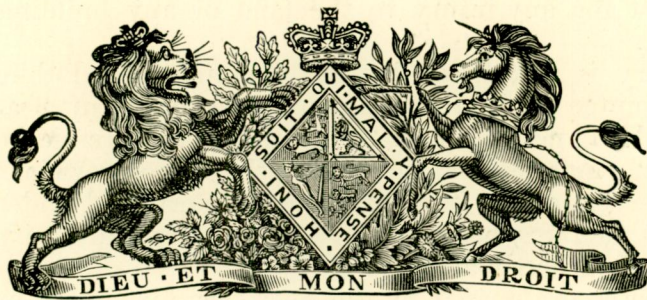


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 30 November, 1897.* }

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO SEXAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. . (A.D. 1897.)

An Act to provide for the entry on any lands for the purposes of making preliminary surveys for railways, tramways, waterworks, sewerage-works, canals, storm-water channels, drains, embankments for the protection of low-lying lands from flood-waters, or other works, and for determination of boundaries of alienated lands and for trigonometrical survey of the Colony.

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. The Secretary for Public Works or the Secretary for Lands or any person appointed by either of them in that behalf may by writing signed by him authorise any person to enter into and upon land for the purpose of—
- 10** (a) making preliminary surveys for railways, tramways, waterworks, sewerage-works, canals, storm-water channels, drains, embankments for the protection of low-lying lands from flood-waters, or other works;
- (b) determining the boundaries of alienated lands; or
- (c) the trigonometrical survey of the Colony.

Person authorised
may enter land.

Entry on Private Land.

Such authority may authorise the person named therein to enter for any or all of the above-mentioned purposes into and upon land referred to in the authority, or may authorise such person to enter into and upon any land, and such person may enter with his assistants :

5 Provided that no damage shall be done further than is necessary, and that all damage shall so far as practicable be repaired.

2. Whosoever obstructs any person in the exercise of the powers hereby conferred shall be liable to a penalty not exceeding *ten* pounds, which may be recovered summarily before any court of summary
10 jurisdiction.

Penalty for obstructing person authorised.

3. The Minister of the Crown who authorised the entry may, on behalf of Her Majesty, make full compensation to all persons interested in the land upon which entry has been made in pursuance of an authority granted under this Act for any injury to the land or any building
15 thereon caused thereby.

Compensation for injury to land.

Where the entry is authorised by the Secretary for Public Works or person appointed by him the amount of such compensation shall as between him and the persons interested as aforesaid be determined in the same manner and subject to the same provisions
20 and conditions as compensation for injury to land is determined under the Public Works Act of 1888, between the Constructing Authority and the owners of land injuriously affected.

Where the entry is authorised by the Secretary for Lands or person appointed by him, and an application has been made to him,
25 the amount of such compensation shall, as between him and the persons interested as aforesaid, be appraised by the Local Land Board as constituted by the Crown Lands Acts in the manner prescribed by regulations under this Act, and any person interested as aforesaid may appeal from such appraisal to the Land Appeal Court in the
30 manner so prescribed. On receipt of any appraisal not so appealed against the Secretary for Lands shall either accept the same, or within one month refer it to the said Court with a statement of his reasons for so doing. The said Court shall, both in cases of appeal and reference, determine the amount of such compensation, and the amount
35 so determined shall be final and conclusive: Provided that if it appears to the Secretary for Lands that further consideration or enquiry is necessary, he may return the case to the said Court for such purpose, and the determination of the said Court thereupon shall be final and conclusive.

40 4. The Governor may make regulations for carrying out the provisions of this Act.

Regulations.

All such regulations shall, on being published in the Gazette, have the force of law, and shall be laid before both Houses of Parliament within fourteen days after their publication as aforesaid, or, if
45 Parliament be not then sitting, within fourteen days after the next meeting of Parliament.

5. This Act may be cited as the "Entry on Private Land Act, 1897."

Short title.