to holdings converted"; Sec. 28B. (Conversion of lease.)

10

(ii) by inserting at the end of subsection four of the same section the following words:—

The rent of a homestead farm into which any portion of a lease under the Western Lands Acts has been converted shall be two and one half per centum of the capital value as determined by the local land board.

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The rent of any such conditional lease or homestead farm shall be payable annually in advance on the recurring date of the commencement of title thereto.

20

The provision contained in subsection two of section 19c allowing the holder of a lease in lieu of paying rent to expend a sum not less than the rent in effecting on the land improvements of a permanent, fixed and substantial character shall not be applicable to a homestead farm into which any portion of the lease has been converted in any case where the lease had been in existence for five years, and where the lease had been in existence for less than five years the provision hereinbefore referred to shall cease to be applicable to the homestead farm upon the expiration of five years after the commencement of the lease.

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(iii)

Western Lands (Amendment).

(iii) by omitting subsection seven of the same section and by inserting in lieu thereof the following subsections:—

5 (7) Sections eighteen, forty-eight, fifty-
 three, fifty-four, fifty-five, fifty-six, one hun-
 dred and seventy-five, 175A, one hundred and
 10 seventy-six, 176A, one hundred and seventy-
 eight, one hundred and eighty-two, one hun-
 dred and ninety-one, one hundred and
 ninety-five, one hundred and ninety-eight,
 one hundred and ninety-nine, two hundred
 and one, two hundred and five, two hundred
 and eight, two hundred and nine, two hun-
 15 dred and thirty-one, two hundred and thirty-
 four, two hundred and thirty-five, 235A, two
 hundred and forty, two hundred and fifty-
 seven, two hundred and fifty-eight, two hun-
 dred and sixty-one, two hundred and
 20 seventy, two hundred and seventy-two and
 two hundred and seventy-eight, together
 with subsection two of section one hundred
 and eighty-three, paragraphs (a), (c) and
 (d) of subsection three of section one hun-
 25 dred and eighty-three and subsection two of
 section two hundred and fifty-nine of the
 Crown Lands Consolidation Act, 1913, as
 amended by subsequent Acts, shall mutatis
 mutandis apply to conditional purchases
 into which Western Lands leases have been
 30 converted under this section.

(8) Sections eighteen, forty-eight, fifty-
 four, fifty-seven, one hundred and seventy-
 five, 175A, one hundred and seventy-six, 176A,
 35 one hundred and seventy-eight, one hundred
 and eighty-two, one hundred and ninety-
 one, 194B, one hundred and ninety-eight,
 one hundred and ninety-nine, two hundred
 and one, two hundred and four, two hundred
 and five, two hundred and eight, two hun-
 40 dred and nine, two hundred and thirty-one,
 235A,

Western Lands (Amendment).

5 235A, two hundred and forty, two hundred
and fifty-seven, two hundred and fifty-eight,
two hundred and seventy, two hundred and
seventy-two and two hundred and seventy-
eight, together with subsection two of sec-
tion one hundred and eighty-three, para-
graphs (a) and (c) of subsection three of
section one hundred and eighty-three, and
10 paragraph (a) of subsection one of section
two hundred and twenty-six of the Crown
Lands Consolidation Act, 1913, as amended
by subsequent Acts, shall mutatis mutandis
apply to conditional leases into which
Western Lands leases have been converted
15 under this section.

(9) Sections eighteen, forty-eight, one
hundred and twenty-three, one hundred and
seventy-five, 175A, one hundred and seventy-
six, 176A, one hundred and seventy-eight,
20 one hundred and eighty-two, 194B, one hun-
dred and ninety-nine, two hundred and one,
two hundred and four, two hundred and five,
two hundred and eight, two hundred and
nine, two hundred and thirty-one, 235A, two
hundred and forty, two hundred and fifty-
seven, two hundred and fifty-eight, two hun-
dred and seventy, two hundred and seventy-
two and two hundred and seventy-eight,
together with subsections one and two of
30 section one hundred and eighty-three,
paragraphs (a) and (c) of subsection three
of section one hundred and eighty-three and
subsections one and two of section two hun-
dred and sixty-nine of the Crown Lands
Consolidation Act, 1913, as amended by
35 subsequent Acts, shall mutatis mutandis
apply to homestead farms into which West-
ern Lands leases have been converted under
this section, whether such conversion was
40 effected before or after the commencement
of the Western Lands (Amendment) Act,
1937. (10)

Western Lands (Amendment).

5 (10) A reference in any of the provisions
of the Crown Lands Consolidation Act, 1913,
as amended by subsequent Acts, enumerated
in subsection seven, subsection eight or
subsection nine of this section to the Under
Secretary for Lands, the Department of
Lands or the Lands Department, shall be
read and construed as a reference to the
10 Commissioner appointed under this Act and
the Western Lands Office respectively.

(g) by inserting next after section 35L the following New sec.
35M.
new section:—

15 35M. (1) A surrender under any of the pro-
visions of this Act may be effected by a trustee
in respect of land which he holds as a trustee as
if a power to that effect were contained in the
will or other instrument creating the trust, or by
an executor or an administrator in respect of
land held by him as executor or administrator as
20 the case may be:

Provided that any land assured to any trustee,
executor, or administrator upon conversion or
subdivision or by way of exchange or lease under
this Act shall be held by him, subject to the same
25 trusts as the land surrendered by him.

(2) Every surrender made by a trustee,
executor or administrator before the commence-
ment of the Western Lands (Amendment) Act,
1937, shall be as valid as if subsection one of
this section had been in operation when the
30 surrender was made.

(h) by inserting in section thirty-six after the words Sec. 36.
(Regula-
tions by the
Governor.)
“ten pounds” the words “Without prejudice to
the generality of the foregoing power the
Governor may make regulations applying any of
the provisions of this Act or the Crown Lands
Acts to holdings into which leases may be con-
verted under this Act. Wherever in any provi-
sion so applied, reference is made to the Under
Secretary

Western Lands (Amendment).

- Secretary for Lands, the Department of Lands or the Lands Department, such reference shall, for the purpose of the application of such provision, be read and construed as a reference to the Commissioner appointed under this Act and the Western Lands Office respectively”;
- 5 (i) by omitting from section thirty-seven the words “apply as prescribed to surrender such lease to the Governor” and by inserting in lieu thereof the words “with the consent of the Minister, surrender such lease by an instrument in the prescribed form. The Minister may accept such surrender on behalf of His Majesty.”
- 10 (i) by omitting from section thirty-seven the words “apply as prescribed to surrender such lease to the Governor” and by inserting in lieu thereof the words “with the consent of the Minister, surrender such lease by an instrument in the prescribed form. The Minister may accept such surrender on behalf of His Majesty.”
- 15 3. (1) The Wild Dog Destruction Act, 1921, as amended by subsequent Acts, is hereby amended by inserting at the end of section thirteen the following words:—
- A rate-book may be constituted by a series of cards in a form approved by the Auditor-General.
- 20 (2) Subsection one of this section shall be deemed to have commenced on the first day of January, one thousand nine hundred and twenty-two.

Sec. 37.
(Surrender
of lease.)

Amendment
of Act No.
17, 1921.
Sec. 13.

(Entries
in rate
book.)

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.

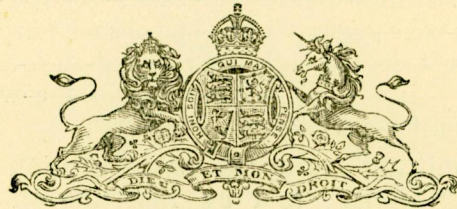
*Legislative Assembly Chamber,
Sydney, 11 November, 1937.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with
an Amendment.*

Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, November, 1937.*

New South Wales.



ANNO PRIMO

GEORGII VI REGIS.

Act No. , 1937.

An Act to amend the Western Lands Act of 1901, and the Wild Dog Destruction Act, 1921, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith.

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 the same, as follows:—

1. (1) This Act may be cited as the "Western Lands (Amendment) Act, 1937."

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(2)

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Western Lands (Amendment).

(2) The Western Lands Act of 1901, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

2. The Principal Act is amended—

Amendment of Act No. 70, 1901.

5 (a) by omitting from section twelve the words "him or them" and by inserting in lieu thereof the words "the Minister, the Commissioner or a chairman";

Sec. 12. (Right to enter on Crown lands.)

10 (b) (i) by omitting from section 17A the word "Governor" wherever occurring and by inserting in lieu thereof the word "Minister";

Sec. 17A. (Withdrawal from lease for special purposes.)

15 ~~(ii) by omitting from the same section the words "one person for any one of such purposes shall not exceed eighty acres, and such area" and by inserting in lieu thereof the words "person for any of such purposes";~~

20 (ii) by omitting from the same section the word "eighty" and by inserting in lieu thereof the words "two hundred";

(c) by omitting the proviso to section eighteen and by inserting in lieu thereof the following words:—

Sec. 18. (Duration of lease.)

25 Whenever in pursuance of the provisions of this Act any holding or any right, title or interest to or in any land, becomes liable to be forfeited, such forfeiture may be declared by the Minister by notification in the Gazette.

30 Whenever in any instrument of lease in force at the commencement of the Western Lands (Amendment) Act, 1937, or issued after such commencement, it is provided that any lease may be cancelled or cancelled and forfeited or declared to have lapsed, such cancellation or cancellation and forfeiture or lapsing may be declared by the Minister by notification in the Gazette.

35 No forfeiture, cancellation or lapsing shall operate to extinguish any debt to the Crown.

The

Western Lands (Amendment).

The Minister may, on the recommendation of the Commissioner, waive or reverse, whether provisionally or otherwise, and on such conditions as he may think fit, any such forfeiture, cancellation, or lapsing. Any reversal shall be notified in the Gazette.

- 5
- (d) by omitting from section 18c the words "and such determination shall in all cases be final and conclusive" and by inserting in lieu thereof the words "The provisions of subsection six of section nine of this Act shall extend to appeals and references to the Land and Valuation Court in respect of any such determination and to the return of any such determination to the local land board."
- 10
- 15
- (e) (i) by omitting from subsection two of section 18g the words "the Minister shall not give such consent unless the application for his consent is accompanied by" and by inserting in lieu thereof the words "no transfer (except a transfer by way of discharge of mortgage), conveyance, assignment or mortgage of, or other such dealing with, a lease applied for after the commencement of the Western Lands (Amendment) Act, 1934, or of any portion thereof, shall be effected unless or until";
- 20
- 25
- (ii) by inserting in the same subsection after the words "such value" the words "is lodged with the Commissioner";
- 30
- (iii) by omitting from the same subsection the words "application for such consent may be dealt with without recourse to this subsection" and by inserting in lieu thereof the words "transfer, conveyance, assignment, mortgage or other dealing may be effected without lodgment of such certificate";
- 35

Sec. 18c.

(Local land board's decision as to fencing.)

Sec. 18g.

(Transfers.)

(iv)

Western Lands (Amendment).

- 5 (iv) by inserting in subsection five of the same section after the word "Act" where firstly occurring the words "or of any holding into which any such lease has been, or may be, converted";
- (v) by inserting in the same subsection after the word "granted" the words "or confirmed as the case may be";
- 10 (f) (i) by omitting from subsection two. of section 28B the words "and to holdings converted"; (Conversion of lease.) Sec. 28B.
- (ii) by inserting at the end of subsection four of the same section the following words:—
- 15 The rent of a homestead farm into which any portion of a lease under the Western Lands Acts has been converted shall be two and one half per centum of the capital value as determined by the local land board.
- 20 The rent of any such conditional lease or homestead farm shall be payable annually in advance on the recurring date of the commencement of title thereto.
- 25 The provision contained in subsection two of section 19c allowing the holder of a lease in lieu of paying rent to expend a sum not less than the rent in effecting on the land improvements of a permanent, fixed and substantial character shall not be applicable to a homestead farm into which any portion
- 30 of the lease has been converted in any case where the lease had been in existence for five years, and where the lease had been in existence for less than five years the provision hereinbefore referred to shall cease to be applicable to the homestead farm upon
- 35 the expiration of five years after the commencement of the lease.
- (iii)

Western Lands (Amendment).

(iii) by omitting subsection seven of the same section and by inserting in lieu thereof the following subsections:—

5 (7) Sections eighteen, forty-eight, fifty-three, fifty-four, fifty-five, fifty-six, one hundred and seventy-five, 175A, one hundred and seventy-six, 176A, one hundred and seventy-eight, one hundred and eighty-two, one hundred and ninety-one, one hundred and ninety-five, one hundred and ninety-eight, one hundred and ninety-nine, two hundred and one, two hundred and five, two hundred and eight, two hundred and nine, two hundred and thirty-one, two hundred and thirty-four, two hundred and thirty-five, 235A, two hundred and forty, two hundred and fifty-seven, two hundred and fifty-eight, two hundred and sixty-one, two hundred and seventy, two hundred and seventy-two and two hundred and seventy-eight, together with subsection two of section one hundred and eighty-three, paragraphs (a), (c) and (d) of subsection three of section one hundred and eighty-three and subsection two of section two hundred and fifty-nine of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, shall mutatis mutandis apply to conditional purchases into which Western Lands leases have been converted under this section.

35 (8) Sections eighteen, forty-eight, fifty-four, fifty-seven, one hundred and seventy-five, 175A, one hundred and seventy-six, 176A, one hundred and seventy-eight, one hundred and eighty-two, one hundred and ninety-one, 194B, one hundred and ninety-eight, one hundred and ninety-nine, two hundred and one, two hundred and four, two hundred and five, two hundred and eight, two hundred and nine, two hundred and thirty-one, 235A,

Western Lands (Amendment).

5 235A, two hundred and forty, two hundred
and fifty-seven, two hundred and fifty-eight,
two hundred and seventy, two hundred and
seventy-two and two hundred and seventy-
eight, together with subsection two of sec-
tion one hundred and eighty-three, para-
graphs (a) and (c) of subsection three of
section one hundred and eighty-three, and
10 paragraph (a) of subsection one of section
two hundred and twenty-six of the Crown
Lands Consolidation Act, 1913, as amended
by subsequent Acts, shall mutatis mutandis
apply to conditional leases into which
15 Western Lands leases have been converted
under this section.

(9) Sections eighteen, forty-eight, one
hundred and twenty-three, one hundred and
seventy-five, 175A, one hundred and seventy-
20 six, 176A, one hundred and seventy-eight,
one hundred and eighty-two, 194B, one hun-
dred and ninety-nine, two hundred and one,
two hundred and four, two hundred and five,
two hundred and eight, two hundred and
nine, two hundred and thirty-one, 235A, two
25 hundred and forty, two hundred and fifty-
seven, two hundred and fifty-eight, two hun-
dred and seventy, two hundred and seventy-
two and two hundred and seventy-eight,
together with subsections one and two of
30 section one hundred and eighty-three,
paragraphs (a) and (c) of subsection three
of section one hundred and eighty-three and
subsections one and two of section two hun-
dred and sixty-nine of the Crown Lands
35 Consolidation Act, 1913, as amended by
subsequent Acts, shall mutatis mutandis
apply to homestead farms into which West-
ern Lands leases have been converted under
this section, whether such conversion was
40 effected before or after the commencement
of the Western Lands (Amendment) Act,
1937. (10)

Western Lands (Amendment).

5 (10) A reference in any of the provisions of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, enumerated in subsection seven, subsection eight or subsection nine of this section to the Under Secretary for Lands, the Department of Lands or the Lands Department, shall be read and construed as a reference to the Commissioner appointed under this Act and the Western Lands Office respectively.

10 (g) by inserting next after section 35L the following new section:— New sec. 35M.

15 35M. (1) A surrender under any of the provisions of this Act may be effected by a trustee in respect of land which he holds as a trustee as if a power to that effect were contained in the will or other instrument creating the trust, or by an executor or an administrator in respect of land held by him as executor or administrator as the case may be: Surrenders by trustees, executors, and administrators.

20 Provided that any land assured to any trustee, executor, or administrator upon conversion or subdivision or by way of exchange or lease under this Act shall be held by him, subject to the same trusts as the land surrendered by him. (2) 02

25 (2) Every surrender made by a trustee, executor or administrator before the commencement of the Western Lands (Amendment) Act, 1937, shall be as valid as if subsection one of this section had been in operation when the surrender was made.

30 (h) by inserting in section thirty-six after the words "ten pounds" the words "Without prejudice to the generality of the foregoing power the Governor may make regulations applying any of the provisions of this Act or the Crown Lands Acts to holdings into which leases may be converted under this Act. Wherever in any provision so applied, reference is made to the Under Secretary." Sec. 36. (Regulations by the Governor.)

Western Lands (Amendment).

Secretary for Lands, the Department of Lands or the Lands Department, such reference shall, for the purpose of the application of such provision, be read and construed as a reference to the Commissioner appointed under this Act and the Western Lands Office respectively”;

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(i) by omitting from section thirty-seven the words “apply as prescribed to surrender such lease to the Governor” and by inserting in lieu thereof the words “with the consent of the Minister, surrender such lease by an instrument in the prescribed form. The Minister may accept such surrender on behalf of His Majesty.”

Sec. 37.
(Surrender of lease.)

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3. (1) The Wild Dog Destruction Act, 1921, as amended by subsequent Acts, is hereby amended by inserting at the end of section thirteen the following words:—

Amendment of Act No. 17, 1921.
Sec. 13.

A rate-book may be constituted by a series of cards in a form approved by the Auditor-General.

(Entries in rate book.)

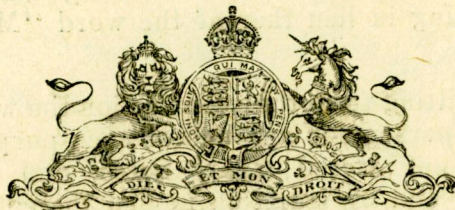
20

(2) Subsection one of this section shall be deemed to have commenced on the first day of January, one thousand nine hundred and twenty-two.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 11 November, 1937.

New South Wales.



ANNO PRIMO

GEORGII VI REGIS.

Act No. , 1937.

An Act to amend the Western Lands Act of 1901, and the Wild Dog Destruction Act, 1921, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith.

5 **B**E 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 the same, as follows:—

1. (1) This Act may be cited as the "Western Lands Short title. (Amendment) Act, 1937."

Western Lands (Amendment).

(2) The Western Lands Act of 1901, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

2. The Principal Act is amended—

Amendment of
Act No. 70, 1901

- 5 (a) by omitting from section twelve the words "him or them" and by inserting in lieu thereof the words "the Minister, the Commissioner or a chairman"; Sec. 12. (Right to enter on Crown lands.)
- 10 (b) (i) by omitting from section 17A the word "Governor" wherever occurring and by inserting in lieu thereof the word "Minister"; Sec. 17A. (Withdrawal from lease for special purposes.)
- 15 (ii) by omitting from the same section the words "one person for any one of such purposes shall not exceed eighty acres, and such area" and by inserting in lieu thereof the words "person for any of such purposes";
- 20 (c) by omitting the proviso to section eighteen and by inserting in lieu thereof the following words:— Sec. 18. (Duration of lease.)
- 25 Whenever in pursuance of the provisions of this Act any holding or any right, title or interest to or in any land, becomes liable to be forfeited, such forfeiture may be declared by the Minister by notification in the Gazette.
- 30 Whenever in any instrument of lease in force at the commencement of the Western Lands (Amendment) Act, 1937, or issued after such commencement, it is provided that any lease may be cancelled or cancelled and forfeited or declared to have lapsed, such cancellation or cancellation and forfeiture or lapsing may be declared by the Minister by notification in the Gazette.
- 35 No forfeiture, cancellation or lapsing shall operate to extinguish any debt to the Crown.

The

Western Lands (Amendment).

The Minister may, on the recommendation of the Commissioner, waive or reverse, whether provisionally or otherwise, and on such conditions as he may think fit, any such forfeiture, cancellation, or lapsing. Any reversal shall be notified in the Gazette.

5

(d) by omitting from section 18c the words "and such determination shall in all cases be final and conclusive" and by inserting in lieu thereof the words "The provisions of subsection six of section nine of this Act shall extend to appeals and references to the Land and Valuation Court in respect of any such determination and to the return of any such determination to the local land board."

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(e) (i) by omitting from subsection two of section 18g the words "the Minister shall not give such consent unless the application for his consent is accompanied by" and by inserting in lieu thereof the words "no transfer (except a transfer by way of discharge of mortgage), conveyance, assignment or mortgage of, or other such dealing with, a lease applied for after the commencement of the Western Lands (Amendment) Act, 1934, or of any portion thereof, shall be effected unless or until";

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(ii) by inserting in the same subsection after the words "such value" the words "is lodged with the Commissioner";

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(iii) by omitting from the same subsection the words "application for such consent may be dealt with without recourse to this subsection" and by inserting in lieu thereof the words "transfer, conveyance, assignment, mortgage or other dealing may be effected without lodgment of such certificate";

35

(iv)

Western Lands (Amendment).

- 5 (iv) by inserting in subsection five of the same section after the word "Act" where firstly occurring the words "or of any holding into which any such lease has been, or may be, converted";
- (v) by inserting in the same subsection after the word "granted" the words "or confirmed as the case may be";
- 10 (f) (i) by omitting from subsection two of section 28B the words "and to holdings converted"; Sec. 28B. (Conversion of lease.)
- (ii) by inserting at the end of subsection four of the same section the following words:—
- 15 The rent of a homestead farm into which any portion of a lease under the Western Lands Acts has been converted shall be two and one half per centum of the capital value as determined by the local land board.
- 20 The rent of any such conditional lease or homestead farm shall be payable annually in advance on the recurring date of the commencement of title thereto.
- 25 The provision contained in subsection two of section 19c allowing the holder of a lease in lieu of paying rent to expend a sum not less than the rent in effecting on the land improvements of a permanent, fixed and substantial character shall not be applicable to a homestead farm into which any portion
- 30 of the lease has been converted in any case where the lease had been in existence for five years, and where the lease had been in existence for less than five years the provision hereinbefore referred to shall cease to be applicable to the homestead farm upon
- 35 the expiration of five years after the commencement of the lease.
- (iii)

Western Lands (Amendment).

(iii) by omitting subsection seven of the same section and by inserting in lieu thereof the following subsections:—

5 (7) Sections eighteen, forty-eight, fifty-
three, fifty-four, fifty-five, fifty-six, one hun-
dred and seventy-five, 175A, one hundred and
seventy-six, 176A, one hundred and seventy-
eight, one hundred and eighty-two, one hun-
dred and ninety-one, one hundred and
10 ninety-five, one hundred and ninety-eight,
one hundred and ninety-nine, two hundred
and one, two hundred and five, two hundred
and eight, two hundred and nine, two hun-
dred and thirty-one, two hundred and thirty-
15 four, two hundred and thirty-five, 235A, two
hundred and forty, two hundred and fifty-
seven, two hundred and fifty-eight, two hun-
dred and sixty-one, two hundred and
seventy, two hundred and seventy-two and
20 two hundred and seventy-eight, together
with subsection two of section one hundred
and eighty-three, paragraphs (a), (c) and
(d) of subsection three of section one hun-
dred and eighty-three and subsection two of
25 section two hundred and fifty-nine of the
Crown Lands Consolidation Act, 1913, as
amended by subsequent Acts, shall mutatis
mutandis apply to conditional purchases
into which Western Lands leases have been
30 converted under this section.

 (8) Sections eighteen, forty-eight, fifty-
four, fifty-seven, one hundred and seventy-
five, 175A, one hundred and seventy-six, 176A,
one hundred and seventy-eight, one hundred
35 and eighty-two, one hundred and ninety-
one, 194B, one hundred and ninety-eight,
one hundred and ninety-nine, two hundred
and one, two hundred and four, two hundred
and five, two hundred and eight, two hun-
dred and nine, two hundred and thirty-one,
40 235A,

Western Lands (Amendment).

5 235A, two hundred and forty, two hundred and fifty-seven, two hundred and fifty-eight, two hundred and seventy, two hundred and seventy-two and two hundred and seventy-eight, together with subsection two of section one hundred and eighty-three, paragraphs (a) and (c) of subsection three of section one hundred and eighty-three, and 10 paragraph (a) of subsection one of section two hundred and twenty-six of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, shall mutatis mutandis 15 apply to conditional leases into which Western Lands leases have been converted under this section.

20 (9) Sections eighteen, forty-eight, one hundred and twenty-three, one hundred and seventy-five, 175A, one hundred and seventy-six, 176A, one hundred and seventy-eight, 25 one hundred and eighty-two, 194B, one hundred and ninety-nine, two hundred and one, two hundred and four, two hundred and five, two hundred and eight, two hundred and nine, two hundred and thirty-one, 235A, two 30 hundred and forty, two hundred and fifty-seven, two hundred and fifty-eight, two hundred and seventy, two hundred and seventy-two and two hundred and seventy-eight, together with subsections one and two of section one hundred and eighty-three, paragraphs (a) and (c) of subsection three 35 of section one hundred and eighty-three and subsections one and two of section two hundred and sixty-nine of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, shall mutatis mutandis apply to homestead farms into which Western Lands leases have been converted under 40 this section, whether such conversion was effected before or after the commencement of the Western Lands (Amendment) Act, 1937.

Western Lands (Amendment).

5 (10) A reference in any of the provisions
of the Crown Lands Consolidation Act, 1913,
as amended by subsequent Acts, enumerated
in subsection seven, subsection eight or
subsubsection nine of this section to the Under
Secretary for Lands, the Department of
Lands or the Lands Department, shall be
read and construed as a reference to the
Commissioner appointed under this Act and
the Western Lands Office respectively.

10 (g) by inserting next after section 35L the following
new section:— New sec
35M.

15 35M. (1) A surrender under any of the pro-
visions of this Act may be effected by a trustee
in respect of land which he holds as a trustee as
if a power to that effect were contained in the
will or other instrument creating the trust, or by
an executor or an administrator in respect of
land held by him as executor or administrator as
the case may be: Surrenders
by trustees,
executors,
and adminis-
trators.

20 Provided that any land assured to any trustee,
executor, or administrator upon conversion or
subdivision or by way of exchange or lease under
this Act shall be held by him, subject to the same
trusts as the land surrendered by him.

25 (2) Every surrender made by a trustee,
executor or administrator before the commence-
ment of the Western Lands (Amendment) Act,
1937, shall be as valid as if subsection one of
this section had been in operation when the
surrender was made.

30 (h) by inserting in section thirty-six after the words
“ten pounds” the words “Without prejudice to
the generality of the foregoing power the
Governor may make regulations applying any of
the provisions of this Act or the Crown Lands
Acts to holdings into which leases may be con-
verted under this Act. Wherever in any provi-
sion so applied, reference is made to the Under
Secretary Sec. 36.
(Regula-
tions by the
Governor.)

Western Lands (Amendment).

Secretary for Lands, the Department of Lands or the Lands Department, such reference shall, for the purpose of the application of such provision, be read and construed as a reference to the Commissioner appointed under this Act and the Western Lands Office respectively”;

5

- (i) by omitting from section thirty-seven the words “apply as prescribed to surrender such lease to the Governor” and by inserting in lieu thereof the words “with the consent of the Minister, surrender such lease by an instrument in the prescribed form. The Minister may accept such surrender on behalf of His Majesty.”

Sec. 37.
(Surrender
of lease.)

10

- 3.** (1) The Wild Dog Destruction Act, 1921, as amended by subsequent Acts, is hereby amended by inserting at the end of section thirteen the following words:—

Amendment
of Act No.
17, 1921.
Sec. 13.

A rate-book may be constituted by a series of cards in a form approved by the Auditor-General.

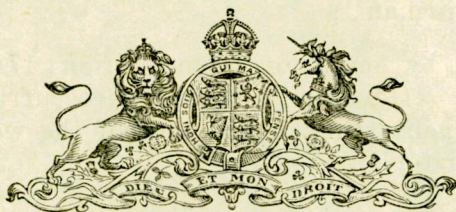
(Entries
in rate
book.)

20

- (2) Subsection one of this section shall be deemed to have commenced on the first day of January, one thousand nine hundred and twenty-two.

[7d.]

New South Wales.



ANNO PRIMO

GEORGII VI REGIS.

Act No. 19, 1937.

An Act to amend the Western Lands Act of 1901, and the Wild Dog Destruction Act, 1921, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith. [Assented to, 8th December, 1937.]

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 the same, as follows:—

1. (1) This Act may be cited as the "Western Lands Short title. (Amendment) Act, 1937."

Western Lands (Amendment).

(2) The Western Lands Act of 1901, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

Amendment of
Act No. 70, 1901.

2. The Principal Act is amended—

Sec. 12.
(Right to
enter on
Crown
lands.)

- (a) by omitting from section twelve the words "him or them" and by inserting in lieu thereof the words "the Minister, the Commissioner or a chairman";

Sec. 17A.
(With-
drawal from
lease for
special pur-
poses.)

- (b) (i) by omitting from section 17A the word "Governor" wherever occurring and by inserting in lieu thereof the word "Minister";

- (ii) by omitting from the same section the word "eighty" and by inserting in lieu thereof the words "two hundred";

Sec. 18.
(Duration
of lease.)

- (c) by omitting the proviso to section eighteen and by inserting in lieu thereof the following words:—

Whenever in pursuance of the provisions of this Act any holding or any right, title or interest to or in any land, becomes liable to be forfeited, such forfeiture may be declared by the Minister by notification in the Gazette.

Whenever in any instrument of lease in force at the commencement of the Western Lands (Amendment) Act, 1937, or issued after such commencement, it is provided that any lease may be cancelled or cancelled and forfeited or declared to have lapsed, such cancellation or cancellation and forfeiture or lapsing may be declared by the Minister by notification in the Gazette.

No forfeiture, cancellation or lapsing shall operate to extinguish any debt to the Crown.

The

Western Lands (Amendment).

The Minister may, on the recommendation of the Commissioner, waive or reverse, whether provisionally or otherwise, and on such conditions as he may think fit, any such forfeiture, cancellation, or lapsing. Any reversal shall be notified in the Gazette.

- (d) by omitting from section 18c the words "and such determination shall in all cases be final and conclusive" and by inserting in lieu thereof the words "The provisions of subsection six of section nine of this Act shall extend to appeals and references to the Land and Valuation Court in respect of any such determination and to the return of any such determination to the local land board."
- Sec. 18c.
(Local land board's decision as to fencing.)
- (e) (i) by omitting from subsection two of section 18g the words "the Minister shall not give such consent unless the application for his consent is accompanied by" and by inserting in lieu thereof the words "no transfer (except a transfer by way of discharge of mortgage), conveyance, assignment or mortgage of, or other such dealing with, a lease applied for after the commencement of the Western Lands (Amendment) Act, 1934, or of any portion thereof, shall be effected unless or until";
- Sec. 18c.
(Transfers.)
- (ii) by inserting in the same subsection after the words "such value" the words "is lodged with the Commissioner";
- (iii) by omitting from the same subsection the words "application for such consent may be dealt with without recourse to this subsection" and by inserting in lieu thereof the words "transfer, conveyance, assignment, mortgage or other dealing may be effected without lodgment of such certificate";

(iv).

Western Lands (Amendment).

(iv) by inserting in subsection five of the same section after the word "Act" where firstly occurring the words "or of any holding into which any such lease has been, or may be, converted";

(v) by inserting in the same subsection after the word "granted" the words "or confirmed as the case may be";

Sec. 28B.
(Conversion
of lease.)

(f) (i) by omitting from subsection two of section 28B the words "and to holdings converted";

(ii) by inserting at the end of subsection four of the same section the following words:—

The rent of a homestead farm into which any portion of a lease under the Western Lands Acts has been converted shall be two and one half per centum of the capital value as determined by the local land board.

The rent of any such conditional lease or homestead farm shall be payable annually in advance on the recurring date of the commencement of title thereto.

The provision contained in subsection two of section 19c allowing the holder of a lease in lieu of paying rent to expend a sum not less than the rent in effecting on the land improvements of a permanent, fixed and substantial character shall not be applicable to a homestead farm into which any portion of the lease has been converted in any case where the lease had been in existence for five years, and where the lease had been in existence for less than five years the provision hereinbefore referred to shall cease to be applicable to the homestead farm upon the expiration of five years after the commencement of the lease.

(iii)

Western Lands (Amendment).

- (iii) by omitting subsection seven of the same section and by inserting in lieu thereof the following subsections:—

(7) Sections eighteen, forty-eight, fifty-three, fifty-four, fifty-five, fifty-six, one hundred and seventy-five, 175A, one hundred and seventy-six, 176A, one hundred and seventy-eight, one hundred and eighty-two, one hundred and ninety-one, one hundred and ninety-five, one hundred and ninety-eight, one hundred and ninety-nine, two hundred and one, two hundred and five, two hundred and eight, two hundred and nine, two hundred and thirty-one, two hundred and thirty-four, two hundred and thirty-five, 235A, two hundred and forty, two hundred and fifty-seven, two hundred and fifty-eight, two hundred and sixty-one, two hundred and seventy, two hundred and seventy-two and two hundred and seventy-eight, together with subsection two of section one hundred and eighty-three, paragraphs (a), (c) and (d) of subsection three of section one hundred and eighty-three and subsection two of section two hundred and fifty-nine of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, shall *mutatis mutandis* apply to conditional purchases into which Western Lands leases have been converted under this section.

(8) Sections eighteen, forty-eight, fifty-four, fifty-seven, one hundred and seventy-five, 175A, one hundred and seventy-six, 176A, one hundred and seventy-eight, one hundred and eighty-two, one hundred and ninety-one, 194B, one hundred and ninety-eight, one hundred and ninety-nine, two hundred and one, two hundred and four, two hundred and five, two hundred and eight, two hundred and nine, two hundred and thirty-one,

235A,

Western Lands (Amendment).

235A, two hundred and forty, two hundred and fifty-seven, two hundred and fifty-eight, two hundred and seventy, two hundred and seventy-two and two hundred and seventy-eight, together with subsection two of section one hundred and eighty-three, paragraphs (a) and (c) of subsection three of section one hundred and eighty-three, and paragraph (a) of subsection one of section two hundred and twenty-six of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, shall mutatis mutandis apply to conditional leases into which Western Lands leases have been converted under this section.

(9) Sections eighteen, forty-eight, one hundred and twenty-three, one hundred and seventy-five, 175A, one hundred and seventy-six, 176A, one hundred and seventy-eight, one hundred and eighty-two, 194B, one hundred and ninety-nine, two hundred and one, two hundred and four, two hundred and five, two hundred and eight, two hundred and nine, two hundred and thirty-one, 235A, two hundred and forty, two hundred and fifty-seven, two hundred and fifty-eight, two hundred and seventy, two hundred and seventy-two and two hundred and seventy-eight, together with subsections one and two of section one hundred and eighty-three, paragraphs (a) and (c) of subsection three of section one hundred and eighty-three and subsections one and two of section two hundred and sixty-nine of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, shall mutatis mutandis apply to homestead farms into which Western Lands leases have been converted under this section, whether such conversion was effected before or after the commencement of the Western Lands (Amendment) Act, 1937. (10)

Western Lands (Amendment).

(10) A reference in any of the provisions of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, enumerated in subsection seven, subsection eight or subsection nine of this section to the Under Secretary for Lands, the Department of Lands or the Lands Department, shall be read and construed as a reference to the Commissioner appointed under this Act and the Western Lands Office respectively.

- (g) by inserting next after section 35L the following new section:—

New sec
35M.

35M. (1) A surrender under any of the provisions of this Act may be effected by a trustee in respect of land which he holds as a trustee as if a power to that effect were contained in the will or other instrument creating the trust, or by an executor or an administrator in respect of land held by him as executor or administrator as the case may be:

Surrenders
by trustees,
executors,
and adminis-
trators.

Provided that any land assured to any trustee, executor, or administrator upon conversion or subdivision or by way of exchange or lease under this Act shall be held by him, subject to the same trusts as the land surrendered by him.

(2) Every surrender made by a trustee, executor or administrator before the commencement of the Western Lands (Amendment) Act, 1937, shall be as valid as if subsection one of this section had been in operation when the surrender was made.

- (h) by inserting in section thirty-six after the words "ten pounds" the words "Without prejudice to the generality of the foregoing power the Governor may make regulations applying any of the provisions of this Act or the Crown Lands Acts to holdings into which leases may be converted under this Act. Wherever in any provision so applied, reference is made to the Under

Sec. 36.
(Regula-
tions by the
Governor.)

Secretary

Western Lands (Amendment).

Secretary for Lands, the Department of Lands or the Lands Department, such reference shall, for the purpose of the application of such provision, be read and construed as a reference to the Commissioner appointed under this Act and the Western Lands Office respectively”;

Sec. 37.
(Surrender
of lease.)

- (i) by omitting from section thirty-seven the words “apply as prescribed to surrender such lease to the Governor” and by inserting in lieu thereof the words “with the consent of the Minister, surrender such lease by an instrument in the prescribed form. The Minister may accept such surrender on behalf of His Majesty.”

Amendment
of Act No.
17, 1921.
Sec. 13.

3. (1) The Wild Dog Destruction Act, 1921, as amended by subsequent Acts, is hereby amended by inserting at the end of section thirteen the following words:—

(Entries
in rate
book.)

A rate-book may be constituted by a series of cards in a form approved by the Auditor-General.

(2) Subsection one of this section shall be deemed to have commenced on the first day of January, one thousand nine hundred and twenty-two.

By Authority:

DAVID HAROLD PAISLEY, Government Printer, Sydney, 1937.

[3d.]

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. R. McCOURT,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 1 December, 1937.*

New South Wales.



ANNO PRIMO

GEORGII VI REGIS.

Act No. 19, 1937.

An Act to amend the Western Lands Act of 1901, and the Wild Dog Destruction Act, 1921, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith. [Assented to, 8th December, 1937.]

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 the same, as follows:—

1. (1) This Act may be cited as the "Western Lands Short title. (Amendment) Act, 1937."

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

W. W. HEDGES,
Chairman of Committees of the Legislative Assembly.

Western Lands (Amendment).

(2) The Western Lands Act of 1901, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

Amendment of
Act No. 70, 1901.

2. The Principal Act is amended—

Sec. 12.
(Right to
enter on
Crown
lands.)

(a) by omitting from section twelve the words "him or them" and by inserting in lieu thereof the words "the Minister, the Commissioner or a chairman";

Sec. 17A.
(With-
drawal from
lease for
special pur-
poses.)

(b) (i) by omitting from section 17A the word "Governor" wherever occurring and by inserting in lieu thereof the word "Minister";

(ii) by omitting from the same section the word "eighty" and by inserting in lieu thereof the words "two hundred";

Sec. 18.
(Duration
of lease.)

(c) by omitting the proviso to section eighteen and by inserting in lieu thereof the following words:—

Whenever in pursuance of the provisions of this Act any holding or any right, title or interest to or in any land, becomes liable to be forfeited, such forfeiture may be declared by the Minister by notification in the Gazette.

Whenever in any instrument of lease in force at the commencement of the Western Lands (Amendment) Act, 1937, or issued after such commencement, it is provided that any lease may be cancelled or cancelled and forfeited or declared to have lapsed, such cancellation or cancellation and forfeiture or lapsing may be declared by the Minister by notification in the Gazette.

No forfeiture, cancellation or lapsing shall operate to extinguish any debt to the Crown.

The

Western Lands (Amendment).

The Minister may, on the recommendation of the Commissioner, waive or reverse, whether provisionally or otherwise, and on such conditions as he may think fit, any such forfeiture, cancellation, or lapsing. Any reversal shall be notified in the Gazette.

- (d) by omitting from section 18c the words "and such determination shall in all cases be final and conclusive" and by inserting in lieu thereof the words "The provisions of subsection six of section nine of this Act shall extend to appeals and references to the Land and Valuation Court in respect of any such determination and to the return of any such determination to the local land board."
- Sec. 18c.
(Local land board's decision as to fencing.)
- (e) (i) by omitting from subsection two of section 18g the words "the Minister shall not give such consent unless the application for his consent is accompanied by" and by inserting in lieu thereof the words "no transfer (except a transfer by way of discharge of mortgage), conveyance, assignment or mortgage of, or other such dealing with, a lease applied for after the commencement of the Western Lands (Amendment) Act, 1934, or of any portion thereof, shall be effected unless or until";
- Sec. 18g.
(Transfers.)
- (ii) by inserting in the same subsection after the words "such value" the words "is lodged with the Commissioner";
- (iii) by omitting from the same subsection the words "application for such consent may be dealt with without recourse to this subsection" and by inserting in lieu thereof the words "transfer, conveyance, assignment, mortgage or other dealing may be effected without lodgment of such certificate";
- (iv)

Western Lands (Amendment).

- (iv) by inserting in subsection five of the same section after the word "Act" where firstly occurring the words "or of any holding into which any such lease has been, or may be, converted";
- (v) by inserting in the same subsection after the word "granted" the words "or confirmed as the case may be";
- Sec. 28B.
(Conversion
of lease.)
- (f) (i) by omitting from subsection two of section 28B the words "and to holdings converted";
- (ii) by inserting at the end of subsection four of the same section the following words:—

The rent of a homestead farm into which any portion of a lease under the Western Lands Acts has been converted shall be two and one half per centum of the capital value as determined by the local land board.

The rent of any such conditional lease or homestead farm shall be payable annually in advance on the recurring date of the commencement of title thereto.

The provision contained in subsection two of section 19c allowing the holder of a lease in lieu of paying rent to expend a sum not less than the rent in effecting on the land improvements of a permanent, fixed and substantial character shall not be applicable to a homestead farm into which any portion of the lease has been converted in any case where the lease had been in existence for five years, and where the lease had been in existence for less than five years the provision hereinbefore referred to shall cease to be applicable to the homestead farm upon the expiration of five years after the commencement of the lease.

(iii)

Western Lands (Amendment).

(iii) by omitting subsection seven of the same section and by inserting in lieu thereof the following subsections:—

(7) Sections eighteen, forty-eight, fifty-three, fifty-four, fifty-five, fifty-six, one hundred and seventy-five, 175A, one hundred and seventy-six, 176A, one hundred and seventy-eight, one hundred and eighty-two, one hundred and ninety-one, one hundred and ninety-five, one hundred and ninety-eight, one hundred and ninety-nine, two hundred and one, two hundred and five, two hundred and eight, two hundred and nine, two hundred and thirty-one, two hundred and thirty-four, two hundred and thirty-five, 235A, two hundred and forty, two hundred and fifty-seven, two hundred and fifty-eight, two hundred and sixty-one, two hundred and seventy, two hundred and seventy-two and two hundred and seventy-eight, together with subsection two of section one hundred and eighty-three, paragraphs (a), (c) and (d) of subsection three of section one hundred and eighty-three and subsection two of section two hundred and fifty-nine of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, shall mutatis mutandis apply to conditional purchases into which Western Lands leases have been converted under this section.

(8) Sections eighteen, forty-eight, fifty-four, fifty-seven, one hundred and seventy-five, 175A, one hundred and seventy-six, 176A, one hundred and seventy-eight, one hundred and eighty-two, one hundred and ninety-one, 194B, one hundred and ninety-eight, one hundred and ninety-nine, two hundred and one, two hundred and four, two hundred and five, two hundred and eight, two hundred and nine, two hundred and thirty-one, 235A,

Western Lands (Amendment).

235A, two hundred and forty, two hundred and fifty-seven, two hundred and fifty-eight, two hundred and seventy, two hundred and seventy-two and two hundred and seventy-eight, together with subsection two of section one hundred and eighty-three, paragraphs (a) and (c) of subsection three of section one hundred and eighty-three, and paragraph (a) of subsection one of section two hundred and twenty-six of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, shall mutatis mutandis apply to conditional leases into which Western Lands leases have been converted under this section.

(9) Sections eighteen, forty-eight, one hundred and twenty-three, one hundred and seventy-five, 175A, one hundred and seventy-six, 176A, one hundred and seventy-eight, one hundred and eighty-two, 194B, one hundred and ninety-nine, two hundred and one, two hundred and four, two hundred and five, two hundred and eight, two hundred and nine, two hundred and thirty-one, 235A, two hundred and forty, two hundred and fifty-seven, two hundred and fifty-eight, two hundred and seventy, two hundred and seventy-two and two hundred and seventy-eight, together with subsections one and two of section one hundred and eighty-three, paragraphs (a) and (c) of subsection three of section one hundred and eighty-three and subsections one and two of section two hundred and sixty-nine of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, shall mutatis mutandis apply to homestead farms into which Western Lands leases have been converted under this section, whether such conversion was effected before or after the commencement of the Western Lands (Amendment) Act, 1937.

Western Lands (Amendment).

(10) A reference in any of the provisions of the Crown Lands Consolidation Act, 1913, as amended by subsequent Acts, enumerated in subsection seven, subsection eight or subsection nine of this section to the Under Secretary for Lands, the Department of Lands or the Lands Department, shall be read and construed as a reference to the Commissioner appointed under this Act and the Western Lands Office respectively.

- (g) by inserting next after section 35L the following new section:—

New sec.
35M.

35M. (1) A surrender under any of the provisions of this Act may be effected by a trustee in respect of land which he holds as a trustee as if a power to that effect were contained in the will or other instrument creating the trust, or by an executor or an administrator in respect of land held by him as executor or administrator as the case may be:

Surrenders
by trustees,
executors,
and adminis-
trators.

Provided that any land assured to any trustee, executor, or administrator upon conversion or subdivision or by way of exchange or lease under this Act shall be held by him, subject to the same trusts as the land surrendered by him.

(2) Every surrender made by a trustee, executor or administrator before the commencement of the Western Lands (Amendment) Act, 1937, shall be as valid as if subsection one of this section had been in operation when the surrender was made.

- (h) by inserting in section thirty-six after the words "ten pounds" the words "Without prejudice to the generality of the foregoing power the Governor may make regulations applying any of the provisions of this Act or the Crown Lands Acts to holdings into which leases may be converted under this Act. Wherever in any provision so applied, reference is made to the Under Secretary,

Sec. 36.
(Regula-
tions by the
Governor.)

Western Lands (Amendment).

Secretary for Lands, the Department of Lands or the Lands Department, such reference shall, for the purpose of the application of such provision, be read and construed as a reference to the Commissioner appointed under this Act and the Western Lands Office respectively”;

Sec. 37.
(Surrender
of lease.)

(i) by omitting from section thirty-seven the words “apply as prescribed to surrender such lease to the Governor” and by inserting in lieu thereof the words “with the consent of the Minister, surrender such lease by an instrument in the prescribed form. The Minister may accept such surrender on behalf of His Majesty.”

Amendment
of Act No.
17, 1921.
Sec. 13.

3. (1) The Wild Dog Destruction Act, 1921, as amended by subsequent Acts, is hereby amended by inserting at the end of section thirteen the following words:—

(Entries
in rate
book.)

A rate-book may be constituted by a series of cards in a form approved by the Auditor-General.

(2) Subsection one of this section shall be deemed to have commenced on the first day of January, one thousand nine hundred and twenty-two.

In the name and on behalf of His Majesty I assent to this Act.

WAKEHURST,
Governor.

Government House,
Sydney, 8th December, 1937.

W. W. HODGE