

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.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 19 November, 1975.*

New South Wales



ANNO VICESIMO QUARTO

ELIZABETHÆ II REGINÆ

Act No. , 1975.

An Act to amend the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Returned Soldiers Settlement Act, 1916, the Crown Lands (Amendment) Act, 1932, the Western Lands Act, 1901, and the Finances Adjustment Act, 1932, so as to provide for increases in interest rates in respect of certain debts due to the Crown and to provide for the deferment of payment of certain parts of the annual rents of certain holdings under the Crown Lands Consolidation Act, 1913.

BE

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 **B**E it enacted by the Queen'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. This Act may be cited as the "Crown Lands and Other Short
Acts (Rents and Interest Rates) Amendment Act, 1975". title.

2. (1) This section and sections 1 and 4 shall commence Commence-
on the date of assent to this Act. ment.

10 (2) Sections 3 and 5 shall commence on such day as
may be appointed by the Governor in respect thereof and as
may be notified by proclamation published in the Gazette.

3. (1) The Crown Lands Consolidation Act, 1913, is Amendment
amended— of Act No.
7, 1913.

15 (a) (i) by omitting from section 180 the words "bear Sec. 180.
interest— (Deferring
of
payments.)

(a) where the amount became due before
and was unpaid at the commencement
of section six of the Crown Lands and
20 Closer Settlement (Amendment) Act,
1968—at the rate of four per centum

per

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 per annum from the date of its becoming due until that commencement and at the rate of seven per centum per annum from that commencement until the date of payment; and

10 (b) where the amount became due on or after that commencement—at the rate of seven per centum per annum from the date of its becoming due until the date of payment,

and such interest” and by inserting instead the words “bear interest at the applicable rate and such interest”;

15 (ii) by inserting at the end of section 180 the following subsections :—

20 (2) In subsection (1), “the applicable rate”, in relation to any payment deferred under that subsection, means, in respect of so much of the period which is after the payment became due and before the date of payment as occurred—

25 (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of four per centum per annum;

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 (b) on or after that commencement and
before the commencement of section 3
of the Crown Lands and Other Acts
(Rents and Interest Rates) Amend-
ment Act, 1975—the rate of seven per
centum per annum;

10 (c) on or after the commencement of
section 3 of the Crown Lands and
Other Acts (Rents and Interest Rates)
Amendment Act, 1975, and—

(i) before the date of payment; or

15 (ii) where a regulation referred to
in paragraph (d) is made,
before the date that regulation
takes effect,

whichever date referred to in sub-
paragraph (i) or (ii) first occurs—the
rate of ten per centum per annum; or

20 (d) during any period during which a
regulation prescribing a rate of interest
for the purpose of this paragraph is in
force—that rate.

25 (3) The Governor may make regulations
prescribing rates of interest for the purpose of
subsection (2) (d).

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 (b) (i) by omitting from section 278 the words "from Sec. 278.
and after the due date for the payment thereof, (Interest
or the date of commencement of section six of on arrears.)
the Crown Lands and Closer Settlement
(Amendment) Act, 1968, whichever is the
later, bear interest at the rate of seven per
centum per annum," and by inserting instead
the words "bear interest at the applicable
rate";

10 (ii) by inserting at the end of section 278 the
following subsections :—

15 (2) In subsection (1), "the applicable
rate", in relation to any sum payable to the
Crown, means, in respect of so much of the
period during which the payment was
outstanding as occurred—

20 (a) before the commencement of section 6
of the Crown Lands and Closer Settle-
ment (Amendment) Act, 1968—the
rate of four per centum per annum;

25 (b) on or after that commencement and
before the commencement of section 3
of the Crown Lands and Other Acts
(Rents and Interest Rates) Amend-
ment Act, 1975—the rate of seven per
centum per annum;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

- (c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—
- 5 (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,
- 10 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or
- (d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.
- 15
- (3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (d).
- 20 (2) The Crown Lands (Amendment) Act, 1932, is amended—
- (a) by omitting from section 5 the words “rate of seven per centum per annum” and by inserting instead the words “applicable rate”; Sec. 5. (Funding of arrears.)
- 25 (b) by omitting from section 5 the word “section” wherever occurring and by inserting instead the word “subsection”;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(c) by inserting at the end of section 5 the following subsections :—

5 (2) In subsection (1), “the applicable rate”,
in relation to any payment of an amount funded
under that subsection, means, in respect of so much
of the period which is after the payment of any
amount funded became due and before the date
of payment as occurred—

10 (a) before the commencement of section 6 of
the Crown Lands and Closer Settlement
(Amendment) Act, 1968—the rate of five
per centum per annum;

15 (b) on or after that commencement and before
the commencement of section 3 of the
Crown Lands and Other Acts (Rents and
Interest Rates) Amendment Act, 1975—
the rate of seven per centum per annum;

20 (c) on or after the commencement of section 3
of the Crown Lands and Other Acts (Rents
and Interest Rates) Amendment Act, 1975,
and—

(i) before the date of payment; or

25 (ii) where a regulation referred to in
paragraph (d) is made, before the
date that regulation takes effect,

whichever date referred to in subparagraph
(i) or (ii) first occurs—the rate of ten per
centum per annum; or

(d)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

5

(3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (d).

(3) The Closer Settlement Act, 1904, is amended—

Amendment
of Act No.
37, 1904.

(a) by omitting from section 29 (4) the words “bear interest—

Sec. 29.
(Settlement
purchase,
title, and
general
conditions.)

10

(a) where the amount became due before and was unpaid at the commencement of section six of the Crown Lands and Closer Settlement (Amendment) Act, 1968—at the rate of five per centum per annum from the date of its becoming due until that commencement and at the rate of seven per centum per annum from that commencement until the date of payment; and

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(b) where the amount became due on or after that commencement—at the rate of seven per centum per annum from the date of its becoming due until the date of payment,

25

and such interest” and by inserting instead the words “bear interest at the applicable rate and such interest”;

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(b) by inserting at the end of section 29 the following subsections :—

5 (5) In subsection (4), “the applicable rate”, in relation to any payment deferred under that subsection, means, in respect of so much of the period which is after the payment became due and before the date of payment as occurred—

10 (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of five per centum per annum;

15 (b) on or after that commencement and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum;

20 (c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

(i) before the date of payment; or

(ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,

25 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

30 (d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

(6)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(6) The Governor may make regulations prescribing rates of interest for the purpose of subsection (5) (d).

5 (4) The Closer Settlement (Amendment) Act, 1937, Amendment
is amended— of Act No.
21, 1937.

10 (a) by omitting from section 3 (1) (b) the words “from Sec. 3.
and after the due date for the payment thereof, or (Instalments
the date of commencement of section six of the and interest.)
Crown Lands and Closer Settlement (Amendment)
Act, 1968, whichever is the later, bear interest at
the rate of seven per centum per annum” and by
inserting instead the words “bear interest at the
applicable rate”;

15 (b) by inserting at the end of section 3 the following
subsections :—

20 (3) In subsection (1) (b), “the applicable rate”,
in relation to any sum payable to the Crown, means,
in respect of so much of the period during which
the payment was outstanding as occurred—

(a) before the commencement of section 6 of
the Crown Lands and Closer Settlement
(Amendment) Act, 1968—the rate of four
per centum per annum;

25 (b) on or after that commencement and before
the commencement of section 3 of the
Crown Lands and Other Acts (Rents and
Interest Rates) Amendment Act, 1975—
the rate of seven per centum per annum;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

5 (i) before the date of payment; or

(ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,

10 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

(d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

15 (4) The Governor may make regulations prescribing rates of interest for the purpose of subsection (3) (d).

(5) The Returned Soldiers Settlement Act, 1916, is amended—

Amendment
of Act No.
21, 1916.

20 (a) by omitting from section 8 the words “a rate not exceeding seven per centum per annum” and by inserting instead the words “the applicable rate”;
Sec. 8.
(Remission of rent.)

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(b) by inserting at the end of section 8 the following subsections :—

5 (2) In subsection (1), “the applicable rate”, in relation to any sum unpaid during the prescribed period, means, in respect of so much of the prescribed period as occurred—

10 (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of five per centum per annum;

15 (b) on or after that commencement and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum;

(c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

20 (i) before the date of payment; or

(ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,

25 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

(d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

30 (3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (d).

(6)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(6) The Western Lands Act, 1901, is amended—

Amendment
of Act No.
70, 1901.

- (a) (i) by omitting from section 36B the words “as regards any amount unpaid at, or becoming unpaid after, the commencement of section six of the Crown Lands and Closer Settlement (Amendment) Act, 1968, be read and construed, for the purpose of calculating the amount of any penalty accruing due after that commencement, as if that rate per centum were omitted from that provision and the rate of seven per centum were substituted therefor” and by inserting instead the words “, for the purpose of calculating the amount of any penalty accruing due after that commencement, be read and construed as if that rate per centum were omitted from that provision and the applicable rate were substituted therefor”; Sec. 36B.
(Interest on arrears—leases.)
- (ii) by inserting at the end of section 36B the following subsections :—
- (2) In subsection (1), “the applicable rate”, in relation to any unpaid amount, means, in respect of so much of the period during which the amount was unpaid as occurred—
- (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of four per centum;
- (b) on or after that commencement and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

- (c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—
- 5 (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,
- 10 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum; or
- (d) during any period during which a regulation prescribing a rate per centum for the purpose of this paragraph is in force—that rate.
- 15
- (3) The Governor may make regulations prescribing rates per centum for the purpose of subsection (2) (d).
- 20 (b) (i) by omitting from section 36c the words “from Sec. 36c. and after the due date for payment thereof (Interest.) bear interest at the rate of seven per centum per annum” and by inserting instead the words “bear interest at the applicable rate”;
- 25 (ii) by omitting from section 36c the words “such date” and by inserting instead the words “the due date for payment”;
- (iii) by omitting from section 36c the word “section” where secondly occurring and by inserting instead the word “subsection”;
- 30 (iv)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(iv) by inserting at the end of section 36C the following subsections :—

5 (2) In subsection (1), “the applicable rate”, in relation to any sum payable under a lease, means, in respect of so much of the period during which the sum was so payable as occurred—

10 (a) on or after the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968, and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of
15 seven per centum per annum ;

(b) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

20 (i) before the date of payment; or
(ii) where a regulation referred to in paragraph (c) is made, before the date that regulation takes effect,

25 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum ; or

30 (c) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

(3)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (c).

4. (1) The Crown Lands Consolidation Act, 1913, is further amended by inserting after section 180 the following sections and short headings thereto :—

Further amendment of Act No. 7, 1913.
Secs. 180A, 180B.

Application of section 180.

180A. Section 180 does not apply in respect of any payment which the Minister is empowered to defer under section 180B other than a payment which he has deferred under section 180 as in force before the commencement of section 4 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975.

Application of section 180.

Deferment of payment of increases in annual rents of certain holdings.

180B. (1) In this section, "holding" means a home-stead selection (before or after grant) or a lease (whether a perpetual lease grant has or has not issued), but does not include a holding within an irrigation area.

Deferment of payment of increases in annual rents of certain holdings.

(2) Where the annual rent of a holding has been increased by a redetermination made by a local land board before or after the commencement of section 4 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, the Minister, upon application made before or after that commencement, may at any time defer, conditionally or unconditionally and for any period he considers appropriate, the payment of the whole or any part of the amount of any increase due to that redetermination.

(3)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(3) Any amount the payment of which has been deferred under subsection (2) shall bear interest at the applicable rate.

5 (4) In subsection (3), "the applicable rate", in relation to any payment deferred under subsection (2), means, in respect of so much of the period which is after the payment became due and before the date of payment as occurred—

10 (a) before the commencement of section 4 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum;

(b) on or after that commencement and—

15 (i) before the date of payment; or
(ii) where a regulation referred to in paragraph (c) is made, before the date that regulation takes effect,

20 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

(c) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

25 (5) The Governor may make regulations prescribing rates of interest for the purpose of subsection (4) (c).

(6) Any such interest shall be payable on such dates as the Minister may determine.

30 (7) The Minister may allow the deferred amounts to be paid by annual instalments, with interest at the applicable rate referred to in subsection (4).

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 (8) Where the Minister is satisfied that the circumstances warrant it, he may direct that the whole or part of the interest referred to in subsection (3) or (7) shall not be charged but no refund shall be made as a consequence of any such direction.

(9) Nothing in this section shall prevent the payment of any amount before it becomes due under the provisions of this section.

10 (10) Any deferment granted or remission or direction made in pursuance of this section may at any time be modified or revoked by the Minister.

(2) The Finances Adjustment Act, 1932, is amended by inserting in section 3 after the words "one hundred and eighty" the matter ", 180B".

Amendment
of Act No.
27, 1932.
Sec. 3.
(Interest.)

15 5. Nothing in section 3 affects the operation of section 3 Saving.
of the Finances Adjustment Act, 1932, in relation to any
debt to the Crown—

- (a) payable under a provision of an Act, being a provision amended by this Act; and
- 20 (b) incurred before the commencement of the provision of this Act which amends the provision referred to in paragraph (a).

No. , 1975.

A BILL

To amend the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Returned Soldiers Settlement Act, 1916, the Crown Lands (Amendment) Act, 1932, the Western Lands Act, 1901, and the Finances Adjustment Act, 1932, so as to provide for increases in interest rates in respect of certain debts due to the Crown and to provide for the deferment of payment of certain parts of the annual rents of certain holdings under the Crown Lands Consolidation Act, 1913.

[MR MASON—12 November, 1975.]

BE

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 **B**E it enacted by the Queen'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. This Act may be cited as the "Crown Lands and Other Short
Acts (Rents and Interest Rates) Amendment Act, 1975". title.

2. (1) This section and sections 1 and 4 shall commence Commence-
on the date of assent to this Act. ment.

10 (2) Sections 3 and 5 shall commence on such day as
may be appointed by the Governor in respect thereof and as
may be notified by proclamation published in the Gazette.

3. (1) The Crown Lands Consolidation Act, 1913, is Amendment
amended— of Act No.
7, 1913.

15 (a) (i) by omitting from section 180 the words "bear Sec. 180.
interest— (Deferring
of
payments.)

20 (a) where the amount became due before
and was unpaid at the commencement
of section six of the Crown Lands and
Closer Settlement (Amendment) Act,
1968—at the rate of four per centum

per

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 per annum from the date of its becoming due until that commencement and at the rate of seven per centum per annum from that commencement until the date of payment; and

10 (b) where the amount became due on or after that commencement—at the rate of seven per centum per annum from the date of its becoming due until the date of payment,

and such interest” and by inserting instead the words “bear interest at the applicable rate and such interest”;

15 (ii) by inserting at the end of section 180 the following subsections :—

20 (2) In subsection (1), “the applicable rate”, in relation to any payment deferred under that subsection, means, in respect of so much of the period which is after the payment became due and before the date of payment as occurred—

25 (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of four per centum per annum;

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 (b) on or after that commencement and
before the commencement of section 3
of the Crown Lands and Other Acts
(Rents and Interest Rates) Amend-
ment Act, 1975—the rate of seven per
centum per annum;

10 (c) on or after the commencement of
section 3 of the Crown Lands and
Other Acts (Rents and Interest Rates)
Amendment Act, 1975, and—

(i) before the date of payment; or

15 (ii) where a regulation referred to
in paragraph (d) is made,
before the date that regulation
takes effect,

whichever date referred to in sub-
paragraph (i) or (ii) first occurs—the
rate of ten per centum per annum; or

20 (d) during any period during which a
regulation prescribing a rate of interest
for the purpose of this paragraph is in
force—that rate.

25 (3) The Governor may make regulations
prescribing rates of interest for the purpose of
subsection (2) (d).

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 (b) (i) by omitting from section 278 the words "from Sec. 278.
and after the due date for the payment thereof, (Interest
or the date of commencement of section six of on arrears.)
the Crown Lands and Closer Settlement
(Amendment) Act, 1968, whichever is the
later, bear interest at the rate of seven per
centum per annum," and by inserting instead
the words "bear interest at the applicable
rate";

10 (ii) by inserting at the end of section 278 the
following subsections :—

15 (2) In subsection (1), "the applicable
rate", in relation to any sum payable to the
Crown, means, in respect of so much of the
period during which the payment was
outstanding as occurred—

20 (a) before the commencement of section 6
of the Crown Lands and Closer Settle-
ment (Amendment) Act, 1968—the
rate of four per centum per annum;

25 (b) on or after that commencement and
before the commencement of section 3
of the Crown Lands and Other Acts
(Rents and Interest Rates) Amend-
ment Act, 1975—the rate of seven per
centum per annum;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

- (c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—
- 5 (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,
- 10 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or
- (d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.
- 15
- (3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (d).

20 (2) The Crown Lands (Amendment) Act, 1932, is amended— Amendment of Act No. 69, 1932.

- (a) by omitting from section 5 the words “rate of seven per centum per annum” and by inserting instead the words “applicable rate”; Sec. 5. (Funding of arrears.)
- 25 (b) by omitting from section 5 the word “section” wherever occurring and by inserting instead the word “subsection”;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(c) by inserting at the end of section 5 the following subsections :—

5 (2) In subsection (1), “the applicable rate”,
in relation to any payment of an amount funded
under that subsection, means, in respect of so much
of the period which is after the payment of any
amount funded became due and before the date
of payment as occurred—

10 (a) before the commencement of section 6 of
the Crown Lands and Closer Settlement
(Amendment) Act, 1968—the rate of five
per centum per annum;

15 (b) on or after that commencement and before
the commencement of section 3 of the
Crown Lands and Other Acts (Rents and
Interest Rates) Amendment Act, 1975—
the rate of seven per centum per annum;

20 (c) on or after the commencement of section 3
of the Crown Lands and Other Acts (Rents
and Interest Rates) Amendment Act, 1975,
and—

(i) before the date of payment; or

25 (ii) where a regulation referred to in
paragraph (d) is made, before the
date that regulation takes effect,

whichever date referred to in subparagraph
(i) or (ii) first occurs—the rate of ten per
centum per annum; or

(d)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

5

(3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (d).

(3) The Closer Settlement Act, 1904, is amended— Amendment
of Act No.
37, 1904.

(a) by omitting from section 29 (4) the words “bear interest—” Sec. 29.
(Settlement
purchase,
title, and
general
conditions.)

10

(a) where the amount became due before and was unpaid at the commencement of section six of the Crown Lands and Closer Settlement (Amendment) Act, 1968—at the rate of five per centum per annum from the date of its becoming due until that commencement and at the rate of seven per centum per annum from that commencement until the date of payment; and

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(b) where the amount became due on or after that commencement—at the rate of seven per centum per annum from the date of its becoming due until the date of payment,

25

and such interest” and by inserting instead the words “bear interest at the applicable rate and such interest”;

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(b) by inserting at the end of section 29 the following subsections :—

5 (5) In subsection (4), “the applicable rate”, in relation to any payment deferred under that subsection, means, in respect of so much of the period which is after the payment became due and before the date of payment as occurred—

10 (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of five per centum per annum;

15 (b) on or after that commencement and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum;

20 (c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

(i) before the date of payment; or

(ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,

25 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

30 (d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

(6)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(6) The Governor may make regulations prescribing rates of interest for the purpose of subsection (5) (d).

5 (4) The Closer Settlement (Amendment) Act, 1937, Amendment
is amended— of Act No.
21, 1937.

10 (a) by omitting from section 3 (1) (b) the words “from Sec. 3.
and after the due date for the payment thereof, or (Instalments
the date of commencement of section six of the and interest.)
Crown Lands and Closer Settlement (Amendment)
Act, 1968, whichever is the later, bear interest at
the rate of seven per centum per annum” and by
inserting instead the words “bear interest at the
applicable rate”;

15 (b) by inserting at the end of section 3 the following
subsections : —

20 (3) In subsection (1) (b), “the applicable rate”,
in relation to any sum payable to the Crown, means,
in respect of so much of the period during which
the payment was outstanding as occurred—

(a) before the commencement of section 6 of
the Crown Lands and Closer Settlement
(Amendment) Act, 1968—the rate of four
per centum per annum;

25 (b) on or after that commencement and before
the commencement of section 3 of the
Crown Lands and Other Acts (Rents and
Interest Rates) Amendment Act, 1975—
the rate of seven per centum per annum;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

- (c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—
- 5 (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,
- 10 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or
- (d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.
- 15 (4) The Governor may make regulations prescribing rates of interest for the purpose of subsection (3) (d).
- (5) The Returned Soldiers Settlement Act, 1916, is amended—
- 20 (a) by omitting from section 8 the words “a rate not exceeding seven per centum per annum” and by inserting instead the words “the applicable rate”; (b)
- Sec. 8.
(Remission of rent.)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(b) by inserting at the end of section 8 the following subsections :—

5 (2) In subsection (1), “the applicable rate”, in relation to any sum unpaid during the prescribed period, means, in respect of so much of the prescribed period as occurred—

10 (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of five per centum per annum;

15 (b) on or after that commencement and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum;

(c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

20 (i) before the date of payment; or
(ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,

25 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

(d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

30 (3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (d).

(6)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(6) The Western Lands Act, 1901, is amended—

Amendment
of Act No.
70, 1901.

- 5 (a) (i) by omitting from section 36B the words “as
regards any amount unpaid at, or becoming
unpaid after, the commencement of section six
of the Crown Lands and Closer Settlement
(Amendment) Act, 1968, be read and con-
strued, for the purpose of calculating the
amount of any penalty accruing due after that
commencement, as if that rate per centum were
omitted from that provision and the rate of
seven per centum were substituted therefor”
and by inserting instead the words “, for the
purpose of calculating the amount of any
penalty accruing due after that commence-
ment, be read and construed as if that rate per
centum were omitted from that provision and
the applicable rate were substituted therefor”;
- 10
- 15
- (ii) by inserting at the end of section 36B the
following subsections :—
- 20 (2) In subsection (1), “the applicable
rate”, in relation to any unpaid amount, means,
in respect of so much of the period during
which the amount was unpaid as occurred—
- 25 (a) before the commencement of section 6
of the Crown Lands and Closer Settle-
ment (Amendment) Act, 1968—the
rate of four per centum ;
- 30 (b) on or after that commencement and
before the commencement of section 3
of the Crown Lands and Other Acts
(Rents and Interest Rates) Amend-
ment Act, 1975—the rate of seven per
centum ;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

- (c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—
- 5 (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,
- 10 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum; or
- (d) during any period during which a regulation prescribing a rate per
- 15 centum for the purpose of this paragraph is in force—that rate.
- (3) The Governor may make regulations prescribing rates per centum for the purpose of subsection (2) (d).
- 20 (b) (i) by omitting from section 36c the words “from Sec. 36c. and after the due date for payment thereof (Interest.) bear interest at the rate of seven per centum per annum” and by inserting instead the words “bear interest at the applicable rate”;
- 25 (ii) by omitting from section 36c the words “such date” and by inserting instead the words “the due date for payment”;
- (iii) by omitting from section 36c the word
- 30 “section” where secondly occurring and by inserting instead the word “subsection”;
- (iv)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(iv) by inserting at the end of section 36c the following subsections :—

(2) In subsection (1), “the applicable rate”, in relation to any sum payable under a lease, means, in respect of so much of the period during which the sum was so payable as occurred—

(a) on or after the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968, and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum ;

(b) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

(i) before the date of payment; or

(ii) where a regulation referred to in paragraph (c) is made, before the date that regulation takes effect,

whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum ; or

(c) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

(3)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (c).

4. (1) The Crown Lands Consolidation Act, 1913, is further amended by inserting after section 180 the following sections and short headings thereto :—

Further amendment of Act No. 7, 1913.
Secs. 180A, 180B.

Application of section 180.

180A. Section 180 does not apply in respect of any payment which the Minister is empowered to defer under section 180B other than a payment which he has deferred under section 180 as in force before the commencement of section 4 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975.

Application of section 180.

Deferment of payment of increases in annual rents of certain holdings.

180B. (1) In this section, "holding" means a home-
stead selection (before or after grant) or a lease (whether a perpetual lease grant has or has not issued), but does not include a holding within an irrigation area.

Deferment of payment of increases in annual rents of certain holdings.

(2) Where the annual rent of a holding has been increased by a redetermination made by a local land board before or after the commencement of section 4 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, the Minister, upon application made before or after that commencement, may at any time defer, conditionally or unconditionally and for any period he considers appropriate, the payment of the whole or any part of the amount of any increase due to that redetermination.

(3)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(3) Any amount the payment of which has been deferred under subsection (2) shall bear interest at the applicable rate.

5 (4) In subsection (3), "the applicable rate", in relation to any payment deferred under subsection (2), means, in respect of so much of the period which is after the payment became due and before the date of payment as occurred—

10 (a) before the commencement of section 4 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum;

(b) on or after that commencement and—

15 (i) before the date of payment; or
(ii) where a regulation referred to in paragraph (c) is made, before the date that regulation takes effect,

20 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

(c) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

25 (5) The Governor may make regulations prescribing rates of interest for the purpose of subsection (4) (c).

(6) Any such interest shall be payable on such dates as the Minister may determine.

30 (7) The Minister may allow the deferred amounts to be paid by annual instalments, with interest at the applicable rate referred to in subsection (4).

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

- 5 (8) Where the Minister is satisfied that the circumstances warrant it, he may direct that the whole or part of the interest referred to in subsection (3) or (7) shall not be charged but no refund shall be made as a consequence of any such direction.
- (9) Nothing in this section shall prevent the payment of any amount before it becomes due under the provisions of this section.
- 10 (10) Any deferment granted or remission or direction made in pursuance of this section may at any time be modified or revoked by the Minister.
- (2) The Finances Adjustment Act, 1932, is amended by inserting in section 3 after the words "one hundred and eighty" the matter ", 180B".
- Amendment of Act No. 27, 1932.
Sec. 3.
(Interest.)
- 15 5. Nothing in section 3 affects the operation of section 3 Saving. of the Finances Adjustment Act, 1932, in relation to any debt to the Crown—
- (a) payable under a provision of an Act, being a provision amended by this Act; and
- 20 (b) incurred before the commencement of the provision of this Act which amends the provision referred to in paragraph (a).

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1975

[24c]

PROOF

**CROWN LANDS AND OTHER ACTS (RENTS AND INTEREST
RATES) AMENDMENT BILL, 1975**

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to provide for increases in interest rates in respect of certain debts due to the Crown under the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Returned Soldiers Settlement Act, 1916, the Crown Lands (Amendment) Act, 1932, and the Western Lands Act, 1901;
- (b) to empower the Minister to defer, conditionally or unconditionally and for any period he considers appropriate, the payment of a certain part of the annual rents of certain holdings under the Crown Lands Consolidation Act, 1913, where any such rent has been increased by redetermination by the local land board; and
- (c) to make other amendments of a minor, consequential or machinery nature.

PROOF

No. , 1975.

A BILL

To amend the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Returned Soldiers Settlement Act, 1916, the Crown Lands (Amendment) Act, 1932, the Western Lands Act, 1901, and the Finances Adjustment Act, 1932, so as to provide for increases in interest rates in respect of certain debts due to the Crown and to provide for the deferment of payment of certain parts of the annual rents of certain holdings under the Crown Lands Consolidation Act, 1913.

[MR MASON—12 November, 1975.]

BE

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

BE it enacted by the Queen'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
5 follows:—

1. This Act may be cited as the "Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975". Short title.

2. (1) This section and sections 1 and 4 shall commence on the date of assent to this Act. Commence-
ment.

10 (2) Sections 3 and 5 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. (1) The Crown Lands Consolidation Act, 1913, is amended— Amendment
of Act No.
7, 1913.

15 (a) (i) by omitting from section 180 the words "bear interest—" Sec. 180.
(Deferring
of
payments.)

(a) where the amount became due before
and was unpaid at the commencement
of section six of the Crown Lands and
Closer Settlement (Amendment) Act,
20 1968—at the rate of four per centum

per

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 per annum from the date of its becoming due until that commencement and at the rate of seven per centum per annum from that commencement until the date of payment; and

10 (b) where the amount became due on or after that commencement—at the rate of seven per centum per annum from the date of its becoming due until the date of payment,

and such interest” and by inserting instead the words “bear interest at the applicable rate and such interest”;

15 (ii) by inserting at the end of section 180 the following subsections :—

20 (2) In subsection (1), “the applicable rate”, in relation to any payment deferred under that subsection, means, in respect of so much of the period which is after the payment became due and before the date of payment as occurred—

25 (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of four per centum per annum;

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 (b) on or after that commencement and
before the commencement of section 3
of the Crown Lands and Other Acts
(Rents and Interest Rates) Amend-
ment Act, 1975—the rate of seven per
centum per annum;

10 (c) on or after the commencement of
section 3 of the Crown Lands and
Other Acts (Rents and Interest Rates)
Amendment Act, 1975, and—

(i) before the date of payment; or

15 (ii) where a regulation referred to
in paragraph (d) is made,
before the date that regulation
takes effect,

whichever date referred to in sub-
paragraph (i) or (ii) first occurs—the
rate of ten per centum per annum; or

20 (d) during any period during which a
regulation prescribing a rate of interest
for the purpose of this paragraph is in
force—that rate.

25 (3) The Governor may make regulations
prescribing rates of interest for the purpose of
subsection (2) (d).

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 (b) (i) by omitting from section 278 the words "from Sec. 278.
and after the due date for the payment thereof, (Interest
or the date of commencement of section six of on arrears.)
the Crown Lands and Closer Settlement
(Amendment) Act, 1968, whichever is the
later, bear interest at the rate of seven per
centum per annum," and by inserting instead
the words "bear interest at the applicable
rate";

10 (ii) by inserting at the end of section 278 the
following subsections :—

15 (2) In subsection (1), "the applicable
rate", in relation to any sum payable to the
Crown, means, in respect of so much of the
period during which the payment was
outstanding as occurred—

20 (a) before the commencement of section 6
of the Crown Lands and Closer Settle-
ment (Amendment) Act, 1968—the
rate of four per centum per annum;

25 (b) on or after that commencement and
before the commencement of section 3
of the Crown Lands and Other Acts
(Rents and Interest Rates) Amend-
ment Act, 1975—the rate of seven per
centum per annum;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

- (c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—
- 5 (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,
- 10 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or
- 15 (d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

(3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (d).

20 (2) The Crown Lands (Amendment) Act, 1932, is amended—

Amendment
of Act No.
69, 1932.

Sec. 5.

(Funding of
arrears.)

- (a) by omitting from section 5 the words “rate of seven per centum per annum” and by inserting instead the words “applicable rate”;
- 25 (b) by omitting from section 5 the word “section” wherever occurring and by inserting instead the word “subsection”;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(c) by inserting at the end of section 5 the following subsections :—

5

(2) In subsection (1), “the applicable rate”, in relation to any payment of an amount funded under that subsection, means, in respect of so much of the period which is after the payment of any amount funded became due and before the date of payment as occurred—

10

(a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of five per centum per annum;

15

(b) on or after that commencement and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum;

20

(c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

(i) before the date of payment; or

25

(ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,

whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

(d)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

5 (3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (d).

(3) The Closer Settlement Act, 1904, is amended—

Amendment
of Act No.
37, 1904.
Sec. 29.
(Settlement
purchase,
title, and
general
conditions.)

(a) by omitting from section 29 (4) the words “bear interest—

10 (a) where the amount became due before and was unpaid at the commencement of section six of the Crown Lands and Closer Settlement (Amendment) Act, 1968—at the rate
15 of five per centum per annum from the date of its becoming due until that commencement and at the rate of seven per centum per annum from that commencement until the date of payment; and

20 (b) where the amount became due on or after that commencement—at the rate of seven per centum per annum from the date of its becoming due until the date of payment,

25 and such interest” and by inserting instead the words “bear interest at the applicable rate and such interest”;

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(b) by inserting at the end of section 29 the following subsections :—

5 (5) In subsection (4), “the applicable rate”, in relation to any payment deferred under that subsection, means, in respect of so much of the period which is after the payment became due and before the date of payment as occurred—

10 (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of five per centum per annum ;

15 (b) on or after that commencement and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum ;

20 (c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

(i) before the date of payment ; or

(ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,

25 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum ; or

30 (d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

(6)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(6) The Governor may make regulations prescribing rates of interest for the purpose of subsection (5) (d).

5 (4) The Closer Settlement (Amendment) Act, 1937, Amendment
is amended— of Act No.
21, 1937.

Sec. 3.
(Instalments
and interest.)

10 (a) by omitting from section 3 (1) (b) the words “from
and after the due date for the payment thereof, or
the date of commencement of section six of the
Crown Lands and Closer Settlement (Amendment)
Act, 1968, whichever is the later, bear interest at
the rate of seven per centum per annum” and by
inserting instead the words “bear interest at the
applicable rate”;

15 (b) by inserting at the end of section 3 the following
subsections : —

(3) In subsection (1) (b), “the applicable rate”,
in relation to any sum payable to the Crown, means,
in respect of so much of the period during which
the payment was outstanding as occurred—

20 (a) before the commencement of section 6 of
the Crown Lands and Closer Settlement
(Amendment) Act, 1968—the rate of four
per centum per annum ;

25 (b) on or after that commencement and before
the commencement of section 3 of the
Crown Lands and Other Acts (Rents and
Interest Rates) Amendment Act, 1975—
the rate of seven per centum per annum ;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

5 (i) before the date of payment; or

(ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,

10 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

(d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

15 (4) The Governor may make regulations prescribing rates of interest for the purpose of subsection (3) (d).

(5) The Returned Soldiers Settlement Act, 1916, is amended—

Amendment
of Act No.
21, 1916.
Sec. 8.
(Remission
of rent.)

20 (a) by omitting from section 8 the words “a rate not exceeding seven per centum per annum” and by inserting instead the words “the applicable rate”;

(b)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(b) by inserting at the end of section 8 the following subsections :—

5 (2) In subsection (1), “the applicable rate”, in relation to any sum unpaid during the prescribed period, means, in respect of so much of the prescribed period as occurred—

10 (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of five per centum per annum;

15 (b) on or after that commencement and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum;

(c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—

20 (i) before the date of payment; or
(ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,

25 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

(d) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

30 (3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (d).

(6)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(6) The Western Lands Act, 1901, is amended—

Amendment
of Act No.
70, 1901.

- 5 (a) (i) by omitting from section 36B the words “as regards any amount unpaid at, or becoming unpaid after, the commencement of section six of the Crown Lands and Closer Settlement (Amendment) Act, 1968, be read and construed, for the purpose of calculating the amount of any penalty accruing due after that commencement, as if that rate per centum were omitted from that provision and the rate of seven per centum were substituted therefor” and by inserting instead the words “, for the purpose of calculating the amount of any penalty accruing due after that commencement, be read and construed as if that rate per centum were omitted from that provision and the applicable rate were substituted therefor”;
- 10
- 15
- (ii) by inserting at the end of section 36B the following subsections :—
- 20 (2) In subsection (1), “the applicable rate”, in relation to any unpaid amount, means, in respect of so much of the period during which the amount was unpaid as occurred—
- 25 (a) before the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968—the rate of four per centum;
- 30 (b) on or after that commencement and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum;

(c)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

- (c) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—
- 5 (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (d) is made, before the date that regulation takes effect,
- 10 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum; or
- (d) during any period during which a regulation prescribing a rate per centum for the purpose of this
- 15 paragraph is in force—that rate.
- (3) The Governor may make regulations prescribing rates per centum for the purpose of subsection (2) (d).
- 20 (b) (i) by omitting from section 36c the words “from Sec. 36c. and after the due date for payment thereof (Interest.) bear interest at the rate of seven per centum per annum” and by inserting instead the words “bear interest at the applicable rate”;
- 25 (ii) by omitting from section 36c the words “such date” and by inserting instead the words “the due date for payment”;
- (iii) by omitting from section 36c the word “section” where secondly occurring and by
- 30 inserting instead the word “subsection”;
- (iv)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(iv) by inserting at the end of section 36c the following subsections :—

- 5 (2) In subsection (1), “the applicable rate”, in relation to any sum payable under a lease, means, in respect of so much of the period during which the sum was so payable as occurred—
- 10 (a) on or after the commencement of section 6 of the Crown Lands and Closer Settlement (Amendment) Act, 1968, and before the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of
- 15 seven per centum per annum ;
- (b) on or after the commencement of section 3 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, and—
- 20 (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (c) is made, before the date that regulation takes effect,
- 25 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum ; or
- 30 (c) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

(3)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(3) The Governor may make regulations prescribing rates of interest for the purpose of subsection (2) (c).

4. (1) The Crown Lands Consolidation Act, 1913, is further amended by inserting after section 180 the following sections and short headings thereto :—

Further amendment of Act No. 7, 1913.
Secs. 180A, 180B.

Application of section 180.

180A. Section 180 does not apply in respect of any payment which the Minister is empowered to defer under section 180B other than a payment which he has deferred under section 180 as in force before the commencement of section 4 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975.

Application of section 180.

Deferment of payment of increases in annual rents of certain holdings.

180B. (1) In this section, "holding" means a home-stead selection (before or after grant) or a lease (whether a perpetual lease grant has or has not issued), but does not include a holding within an irrigation area.

Deferment of payment of increases in annual rents of certain holdings.

(2) Where the annual rent of a holding has been increased by a redetermination made by a local land board before or after the commencement of section 4 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975, the Minister, upon application made before or after that commencement, may at any time defer, conditionally or unconditionally and for any period he considers appropriate, the payment of the whole or any part of the amount of any increase due to that redetermination.

(3)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

(3) Any amount the payment of which has been deferred under subsection (2) shall bear interest at the applicable rate.

5 (4) In subsection (3), "the applicable rate", in relation to any payment deferred under subsection (2), means, in respect of so much of the period which is after the payment became due and before the date of payment as occurred—

10 (a) before the commencement of section 4 of the Crown Lands and Other Acts (Rents and Interest Rates) Amendment Act, 1975—the rate of seven per centum per annum;

(b) on or after that commencement and—

15 (i) before the date of payment; or
(ii) where a regulation referred to in paragraph (c) is made, before the date that regulation takes effect,

20 whichever date referred to in subparagraph (i) or (ii) first occurs—the rate of ten per centum per annum; or

(c) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—that rate.

25 (5) The Governor may make regulations prescribing rates of interest for the purpose of subsection (4) (c).

(6) Any such interest shall be payable on such dates as the Minister may determine.

30 (7) The Minister may allow the deferred amounts to be paid by annual instalments, with interest at the applicable rate referred to in subsection (4).

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(8)

*Crown Lands and Other Acts (Rents and Interest Rates)
Amendment.*

5 (8) Where the Minister is satisfied that the circumstances warrant it, he may direct that the whole or part of the interest referred to in subsection (3) or (7) shall not be charged but no refund shall be made as a consequence of any such direction.

(9) Nothing in this section shall prevent the payment of any amount before it becomes due under the provisions of this section.

10 (10) Any deferment granted or remission or direction made in pursuance of this section may at any time be modified or revoked by the Minister.

(2) The Finances Adjustment Act, 1932, is amended by inserting in section 3 after the words "one hundred and eighty" the matter ", 180B".

Amendment
of Act No.
27, 1932.
Sec. 3.
(Interest.)

15 5. Nothing in section 3 affects the operation of section 3 Saving.
of the Finances Adjustment Act, 1932, in relation to any
debt to the Crown—

(a) payable under a provision of an Act, being a provision amended by this Act; and

20 (b) incurred before the commencement of the provision of this Act which amends the provision referred to in paragraph (a).

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1975