

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, 24 August, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend the Closer Settlement Acts.

BE

Closer Settlement (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 follows :—

5 **1.** This Act may be cited as the "Closer Settlement ^{Short}
(Amendment) Act, 1977". _{title.}

2. (1) This section, sections 1 and 3 and Schedule 5 ^{Commence-}
(1) and (2) shall commence on the date of assent to this _{ment.}
Act.

10 (2) Sections 4–8 shall, in their application to a
provision of Schedules 1–5, commence on the day on which
that provision commences.

 (3) Section 9 shall commence on the day on which
Schedules 1 (1), 2, 3 and 5 (3) commence.

15 (4) The several provisions of Schedules 1–5, except
Schedule 5 (1) and (2), shall commence on such day or days
as may be appointed by the Governor in respect thereof and
as may be notified by proclamation published in the Gazette.

3. This Act contains the following Schedules :— ^{Schedules.}

20 **SCHEDULE 1.—AMENDMENTS TO THE CLOSER
SETTLEMENT ACT, 1904.**

**SCHEDULE 2.—AMENDMENT TO THE CLOSER
SETTLEMENT (AMENDMENT) ACT, 1909.**

25 **SCHEDULE 3.—AMENDMENT TO THE CLOSER
SETTLEMENT (AMENDMENT) ACT, 1914.**

**SCHEDULE 4.—AMENDMENT TO THE CLOSER
SETTLEMENT (AMENDMENT) ACT, 1937.**

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 5.—AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT (CONVERSION) ACT, 1943.

4. The Closer Settlement Act, 1904, is amended in the
5 manner set forth in Schedule 1. Amend-
ment of
Act No. 37,
1904.
5. The Closer Settlement (Amendment) Act, 1909, is
amended in the manner set forth in Schedule 2. Amendment
of Act No.
21, 1909.
6. The Closer Settlement (Amendment) Act, 1914, is
amended in the manner set forth in Schedule 3. Amendment
of Act No.
7, 1914.
- 10 7. The Closer Settlement (Amendment) Act, 1937, is
amended in the manner set forth in Schedule 4. Amendment
of Act No.
21, 1937.
8. The Closer Settlement Amendment (Conversion) Act,
1943, is amended in the manner set forth in Schedule 5. Amendment
of Act No.
38, 1943.
- 15 9. In the application of the provisions of the Closer Saving.
Settlement Acts and the regulations made under those Acts
to—
- 20 (a) an application made or a tender lodged under those
Acts or regulations but not finally dealt with as at
the commencement of Schedules 1 (1), 2, 3 and
5 (3);

(b)

Closer Settlement (Amendment).

- (b) a transfer under those Acts or regulations executed but not registered as at that commencement; and
- (c) the acquisition or the holding of land by virtue of an application or a tender referred to in paragraph (a) or a transfer referred to in paragraph (b),

5 Schedules 1 (1), 2, 3 and 5 (3) shall be deemed not to have been enacted.

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904.

10 (1) (a) Section 26 (1)—

Omit "male person not being under the age of sixteen years, and any female person not being under the age of twenty-one years," insert instead "person not being under the age of 18 years".

(b) Section 26 (2) (a)—

Omit "sixteen years", insert instead "18 years".

(c) Section 26 (2) (a)—

20 Omit "twenty-one years", insert instead "18 years".

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904—
continued.

(2) Section 31 (5)–(9)—

5 After section 31 (4), insert :—

10 (5) The restriction on acquisition by transfer or otherwise of a settlement purchase imposed by section 30 and the requirement under this section to obtain the written consent of the Minister to transfer, convey or assign a settlement purchase shall not apply to the acquisition by transfer or otherwise or the transfer, conveyance or assignment of a settlement purchase where—

15 (a) the grant in respect of that settlement purchase has not issued;

(b) the local land board has found that the conditions attaching to that settlement purchase have been fulfilled;

20 (c) the money referred to in section 34 (1) in respect of that settlement purchase has been paid; and

25 (d) the Minister, upon application being made as prescribed and payment of an amount equivalent to 5 per centum or, where some other percentage is prescribed, that other percentage of the unimproved value of the land purchased, certifies in the prescribed form that the restriction imposed by section 30 and the requirement under this section shall not apply to the transfer of that
30 settlement purchase.

(6) Where the amount payable under subsection (5) (d) is less than \$10, the amount so payable shall be increased to \$10.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904—
continued.

5 (7) For the purposes of subsection (5) (d), the expression “unimproved value of the land” means the unimproved value of the land as defined or determined in accordance with the provisions of Division 2A of Part VIII of the Crown Lands Consolidation Act, 1913.

10 (8) Upon the issue of any certificate under subsection (5) (d) the land to which that certificate relates may be transferred without recourse to section 30 or this section.

15 (9) Where a certificate is issued under subsection (5) (d) in respect of a settlement purchase, the Minister shall—

20 (a) cause to be endorsed on the principal record that is kept in the Department of Lands in relation to that settlement purchase (before issue of the Crown grant in respect thereof) such particulars relating to the issue of that certificate as may be prescribed; and

25 (b) before issue of the Crown grant in respect of that settlement purchase, cause to be endorsed on that grant, in a form approved by the Registrar-General, the particulars referred to in paragraph (a).

Closer Settlement (Amendment).

SCHEDULE 2.

Sec. 5.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1909.

Section 21 (6AA)—

- 5 After section 21 (6), insert :—
- (6AA) Notwithstanding any terms and conditions
 determined by the Minister under subsection (6),
 whether so determined before or after the commence-
10 ment of Schedule 2 to the Closer Settlement
 (Amendment) Act, 1977, it shall not be competent
 for any person under the age of 18 years to acquire
 from the Crown after that commencement land
 disposed of under subsection (6).

SCHEDULE 3.

Sec. 6.

15 AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1914.

Section 4 (1)—

After "person", insert " , not being a person under
the age of 18 years,".

Closer Settlement (Amendment).

SCHEDULE 4.

Sec. 7.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937.

Sections 3A, 3B—

5 After section 3, insert :—

3A. (1) For the purposes of this section and section 3B—

Liability of
incoming
holder to
pay
arrears.

10 (a) “holding” includes a lease in respect of which a perpetual lease grant has issued but does not include a holding within an irrigation area or a permission to occupy granted under the Closer Settlement Acts;

(b) “holder”, in relation to a holding, does not include a mortgagee of that holding;

15 (c) the amount or amounts due for payment in respect of a holding shall be deemed to include any amount or amounts that would, but for a deferment, postponement or funding granted or directed under the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, be due for payment in respect of that holding; and

20 (d) where a deferment or postponement of payment of an amount, or the funding of an amount, is so granted or directed in respect of a holding, the due date for payment of that amount shall be determined as if that deferment, postponement or

25

30 funding had not been granted or directed.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 (2) Notwithstanding the provisions of the
Closer Settlement Acts, the Crown Lands Consolida-
tion Act, 1913, or the Crown Lands (Amendment)
Act, 1932, the regulations under those Acts or any
condition attaching to a holding, the holder of a
10 holding is liable to pay in respect of that holding any
amount—

- (a) due for payment under those Acts, those
regulations or any condition attaching to
the holding; and
- (b) unpaid as at the date when he became the
15 holder.

(3) Where a holder pays, in respect of his
holding, any amount (other than an amount that is
attributable to rent or to interest charged under
section 3 (1) (b)) that became, on a date prior to
20 the date when he became the holder of that holding,
due for payment under the Closer Settlement Acts,
the Crown Lands Consolidation Act, 1913, or
the Crown Lands (Amendment) Act, 1932, the
regulations under those Acts or any condition
25 attaching to the holding, that holder may recover that
amount from the person who was the holder of that
holding at the time when that amount became due.

(4) Where a holder pays, in respect of his
holding, any amount—

- 30 (a) that is attributable to rent or to interest
charged under section 3 (1) (b); and
- (b) that became, on a date prior to the date
when he became the holder of that holding,
due for payment under the Closer Settlement

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 Acts, the Crown Lands Consolidation Act,
1913, or the Crown Lands (Amendment)
Act, 1932, the regulations under those Acts
or any condition attaching to the holding,

10 that holder may recover an amount determined in
accordance with subsection (5) from any person who
was the holder of that holding during the period in
respect of which that amount was due.

15 (5) The amount that a holder may recover
from any person under subsection (4) is the amount
that is equal to the amount of the rent or interest paid
as referred to in subsection (4), less any part of that
amount that would, if that amount was calculated
on a daily basis, be attributable to a period when that
person was not the holder of that holding.

20 (6) For the purposes of subsections (3), (4)
and (5), a person shall be deemed—

25 (a) subject to paragraph (b), to be the holder
of a holding during any period commencing
on the date when that person would, but for
any requirement to be registered or recorded
as the holder of that holding under the
Closer Settlement Acts or the regulations
under those Acts, have become entitled to
an estate or interest in that holding (being
30 an estate or interest that gave him the right
to be so registered or recorded) and ending
on the date when he was so registered or
recorded; and

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 (b) not to be the holder of a holding during
any period commencing on the date when
that person would, but for any requirement
for the person who becomes entitled to his
estate or interest in that holding to be
10 registered or recorded as the holder of that
holding under the Closer Settlement Acts
or the regulations under those Acts, have
ceased to be entitled to an estate or interest
in that holding (being an estate or interest
15 that gives another person the right to be so
registered or recorded) and ending on the
date when that other person was so
registered or recorded.

(7) Nothing in this section affects any
20 agreement or any rule of law or equity with respect
to the ultimate liability for payment of any amount
due in respect of a holding.

3B. (1) The Minister shall, upon application by ^{Certificate}
any person in the manner prescribed and upon ^{as to}
payment of a fee as prescribed, issue to that person ^{amount}
25 in respect of a holding under the Closer Settlement ^{due.}
Acts—

(a) a certificate as to the amount or amounts
30 due for payment under the Closer
Settlement Acts, the Crown Lands Con-
solidation Act, 1913, the Crown Lands
(Amendment) Act, 1932, the regulations
under those Acts or any condition
attaching to that holding; or

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 (b) where there is no amount so due for
payment, a certificate to that effect.

(2) A certificate referred to in subsection (1)
10 (a) shall give particulars of the amount or amounts
due, including the due date for payment in respect
of the amount or each of the amounts, as the case
may be.

(3) Production of a certificate under this
15 section shall for all purposes be deemed conclusive
proof in favour of a person who, on or subsequent to
the date of the certificate, becomes the holder of the
holding referred to in the certificate that, at the date
of the certificate, no amount, other than an amount
stated in the certificate, was due for payment in
respect of that holding.

SCHEDULE 5.

Sec. 8.

20 AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT
(CONVERSION) ACT, 1943.

(1) (a) Section 4A (1)—

Omit "which is not liable to forfeiture".

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 5—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT
(CONVERSION) ACT, 1943—*continued.*

- (b) Section 4A (5)—
- 5 Omit "The Minister", insert instead "Subject to
subsection (5A), the Minister".
- (c) Section 4A (5A)—
- After section 4A (5), insert :—
- 10 (5A) An application under this section shall
not be granted if the lease in respect of which
the application is made is liable to forfeiture.
- (2) Section 10 (b)—
- Omit the paragraph, insert instead :—
- 15 (b) such of the conditions attaching to the
settlement purchase lease, group purchase
lease or closer settlement lease as the
Minister may determine; and
- (3) Section 11 (4)—
- 20 Omit "the age of sixteen years, if a male, or under the
age of twenty-one years, if a female," insert instead
"the age of 18 years".

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977
[16c]

Close Settlement Amendment

SCHEDULE 2—continued

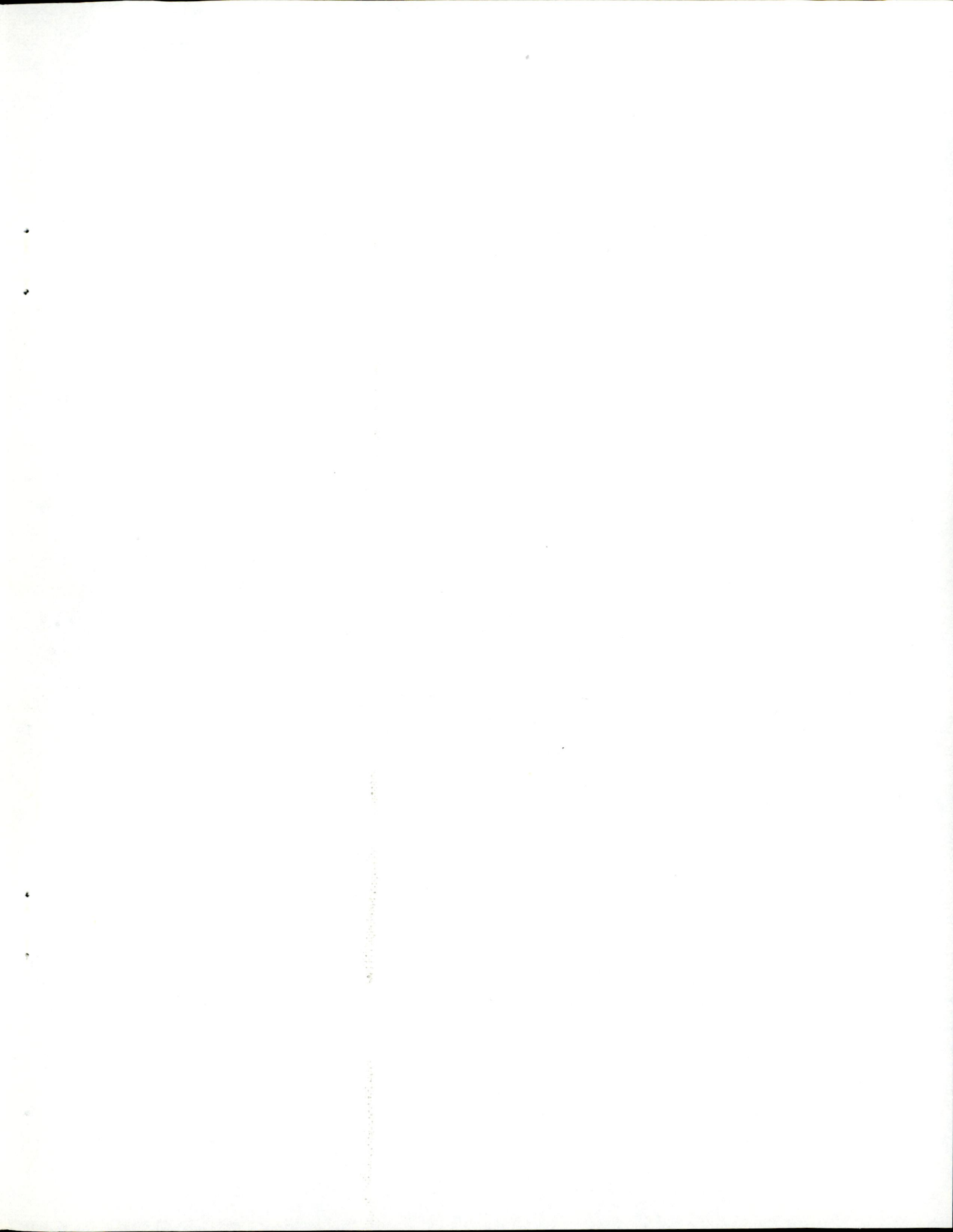
AMENDMENTS TO THE CLOSE SETTLEMENT AMENDMENT
(Conversion) Act, 1943—continued

- 2 (b) Section 4A (2) —
Omit "The Minister," insert "subject to subsection (2A), the Minister."
- 10 (c) Section 4A (2A) —
After section 4A (2), insert:—
(2A) An application under this section shall not be granted in the case of a lease if the application is made in bad faith.
- 13 (2) Section 10 (b) —
Omit the paragraph, insert instead:—
(b) such of the conditions specified in the settlement purchase 1 as apply to the lease or close settlement lease as the Minister may determine and
- 20 (3) Section 11 (4) —
Omit "the age of sixteen years," insert "the age of twenty-one years," insert instead "the age of 18 years."

BY AUTHORITY

BY APPOINTMENT SECRETARY GENERAL

[102]



1977
**CLOSER SETTLEMENT (AMENDMENT) BILL,
1977**

No. , 1977.

A BILL FOR
An Act to amend the Closer Settlement Acts.

[MR CRABTREE—17 August, 1977.]

BE

Closer Settlement (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 follows :—

5 **1.** This Act may be cited as the "Closer Settlement ^{Short}
(Amendment) Act, 1977". _{title.}

2. (1) This section, sections 1 and 3 and Schedule 5 ^{Commence-}
(1) and (2) shall commence on the date of assent to this _{ment.}
Act.

10 (2) Sections 4–8 shall, in their application to a
provision of Schedules 1–5, commence on the day on which
that provision commences.

 (3) Section 9 shall commence on the day on which
Schedules 1 (1), 2, 3 and 5 (3) commence.

15 (4) The several provisions of Schedules 1–5, except
Schedule 5 (1) and (2), shall commence on such day or days
as may be appointed by the Governor in respect thereof and
as may be notified by proclamation published in the Gazette.

3. This Act contains the following Schedules :— Schedules.

20 **SCHEDULE 1.**—AMENDMENTS TO THE CLOSER
SETTLEMENT ACT, 1904.

SCHEDULE 2.—AMENDMENT TO THE CLOSER
SETTLEMENT (AMENDMENT) ACT, 1909.

25 **SCHEDULE 3.**—AMENDMENT TO THE CLOSER
SETTLEMENT (AMENDMENT) ACT, 1914.

SCHEDULE 4.—AMENDMENT TO THE CLOSER
SETTLEMENT (AMENDMENT) ACT, 1937.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 5.—AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT (CONVERSION) ACT, 1943.

4. The Closer Settlement Act, 1904, is amended in the
5 manner set forth in Schedule 1. Amend-
ment of
Act No. 37,
1904.
5. The Closer Settlement (Amendment) Act, 1909, is
amended in the manner set forth in Schedule 2. Amendment
of Act No.
21, 1909.
6. The Closer Settlement (Amendment) Act, 1914, is
amended in the manner set forth in Schedule 3. Amendment
of Act No.
7, 1914.
- 10 7. The Closer Settlement (Amendment) Act, 1937, is
amended in the manner set forth in Schedule 4. Amendment
of Act No.
21, 1937.
8. The Closer Settlement Amendment (Conversion) Act,
1943, is amended in the manner set forth in Schedule 5. Amendment
of Act No.
38, 1943.
9. In the application of the provisions of the Closer
15 Settlement Acts and the regulations made under those Acts
to—
- (a) an application made or a tender lodged under those
Acts or regulations but not finally dealt with as at
the commencement of Schedules 1 (1), 2, 3 and
20 5 (3);

(b)

Closer Settlement (Amendment).

(b) a transfer under those Acts or regulations executed but not registered as at that commencement; and

(c) the acquisition or the holding of land by virtue of an application or a tender referred to in paragraph (a) or a transfer referred to in paragraph (b),

5

Schedules 1 (1), 2, 3 and 5 (3) shall be deemed not to have been enacted.

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904.

10 (1) (a) Section 26 (1)—

Omit "male person not being under the age of sixteen years, and any female person not being under the age of twenty-one years," insert instead "person not being under the age of 18 years".

15

(b) Section 26 (2) (a)—

Omit "sixteen years", insert instead "18 years".

(c) Section 26 (2) (a)—

Omit "twenty-one years", insert instead "18 years".

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SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904—
continued.

(2) Section 31 (5)–(9)—

5 After section 31 (4), insert :—

10 (5) The restriction on acquisition by transfer or
 otherwise of a settlement purchase imposed by section
 30 and the requirement under this section to obtain
 the written consent of the Minister to transfer, convey
 or assign a settlement purchase shall not apply to the
 acquisition by transfer or otherwise or the transfer,
 conveyance or assignment of a settlement purchase
 where—

15 (a) the grant in respect of that settlement
 purchase has not issued;

 (b) the local land board has found that the
 conditions attaching to that settlement
 purchase have been fulfilled;

20 (c) the money referred to in section 34 (1) in
 respect of that settlement purchase has been
 paid; and

25 (d) the Minister, upon application being made
 as prescribed and payment of an amount
 equivalent to 5 per centum or, where some
 other percentage is prescribed, that other
 percentage of the unimproved value of the
 land purchased, certifies in the prescribed
 form that the restriction imposed by section
30 30 and the requirement under this section
 shall not apply to the transfer of that
 settlement purchase.

 (6) Where the amount payable under subsection
 (5) (d) is less than \$10, the amount so payable shall
 be increased to \$10.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904—
continued.

5 (7) For the purposes of subsection (5) (d), the expression “unimproved value of the land” means the unimproved value of the land as defined or determined in accordance with the provisions of Division 2A of Part VIII of the Crown Lands Consolidation Act, 1913.

10 (8) Upon the issue of any certificate under subsection (5) (d) the land to which that certificate relates may be transferred without recourse to section 30 or this section.

15 (9) Where a certificate is issued under subsection (5) (d) in respect of a settlement purchase, the Minister shall—

20 (a) cause to be endorsed on the principal record that is kept in the Department of Lands in relation to that settlement purchase (before issue of the Crown grant in respect thereof) such particulars relating to the issue of that certificate as may be prescribed; and

25 (b) before issue of the Crown grant in respect of that settlement purchase, cause to be endorsed on that grant, in a form approved by the Registrar-General, the particulars referred to in paragraph (a).

Closer Settlement (Amendment).

SCHEDULE 2.

Sec. 5.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1909.

Section 21 (6AA)—

5 After section 21 (6), insert :—

(6AA) Notwithstanding any terms and conditions determined by the Minister under subsection (6), whether so determined before or after the commencement of Schedule 2 to the Closer Settlement (Amendment) Act, 1977, it shall not be competent for any person under the age of 18 years to acquire from the Crown after that commencement land disposed of under subsection (6).

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SCHEDULE 3.

Sec. 6.

15 AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1914.

Section 4 (1)—

After "person", insert " , not being a person under the age of 18 years,".

Closer Settlement (Amendment).

SCHEDULE 4.

Sec. 7.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937.

Sections 3A, 3B—

5 After section 3, insert :—

3A. (1) For the purposes of this section and section 3B—

Liability of incoming holder to pay arrears.

10 (a) "holding" includes a lease in respect of which a perpetual lease grant has issued but does not include a holding within an irrigation area or a permission to occupy granted under the Closer Settlement Acts;

(b) "holder", in relation to a holding, does not include a mortgagee of that holding;

15 (c) the amount or amounts due for payment in respect of a holding shall be deemed to include any amount or amounts that would, but for a deferment, postponement or funding granted or directed under the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, be due for payment in respect of that holding; and

20
25 (d) where a deferment or postponement of payment of an amount, or the funding of an amount, is so granted or directed in respect of a holding, the due date for payment of that amount shall be determined as if that deferment, postponement or
30 funding had not been granted or directed.

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 (2) Notwithstanding the provisions of the
Closer Settlement Acts, the Crown Lands Consolida-
tion Act, 1913, or the Crown Lands (Amendment)
Act, 1932, the regulations under those Acts or any
condition attaching to a holding, the holder of a
10 holding is liable to pay in respect of that holding any
amount—

- (a) due for payment under those Acts, those
regulations or any condition attaching to
the holding; and
- (b) unpaid as at the date when he became the
15 holder.

(3) Where a holder pays, in respect of his
holding, any amount (other than an amount that is
attributable to rent or to interest charged under
section 3 (1) (b)) that became, on a date prior to
20 the date when he became the holder of that holding,
due for payment under the Closer Settlement Acts,
the Crown Lands Consolidation Act, 1913, or
the Crown Lands (Amendment) Act, 1932, the
regulations under those Acts or any condition
25 attaching to the holding, that holder may recover that
amount from the person who was the holder of that
holding at the time when that amount became due.

(4) Where a holder pays, in respect of his
holding, any amount—

- 30 (a) that is attributable to rent or to interest
charged under section 3 (1) (b); and
- (b) that became, on a date prior to the date
when he became the holder of that holding,
due for payment under the Closer Settlement

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 Acts, the Crown Lands Consolidation Act,
1913, or the Crown Lands (Amendment)
Act, 1932, the regulations under those Acts
or any condition attaching to the holding,

10 that holder may recover an amount determined in
accordance with subsection (5) from any person who
was the holder of that holding during the period in
respect of which that amount was due.

15 (5) The amount that a holder may recover
from any person under subsection (4) is the amount
that is equal to the amount of the rent or interest paid
as referred to in subsection (4), less any part of that
amount that would, if that amount was calculated
on a daily basis, be attributable to a period when that
person was not the holder of that holding.

20 (6) For the purposes of subsections (3), (4)
and (5), a person shall be deemed—

25 (a) subject to paragraph (b), to be the holder
of a holding during any period commencing
on the date when that person would, but for
any requirement to be registered or recorded
as the holder of that holding under the
Closer Settlement Acts or the regulations
under those Acts, have become entitled to
an estate or interest in that holding (being
30 an estate or interest that gave him the right
to be so registered or recorded) and ending
on the date when he was so registered or
recorded; and

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 (b) not to be the holder of a holding during
any period commencing on the date when
that person would, but for any requirement
for the person who becomes entitled to his
estate or interest in that holding to be
10 registered or recorded as the holder of that
holding under the Closer Settlement Acts
or the regulations under those Acts, have
ceased to be entitled to an estate or interest
in that holding (being an estate or interest
15 that gives another person the right to be so
registered or recorded) and ending on the
date when that other person was so
registered or recorded.

(7) Nothing in this section affects any
20 agreement or any rule of law or equity with respect
to the ultimate liability for payment of any amount
due in respect of a holding.

3B. (1) The Minister shall, upon application by any person in the manner prescribed and upon payment of a fee as prescribed, issue to that person in respect of a holding under the Closer Settlement Acts—
25 ^{Certificate} as to ^{amount} ~~due.~~

(a) a certificate as to the amount or amounts
30 due for payment under the Closer
Settlement Acts, the Crown Lands Con-
solidation Act, 1913, the Crown Lands
(Amendment) Act, 1932, the regulations
under those Acts or any condition
attaching to that holding; or

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 (b) where there is no amount so due for
payment, a certificate to that effect.

(2) A certificate referred to in subsection (1)
10 (a) shall give particulars of the amount or amounts
due, including the due date for payment in respect
of the amount or each of the amounts, as the case
may be.

(3) Production of a certificate under this
15 section shall for all purposes be deemed conclusive
proof in favour of a person who, on or subsequent to
the date of the certificate, becomes the holder of the
holding referred to in the certificate that, at the date
of the certificate, no amount, other than an amount
stated in the certificate, was due for payment in
respect of that holding.

SCHEDULE 5.

Sec. 8.

20 AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT
(CONVERSION) ACT, 1943.

(1) (a) Section 4A (1)—

Omit "which is not liable to forfeiture".

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 5—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT
(CONVERSION) ACT, 1943—*continued.*

(b) Section 4A (5)—

5 Omit "The Minister", insert instead "Subject to
subsection (5A), the Minister".

(c) Section 4A (5A)—

After section 4A (5), insert :—

10 (5A) An application under this section shall
not be granted if the lease in respect of which
the application is made is liable to forfeiture.

(2) Section 10 (b)—

Omit the paragraph, insert instead :—

15 (b) such of the conditions attaching to the
settlement purchase lease, group purchase
lease or closer settlement lease as the
Minister may determine; and

(3) Section 11 (4)—

20 Omit "the age of sixteen years, if a male, or under the
age of twenty-one years, if a female," insert instead
"the age of 18 years".

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[16c]

Local Government (Amendment)

SECTION 13 - CONTINUED

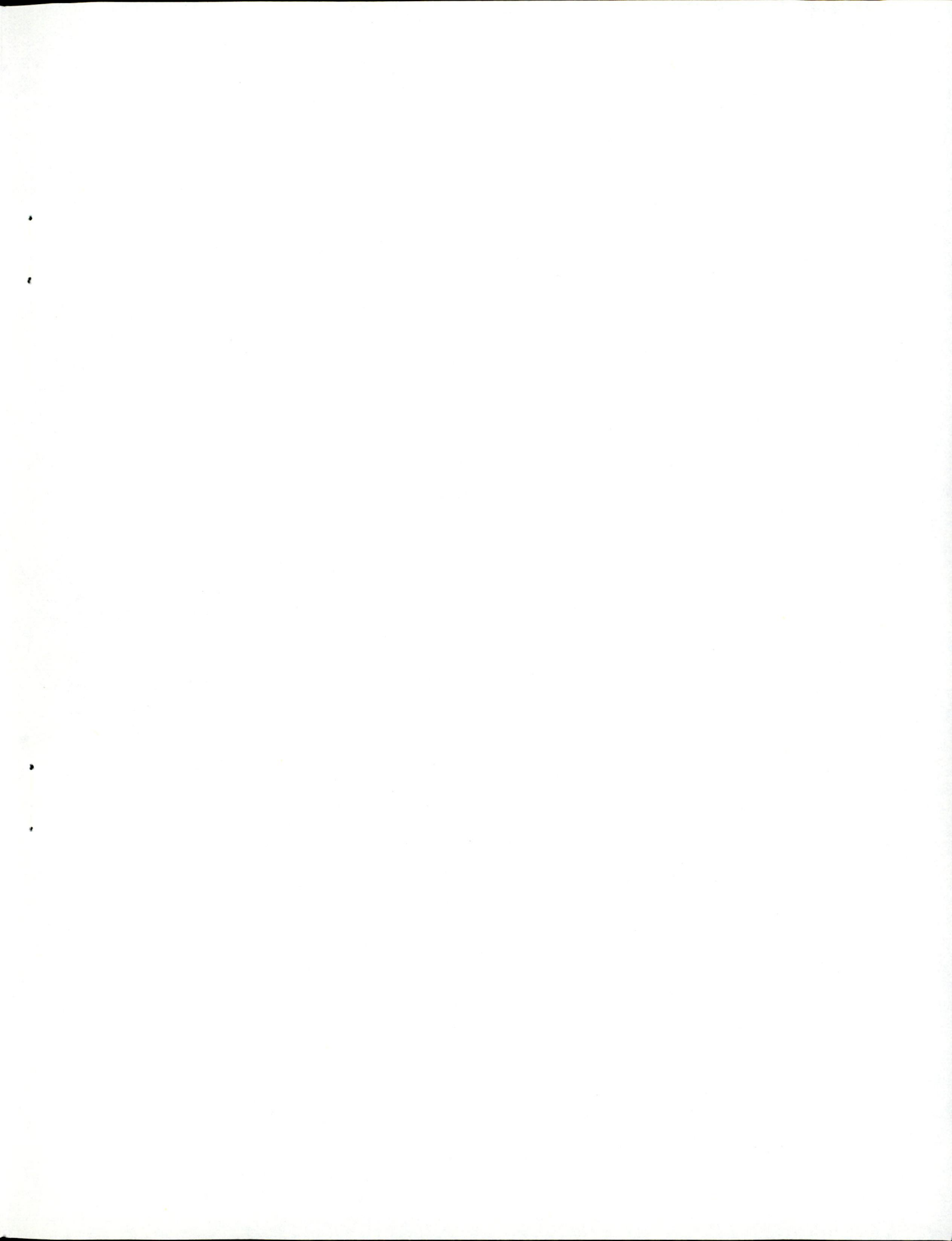
Amendment to the Local Government Act, 1977 (Continued)

(1) Section 13 (1) -
Omit the words "and the person" and
insert "and the person" after the word "and".

(2) Section 13 (2) -
After section 13 (1) insert -
(2) An application made to the Council
may be returned to the applicant if the
applicant is unable to furnish the

(3) Section 13 (3) -
That the person in the ...
(4) Each of the ...
shall be ...

(5) Section 13 (4) -
Omit the words "and the person" and
insert "and the person" after the word "and".
The word "and" shall be inserted after the word "and".



CLOSER SETTLEMENT (AMENDMENT) BILL, 1977

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

THE objects of this Bill are—

- (a) to provide that the minimum qualifying age for both males and females to apply for land under the Closer Settlement Acts shall be 18 years in all cases (Schedules 1 (1), 2, 3 and 5 (3) and clause 9);
 - (b) to enable the restrictions on transfer on certain "restricted title" holdings to be lifted after payment of the balance of purchase money, but before issue of the Crown grant, in the same way as they can now be lifted after issue of the Crown grant (Schedule 1 (2));
 - (c) to provide that, on transfer of a holding, the incoming holder will be liable to pay any arrears on the holding, and to allow that holder to recover any amounts so paid from the former holders according to the times that they became, or ceased to become, entitled to an estate or interest in the holding (Schedule 4);
 - (d) to allow the Minister to determine which of the conditions that attach to certain leases should be inserted in the Crown grants of those leases when issued (Schedule 5 (2)); and
 - (e) to make other provisions of a minor, a consequential or an ancillary nature.
-

1908

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

CHICAGO, ILL.

1908

PROOF

**CLOSER SETTLEMENT (AMENDMENT) BILL,
1977**

No. , 1977.

A BILL FOR

An Act to amend the Closer Settlement Acts.

[MR CRABTREE—17 August, 1977.]

BE

Closer Settlement (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 follows :—

- 5 **1.** This Act may be cited as the “Closer Settlement (Amendment) Act, 1977”. Short
title.
- 2.** (1) This section, sections 1 and 3 and Schedule 5 (1) and (2) shall commence on the date of assent to this Act. Commence-
ment.
- 10 (2) Sections 4–8 shall, in their application to a provision of Schedules 1–5, commence on the day on which that provision commences.
- (3) Section 9 shall commence on the day on which Schedules 1 (1), 2, 3 and 5 (3) commence.
- 15 (4) The several provisions of Schedules 1–5, except Schedule 5 (1) and (2), shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.
- 3.** This Act contains the following Schedules :— Schedules.
- 20 **SCHEDULE 1.**—AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904.
- SCHEDULE 2.**—AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT) ACT, 1909.
- 25 **SCHEDULE 3.**—AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT) ACT, 1914.
- SCHEDULE 4.**—AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT) ACT, 1937.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 5.—AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT (CONVERSION) ACT, 1943.

4. The Closer Settlement Act, 1904, is amended in the
5 manner set forth in Schedule 1. Amendment of Act No. 37, 1904.
5. The Closer Settlement (Amendment) Act, 1909, is
amended in the manner set forth in Schedule 2. Amendment of Act No. 21, 1909.
6. The Closer Settlement (Amendment) Act, 1914, is
amended in the manner set forth in Schedule 3. Amendment of Act No. 7, 1914.
- 10 7. The Closer Settlement (Amendment) Act, 1937, is
amended in the manner set forth in Schedule 4. Amendment of Act No. 21, 1937.
8. The Closer Settlement Amendment (Conversion) Act,
1943, is amended in the manner set forth in Schedule 5. Amendment of Act No. 38, 1943.
9. In the application of the provisions of the Closer
15 Settlement Acts and the regulations made under those Acts
to—
- (a) an application made or a tender lodged under those
20 Acts or regulations but not finally dealt with as at
the commencement of Schedules 1 (1), 2, 3 and
5 (3);

(b)

Closer Settlement (Amendment).

- (b) a transfer under those Acts or regulations executed but not registered as at that commencement; and
 - (c) the acquisition or the holding of land by virtue of an application or a tender referred to in paragraph (a) or a transfer referred to in paragraph (b),
- 5 Schedules 1 (1), 2, 3 and 5 (3) shall be deemed not to have been enacted.

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904.

10 (1) (a) Section 26 (1)—

Omit “male person not being under the age of sixteen years, and any female person not being under the age of twenty-one years,” insert instead “person not being under the age of 18 years”.

15

(b) Section 26 (2) (a)—

Omit “sixteen years”, insert instead “18 years”.

(c) Section 26 (2) (a)—

Omit “twenty-one years”, insert instead “18 years”.

20

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904—
continued.

(2) Section 31 (5)–(9)—

5 After section 31 (4), insert :—

(5) The restriction on acquisition by transfer or
otherwise of a settlement purchase imposed by section
30 and the requirement under this section to obtain
10 the written consent of the Minister to transfer, convey
or assign a settlement purchase shall not apply to the
acquisition by transfer or otherwise or the transfer,
conveyance or assignment of a settlement purchase
where—

15 (a) the grant in respect of that settlement
purchase has not issued;

(b) the local land board has found that the
conditions attaching to that settlement
purchase have been fulfilled;

20 (c) the money referred to in section 34 (1) in
respect of that settlement purchase has been
paid; and

(d) the Minister, upon application being made
as prescribed and payment of an amount
equivalent to 5 per centum or, where some
25 other percentage is prescribed, that other
percentage of the unimproved value of the
land purchased, certifies in the prescribed
form that the restriction imposed by section
30 and the requirement under this section
30 shall not apply to the transfer of that
settlement purchase.

(6) Where the amount payable under subsection
(5) (d) is less than \$10, the amount so payable shall
be increased to \$10.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904—
continued.

5 (7) For the purposes of subsection (5) (d), the expression “unimproved value of the land” means the unimproved value of the land as defined or determined in accordance with the provisions of Division 2A of Part VIII of the Crown Lands Consolidation Act, 1913.

10 (8) Upon the issue of any certificate under subsection (5) (d) the land to which that certificate relates may be transferred without recourse to section 30 or this section.

15 (9) Where a certificate is issued under subsection (5) (d) in respect of a settlement purchase, the Minister shall—

20 (a) cause to be endorsed on the principal record that is kept in the Department of Lands in relation to that settlement purchase (before issue of the Crown grant in respect thereof) such particulars relating to the issue of that certificate as may be prescribed; and

25 (b) before issue of the Crown grant in respect of that settlement purchase, cause to be endorsed on that grant, in a form approved by the Registrar-General, the particulars referred to in paragraph (a).

Closer Settlement (Amendment).

SCHEDULE 2.

Sec. 5.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1909.

Section 21 (6AA)—

5 After section 21 (6), insert :—

(6AA) Notwithstanding any terms and conditions determined by the Minister under subsection (6), whether so determined before or after the commencement of Schedule 2 to the Closer Settlement (Amendment) Act, 1977, it shall not be competent for any person under the age of 18 years to acquire from the Crown after that commencement land disposed of under subsection (6).

10

SCHEDULE 3.

Sec. 6.

15 AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1914.

Section 4 (1)—

After "person", insert ", not being a person under the age of 18 years,".

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4.

Sec. 7.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937.

Sections 3A, 3B—

5 After section 3, insert :—

3A. (1) For the purposes of this section and section 3B—

Liability of
incoming
holder to
pay
arrears.

- 10 (a) "holding" includes a lease in respect of which a perpetual lease grant has issued but does not include a holding within an irrigation area or a permission to occupy granted under the Closer Settlement Acts;
- (b) "holder", in relation to a holding, does not include a mortgagee of that holding;
- 15 (c) the amount or amounts due for payment in respect of a holding shall be deemed to include any amount or amounts that would, but for a deferment, postponement or funding granted or directed under the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, be due for payment in respect of that holding; and
- 20
- 25 (d) where a deferment or postponement of payment of an amount, or the funding of an amount, is so granted or directed in respect of a holding, the due date for payment of that amount shall be determined as if that deferment, postponement or funding had not been granted or directed.
- 30

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 (2) Notwithstanding the provisions of the
Closer Settlement Acts, the Crown Lands Consolida-
tion Act, 1913, or the Crown Lands (Amendment)
Act, 1932, the regulations under those Acts or any
condition attaching to a holding, the holder of a
10 holding is liable to pay in respect of that holding any
amount—

(a) due for payment under those Acts, those
regulations or any condition attaching to
the holding; and

15 (b) unpaid as at the date when he became the
holder.

(3) Where a holder pays, in respect of his
holding, any amount (other than an amount that is
attributable to rent or to interest charged under
section 3 (1) (b)) that became, on a date prior to
20 the date when he became the holder of that holding,
due for payment under the Closer Settlement Acts,
the Crown Lands Consolidation Act, 1913, or
the Crown Lands (Amendment) Act, 1932, the
25 regulations under those Acts or any condition
attaching to the holding, that holder may recover that
amount from the person who was the holder of that
holding at the time when that amount became due.

(4) Where a holder pays, in respect of his
holding, any amount—

30 (a) that is attributable to rent or to interest
charged under section 3 (1) (b); and

(b) that became, on a date prior to the date
when he became the holder of that holding,
due for payment under the Closer Settlement

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 Acts, the Crown Lands Consolidation Act,
1913, or the Crown Lands (Amendment)
Act, 1932, the regulations under those Acts
or any condition attaching to the holding,

10 that holder may recover an amount determined in
accordance with subsection (5) from any person who
was the holder of that holding during the period in
respect of which that amount was due.

15 (5) The amount that a holder may recover
from any person under subsection (4) is the amount
that is equal to the amount of the rent or interest paid
as referred to in subsection (4), less any part of that
amount that would, if that amount was calculated
on a daily basis, be attributable to a period when that
person was not the holder of that holding.

20 (6) For the purposes of subsections (3), (4)
and (5), a person shall be deemed—

25 (a) subject to paragraph (b), to be the holder
of a holding during any period commencing
on the date when that person would, but for
any requirement to be registered or recorded
as the holder of that holding under the
30 Closer Settlement Acts or the regulations
under those Acts, have become entitled to
an estate or interest in that holding (being
an estate or interest that gave him the right
to be so registered or recorded) and ending
on the date when he was so registered or
recorded; and

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 (b) not to be the holder of a holding during
any period commencing on the date when
that person would, but for any requirement
for the person who becomes entitled to his
10 estate or interest in that holding to be
registered or recorded as the holder of that
holding under the Closer Settlement Acts
or the regulations under those Acts, have
ceased to be entitled to an estate or interest
15 in that holding (being an estate or interest
that gives another person the right to be so
registered or recorded) and ending on the
date when that other person was so
registered or recorded.

(7) Nothing in this section affects any
20 agreement or any rule of law or equity with respect
to the ultimate liability for payment of any amount
due in respect of a holding.

3B. (1) The Minister shall, upon application by
any person in the manner prescribed and upon
25 payment of a fee as prescribed, issue to that person
in respect of a holding under the Closer Settlement
Acts—

(a) a certificate as to the amount or amounts
30 due for payment under the Closer
Settlement Acts, the Crown Lands Con-
solidation Act, 1913, the Crown Lands
(Amendment) Act, 1932, the regulations
under those Acts or any condition
attaching to that holding; or

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

5 (b) where there is no amount so due for
payment, a certificate to that effect.

(2) A certificate referred to in subsection (1)
10 (a) shall give particulars of the amount or amounts
due, including the due date for payment in respect
of the amount or each of the amounts, as the case
may be.

(3) Production of a certificate under this
15 section shall for all purposes be deemed conclusive
proof in favour of a person who, on or subsequent to
the date of the certificate, becomes the holder of the
holding referred to in the certificate that, at the date
of the certificate, no amount, other than an amount
stated in the certificate, was due for payment in
respect of that holding.

SCHEDULE 5.

Sec. 8.

20 AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT
(CONVERSION) ACT, 1943.

(1) (a) Section 4A (1)—

Omit "which is not liable to forfeiture".

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 5—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT
(CONVERSION) ACT, 1943—*continued.*

(b) Section 4A (5)—

5 Omit "The Minister", insert instead "Subject to
subsection (5A), the Minister".

(c) Section 4A (5A)—

After section 4A (5), insert :—

10 (5A) An application under this section shall
not be granted if the lease in respect of which
the application is made is liable to forfeiture.

(2) Section 10 (b)—

Omit the paragraph, insert instead :—

15 (b) such of the conditions attaching to the
settlement purchase lease, group purchase
lease or closer settlement lease as the
Minister may determine; and

(3) Section 11 (4)—

20 Omit "the age of sixteen years, if a male, or under the
age of twenty-one years, if a female," insert instead
"the age of 18 years".

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

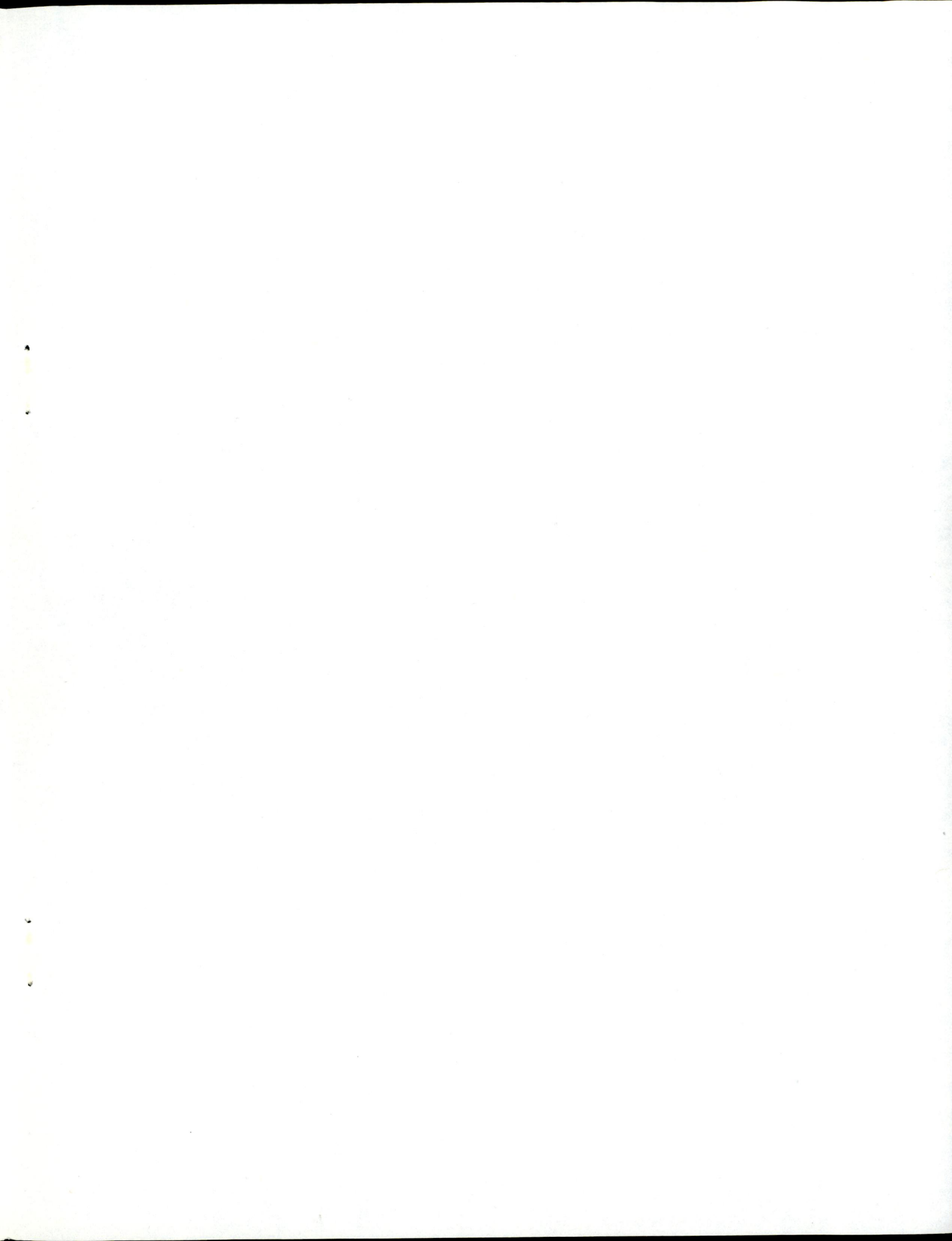
Close Settlement (Amendment)

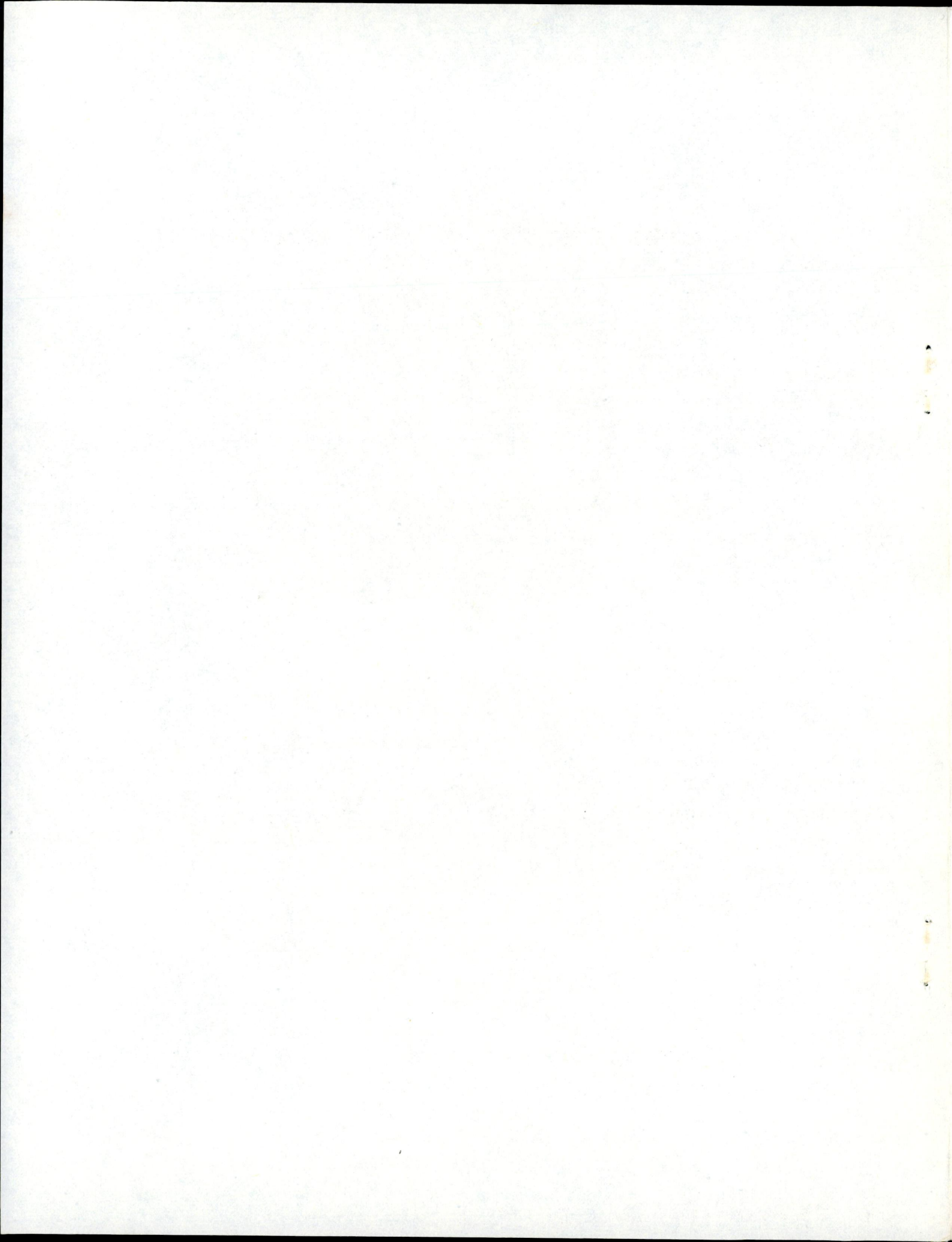
SCHEDULE 2—continued

AMENDMENTS TO THE CLOSE SETTLEMENT ACT 1947—continued

2	<p>(b) Section 44 (2) — Omit the Minister, insert instead "subject to subsection (2A), the Minister".</p>
10	<p>(c) Section 44 (2A) — After section 44 (2), insert:— (2A) An application under this section shall not be treated as the basis for a report of which the application is made is liable to taxation.</p>
15	<p>(2) Section 10 (b) — Omit the paragraph, insert instead:— (b) such of the conditions attaching to the settlement purchase lease, group purchase lease or other settlement lease as the Minister may determine; and</p>
20	<p>(3) Section 11 (4) — Omit the age of sixteen years if a male, or under the age of twenty-one years if a female, insert instead the age of 18 years.</p>

BY AUTHORITY
H. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES, 1977





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, 5 October, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 78, 1977.

**An Act to amend the Closer Settlement Acts. [Assented to,
20th October, 1977.]**

BE

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

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Closer Settlement (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 follows :—

Short title.

1. This Act may be cited as the "Closer Settlement (Amendment) Act, 1977".

Commencement.

2. (1) This section, sections 1 and 3 and Schedule 5 (1) and (2) shall commence on the date of assent to this Act.

(2) Sections 4–8 shall, in their application to a provision of Schedules 1–5, commence on the day on which that provision commences.

(3) Section 9 shall commence on the day on which Schedules 1 (1), 2, 3 and 5 (3) commence.

(4) The several provisions of Schedules 1–5, except Schedule 5 (1) and (2), shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Schedules.

3. This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904.

SCHEDULE 2.—AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT) ACT, 1909.

SCHEDULE 3.—AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT) ACT, 1914.

SCHEDULE 4.—AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT) ACT, 1937.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 5.—AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT (CONVERSION) ACT, 1943.

4. The Closer Settlement Act, 1904, is amended in the manner set forth in Schedule 1. Amendment of Act No. 37, 1904.

5. The Closer Settlement (Amendment) Act, 1909, is amended in the manner set forth in Schedule 2. Amendment of Act No. 21, 1909.

6. The Closer Settlement (Amendment) Act, 1914, is amended in the manner set forth in Schedule 3. Amendment of Act No. 7, 1914.

7. The Closer Settlement (Amendment) Act, 1937, is amended in the manner set forth in Schedule 4. Amendment of Act No. 21, 1937.

8. The Closer Settlement Amendment (Conversion) Act, 1943, is amended in the manner set forth in Schedule 5. Amendment of Act No. 38, 1943.

9. In the application of the provisions of the Closer Settlement Acts and the regulations made under those Acts to—
 - (a) an application made or a tender lodged under those Acts or regulations but not finally dealt with as at the commencement of Schedules 1 (1), 2, 3 and 5 (3);

(b)

Closer Settlement (Amendment).

- (b) a transfer under those Acts or regulations executed but not registered as at that commencement; and
- (c) the acquisition or the holding of land by virtue of an application or a tender referred to in paragraph (a) or a transfer referred to in paragraph (b),

Schedules 1 (1), 2, 3 and 5 (3) shall be deemed not to have been enacted.

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904.

(1) (a) Section 26 (1)—

Omit "male person not being under the age of sixteen years, and any female person not being under the age of twenty-one years," insert instead "person not being under the age of 18 years".

(b) Section 26 (2) (a)—

Omit "sixteen years", insert instead "18 years".

(c) Section 26 (2) (a)—

Omit "twenty-one years", insert instead "18 years".

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904—
continued.

(2) Section 31 (5)–(9)—

After section 31 (4), insert :—

(5) The restriction on acquisition by transfer or otherwise of a settlement purchase imposed by section 30 and the requirement under this section to obtain the written consent of the Minister to transfer, convey or assign a settlement purchase shall not apply to the acquisition by transfer or otherwise or the transfer, conveyance or assignment of a settlement purchase where—

- (a) the grant in respect of that settlement purchase has not issued;
- (b) the local land board has found that the conditions attaching to that settlement purchase have been fulfilled;
- (c) the money referred to in section 34 (1) in respect of that settlement purchase has been paid; and
- (d) the Minister, upon application being made as prescribed and payment of an amount equivalent to 5 per centum or, where some other percentage is prescribed, that other percentage of the unimproved value of the land purchased, certifies in the prescribed form that the restriction imposed by section 30 and the requirement under this section shall not apply to the transfer of that settlement purchase.

(6) Where the amount payable under subsection (5) (d) is less than \$10, the amount so payable shall be increased to \$10.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904—
continued.

(7) For the purposes of subsection (5) (d), the expression “unimproved value of the land” means the unimproved value of the land as defined or determined in accordance with the provisions of Division 2A of Part VIII of the Crown Lands Consolidation Act, 1913.

(8) Upon the issue of any certificate under subsection (5) (d) the land to which that certificate relates may be transferred without recourse to section 30 or this section.

(9) Where a certificate is issued under subsection (5) (d) in respect of a settlement purchase, the Minister shall—

- (a) cause to be endorsed on the principal record that is kept in the Department of Lands in relation to that settlement purchase (before issue of the Crown grant in respect thereof) such particulars relating to the issue of that certificate as may be prescribed; and
- (b) before issue of the Crown grant in respect of that settlement purchase, cause to be endorsed on that grant, in a form approved by the Registrar-General, the particulars referred to in paragraph (a).

Closer Settlement (Amendment).

SCHEDULE 2.

Sec. 5.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1909.

Section 21 (6AA)—

After section 21 (6), insert :—

(6AA) Notwithstanding any terms and conditions determined by the Minister under subsection (6), whether so determined before or after the commencement of Schedule 2 to the Closer Settlement (Amendment) Act, 1977, it shall not be competent for any person under the age of 18 years to acquire from the Crown after that commencement land disposed of under subsection (6).

SCHEDULE 3.

Sec. 6.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1914.

Section 4 (1)—

After "person", insert " , not being a person under the age of 18 years,".

SCHEDULE

Closer Settlement (Amendment).

Sec. 7. 2.092

SCHEDULE 4.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937.

Sections 3A, 3B—

After section 3, insert :—

Liability of
incoming
holder to
pay
arrears.

3A. (1) For the purposes of this section and
section 3B—

- (a) "holding" includes a lease in respect of which a perpetual lease grant has issued but does not include a holding within an irrigation area or a permission to occupy granted under the Closer Settlement Acts;
- (b) "holder", in relation to a holding, does not include a mortgagee of that holding;
- (c) the amount or amounts due for payment in respect of a holding shall be deemed to include any amount or amounts that would, but for a deferment, postponement or funding granted or directed under the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, be due for payment in respect of that holding; and
- (d) where a deferment or postponement of payment of an amount, or the funding of an amount, is so granted or directed in respect of a holding, the due date for payment of that amount shall be determined as if that deferment, postponement or funding had not been granted or directed.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

(2) Notwithstanding the provisions of the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, the regulations under those Acts or any condition attaching to a holding, the holder of a holding is liable to pay in respect of that holding any amount—

- (a) due for payment under those Acts, those regulations or any condition attaching to the holding; and
- (b) unpaid as at the date when he became the holder.

(3) Where a holder pays, in respect of his holding, any amount (other than an amount that is attributable to rent or to interest charged under section 3 (1) (b)) that became, on a date prior to the date when he became the holder of that holding, due for payment under the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, the regulations under those Acts or any condition attaching to the holding, that holder may recover that amount from the person who was the holder of that holding at the time when that amount became due.

(4) Where a holder pays, in respect of his holding, any amount—

- (a) that is attributable to rent or to interest charged under section 3 (1) (b); and
- (b) that became, on a date prior to the date when he became the holder of that holding, due for payment under the Closer Settlement

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, the regulations under those Acts or any condition attaching to the holding,

that holder may recover an amount determined in accordance with subsection (5) from any person who was the holder of that holding during the period in respect of which that amount was due.

(5) The amount that a holder may recover from any person under subsection (4) is the amount that is equal to the amount of the rent or interest paid as referred to in subsection (4), less any part of that amount that would, if that amount was calculated on a daily basis, be attributable to a period when that person was not the holder of that holding.

(6) For the purposes of subsections (3), (4) and (5), a person shall be deemed—

(a) subject to paragraph (b), to be the holder of a holding during any period commencing on the date when that person would, but for any requirement to be registered or recorded as the holder of that holding under the Closer Settlement Acts or the regulations under those Acts, have become entitled to an estate or interest in that holding (being an estate or interest that gave him the right to be so registered or recorded) and ending on the date when he was so registered or recorded; and

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

(b) not to be the holder of a holding during any period commencing on the date when that person would, but for any requirement for the person who becomes entitled to his estate or interest in that holding to be registered or recorded as the holder of that holding under the Closer Settlement Acts or the regulations under those Acts, have ceased to be entitled to an estate or interest in that holding (being an estate or interest that gives another person the right to be so registered or recorded) and ending on the date when that other person was so registered or recorded.

(7) Nothing in this section affects any agreement or any rule of law or equity with respect to the ultimate liability for payment of any amount due in respect of a holding.

3B. (1) The Minister shall, upon application by any person in the manner prescribed and upon payment of a fee as prescribed, issue to that person in respect of a holding under the Closer Settlement Acts—

**Certificate
as to
amount
due.**

(a) a certificate as to the amount or amounts due for payment under the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, the Crown Lands (Amendment) Act, 1932, the regulations under those Acts or any condition attaching to that holding; or

SCHEDULE

Closer Settlement (Amendment).

 SCHEDULE 4—*continued.*

 AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
 ACT, 1937—*continued.*

(b) where there is no amount so due for payment, a certificate to that effect.

(2) A certificate referred to in subsection (1) (a) shall give particulars of the amount or amounts due, including the due date for payment in respect of the amount or each of the amounts, as the case may be.

(3) Production of a certificate under this section shall for all purposes be deemed conclusive proof in favour of a person who, on or subsequent to the date of the certificate, becomes the holder of the holding referred to in the certificate that, at the date of the certificate, no amount, other than an amount stated in the certificate, was due for payment in respect of that holding.

Sec. 8.

SCHEDULE 5.

 AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT
 (CONVERSION) ACT, 1943.

(1) (a) Section 4A (1)—

Omit “which is not liable to forfeiture”.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 5—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT
(CONVERSION) ACT, 1943—*continued.*

(b) Section 4A (5)—

Omit "The Minister", insert instead "Subject to subsection (5A), the Minister".

(c) Section 4A (5A)—

After section 4A (5), insert :—

(5A) An application under this section shall not be granted if the lease in respect of which the application is made is liable to forfeiture.

(2) Section 10 (b)—

Omit the paragraph, insert instead :—

(b) such of the conditions attaching to the settlement purchase lease, group purchase lease or closer settlement lease as the Minister may determine; and

(3) Section 11 (4)—

Omit "the age of sixteen years, if a male, or under the age of twenty-one years, if a female.", insert instead "the age of 18 years".

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 20th October, 1977.*

Amendments to the Crock Settlement Amendment
(Government) Act, 1945 - continued

SCHEDULE 2 - continued

AMENDMENTS TO THE CROCK SETTLEMENT AMENDMENT
(GOVERNMENT) ACT, 1945 - continued

(b) Section 44 (3) -
Omit "The Minister," insert "Subject to
subsection (2A), the Minister."

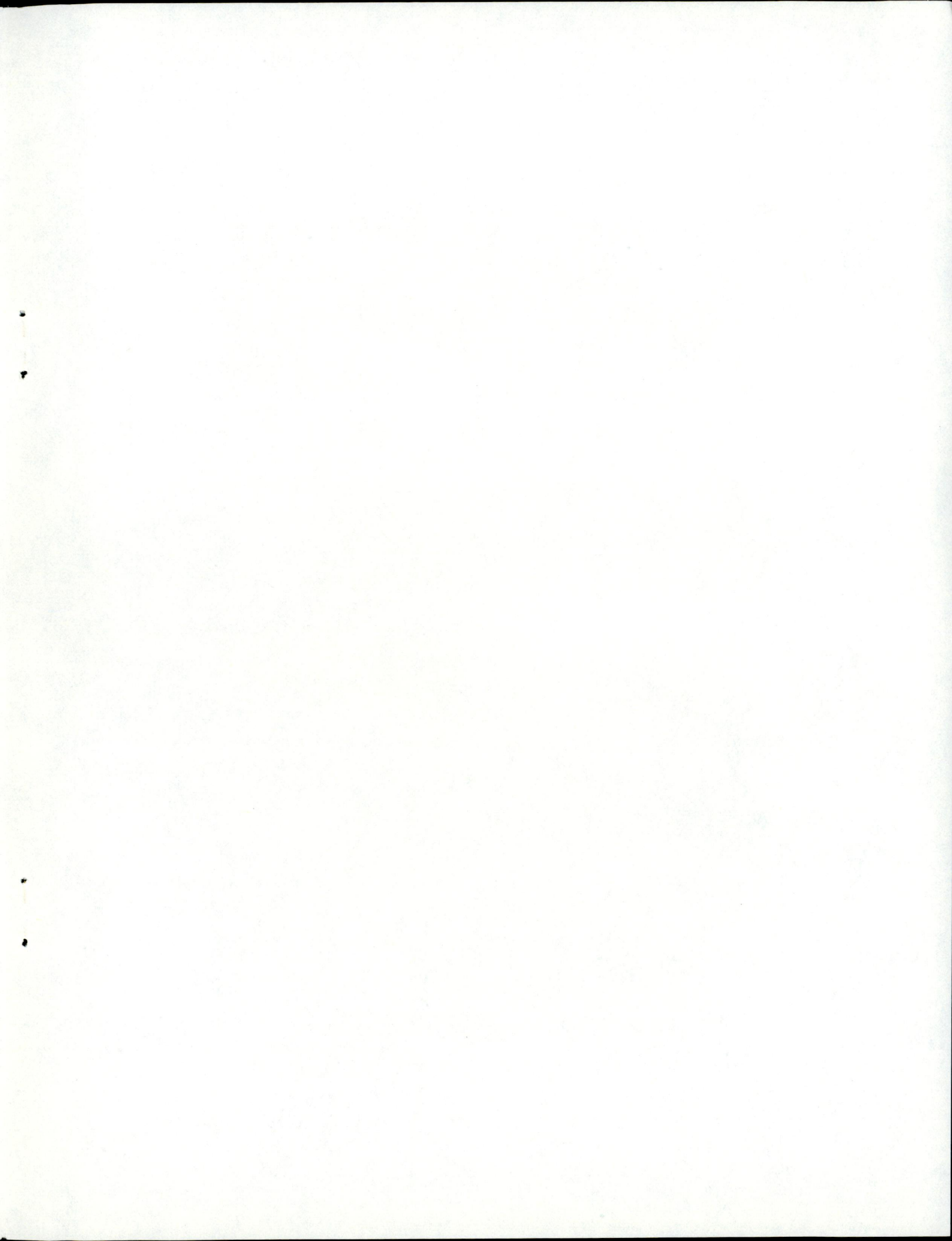
(c) Section 44 (2A) -
After section 44 (2), insert:-
(2A) An application under this section shall
not be granted if the case in respect of which
the application is made is liable to forfeiture.

(2) Section 10 (b) -
Omit the words "it insert instead:-
(b) subject of the conditions relating to the
settlement purchase lease group purchase
lease or other settlement lease as the
Minister may determine; and

(3) Section 11 (4) -
Omit "the age of sixteen years. If a male, or under the
age of twenty-one years. If a female," insert instead
"the age of 18 years."

In the name and on behalf of Her Majesty I assent to this
Act.
A. R. CUTLER,
Governor

Government House,
Zomba, 20th October, 1977





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, 5 October, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 78, 1977.

**An Act to amend the Closer Settlement Acts. [Assented to,
20th October, 1977.]**

BE

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

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Closer Settlement (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 follows :—

Short title.

1. This Act may be cited as the "Closer Settlement (Amendment) Act, 1977".

Commencement.

2. (1) This section, sections 1 and 3 and Schedule 5 (1) and (2) shall commence on the date of assent to this Act.

(2) Sections 4–8 shall, in their application to a provision of Schedules 1–5, commence on the day on which that provision commences.

(3) Section 9 shall commence on the day on which Schedules 1 (1), 2, 3 and 5 (3) commence.

(4) The several provisions of Schedules 1–5, except Schedule 5 (1) and (2), shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Schedules.

3. This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904.

SCHEDULE 2.—AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT) ACT, 1909.

SCHEDULE 3.—AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT) ACT, 1914.

SCHEDULE 4.—AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT) ACT, 1937.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 5.—AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT (CONVERSION) ACT, 1943.

4. The Closer Settlement Act, 1904, is amended in the manner set forth in Schedule 1. Amendment of Act No. 37, 1904.

5. The Closer Settlement (Amendment) Act, 1909, is amended in the manner set forth in Schedule 2. Amendment of Act No. 21, 1909.

6. The Closer Settlement (Amendment) Act, 1914, is amended in the manner set forth in Schedule 3. Amendment of Act No. 7, 1914.

7. The Closer Settlement (Amendment) Act, 1937, is amended in the manner set forth in Schedule 4. Amendment of Act No. 21, 1937.

8. The Closer Settlement Amendment (Conversion) Act, 1943, is amended in the manner set forth in Schedule 5. Amendment of Act No. 38, 1943.

9. In the application of the provisions of the Closer Settlement Acts and the regulations made under those Acts to—
 - (a) an application made or a tender lodged under those Acts or regulations but not finally dealt with as at the commencement of Schedules 1 (1), 2, 3 and 5 (3);

(b)

Closer Settlement (Amendment).

- (b) a transfer under those Acts or regulations executed but not registered as at that commencement; and
- (c) the acquisition or the holding of land by virtue of an application or a tender referred to in paragraph (a) or a transfer referred to in paragraph (b),

Schedules 1 (1), 2, 3 and 5 (3) shall be deemed not to have been enacted.

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904.

(1) (a) Section 26 (1)—

Omit "male person not being under the age of sixteen years, and any female person not being under the age of twenty-one years," insert instead "person not being under the age of 18 years".

(b) Section 26 (2) (a)—

Omit "sixteen years", insert instead "18 years".

(c) Section 26 (2) (a)—

Omit "twenty-one years", insert instead "18 years".

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904—
continued.

(2) Section 31 (5)–(9)—

After section 31 (4), insert :—

(5) The restriction on acquisition by transfer or otherwise of a settlement purchase imposed by section 30 and the requirement under this section to obtain the written consent of the Minister to transfer, convey or assign a settlement purchase shall not apply to the acquisition by transfer or otherwise or the transfer, conveyance or assignment of a settlement purchase where—

- (a) the grant in respect of that settlement purchase has not issued;
- (b) the local land board has found that the conditions attaching to that settlement purchase have been fulfilled;
- (c) the money referred to in section 34 (1) in respect of that settlement purchase has been paid; and
- (d) the Minister, upon application being made as prescribed and payment of an amount equivalent to 5 per centum or, where some other percentage is prescribed, that other percentage of the unimproved value of the land purchased, certifies in the prescribed form that the restriction imposed by section 30 and the requirement under this section shall not apply to the transfer of that settlement purchase.

(6) Where the amount payable under subsection (5) (d) is less than \$10, the amount so payable shall be increased to \$10.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE CLOSER SETTLEMENT ACT, 1904—
continued.

(7) For the purposes of subsection (5) (d), the expression “unimproved value of the land” means the unimproved value of the land as defined or determined in accordance with the provisions of Division 2A of Part VIII of the Crown Lands Consolidation Act, 1913.

(8) Upon the issue of any certificate under subsection (5) (d) the land to which that certificate relates may be transferred without recourse to section 30 or this section.

(9) Where a certificate is issued under subsection (5) (d) in respect of a settlement purchase, the Minister shall—

- (a) cause to be endorsed on the principal record that is kept in the Department of Lands in relation to that settlement purchase (before issue of the Crown grant in respect thereof) such particulars relating to the issue of that certificate as may be prescribed; and
- (b) before issue of the Crown grant in respect of that settlement purchase, cause to be endorsed on that grant, in a form approved by the Registrar-General, the particulars referred to in paragraph (a).

Closer Settlement (Amendment).

SCHEDULE 2.

Sec. 5.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1909.

Section 21 (6AA)—

After section 21 (6), insert :—

(6AA) Notwithstanding any terms and conditions determined by the Minister under subsection (6), whether so determined before or after the commencement of Schedule 2 to the Closer Settlement (Amendment) Act, 1977, it shall not be competent for any person under the age of 18 years to acquire from the Crown after that commencement land disposed of under subsection (6).

SCHEDULE 3.

Sec. 6.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1914.

Section 4 (1)—

After "person", insert " , not being a person under the age of 18 years,".

SCHEDULE

Closer Settlement (Amendment).

Sec. 7. 2.092

SCHEDULE 4.

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937.

Sections 3A, 3B—

After section 3, insert :—

Liability of
incoming
holder to
pay
arrears.

3A. (1) For the purposes of this section and
section 3B—

- (a) "holding" includes a lease in respect of which a perpetual lease grant has issued but does not include a holding within an irrigation area or a permission to occupy granted under the Closer Settlement Acts;
- (b) "holder", in relation to a holding, does not include a mortgagee of that holding;
- (c) the amount or amounts due for payment in respect of a holding shall be deemed to include any amount or amounts that would, but for a deferment, postponement or funding granted or directed under the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, be due for payment in respect of that holding; and
- (d) where a deferment or postponement of payment of an amount, or the funding of an amount, is so granted or directed in respect of a holding, the due date for payment of that amount shall be determined as if that deferment, postponement or funding had not been granted or directed.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

(2) Notwithstanding the provisions of the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, the regulations under those Acts or any condition attaching to a holding, the holder of a holding is liable to pay in respect of that holding any amount—

- (a) due for payment under those Acts, those regulations or any condition attaching to the holding; and
- (b) unpaid as at the date when he became the holder.

(3) Where a holder pays, in respect of his holding, any amount (other than an amount that is attributable to rent or to interest charged under section 3 (1) (b)) that became, on a date prior to the date when he became the holder of that holding, due for payment under the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, the regulations under those Acts or any condition attaching to the holding, that holder may recover that amount from the person who was the holder of that holding at the time when that amount became due.

(4) Where a holder pays, in respect of his holding, any amount—

- (a) that is attributable to rent or to interest charged under section 3 (1) (b); and
- (b) that became, on a date prior to the date when he became the holder of that holding, due for payment under the Closer Settlement

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

Acts, the Crown Lands Consolidation Act, 1913, or the Crown Lands (Amendment) Act, 1932, the regulations under those Acts or any condition attaching to the holding,

that holder may recover an amount determined in accordance with subsection (5) from any person who was the holder of that holding during the period in respect of which that amount was due.

(5) The amount that a holder may recover from any person under subsection (4) is the amount that is equal to the amount of the rent or interest paid as referred to in subsection (4), less any part of that amount that would, if that amount was calculated on a daily basis, be attributable to a period when that person was not the holder of that holding.

(6) For the purposes of subsections (3), (4) and (5), a person shall be deemed—

(a) subject to paragraph (b), to be the holder of a holding during any period commencing on the date when that person would, but for any requirement to be registered or recorded as the holder of that holding under the Closer Settlement Acts or the regulations under those Acts, have become entitled to an estate or interest in that holding (being an estate or interest that gave him the right to be so registered or recorded) and ending on the date when he was so registered or recorded; and

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 4—*continued.*

AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
ACT, 1937—*continued.*

(b) not to be the holder of a holding during any period commencing on the date when that person would, but for any requirement for the person who becomes entitled to his estate or interest in that holding to be registered or recorded as the holder of that holding under the Closer Settlement Acts or the regulations under those Acts, have ceased to be entitled to an estate or interest in that holding (being an estate or interest that gives another person the right to be so registered or recorded) and ending on the date when that other person was so registered or recorded.

(7) Nothing in this section affects any agreement or any rule of law or equity with respect to the ultimate liability for payment of any amount due in respect of a holding.

3B. (1) The Minister shall, upon application by any person in the manner prescribed and upon payment of a fee as prescribed, issue to that person in respect of a holding under the Closer Settlement Acts—

**Certificate
as to
amount
due.**

(a) a certificate as to the amount or amounts due for payment under the Closer Settlement Acts, the Crown Lands Consolidation Act, 1913, the Crown Lands (Amendment) Act, 1932, the regulations under those Acts or any condition attaching to that holding; or

SCHEDULE

Closer Settlement (Amendment).

 SCHEDULE 4—*continued.*

 AMENDMENT TO THE CLOSER SETTLEMENT (AMENDMENT)
 ACT, 1937—*continued.*

(b) where there is no amount so due for payment, a certificate to that effect.

(2) A certificate referred to in subsection (1) (a) shall give particulars of the amount or amounts due, including the due date for payment in respect of the amount or each of the amounts, as the case may be.

(3) Production of a certificate under this section shall for all purposes be deemed conclusive proof in favour of a person who, on or subsequent to the date of the certificate, becomes the holder of the holding referred to in the certificate that, at the date of the certificate, no amount, other than an amount stated in the certificate, was due for payment in respect of that holding.

Sec. 8.

SCHEDULE 5.

 AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT
 (CONVERSION) ACT, 1943.

(1) (a) Section 4A (1)—

Omit “which is not liable to forfeiture”.

SCHEDULE

Closer Settlement (Amendment).

SCHEDULE 5—*continued.*

AMENDMENTS TO THE CLOSER SETTLEMENT AMENDMENT
(CONVERSION) ACT, 1943—*continued.*

(b) Section 4A (5)—

Omit "The Minister", insert instead "Subject to subsection (5A), the Minister".

(c) Section 4A (5A)—

After section 4A (5), insert :—

(5A) An application under this section shall not be granted if the lease in respect of which the application is made is liable to forfeiture.

(2) Section 10 (b)—

Omit the paragraph, insert instead :—

(b) such of the conditions attaching to the settlement purchase lease, group purchase lease or closer settlement lease as the Minister may determine; and

(3) Section 11 (4)—

Omit "the age of sixteen years, if a male, or under the age of twenty-one years, if a female.", insert instead "the age of 18 years".

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 20th October, 1977.*

Amendment (Amendment)

SCHEDULE 2—continued

AMENDMENTS TO THE CLOSURE SETTLEMENT AMENDMENT
(GOVERNMENT) ACT, 1947—continued

(b) Section 44 (3) —
Omit "The Minister," insert "Subject to
subsection (2A), the Minister."

(c) Section 44 (2A) —
After section 44 (2), insert:—
(2A) An application under this section shall
not be granted if the case in respect of which
the application is made is liable to forfeiture.

(2) Section 10 (b) —
Omit the words "it insert instead:—
(b) subject of the conditions relating to the
settlement purchase lease group purchase
lease or other settlement lease as the
Minister may determine; and

(3) Section 11 (4) —
Omit "the age of sixteen years. If a male, or under the
age of twenty-one years. If a female," insert instead
"the age of 18 years."

In the name and on behalf of Her Majesty I assent to this
Act.
A. R. CUTLER,
Governor

Government House,
Zomba, 20th October, 1977

