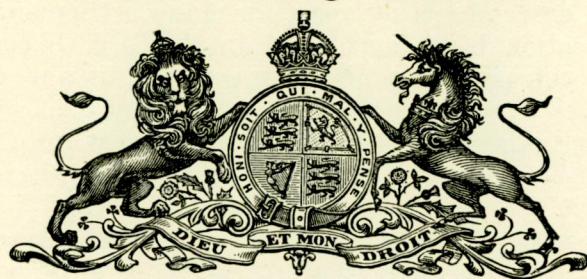


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,* } *RICHD. A. ARNOLD,*  
*Sydney, 25 November, 1903, A.M.* } *Acting Clerk of the Legislative Assembly.*

## New South Wales.



ANNO TERTIO

# EDWARDI VII REGIS.

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Act No. , 1903.

An Act to amend the Closer Settlement Act, 1901, and to provide for the resumption of land for the purposes of the said Act.

**B**E it enacted by the King'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 Act, Short title. 1903."

### *Construction and application.*

2. (1) This Act shall be construed with the Closer Settlement Act, 1901, hereinafter called the Principal Act, and with the Crown  
10 Lands Act of 1884 and any Acts amending the same, hereinafter called the Crown Lands Acts.

*Closer Settlement.*

(2) The words "purchase money" in the Principal Act shall be construed to include "compensation," and the word "purchase" to include "resumption," and the words "purchased" and "acquired" to include "resumed" wherever such meaning is required for the purposes of this Act.

3. This Act shall only apply where the private land intended to be set apart for closer settlement exceeds twenty thousand pounds in value.

*Resumption of private land.*

4. The Minister may declare, by notification in the Gazette, that any private land therein described is set apart for closer settlement.

Upon such notification being made and until it is revoked by the Minister by like notification or until it becomes null and void under this Act, whichever event first happens, no sale or disposition of the land by the owner otherwise than by lease for any term not exceeding one year shall be made, and any such sale or disposition if made shall be of no effect.

5. The Minister may, at any time after such notification in respect of land declared to be set apart as aforesaid, require the board to report upon all or any of the matters specified in section three of the Principal Act as being the matters that may be referred to the board in the case of land offered under the said section.

6. Any inquiry under the next preceding section shall be made in open court in the same manner as an inquiry by the board under the Crown Lands Acts.

The report of the board, so far only as it relates to the fair value of the land and the value of the improvements on the land and the bona fides of any mortgage, shall be subject to appeal to the Land Appeal Court by the owner of the land or the Minister in such manner and within such time as may be prescribed, not being less than one month after the report has been made.

The finding of the Land Appeal Court, or, if no appeal is made, of the board shall be final as to the said value of the land and of the improvements, and no larger sum shall be paid as compensation for the resumption than the said value, which shall be subject to deduction in case of incomplete purchases from the Crown of the balances due to the Crown on such purchases.

7. If, within four months from the date of the report of the board or the Land Appeal Court, as the case may be, or if Parliament is not sitting during such period, within sixty days from the commencement of the next ensuing session, a proposal for the resumption of the land or any part thereof is submitted for approval, accompanied by such report, and is approved with or without modification by resolution of both Houses of Parliament, the Governor within thirty days after such

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*Closer Settlement.*

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such approval has been given may, by notification in the Gazette and in one or more newspapers circulating in the district in which the land is situated, declare that any land, the resumption of which has been so approved, is resumed according to the terms of such resolution.

5 On the date of the notification in the Gazette declaring any land to be resumed, such land shall vest in His Majesty and become Crown Land, and shall be deemed to be reserved from sale, selection, and lease under the Crown Lands Acts, as well as any Act relating to mining except the Mining on Private Lands Acts, unless or until the Governor  
10 otherwise proclaims, and shall be leased only in accordance with the provisions of the Principal Act.

If within the times respectively above prescribed the resumption of the land or any part of the land described in the first-mentioned notification is not approved as aforesaid, or being so approved such  
15 land or any part of the same is not declared to be resumed, such notification shall, in respect of the land or part thereof, as the case may be, at the expiration of the said times respectively, be null and void, and the Minister may thereupon on the recommendation of the board, award and pay to the owner of the land such sum of money as the  
20 board may find to be fair compensation to such owner for any loss he has suffered by reason of the notification under section four.

The Finance Bill introduced in the House of Commons, and during the last  
session, and the House of Commons for its consideration.

RIGHT HON. A. KENNEDY  
Secretary of State for the Colonies, 1902

3 (1) The Act shall be construed with the Crown Lands Ordinance  
of 1901, and the provisions of the Act shall be construed with the Crown  
Lands Act of 1904 and any Act or Order in Council or other instrument made  
under the Crown Lands Act.