CROWN LANDS BILL (No. 2).

SCHEDULE of Amendments referred to in Message of 20th December, 1898.

Page 2, clause 1, line 1. *After* "made" *insert* "**after the commencement of this Act**"
Page 2, clause 1, line 10. *Omit* "original"

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, 7 December, 1898.

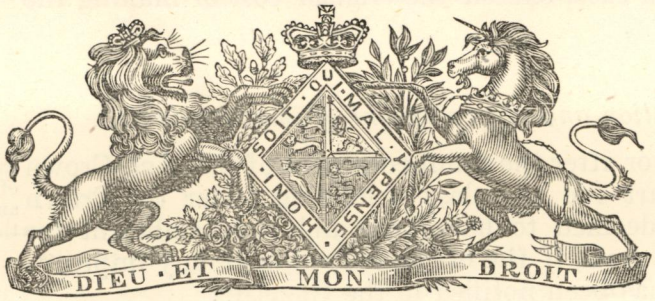
F. W. WEBB,
Clerk of the Legislative Assembly.

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

Legislative Council Chamber,
Sydney, 20th December, 1898.

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SEXAGESIMO SECUNDO

VICTORIÆ REGINÆ.

* *

Act No. , 1898.

An Act to regulate the determination of the value of improvements on holdings applied for under the Crown Lands Acts; to provide for the notification of the estimated values of improvements on lands set apart for holdings under such Acts; and to declare the meaning of certain words in section 63 of the Crown Lands Act of 1884.

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 *Value of improvements.*

Basis of value of improvements.

1. Whenever it becomes necessary under the Crown Lands Acts that an appraisement or determination of the value of improvements shall

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

shall be made after the commencement of this Act (whether the title to the land, or to any interest in the land, containing such improvements commenced before or commences after the commencement of this Act), the value that shall be appraised or determined and shall be payable—

5 (*a*) shall be their value at the date of commencement of title of the incoming tenant; and

(*b*) shall be their value to such tenant; and

(*c*) shall not include any value which may be due to the inherent capabilities of the land; and

10 (*d*) shall, in no such case, exceed the ~~original~~ cost of making the improvements.

Provisional valuation and appraisement of improvements.

Provisional valuation of improvements and appraisement thereof.

2. Where, before or after the commencement of this Act, Crown lands have been set apart for any class of holding under the Crown 15 Lands Acts, it shall be deemed to have been and to be sufficient for the purposes of the said Acts, if the estimated value of any improvements upon such lands has been notified in the Gazette:

Provided that an appraisement or determination of the value of such improvements shall be made after the land has become the 20 subject of an application for homestead selection or settlement lease, unless both the owner (other than the Crown) of the improvements and the incoming selector or lessee have agreed to dispense with such appraisement, and have agreed on the value to be paid, in which case the agreed value of the improvements shall be deemed to be the 25 appraised value within the meaning of subsection (*b*) of section fifteen or subsection (*b*) of section twenty-five of the Crown Lands Act of 1895, as the case may be:

Provided that if in any case the value of the improvements as appraised or determined is at least twenty per centum higher than 30 their estimated value as notified in the Gazette, the Land Board may allow the incoming selector or lessee upon application within the prescribed time to withdraw his application, and to obtain a refund of any moneys paid in connection therewith.

Meaning of "fair value."

Meaning of "fair value" in section 63 of Crown Lands Act of 1884.

35 **3.** The expression "fair value" in section sixty-three of the Crown Lands Act of 1884, used in connection with applications for the rescission of reservations of water frontage, shall, in regard to any land the value of which shall be determined after the commencement of this Act, be taken to mean the additional value which may 40 reasonably be expected to accrue to the applicant in connection with the

the land adjoining the land the subject of the reservation (where such applicant is the owner of such adjoining land) by reason of the rescission of the reservation and grant of the land the subject thereof.

Short title.

5 **4.** This Act may be cited as the "Crown Lands Act, 1898," and shall be read with and as forming part of the Crown Lands Act of 1884, the Crown Lands Act of 1889, the Crown Lands Act of 1895, and any Acts amending the same, the whole of which Acts are referred to in this Act as "the Crown Lands Acts." Short title.

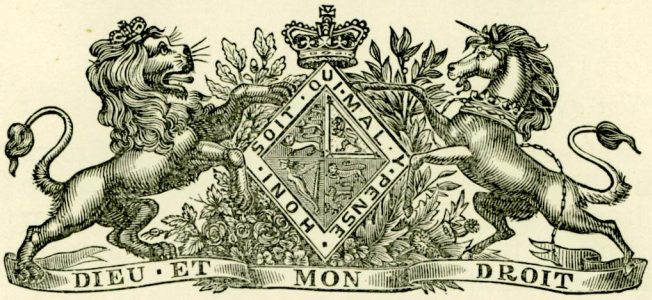
Sydney: William Applegate Gullick, Government Printer.—1898.

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, 7 December, 1898.

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

New South Wales.



ANNO SEXAGESIMO SECUNDO

VICTORIÆ REGINÆ.

* *

Act No. , 1898.

An Act to regulate the determination of the value of improvements on holdings applied for under the Crown Lands Acts; to provide for the notification of the estimated values of improvements on lands set apart for holdings under such Acts; and to declare the meaning of certain words in section 63 of the Crown Lands Act of 1884.

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 *Value of improvements.*

1. Whenever it becomes necessary under the Crown Lands Acts that an appraisement or determination of the value of improvements shall be made (whether the title to the land, or to any interest in the land, Basis of value of improvements.

land, containing such improvements commenced before or commences after the commencement of this Act), the value that shall be appraised or determined and shall be payable—

(*a*) shall be their value at the date of commencement of title of the incoming tenant; and

(*b*) shall be their value to such tenant; and

(*c*) shall not include any value which may be due to the inherent capabilities of the land; and

(*d*) shall, in no such case, exceed the original cost of making the improvements.

Provisional valuation and appraisement of improvements.

Provisional valuation of improvements and appraisement thereof.

2. Where, before or after the commencement of this Act, Crown lands have been set apart for any class of holding under the Crown Lands Acts, it shall be deemed to have been and to be sufficient for the purposes of the said Acts, if the estimated value of any improvements upon such lands has been notified in the Gazette:

Provided that an appraisement or determination of the value of such improvements shall be made after the land has become the subject of an application for homestead selection or settlement lease, unless both the owner (other than the Crown) of the improvements and the incoming selector or lessee have agreed to dispense with such appraisement, and have agreed on the value to be paid, in which case the agreed value of the improvements shall be deemed to be the appraised value within the meaning of subsection (*b*) of section fifteen or subsection (*b*) of section twenty-five of the Crown Lands Act of 1895, as the case may be:

Provided that if in any case the value of the improvements as appraised or determined is at least twenty per centum higher than their estimated value as notified in the Gazette, the Land Board may allow the incoming selector or lessee upon application within the prescribed time to withdraw his application, and to obtain a refund of any moneys paid in connection therewith.

Meaning of "fair value."

Meaning of "fair value" in section 63 of Crown Lands Act of 1884.

3. The expression "fair value" in section sixty-three of the Crown Lands Act of 1884, used in connection with applications for the rescission of reservations of water frontage, shall, in regard to any land the value of which shall be determined after the commencement of this Act, be taken to mean the additional value which may reasonably be expected to accrue to the applicant in connection with the

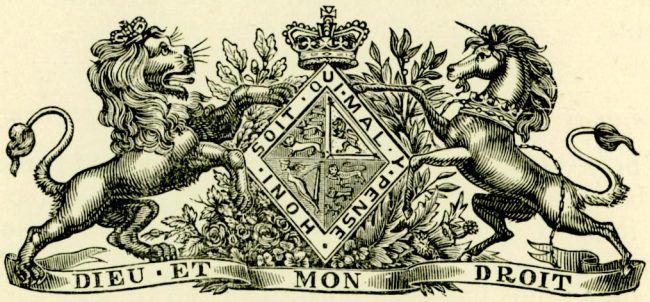
the land adjoining the land the subject of the reservation (where such applicant is the owner of such adjoining land) by reason of the rescission of the reservation and grant of the land the subject thereof.

Short title.

5 **4.** This Act may be cited as the "Crown Lands Act, 1898," and shall be read with and as forming part of the Crown Lands Act of 1884, the Crown Lands Act of 1889, the Crown Lands Act of 1895, and any Acts amending the same, the whole of which Acts are referred to in this Act as "the Crown Lands Acts." Short title.

Sydney: William Applegate Gullick, Government Printer.—1898.

New South Wales.



ANNO SEXAGESIMO SECUNDO

VICTORIÆ REGINÆ.

* *

Act No. 38, 1898.

An Act to regulate the determination of the value of improvements on holdings applied for under the Crown Lands Acts; to provide for the notification of the estimated values of improvements on lands set apart for holdings under such Acts; and to declare the meaning of certain words in section 63 of the Crown Lands Act of 1884. [Assented to, 24th December, 1898.]

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:—

Value of improvements.

1. Whenever it becomes necessary under the Crown Lands Acts that an appraisement or determination of the value of improvements shall

Basis of value of improvements.

shall be made after the commencement of this Act (whether the title to the land, or to any interest in the land, containing such improvements commenced before or commences after the commencement of this Act), the value that shall be appraised or determined and shall be payable—

(*a*) shall be their value at the date of commencement of title of the incoming tenant; and

(*b*) shall be their value to such tenant; and

(*c*) shall not include any value which may be due to the inherent capabilities of the land; and

(*d*) shall, in no such case, exceed the cost of making the improvements.

Provisional valuation and appraisement of improvements.

Provisional valuation of improvements and appraisement thereof.

2. Where, before or after the commencement of this Act, Crown lands have been set apart for any class of holding under the Crown Lands Acts, it shall be deemed to have been and to be sufficient for the purposes of the said Acts, if the estimated value of any improvements upon such lands has been notified in the Gazette:

Provided that an appraisement or determination of the value of such improvements shall be made after the land has become the subject of an application for homestead selection or settlement lease, unless both the owner (other than the Crown) of the improvements and the incoming selector or lessee have agreed to dispense with such appraisement, and have agreed on the value to be paid, in which case the agreed value of the improvements shall be deemed to be the appraised value within the meaning of subsection (*b*) of section fifteen or subsection (*b*) of section twenty-five of the Crown Lands Act of 1895, as the case may be:

Provided that if in any case the value of the improvements as appraised or determined is at least twenty per centum higher than their estimated value as notified in the Gazette, the Land Board may allow the incoming selector or lessee upon application within the prescribed time to withdraw his application, and to obtain a refund of any moneys paid in connection therewith.

Meaning of "fair value."

Meaning of "fair value" in section 63 of Crown Lands Act of 1884.

3. The expression "fair value" in section sixty-three of the Crown Lands Act of 1884, used in connection with applications for the rescission of reservations of water frontage, shall, in regard to any land the value of which shall be determined after the commencement of this Act, be taken to mean the additional value which may reasonably be expected to accrue to the applicant in connection with the

the land adjoining the land the subject of the reservation (where such applicant is the owner of such adjoining land) by reason of the rescission of the reservation and grant of the land the subject thereof.

Short title.

4. This Act may be cited as the "Crown Lands Act, 1898," and shall be read with and as forming part of the Crown Lands Act of 1884, the Crown Lands Act of 1889, the Crown Lands Act of 1895, and any Acts amending the same, the whole of which Acts are referred to in this Act as "the Crown Lands Acts." Short title.

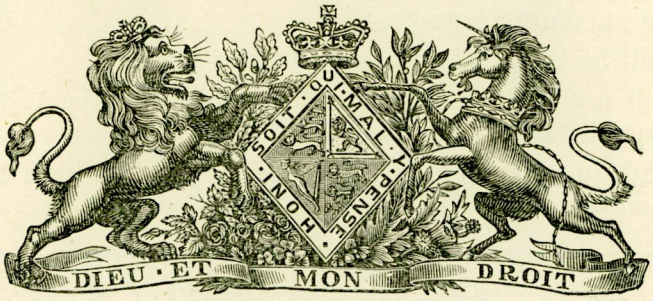
By Authority : William Applegate Gullick, Government Printer, Sydney, 1899.
[3*d*.]

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.

Legislative Assembly Chamber,
Sydney, 23 *December,* 1898, A.M.

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

New South Wales.



ANNO SEXAGESIMO SECUNDO

VICTORIÆ REGINÆ.

* *

Act No. 38, 1898.

An Act to regulate the determination of the value of improvements on holdings applied for under the Crown Lands Acts; to provide for the notification of the estimated values of improvements on lands set apart for holdings under such Acts; and to declare the meaning of certain words in section 63 of the Crown Lands Act of 1884. [Assented to, 24th December, 1898.]

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:—

Value of improvements.

1. Whenever it becomes necessary under the Crown Lands Acts that an appraisement or determination of the value of improvements shall **Basis of value of improvements.**

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

E. W. O'SULLIVAN,
Temporary Chairman of Committees of the Legislative Assembly.

shall be made after the commencement of this Act (whether the title to the land, or to any interest in the land, containing such improvements commenced before or commences after the commencement of this Act), the value that shall be appraised or determined and shall be payable—

(*a*) shall be their value at the date of commencement of title of the incoming tenant; and

(*b*) shall be their value to such tenant; and

(*c*) shall not include any value which may be due to the inherent capabilities of the land; and

(*d*) shall, in no such case, exceed the cost of making the improvements.

Provisional valuation and appraisement of improvements.

Provisional valuation of improvements and appraisement thereof.

2. Where, before or after the commencement of this Act, Crown lands have been set apart for any class of holding under the Crown Lands Acts, it shall be deemed to have been and to be sufficient for the purposes of the said Acts, if the estimated value of any improvements upon such lands has been notified in the Gazette:

Provided that an appraisement or determination of the value of such improvements shall be made after the land has become the subject of an application for homestead selection or settlement lease, unless both the owner (other than the Crown) of the improvements and the incoming selector or lessee have agreed to dispense with such appraisement, and have agreed on the value to be paid, in which case the agreed value of the improvements shall be deemed to be the appraised value within the meaning of subsection (*b*) of section fifteen or subsection (*b*) of section twenty-five of the Crown Lands Act of 1895, as the case may be:

Provided that if in any case the value of the improvements as appraised or determined is at least twenty per centum higher than their estimated value as notified in the Gazette, the Land Board may allow the incoming selector or lessee upon application within the prescribed time to withdraw his application, and to obtain a refund of any moneys paid in connection therewith.

Meaning of "fair value."

Meaning of "fair value" in section 63 of Crown Lands Act of 1884.

3. The expression "fair value" in section sixty-three of the Crown Lands Act of 1884, used in connection with applications for the rescission of reservations of water frontage, shall, in regard to any land the value of which shall be determined after the commencement of this Act, be taken to mean the additional value which may reasonably be expected to accrue to the applicant in connection with the

the land adjoining the land the subject of the reservation (where such applicant is the owner of such adjoining land) by reason of the rescission of the reservation and grant of the land the subject thereof.

Short title.

4. This Act may be cited as the "Crown Lands Act, 1898," and shall be read with and as forming part of the Crown Lands Act of 1884, the Crown Lands Act of 1889, the Crown Lands Act of 1895, and any Acts amending the same, the whole of which Acts are referred to in this Act as "the Crown Lands Acts." Short title.

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

HAMPDEN,
Governor.

Government House,
Sydney, 24th December, 1898.