

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, 2 March, 1976.*

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. , 1976.

An Act to amend the Western Lands Act, 1901.

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 follows:—

1. This Act may be cited as the "Western Lands Short title. (Amendment) Act, 1976".

2.

Western Lands (Amendment).

2. The Western Lands Act, 1901, is amended in the manner set forth in Schedule 1. Amendment
of Act No.
70, 1901.

SCHEDULE 1.

Sec. 2.

AMENDMENTS TO THE WESTERN LANDS ACT, 1901.

5 (1) Section 18E (2) (b)—

Omit the paragraph, insert instead :—

10 (b) the application may be granted only as to such part of the land the subject of the application as, together with any other lands held by the applicant in fee simple or under a lease in perpetuity, would not (assuming that part and any such other lands to be reasonably improved and used for the purpose for which they are reasonably fitted) substantially exceed one
15 home maintenance area ;

(2) (a) Section 18G (1A) (a)—

20 Omit "1945, pursuant to section twenty-three or thirty-nine, or", insert instead "1934, pursuant to section 23 or 39, a lease for the purpose of grazing granted pursuant to section 28A, other than such a lease for grazing that is declared under subsection (1B) to be a lease to which this subsection does not apply, or a lease".

(b) Section 18G (1B)—

25 After section 18G (1A), insert: —

(1B) The Minister may, by instrument in writing, declare any lease for the purpose of grazing granted pursuant to section 28A to be a lease to which subsection (1A) does not apply if

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

5 he is of the opinion that having regard to the carrying capacity of the land comprised in the lease it should not be subject to the provisions of that subsection.

(3) (a) Section 18H (2)—

10 After “person” where firstly occurring, insert “, whether or not as an executor or administrator”.

(b) Section 18H (2)—

15 Omit “make application”, insert instead “, except in the case of the executor or administrator, make application”.

(c) Section 18H (2)—

After “such person” where secondly occurring, insert “, not being the executor or administrator,”.

(d) Section 18H (2)—

20 Omit “or does not”, insert instead “or, whether or not he is the executor or administrator, does not”.

(e) Section 18H (2)—

25 After “such person” where thirdly occurring, insert “, being the executor or administrator,”.

(4) (a) Section 19C (1)—

After “centum”, insert “or such other rate as may from time to time be prescribed”.

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

(b) Section 19C (2), (3)—

5 Omit the subsections, insert instead :—

(2) Subsection (1) applies to and in respect
of a lease granted under section 28A for the
purpose of agriculture, grazing and agriculture
combined or mixed farming or for any similar
10 purpose or purposes in the same way as it
applies to and in respect of a lease in respect of
land set apart for any such purpose or purposes,
but does not apply to or in respect of a lease
granted under section 28A before the date of
15 assent to the Western Lands (Amendment) Act,
1976, until such date as is fixed by the local land
board on an application made by the lessee
within twelve months after that date of assent.

(5) (a) Section 24 (2)—

20 After “grazing” where firstly occurring, insert
“or agriculture”.

(6) Section 28BB (2) (b), (b1)—

Omit section 28BB (2) (b), insert instead :—

(b) The application for conversion may be granted
25 only as to such part of the land the subject of the
application as, together with any other lands held by
the applicant in fee simple, would not (assuming that
part and any such other lands to be reasonably im-
proved and used for the purpose for which they are
30 reasonably fitted) substantially exceed one home
maintenance area.

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

(b1) For the purpose of paragraph (b)—

- 5 (i) lands held by the spouse of an applicant
under this section shall be deemed to be
lands held by the applicant; and
- 10 (ii) lands held under annual lease, preferential
occupation license, occupation license, per-
missive occupancy or Western Lands lease
having not more than five years to run when
the application referred to in paragraph (b)
is made shall not be taken into account for
15 the purpose of ascertaining whether or not
any lands substantially exceed one home
maintenance area.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
1991

BY APPOINTMENT OF THE BOARD OF TRUSTEES
OF THE UNIVERSITY OF CHICAGO
AND BY AUTHORITY OF THE BOARD OF TRUSTEES
OF THE UNIVERSITY OF CHICAGO

BY APPOINTMENT OF THE BOARD OF TRUSTEES
OF THE UNIVERSITY OF CHICAGO

No. , 1976.

A BILL

To amend the Western Lands Act, 1901.

[MR FISHER—24 February, 1976.]

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 follows:—

1. This Act may be cited as the "Western Lands Short title. (Amendment) Act, 1976".

2.

Western Lands (Amendment).

2. The Western Lands Act, 1901, is amended in the manner set forth in Schedule 1. Amendment
of Act No.
70, 1901.

SCHEDULE 1.

Sec. 2.

AMENDMENTS TO THE WESTERN LANDS ACT, 1901.

5 (1) Section 18E (2) (b)—

Omit the paragraph, insert instead :—

10 (b) the application may be granted only as to such part of the land the subject of the application as, together with any other lands held by the applicant in fee simple or under a lease in perpetuity, would not (assuming that part and any such other lands to be reasonably improved and used for the purpose for which they are reasonably fitted) substantially exceed one
15 home maintenance area ;

(2) (a) Section 18G (1A) (a)—

20 Omit "1945, pursuant to section twenty-three or thirty-nine, or", insert instead "1934, pursuant to section 23 or 39, a lease for the purpose of grazing granted pursuant to section 28A, other than such a lease for grazing that is declared under subsection (1B) to be a lease to which this subsection does not apply, or a lease".

(b) Section 18G (1B)—

25 After section 18G (1A), insert: —

(1B) The Minister may, by instrument in writing, declare any lease for the purpose of grazing granted pursuant to section 28A to be a lease to which subsection (1A) does not apply if

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
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5 he is of the opinion that having regard to the carrying capacity of the land comprised in the lease it should not be subject to the provisions of that subsection.

(3) (a) Section 18H (2)—

10 After “person” where firstly occurring, insert “, whether or not as an executor or administrator”.

(b) Section 18H (2)—

15 Omit “make application”, insert instead “, except in the case of the executor or administrator, make application”.

(c) Section 18H (2)—

After “such person” where secondly occurring, insert “, not being the executor or administrator,”.

(d) Section 18H (2)—

20 Omit “or does not”, insert instead “or, whether or not he is the executor or administrator, does not”.

(e) Section 18H (2)—

25 After “such person” where thirdly occurring, insert “, being the executor or administrator,”.

(4) (a) Section 19C (1)—

After “centum”, insert “or such other rate as may from time to time be prescribed”.

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

(b) Section 19c (2), (3)—

5 Omit the subsections, insert instead :—

(2) Subsection (1) applies to and in respect
of a lease granted under section 28A for the
purpose of agriculture, grazing and agriculture
combined or mixed farming or for any similar
10 purpose or purposes in the same way as it
applies to and in respect of a lease in respect of
land set apart for any such purpose or purposes,
but does not apply to or in respect of a lease
granted under section 28A before the date of
15 assent to the Western Lands (Amendment) Act,
1976, until such date as is fixed by the local land
board on an application made by the lessee
within twelve months after that date of assent.

(5) (a) Section 24 (2)—

20 After “grazing” where firstly occurring, insert
“or agriculture”.

(b) Section 24 (3) (c)—

Omit “agriculture” where firstly occurring, insert
instead “grazing, or for agriculture,”.

25 (6) Section 28BB (2) (b), (b1)—

Omit section 28BB (2) (b), insert instead :—

(b) The application for conversion may be granted
only as to such part of the land the subject of the
application as, together with any other lands held by
30 the applicant in fee simple, would not (assuming that

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

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proved and used for the purpose for which they are
reasonably fitted) substantially exceed one home
maintenance area.

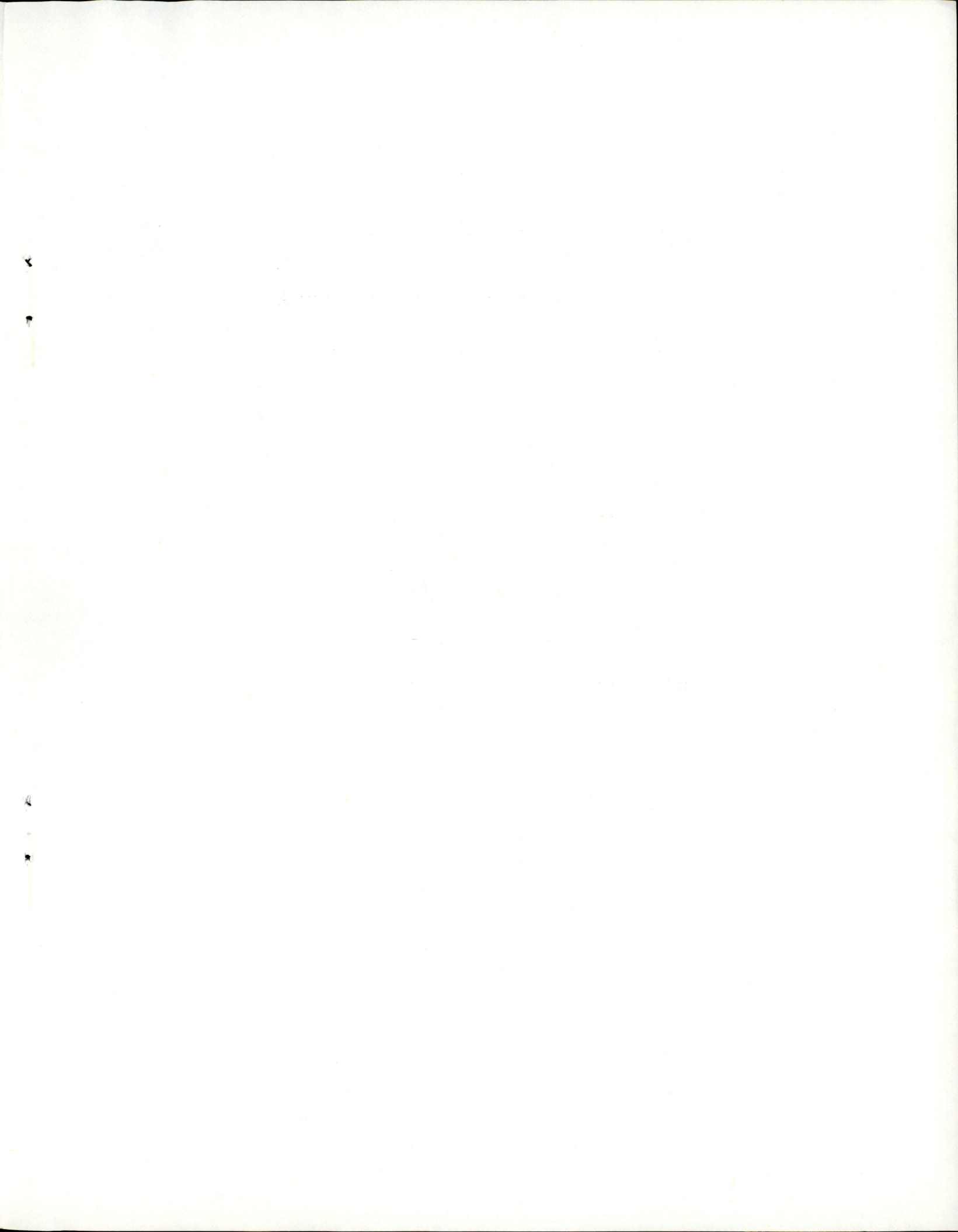
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10 (i) lands held by the spouse of an applicant
under this section shall be deemed to be
lands held by the applicant; and

15 (ii) lands held under annual lease, preferential
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missive occupancy or Western Lands lease
having not more than five years to run when
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is made shall not be taken into account for
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maintenance area.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976



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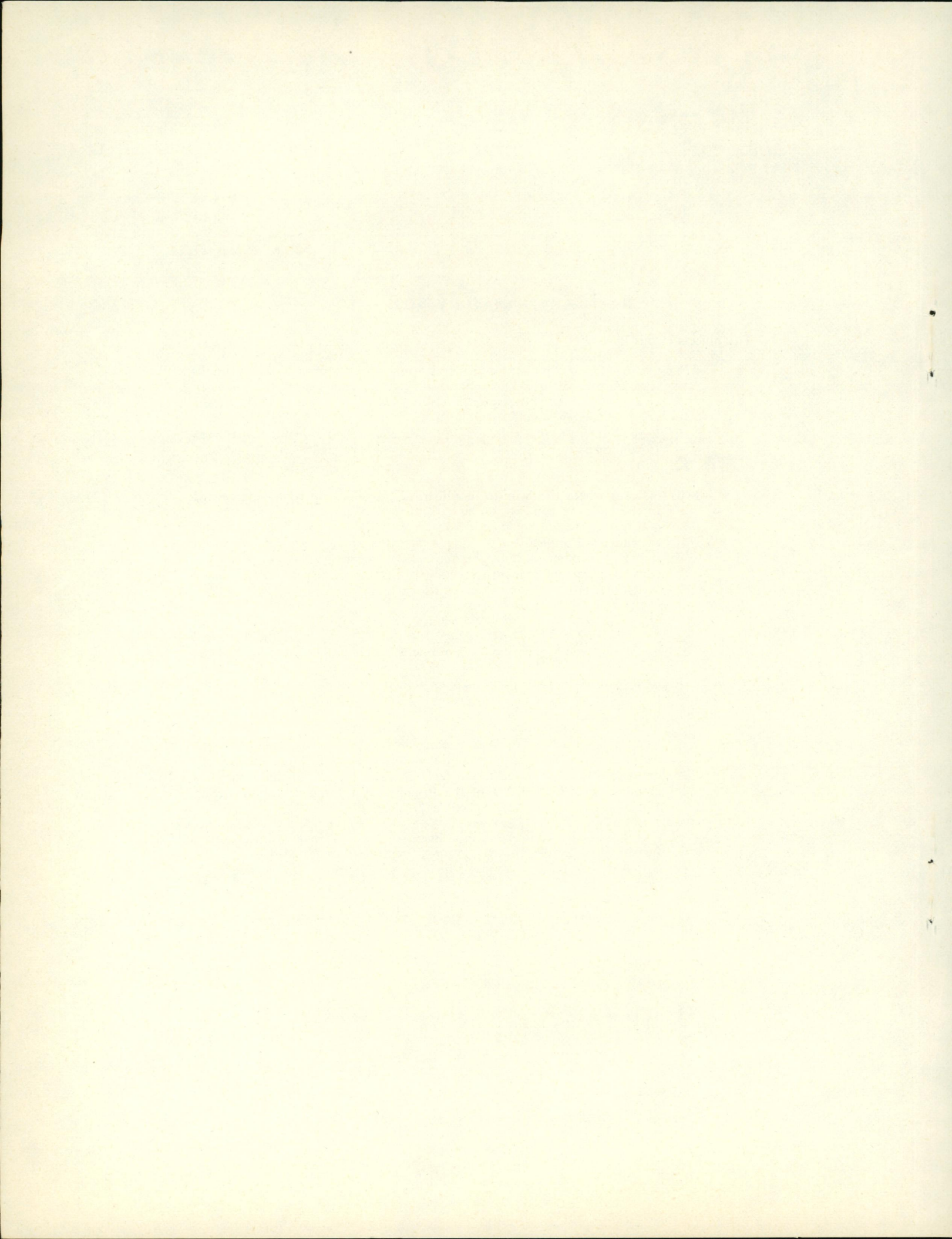
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WESTERN LANDS (AMENDMENT) BILL, 1976

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to vary the requirement preventing the extension of a Western Lands lease into a lease in perpetuity so that an application for such an extension may not be granted if all the lands that would be held by the applicant in fee simple or under a lease in perpetuity if his application were granted would substantially exceed one home maintenance area (amendment to section 18E (2) (b) of the Principal Act—Schedule 1 (1));
- (b) in cases where the Minister considers it proper to do so having regard to the carrying capacity of land comprised in a lease for the purpose of grazing (including leases under section 28A of the Principal Act), to relieve the Minister of the requirement that, in giving his consent to a transfer or other dealing, he must have regard to certain economic consequences (amendment to section 18G of the Principal Act—Schedule 1 (2) (a), (b));
- (c) to exclude executors and administrators on whom a Western Lands lease devolves under a will or intestacy from the provision of the Principal Act under which they may obtain a certificate entitling them to hold the lease after the death of the lessee beyond 3 years or such further period as the Minister may permit (amendments to section 18H (2) of the Principal Act—Schedule 1 (3));
- (d) to apply section 19c of the Principal Act (which relates to the rents payable for leases of land set apart under section 24 of the Principal Act for agriculture, grazing and agriculture combined, mixed farming or for a similar purpose) to the rents of leases for any of those purposes granted under section 28A of the Principal Act (amendment to section 19c of the Principal Act—Schedule 1 (4));
- (e) to apply to applications for conversion of leases for agriculture, mixed farming or similar purposes into conditional purchases provisions corresponding to those referred to in paragraph (a) above (amendment to section 28BB (2) (b) of the Principal Act—Schedule 1 (6)); and
- (f) to make other provisions of a minor or ancillary nature.



PROOF

No. , 1976.

A BILL

To amend the Western Lands Act, 1901.

[MR FISCHER—24 *February*, 1976.]

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
5 Parliament assembled, and by the authority of the same, as
follows:—

1. This Act may be cited as the "Western Lands Short title.
(Amendment) Act, 1976".

2.

Western Lands (Amendment).

2. The Western Lands Act, 1901, is amended in the manner set forth in Schedule 1. Amendment
of Act No.
70, 1901.

SCHEDULE 1.

Sec. 2.

AMENDMENTS TO THE WESTERN LANDS ACT, 1901.

5 (1) Section 18E (2) (b)—

Omit the paragraph, insert instead :—

10 (b) the application may be granted only as to such
part of the land the subject of the application
as, together with any other lands held by the
applicant in fee simple or under a lease in
perpetuity, would not (assuming that part and
any such other lands to be reasonably improved
and used for the purpose for which they are
reasonably fitted) substantially exceed one
15 home maintenance area ;

(2) (a) Section 18G (1A) (a)—

20 Omit "1945, pursuant to section twenty-three or
thirty-nine, or", insert instead "1934, pursuant
to section 23 or 39, a lease for the purpose of
grazing granted pursuant to section 28A, other
than such a lease for grazing that is declared
under subsection (1B) to be a lease to which this
subsection does not apply, or a lease".

(b) Section 18G (1B)—

25 After section 18G (1A), insert: —

(1B) The Minister may, by instrument in
writing, declare any lease for the purpose of
grazing granted pursuant to section 28A to be a
lease to which subsection (1A) does not apply if

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

5 he is of the opinion that having regard to the carrying capacity of the land comprised in the lease it should not be subject to the provisions of that subsection.

(3) (a) Section 18H (2)—

10 After “person” where firstly occurring, insert “, whether or not as an executor or administrator”.

(b) Section 18H (2)—

15 Omit “make application”, insert instead “, except in the case of the executor or administrator, make application”.

(c) Section 18H (2)—

After “such person” where secondly occurring, insert “, not being the executor or administrator,”.

(d) Section 18H (2)—

20 Omit “or does not”, insert instead “or, whether or not he is the executor or administrator, does not”.

(e) Section 18H (2)—

25 After “such person” where thirdly occurring, insert “, being the executor or administrator,”.

(4) (a) Section 19C (1)—

After “centum”, insert “or such other rate as may from time to time be prescribed”.

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

(b) Section 19c (2), (3)—

5 Omit the subsections, insert instead :—

(2) Subsection (1) applies to and in respect
of a lease granted under section 28A for the
purpose of agriculture, grazing and agriculture
combined or mixed farming or for any similar
10 purpose or purposes in the same way as it
applies to and in respect of a lease in respect of
land set apart for any such purpose or purposes,
but does not apply to or in respect of a lease
granted under section 28A before the date of
15 assent to the Western Lands (Amendment) Act,
1976, until such date as is fixed by the local land
board on an application made by the lessee
within twelve months after that date of assent.

(5) (a) Section 24 (2)—

20 After “grazing” where firstly occurring, insert
“or agriculture”.

(b) Section 24 (3) (c)—

Omit “agriculture” where firstly occurring, insert
instead “grazing, or for agriculture,”.

25 (6) Section 28BB (2) (b), (b1)—

Omit section 28BB (2) (b), insert instead :—

(b) The application for conversion may be granted
only as to such part of the land the subject of the
application as, together with any other lands held by
30 the applicant in fee simple, would not (assuming that

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

5 part and any such other lands to be reasonably improved and used for the purpose for which they are reasonably fitted) substantially exceed one home maintenance area.

(b1) For the purpose of paragraph (b)—

10 (i) lands held by the spouse of an applicant under this section shall be deemed to be lands held by the applicant; and

15 (ii) lands held under annual lease, preferential occupation license, occupation license, permissive occupancy or Western Lands lease having not more than five years to run when the application referred to in paragraph (b) is made shall not be taken into account for the purpose of ascertaining whether or not
20 any lands substantially exceed one home maintenance area.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

Section 1

Section 2

Section 3

Section 4

Section 5

Section 6

Section 7

Section 8

Section 9

Section 10

Section 11

Section 12

Section 13

Section 14

Section 15

Section 16

Section 17

Section 18

Section 19

Section 20

Section 21

Section 22

Section 23

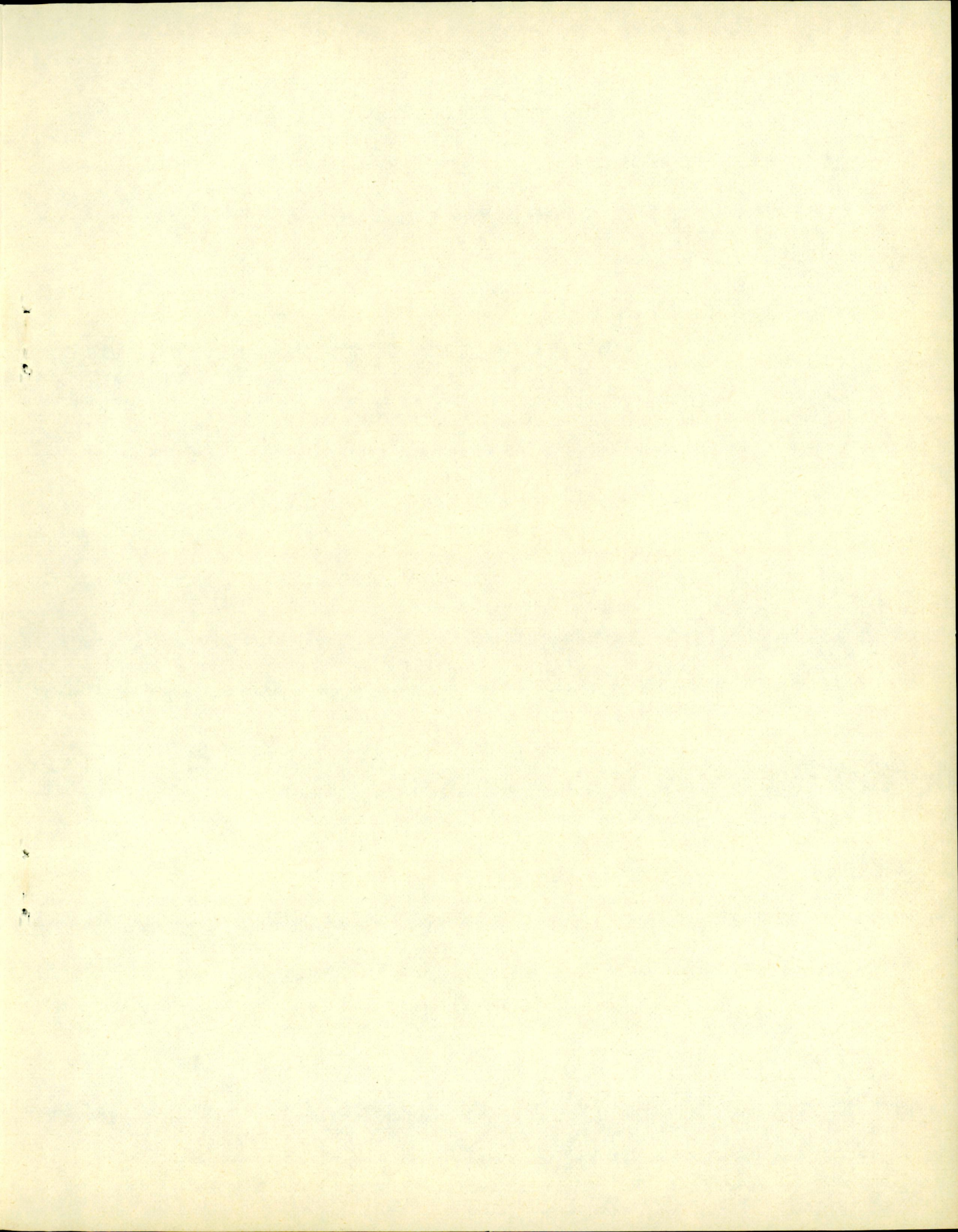
Section 24

Section 25

Section 26

Section 27

Section 28



New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. 9, 1976.

An Act to amend the Western Lands Act, 1901. [Assented to,
24th March, 1976.]

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 follows:—

1. This Act may be cited as the "Western Lands Short title. (Amendment) Act, 1976".

2.

Western Lands (Amendment).

Amendment
of Act No.
70, 1901.

2. The Western Lands Act, 1901, is amended in the manner set forth in Schedule 1.

Sec. 2.

SCHEDULE 1.

AMENDMENTS TO THE WESTERN LANDS ACT, 1901.

(1) Section 18E (2) (b)—

Omit the paragraph, insert instead :—

(b) the application may be granted only as to such part of the land the subject of the application as, together with any other lands held by the applicant in fee simple or under a lease in perpetuity, would not (assuming that part and any such other lands to be reasonably improved and used for the purpose for which they are reasonably fitted) substantially exceed one home maintenance area ;

(2) (a) Section 18G (1A) (a)—

Omit "1945, pursuant to section twenty-three or thirty-nine, or", insert instead "1934, pursuant to section 23 or 39, a lease for the purpose of grazing granted pursuant to section 28A, other than such a lease for grazing that is declared under subsection (1B) to be a lease to which this subsection does not apply, or a lease".

(b) Section 18G (1B)—

After section 18G (1A), insert :—

(1B) The Minister may, by instrument in writing, declare any lease for the purpose of grazing granted pursuant to section 28A to be a lease to which subsection (1A) does not apply if

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

he is of the opinion that having regard to the carrying capacity of the land comprised in the lease it should not be subject to the provisions of that subsection.

(3) (a) Section 18H (2)—

After “person” where firstly occurring, insert “, whether or not as an executor or administrator”.

(b) Section 18H (2)—

Omit “make application”, insert instead “, except in the case of the executor or administrator, make application”.

(c) Section 18H (2)—

After “such person” where secondly occurring, insert “, not being the executor or administrator,”.

(d) Section 18H (2)—

Omit “or does not”, insert instead “or, whether or not he is the executor or administrator, does not”.

(e) Section 18H (2)—

After “such person” where thirdly occurring, insert “, being the executor or administrator,”.

(4) (a) Section 19C (1)—

After “centum”, insert “or such other rate as may from time to time be prescribed”.

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

(b) Section 19C (2), (3)—

Omit the subsections, insert instead :—

(2) Subsection (1) applies to and in respect of a lease granted under section 28A for the purpose of agriculture, grazing and agriculture combined or mixed farming or for any similar purpose or purposes in the same way as it applies to and in respect of a lease in respect of land set apart for any such purpose or purposes, but does not apply to or in respect of a lease granted under section 28A before the date of assent to the Western Lands (Amendment) Act, 1976, until such date as is fixed by the local land board on an application made by the lessee within twelve months after that date of assent.

(5) (a) Section 24 (2)—

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(b) The application for conversion may be granted only as to such part of the land the subject of the application as, together with any other lands held by the applicant in fee simple, would not (assuming that part and any such other lands to be reasonably improved and used for the purpose for which they are reasonably fitted) substantially exceed one home maintenance area.

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Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

101

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

REPORT OF THE RESEARCH GROUP ON THE CHEMISTRY OF
THE SOLID STATE

1953-1954

EDITED BY
R. W. WOODWARD

CHICAGO, ILLINOIS
1954

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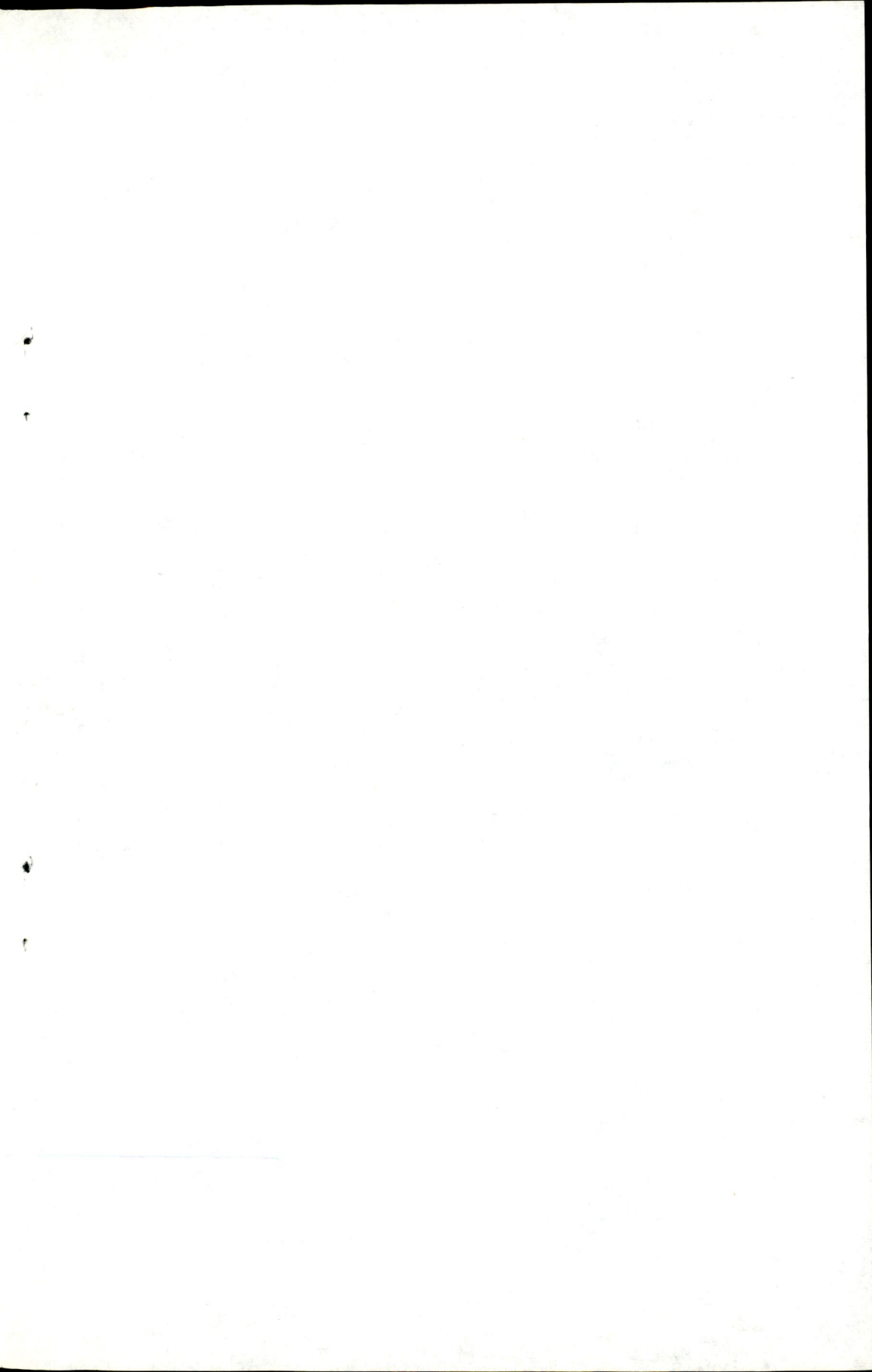
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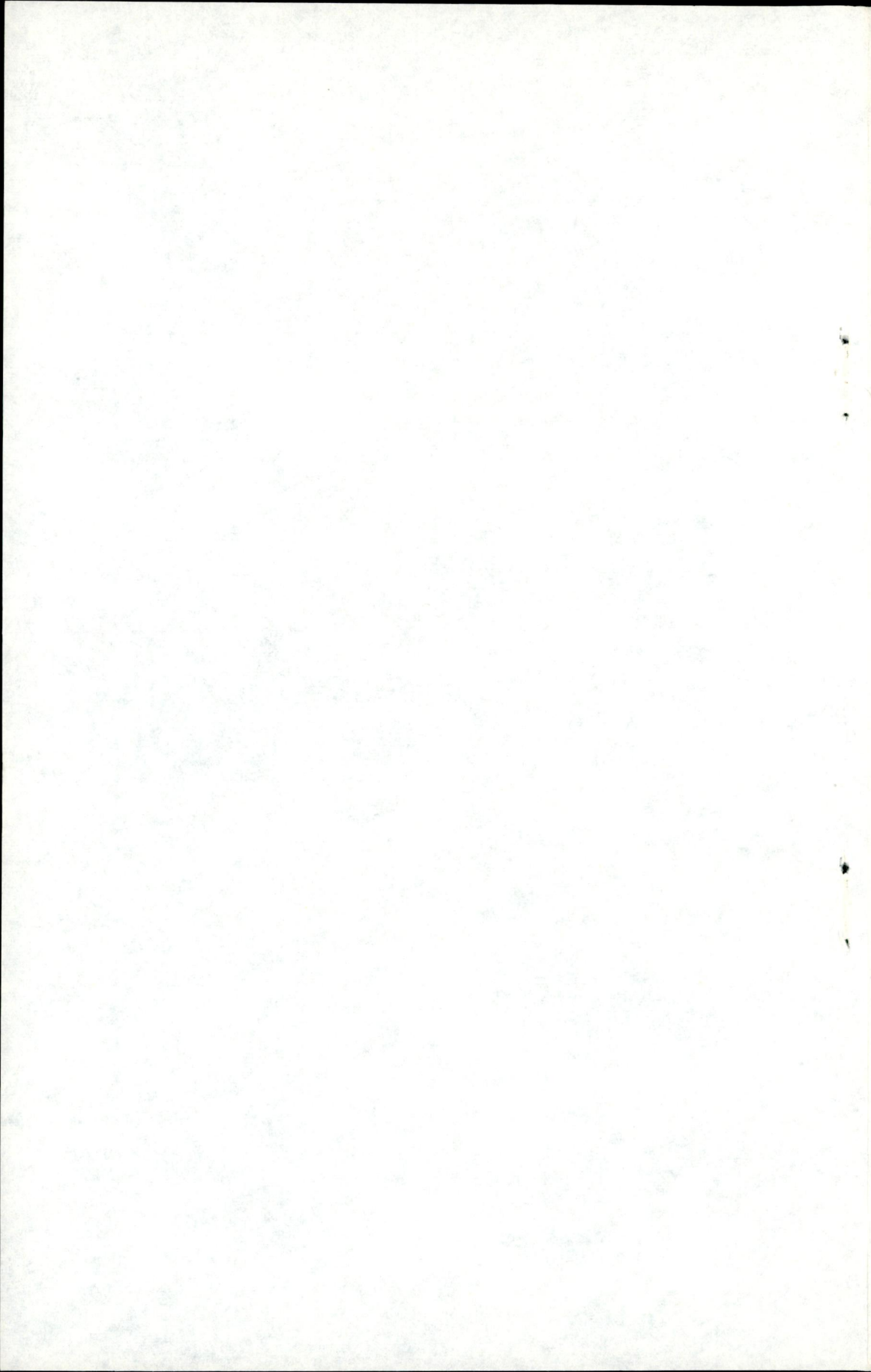
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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

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

*Legislative Assembly Chamber,
Sydney, 10 March, 1976.*

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. 9, 1976.

An Act to amend the Western Lands Act, 1901. [Assented to,
24th March, 1976.]

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 follows:—

1. This Act may be cited as the "Western Lands Short title. (Amendment) Act, 1976".

2.

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

J. H. BROWN,
Chairman of Committees of the Legislative Assembly.

Western Lands (Amendment).

Amendment
of Act No.
70, 1901.

2. The Western Lands Act, 1901, is amended in the manner set forth in Schedule 1.

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SCHEDULE 1.

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(1) Section 18E (2) (b)—

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(2) (a) Section 18G (1A) (a)—

Omit “1945, pursuant to section twenty-three or thirty-nine, or”, insert instead “1934, pursuant to section 23 or 39, a lease for the purpose of grazing granted pursuant to section 28A, other than such a lease for grazing that is declared under subsection (1B) to be a lease to which this subsection does not apply, or a lease”.

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Western Lands (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
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(b) Section 19C (2), (3)—

Omit the subsections, insert instead :—

(2) Subsection (1) applies to and in respect of a lease granted under section 28A for the purpose of agriculture, grazing and agriculture combined or mixed farming or for any similar purpose or purposes in the same way as it applies to and in respect of a lease in respect of land set apart for any such purpose or purposes, but does not apply to or in respect of a lease granted under section 28A before the date of assent to the Western Lands (Amendment) Act, 1976, until such date as is fixed by the local land board on an application made by the lessee within twelve months after that date of assent.

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(6) Section 28BB (2) (b), (b1)—

Omit section 28BB (2) (b), insert instead :—

(b) The application for conversion may be granted only as to such part of the land the subject of the application as, together with any other lands held by the applicant in fee simple, would not (assuming that part and any such other lands to be reasonably improved and used for the purpose for which they are reasonably fitted) substantially exceed one home maintenance area.

SCHEDULE

Western Lands (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WESTERN LANDS ACT, 1901—
continued.

- (b1) For the purpose of paragraph (b)—
- (i) lands held by the spouse of an applicant under this section shall be deemed to be lands held by the applicant; and
 - (ii) lands held under annual lease, preferential occupation license, occupation license, permissive occupancy or Western Lands lease having not more than five years to run when the application referred to in paragraph (b) is made shall not be taken into account for the purpose of ascertaining whether or not any lands substantially exceed one home maintenance area.

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

L. W. STREET,
*By Deputation from
His Excellency the Governor.*

*Government House,
Sydney, 24th March, 1976.*

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