

RETURNED SOLDIERS SETTLEMENT BILL.

SCHEDULE of the Amendments referred to in Message of 11th March, 1916.

- Page 3, clause 4, line 8. *Omit "or"*
- Page 3, clause 4, line 8. *After "rents" insert "or charges for water"*
- Page 3, clause 4, line 9. *After "Minister" insert "or—in the case of holdings within an irrigation area—the Water Conservation and Irrigation Commission."*
- Page 3, clause 4. *After subclause (3) insert new subclauses (4) and (5).*
- Page 3, clause 4, line 27. *After "discharged soldier" insert "who has received a qualification certificate from the classification committee."*
- Page 3, clause 4, line 30. *After "available" insert "the application shall be accompanied by the qualification certificate or a copy thereof."*
- Page 3, clause 4, line 34. *After "withdrawal" insert "or, in the case of holdings within an irrigation area, shall report to the Water Conservation and Irrigation Commission, which shall grant or refuse the application."*
- Page 4, clause 5, line 21. *After "local land board" insert "or the Water Conservation and Irrigation Commission"*
- Page 4, clause 5, line 25. *After "board" insert "or the Water Conservation and Irrigation Commission"*
- Page 5, clause 6, line 11. *After "rent" insert "and charges for water"*
- Page 5, clause 6, line 14. *After "rent" insert "and charges for water"*
- Page 5, clause 6, line 21. *After "Crown" insert "land"*
- Page 6, clause 7, line 21. *Omit "Commissioner for"*
- Page 6, clause 7, line 22. *After "Irrigation" insert "Commission"*
- Page 6, clause 7, line 25. *Omit "commissioner" insert "Water Conservation and Irrigation Commission"*
- Page 6, clause 7, line 28. *After "he" insert "or it"*
- Page 6, clause 7, line 31. *Omit "commissioner" insert "Water Conservation and Irrigation Commission"*
- Page 6, clause 7, line 35. *Omit "commissioner" insert "Water Conservation and Irrigation Commission"*
- Page 7, clause 7, line 1. *Omit "commissioner" insert "Water Conservation and Irrigation Commission"*
- Page 7, clause 8, line 5. *After "Minister" insert "or in the case of a holding within an irrigation area, the Water Conservation and Irrigation Commission"*
- Page 7, clause 8, line 8. *After "he" insert "or it"*
- Page 7, clause 8, line 8. *After "rent" insert "or charges for water"*
- Page 7, clause 8, line 11. *After "rent" insert "or charges for water"*
- Page 7, clause 8, line 14. *After "rents" insert "or charges for water"*
- Page 7, clause 8, line 18. *After "Minister" insert "or the Water Conservation and Irrigation Commission"*
- Page 7, clause 8, line 20. *After "he" insert "or it"*
- Page 7, clause 9, line 26. *After "Minister" insert "or the Water Conservation and Irrigation Commission"*
- Page 8, clause 10, line 3. *After "Minister's" insert "or in the case of a holding within an irrigation area, the Water Conservation and Irrigation Commission's"*
- Page 7, clause 10, line 6. *After "Minister" insert "or such Commission"*

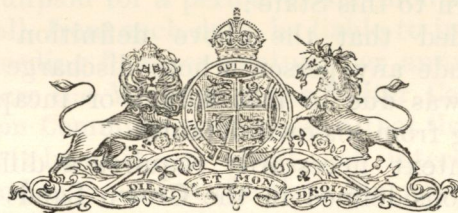
This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Acting Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 29 March, 1916.

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

W. L. S. COOPER,
Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, 11th April, 1916.

New South Wales.



ANNO SEXTO

GEORGII V REGIS.

Act No. , 1916.

An Act to make provision for the settlement of returned soldiers on Crown lands or lands acquired under the Closer Settlement Acts; to amend the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Murrumbidgee Irrigation Act, 1910, and the Irrigation Act, 1912; and for purposes consequent thereon or incidental thereto.

BE 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:—

1. This Act may be cited as the "Returned Soldiers Settlement Act, 1916."

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853—

2.

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

Returned Soldiers Settlement.

2. In this Act the term "discharged soldier" means any person who— Inter-pretation of terms.

- 5 (a) has been a member of the Australian Imperial Forces, or of any other naval or military force raised in the Commonwealth of Australia by the Minister of Defence for service in the war in which His Majesty is at present engaged, or, though a resident of the Commonwealth, has joined the naval or military force of Great Britain during the said war; and
- 10 (b) has served outside the Commonwealth in connection with the said war; and
- (c) has returned to this State, and has received his discharge from service either before or after
- 15 his return to this State:

Provided that the above definition shall not include any person whose discharge from service was due to misconduct or incapacity resulting from his own default.

20 Unless the context necessarily requires a different meaning, expressions defined in the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts or the Irrigation Act, 1912, shall bear the same meaning in this Act.

25 SPECIAL SETTLEMENTS FOR OCCUPATION BY DISCHARGED SOLDIERS.

Ordinary tenures.

3. The Minister may, by notification in the Gazette, set apart any area of Crown land or of land acquired under the Closer Settlement Acts or the Murrumbidgee Irrigation Act, 1910, to be disposed of under the Crown Lands Consolidation Act, 1913, or the Closer Settlement Acts to discharged soldiers exclusively. Areas may be set apart for selection by discharged soldiers.

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Any notification under this section may by a like

35 notification be amended or revoked.

Special tenures.

4. (1) In addition to the powers conferred by the last preceding section the Minister may, by notification in the Gazette, set apart any area of Crown land or of land acquired under the Closer Settlement Acts or

40 the Special provision for settlement of discharged soldiers.

Returned Soldiers Settlement.

the Murrumbidgee Irrigation Act, 1910, to be disposed of by way of sale or lease to discharged soldiers in the manner hereinafter provided.

5 (2) Any notification under this section may by a like notification be amended or revoked.

(3) The land so set apart shall be subdivided into such blocks, and disposed of at such prices, capital values, or rents, or charges for water, and subject to such conditions as the Minister or—in the case of
10 holdings within an irrigation area—the Water Conservation and Irrigation Commission may determine.

(4) Any discharged soldier who desires to become an applicant for land set apart under this or the next preceding section must first register his name and make
15 a declaration on a form to be prescribed with a view to obtaining the necessary qualification certificate entitling him to apply for land.

(5) The Minister may appoint a classification committee the members of which shall not exceed three in
20 number.

This committee shall investigate the qualifications of each discharged soldier who has registered his name as aforesaid, and if satisfied that he possesses the necessary qualification it shall issue a certificate to that effect
25 on a form to be prescribed.

(4-6) On and after the date notified for such purpose a discharged soldier who has received a qualification certificate from the classification committee may apply in the prescribed form and manner for any block
30 notified as available. The application shall be accompanied by the qualification certificate, or a copy thereof.

(5-7) All applications shall be dealt with by the local land board, which shall confirm or disallow an application unless it permits its withdrawal, or, in the case
35 of holdings within an irrigation area, shall report to the Water Conservation and Irrigation Commission, which shall grant or refuse the application, and the board shall as far as practicable assist applicants in acquiring blocks suitable to their experience, capital, and physical
40 fitness.

Returned Soldiers Settlement.

(6 8) The Minister may direct any local land board to deal with any matter, question, or inquiry that has arisen or shall arise without regard to the land board district or land district in which the
5 land forming the subject of such matter, question, or inquiry may be situated. And the said local land board shall have as full power and jurisdiction to deal with the matter as if the land aforesaid were situated within such board's proper land board district or land
10 district.

(7 9) Except as may be otherwise provided by this Act, or by regulation under this Act, the provisions of the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Irrigation Act, 1912, or of any
15 other Act relating to the administration of Crown land, or land acquired under the Closer Settlement Acts, or the Murrumbidgee Irrigation Act, 1910, shall not apply to lands disposed of under this section.

Appeal.

20 **5.** There shall be no appeal to the Land Appeal ^{Appeal.} Court from the decision of the local land board or the **Water Conservation and Irrigation Commission** dealing with applications under this Act: Provided that the Minister may, within twenty-eight days after the decision
25 of the local land board or the **Water Conservation and Irrigation Commission** has been given, refer such decision for determination to the Land Appeal Court, and in such cases the decision of the Land Appeal Court shall be final.

Regulations.

30 **6.** (1) The Governor may make regulations ^{pre-Regulations.} describing—
(a) the manner, form, and conditions in and under which applications for any holdings under this
35 Act may be made;
(b) with respect to any land, whether it shall be disposed of by way of sale or by way of lease;
(c) in the case of land to be disposed of by way of sale, the terms and conditions of such sale,
40 including conditions relating to the payment of the purchase money; (d)

Returned Soldiers Settlement.

- (d) in the case of lands to be disposed of by way of lease, the conditions of such lease, including provisions as to—
- 5 (i) the form or forms of leases ;
 - (ii) the term or terms for which leases may be granted ;
 - (iii) the acquisition of the fee-simple by lessees ;
 - 10 (iv) improvements to be effected by lessees ;
 - (v) residence of lessees on the land ;
 - (vi) the method of computing the rent **and charges for water** to be paid by lessees and the due dates for payment of such rent **and charges for water** ; and
 - 15 (vii) the transfer, surrender, and forfeiture of the leases ;
- (e) the application of any of the provisions of the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Irrigation Act, 1912, or of any other Act relating to the administration of Crown land or land acquired under the Closer Settlement Acts or the Murrumbidgee Irrigation Act, 1910, to lands disposed of under section four hereof ;
- 20 (f) such other matters as in the opinion of the Governor may be necessary or expedient for the purpose of giving full effect to the provisions of this Act.
- (2) Such regulations shall—
- 30 (i) be published in the Gazette ;
 - (ii) take effect from the date of publication, or from a later date to be specified in such regulations ; and
 - 35 (iii) be laid before both Houses of Parliament within fourteen days after publication if Parliament is in session, and, if not, then within fourteen days after the commencement of the next session. If either House of Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall therefrom cease to have effect.
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Financial

*Returned Soldiers Settlement.**Financial and other assistance to settlers under this Act.*

7. (1) In considering applications under this Act the local land board shall take into consideration, either with or without special application, the advisability of assisting applicants with respect to any of the following matters:—

Minister may assist settlers with respect to erection of buildings, purchase of stock, &c.

- (a) The clearing, fencing, draining, water supply, and general improvement of land disposed of under this Act;
- 10 (b) the erection of buildings on any such land; and
- (c) the purchase of implements, stock, seeds, plants, trees, and such other things as may be deemed necessary to satisfactorily occupy and
- 15 develop the land.

(2) If in the opinion of the local land board it is advisable that assistance should be given to the applicant with respect to any or all of the foregoing matters, it shall make a recommendation to that effect to the

20 Minister, or in the case of holdings within an irrigation area, to the ~~Commissioner for~~ Water Conservation and Irrigation **Commission**, and shall set out in its recommendation the nature and extent of the assistance recommended and the grounds of the recommendation. On

25 receipt of any such recommendation the Minister or the ~~commissioner~~ **Water Conservation and Irrigation Commission**, as the case may be, may take such action thereon as he or it thinks fit in accordance with the regulations under this Act.

(3) All moneys advanced or expended by the

30 Minister, or the ~~commissioner~~ **Water Conservation and Irrigation Commission**, as the case may be, under the authority of this section in respect of any land shall bear interest at such rate as may be determined by the

35 Minister or the ~~commissioner~~ **Water Conservation and Irrigation Commission**, and shall be secured by way of a first mortgage over the said land and any improvements thereon or over the settlers' interest in the said land and improvements:

Provided

Returned Soldiers Settlement.

Provided that the Minister or the ~~commissioner~~ **Water Conservation and Irrigation Commission** may, in any case of hardship dispense, either wholly or in part, with the payment of interest under this section.

- 5 **8.** The Minister or, in the case of a holding within Remission of rent.
 an irrigation area, the **Water Conservation and Irriga-
 tion Commission** may remit, wholly or in part, and for
 such period or periods as he or it thinks fit, any rent or
 charges for water payable by a discharged soldier under
 10 a lease issued pursuant to this Act or may postpone the
 payment of any such rent or charges for water, and
 may likewise postpone the payment of any instalment
 of the purchase money. Any sums which shall become
 15 remain unpaid for a period of six months after the due
 date shall, from such date, be liable to interest at a rate
 not exceeding five per centum per annum: Provided
 that where the Minister or the **Water Conservation and
 Irrigation Commission** is satisfied that the circumstances
 20 warrant it he or it may remit such interest wholly or in
 part; and may extend the time for payment of all or
 any part of the sums due.

- 9.** (1) All moneys required for advances or expen- Expenses of administration.
 diture under this Act shall be paid out of the moneys
 25 provided by Parliament for such purposes.

- (2) The Minister or the **Water Conservation and
 Irrigation Commission** may expend moneys in effecting
 improvements on or otherwise preparing blocks of land
 prior to their being set apart for application by dis-
 30 charged soldiers, and the moneys so expended shall bear
 interest at the rate and be secured in the manner pro-
 vided by subsection three of section seven of this Act,
 unless it be otherwise provided in the notification setting
 apart the land.

- 35 (3) All moneys accruing from the sale or leasing
 of lands under this Act shall be disposed of as if they
 had accrued from the sale or leasing of Crown land under
 the Crown Lands Consolidation Act, 1913, or of land
 acquired under the Closer Settlement Acts, or the
 40 Murrumbidgee Irrigation Act, 1910, as the case may
 require.

Returned Soldiers Settlement.

- 10.** Land leased or sold to a discharged soldier under this Act shall not be capable of being transferred or otherwise dealt with, unless the Minister's or, in the case of a holding within an irrigation area, the Water Conservation and Irrigation Commission's consent thereto has been obtained; and except where the Minister or such commission is satisfied that the settler is compelled by sickness of himself or family, financial difficulties or incapacity or other adverse circumstances, to leave his holding, it shall not be transferable—except by way of mortgage—until the expiry of five years from the date of the commencement of the lease or purchase.
- 11.** (1) The Minister shall, as early as practicable after the end of each financial year, cause to be prepared a report showing for the previous financial year—
- (a) the aggregate areas of land set apart under this Act;
 - (b) the number of applications received for such land, and the number of blocks and the aggregate area allotted;
 - (c) the amount expended in assisting settlers under this Act; and
 - (d) such other particulars as are prescribed.
- (2) Every such report shall be laid before Parliament within thirty days after the receipt thereof by the Minister, if Parliament is then in session, and if not, then within thirty days after the commencement of the next ensuing session.

Restriction
on right of
transfer.

Annual
report.

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.

W. S. MOWLE,
Acting Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 12 April, 1916.

New South Wales.



ANNO SEXTO

GEORGIUS V REGIS.

Act No. 21, 1916.

An Act to make provision for the settlement of returned soldiers on Crown lands or lands acquired under the Closer Settlement Acts; to amend the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Murrumbidgee Irrigation Act, 1910, and the Irrigation Act, 1912; and for purposes consequent thereon or incidental thereto. [Assented to, 19th April, 1916.]

BE 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:—

1. This Act may be cited as the "Returned Soldiers Settlement Act, 1916." **2.**

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

THOS. H. THROWER,
Chairman of Committees of the Legislative Assembly.

Returned Soldiers Settlement.

Inter-
pretation of
terms.

2. In this Act the term "discharged soldier" means any person who—

- (a) has been a member of the Australian Imperial Forces, or of any other naval or military force raised in the Commonwealth of Australia by the Minister of Defence for service in the war in which His Majesty is at present engaged, or, though a resident of the Commonwealth, has joined the naval or military force of Great Britain during the said war; and
- (b) has served outside the Commonwealth in connection with the said war; and
- (c) has returned to this State, and has received his discharge from service either before or after his return to this State:

Provided that the above definition shall not include any person whose discharge from service was due to misconduct or incapacity resulting from his own default.

Unless the context necessarily requires a different meaning, expressions defined in the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts or the Irrigation Act, 1912, shall bear the same meaning in this Act.

SPECIAL SETTLEMENTS FOR OCCUPATION BY DISCHARGED SOLDIERS.

Ordinary tenures.

Areas may be
set apart for
selection by
discharged
soldiers.

3. The Minister may, by notification in the Gazette, set apart any area of Crown land or of land acquired under the Closer Settlement Acts or the Murrumbidgee Irrigation Act, 1910, to be disposed of under the Crown Lands Consolidation Act, 1913, or the Closer Settlement Acts to discharged soldiers exclusively.

Any notification under this section may by a like notification be amended or revoked.

Special tenures.

Special provi-
sion for settle-
ment of dis-
charged
soldiers.

4. (1) In addition to the powers conferred by the last preceding section the Minister may, by notification in the Gazette, set apart any area of Crown land or of land acquired under the Closer Settlement Acts or the

Returned Soldiers Settlement.

the Murrumbidgee Irrigation Act, 1910, to be disposed of by way of sale or lease to discharged soldiers in the manner hereinafter provided.

(2) Any notification under this section may by a like notification be amended or revoked.

(3) The land so set apart shall be subdivided into such blocks, and disposed of at such prices, capital values, rents, or charges for water, and subject to such conditions as the Minister or—in the case of holdings within an irrigation area—the Water Conservation and Irrigation Commission may determine.

(4) Any discharged soldier who desires to become an applicant for land set apart under this or the next preceding section must first register his name and make a declaration on a form to be prescribed with a view to obtaining the necessary qualification certificate entitling him to apply for land.

(5) The Minister may appoint a classification committee the members of which shall not exceed three in number.

This committee shall investigate the qualifications of each discharged soldier who has registered his name as aforesaid, and if satisfied that he possesses the necessary qualifications it shall issue a certificate to that effect on a form to be prescribed.

(6) On and after the date notified for such purpose a discharged soldier who has received a qualification certificate from the classification committee may apply in the prescribed form and manner for any block notified as available. The application shall be accompanied by the qualification certificate, or a copy thereof.

(7) All applications shall be dealt with by the local land board, which shall confirm or disallow an application unless it permits its withdrawal, or, in the case of holdings within an irrigation area, shall report to the Water Conservation and Irrigation Commission, which shall grant or refuse the application, and the board shall as far as practicable assist applicants in acquiring blocks suitable to their experience, capital, and physical fitness.

(8)

Returned Soldiers Settlement.

(8) The Minister may direct any local land board to deal with any matter, question, or inquiry that has arisen or shall arise without regard to the land board district or land district in which the land forming the subject of such matter, question, or inquiry may be situated. And the said local land board shall have as full power and jurisdiction to deal with the matter as if the land aforesaid were situated within such board's proper land board district or land district.

(9) Except as may be otherwise provided by this Act, or by regulation under this Act, the provisions of the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Irrigation Act, 1912, or of any other Act relating to the administration of Crown land, or land acquired under the Closer Settlement Acts, or the Murrumbidgee Irrigation Act, 1910, shall not apply to lands disposed of under this section.

Appeal.

Appeal.

5. There shall be no appeal to the Land Appeal Court from the decision of the local land board or the Water Conservation and Irrigation Commission dealing with applications under this Act: Provided that the Minister may, within twenty-eight days after the decision of the local land board or the Water Conservation and Irrigation Commission has been given, refer such decision for determination to the Land Appeal Court, and in such cases the decision of the Land Appeal Court shall be final.

Regulations.

Regulations.

6. (1) The Governor may make regulations prescribing—

- (a) the manner, form, and conditions in and under which applications for any holdings under this Act may be made;
- (b) with respect to any land, whether it shall be disposed of by way of sale or by way of lease;
- (c) in the case of land to be disposed of by way of sale, the terms and conditions of such sale, including conditions relating to the payment of the purchase money;
- (d)

Returned Soldiers Settlement.

- (d) in the case of lands to be disposed of by way of lease, the conditions of such lease, including provisions as to—
- (i) the form or forms of leases ;
 - (ii) the term or terms for which leases may be granted ;
 - (iii) the acquisition of the fee-simple by lessees ;
 - (iv) improvements to be effected by lessees ;
 - (v) residence of lessees on the land ;
 - (vi) the method of computing the rent and charges for water to be paid by lessees and the due dates for payment of such rent and charges for water ; and
 - (vii) the transfer, surrender, and forfeiture of the leases ;
- (e) the application of any of the provisions of the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Irrigation Act, 1912, or of any other Act relating to the administration of Crown land or land acquired under the Closer Settlement Acts or the Murrumbidgee Irrigation Act, 1910, to lands disposed of under section four hereof ;
- (f) such other matters as in the opinion of the Governor may be necessary or expedient for the purpose of giving full effect to the provisions of this Act.
- (2) Such regulations shall—
- (i) be published in the Gazette ;
 - (ii) take effect from the date of publication, or from a later date to be specified in such regulations ; and
 - (iii) be laid before both Houses of Parliament within fourteen days after publication if Parliament is in session, and, if not, then within fourteen days after the commencement of the next session. If either House of Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall therefrom cease to have effect.

Financial

Returned Soldiers Settlement.

Financial and other assistance to settlers under this Act.

Minister may assist settlers with respect to erection of buildings, purchase of stock, &c.

7. (1) In considering applications under this Act the local land board shall take into consideration, either with or without special application, the advisability of assisting applicants with respect to any of the following matters:—

- (a) The clearing, fencing, draining, water supply, and general improvement of land disposed of under this Act;
- (b) the erection of buildings on any such land; and
- (c) the purchase of implements, stock, seeds, plants, trees, and such other things as may be deemed necessary to satisfactorily occupy and develop the land.

(2) If in the opinion of the local land board it is advisable that assistance should be given to the applicant with respect to any or all of the foregoing matters, it shall make a recommendation to that effect to the Minister, or in the case of holdings within an irrigation area to the Water Conservation and Irrigation Commission, and shall set out in its recommendation the nature and extent of the assistance recommended and the grounds of the recommendation. On receipt of any such recommendation the Minister or the Water Conservation and Irrigation Commission, as the case may be, may take such action thereon as he or it thinks fit in accordance with the regulations under this Act.

(3) All moneys advanced or expended by the Minister, or the Water Conservation and Irrigation Commission, as the case may be, under the authority of this section in respect of any land shall bear interest at such rate as may be determined by the Minister or the Water Conservation and Irrigation Commission, and shall be secured by way of a first mortgage over the said land and any improvements thereon or over the settlers' interest in the said land and improvements:

Provided

Returned Soldiers Settlement.

Provided that the Minister or the Water Conservation and Irrigation Commission may, in any case of hardship dispense, either wholly or in part, with the payment of interest under this section.

8. The Minister or, in the case of a holding within an irrigation area, the Water Conservation and Irrigation Commission may remit, wholly or in part, and for such period or periods as he or it thinks fit, any rent or charges for water payable by a discharged soldier under a lease issued pursuant to this Act or may postpone the payment of any such rent or charges for water, and may likewise postpone the payment of any instalment of the purchase money. Any sums which shall become due for instalments or rents or charges for water, and remain unpaid for a period of six months after the due date shall, from such date, be liable to interest at a rate not exceeding five per centum per annum: Provided that where the Minister or the Water Conservation and Irrigation Commission is satisfied that the circumstances warrant it he or it may remit such interest wholly or in part; and may extend the time for payment of all or any part of the sums due. Remission of rent.

9. (1) All moneys required for advances or expenditure under this Act shall be paid out of the moneys provided by Parliament for such purposes. Expenses of administration.

(2) The Minister or the Water Conservation and Irrigation Commission may expend moneys in effecting improvements on or otherwise preparing blocks of land prior to their being set apart for application by discharged soldiers, and the moneys so expended shall bear interest at the rate and be secured in the manner provided by subsection three of section seven of this Act, unless it be otherwise provided in the notification setting apart the land.

(3) All moneys accruing from the sale or leasing of lands under this Act shall be disposed of as if they had accrued from the sale or leasing of Crown land under the Crown Lands Consolidation Act, 1913, or of land acquired under the Closer Settlement Acts, or the Murrumbidgee Irrigation Act, 1910, as the case may require.

Returned Soldiers Settlement.

Restriction
on right of
transfer.

10. Land leased or sold to a discharged soldier under this Act shall not be capable of being transferred or otherwise dealt with, unless the Minister's or, in the case of a holding within an irrigation area, the Water Conservation and Irrigation Commission's consent thereto has been obtained; and except where the Minister or such commission is satisfied that the settler is compelled by sickness of himself or family, financial difficulties or incapacity or other adverse circumstances, to leave his holding, it shall not be transferable—except by way of mortgage—until the expiry of five years from the date of the commencement of the lease or purchase.

Annual
report.

11. (1) The Minister shall, as early as practicable after the end of each financial year, cause to be prepared a report showing for the previous financial year—

- (a) the aggregate areas of land set apart under this Act;
- (b) the number of applications received for such land, and the number of blocks and the aggregate area allotted;
- (c) the amount expended in assisting settlers under this Act; and
- (d) such other particulars as are prescribed.

(2) Every such report shall be laid before Parliament within thirty days after the receipt thereof by the Minister, if Parliament is then in session, and if not, then within thirty days after the commencement of the next ensuing session.

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

Government House,
Sydney, 19th April, 1916.

G. STRICKLAND,
Governor.

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.

W. S. MOWLE,
Acting Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 29 March, 1916.*

New South Wales.



ANNO SEXTO

GEORGI V REGIS.

Act No. , 1916.

An Act to make provision for the settlement of returned soldiers on Crown lands or lands acquired under the Closer Settlement Acts; to amend the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Murrumbidgee Irrigation Act, 1910, and the Irrigation Act, 1912; and for purposes consequent thereon or incidental thereto.

BE 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:—

1. This Act may be cited as the "Returned Soldiers Short title. Settlement Act, 1916."

Returned Soldiers Settlement.

2. In this Act the term "discharged soldier" means any person who— Inter-pretation of terms.

- 5 (a) has been a member of the Australian Imperial Forces, or of any other naval or military force raised in the Commonwealth of Australia by the Minister of Defence for service in the war in which His Majesty is at present engaged, or, though a resident of the Commonwealth, has joined the naval or military force of Great Britain during the said war; and
- 10 (b) has served outside the Commonwealth in connection with the said war; and
- 15 (c) has returned to this State, and has received his discharge from service either before or after his return to this State:

Provided that the above definition shall not include any person whose discharge from service was due to misconduct or incapacity resulting from his own default.

20 Unless the context necessarily requires a different meaning, expressions defined in the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts or the Irrigation Act, 1912, shall bear the same meaning in this Act.

25 SPECIAL SETTLEMENTS FOR OCCUPATION BY DISCHARGED SOLDIERS.

Ordinary tenures.

3. The Minister may, by notification in the Gazette, set apart any area of Crown land or of land acquired Areas may be set apart for selection by discharged soldiers.

30 under the Closer Settlement Acts or the Murrumbidgee Irrigation Act, 1910, to be disposed of under the Crown Lands Consolidation Act, 1913, or the Closer Settlement Acts to discharged soldiers exclusively.

Any notification under this section may by a like

35 notification be amended or revoked.

Special tenures.

4. (1) In addition to the powers conferred by the last preceding section the Minister may, by notification in the Gazette, set apart any area of Crown land or

40 of land acquired under the Closer Settlement Acts or Special provision for settlement of discharged soldiers.

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the Murrumbidgee Irrigation Act, 1910, to be disposed of by way of sale or lease to discharged soldiers in the manner hereinafter provided.

(2) Any notification under this section may by
5 a like notification be amended or revoked.

(3) The land so set apart shall be subdivided into such blocks, and disposed of at such prices, capital values, or rents, and subject to such conditions as the Minister may determine.

10 (4) On and after the date notified for such purpose a discharged soldier may apply in the prescribed form and manner for any block notified as available.

(5) All applications shall be dealt with by the local land board, which shall confirm or disallow an appli-
15 cation unless it permits its withdrawal, and the board shall as far as practicable assist applicants in acquiring blocks suitable to their experience, capital, and physical fitness.

(6) The Minister may direct any local land
20 board to deal with any matter, question, or inquiry that has arisen or shall arise without regard to the land board district or land district in which the land forming the subject of such matter, question, or inquiry may be situated. And the said local land
25 board shall have as full power and jurisdiction to deal with the matter as if the land aforesaid were situated within such board's proper land board district or land district.

(7) Except as may be otherwise provided by this
30 Act, or by regulation under this Act, the provisions of the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Irrigation Act, 1912, or of any other Act relating to the administration of Crown land, or land acquired under the Closer Settlement Acts, or
35 the Murrumbidgee Irrigation Act, 1910, shall not apply to lands disposed of under this section.

Appeal.

5. There shall be no appeal to the Land Appeal
Court from the decision of the local land board dealing
40 with applications under this Act: Provided that the
Minister

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Minister may, within twenty-eight days after the decision of the local land board has been given, refer such decision for determination to the Land Appeal Court, and in such cases the decision of the Land Appeal Court shall be final.

Regulations.

6. (1) The Governor may make regulations prescribing—

- 10 (a) the manner, form, and conditions in and under which applications for any holdings under this Act may be made ;
- (b) with respect to any land, whether it shall be disposed of by way of sale or by way of lease ;
- 15 (c) in the case of land to be disposed of by way of sale, the terms and conditions of such sale, including conditions relating to the payment of the purchase money ;
- (d) in the case of lands to be disposed of by way of lease, the conditions of such lease, including provisions as to—
- 20 (i) the form or forms of leases ;
- (ii) the term or terms for which leases may be granted ;
- 25 (iii) the acquisition of the fee-simple by lessees ;
- (iv) improvements to be effected by lessees ;
- (v) residence of lessees on the land ;
- (vi) the method of computing the rent to be paid by lessees and the due dates for payment of such rent ; and
- 30 (vii) the transfer, surrender, and forfeiture of the leases ;
- (e) the application of any of the provisions of the Crown Lands Consolidation Act, 1913, the Closer Settlement Acts, the Irrigation Act, 1912, or of any other Act relating to the administration of Crown or land acquired under the Closer Settlement Acts or the Murrumbidgee Irrigation Act, 1910, to lands disposed of under section four hereof ; (f)
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- (f) such other matters as in the opinion of the Governor may be necessary or expedient for the purpose of giving full effect to the provisions of this Act.
- 5 (2) Such regulations shall—
- (i) be published in the Gazette ;
- (ii) take effect from the date of publication, or from a later date to be specified in such regulations ; and
- 10 (iii) be laid before both Houses of Parliament within fourteen days after publication if Parliament is in session, and, if not, then within fourteen days after the commencement of the next session. If either House
- 15 of Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall therefrom cease to have
- 20 effect.

Financial and other assistance to settlers under this Act.

7. (1) In considering applications under this Act the local land board shall take into consideration, either with or without special application, the advisability of
- 25 assisting applicants with respect to any of the following matters :—
- (a) The clearing, fencing, draining, water supply, and general improvement of land disposed of under this Act ;
- 30 (b) the erection of buildings on any such land ; and
- (c) the purchase of implements, stock, seeds, plants, trees, and such other things as may be deemed necessary to satisfactorily occupy and
- 35 develop the land.
- (2) If in the opinion of the local land board it is advisable that assistance should be given to the applicant with respect to any or all of the foregoing matters, it shall make a recommendation to that effect to the
- Minister

Minister may assist settlers with respect to erection of buildings, purchase of stock, &c.

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Minister, or in the case of holdings within an irrigation area, to the Commissioner for Water Conservation and Irrigation, and shall set out in its recommendation the nature and extent of the assistance recommended and the
5 grounds of the recommendation. On receipt of any such recommendation the Minister or the commissioner, as the case may be, may take such action thereon as he thinks fit in accordance with the regulations under this Act.

10 (3) All moneys advanced or expended by the Minister, or the commissioner, as the case may be, under the authority of this section in respect of any land shall bear interest at such rate as may be determined by the Minister or the commissioner, and
15 shall be secured by way of a first mortgage over the said land and any improvements thereon or over the settlers' interest in the said land and improvements :

Provided that the Minister or the commissioner may, in any case of hardship dispense, either wholly or in
20 part, with the payment of interest under this section.

8. The Minister may remit, wholly or in part, and for
such period or periods as he thinks fit, any rent payable ^{Remission of rent.} by a discharged soldier under a lease issued pursuant to this Act or may postpone the payment of any such rent,
25 and may likewise postpone the payment of any instalment of the purchase money. Any sums which shall become due for instalments or rents and remain unpaid for a period of six months after the due date shall, from
30 such date, be liable to interest at a rate not exceeding five per centum per annum : Provided that where the Minister is satisfied that the circumstances warrant it he may remit such interest wholly or in part ; and may extend the time for payment of all or any part of the sums due.

35 9. (1) All moneys required for advances or expen- ^{Expenses of administration.} diture under this Act shall be paid out of the moneys provided by Parliament for such purposes.

(2) The Minister may expend moneys in effecting
improvements on or otherwise preparing blocks of land
40 prior to their being set apart for application by discharged soldiers, and the moneys so expended shall bear
interest

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interest at the rate and be secured in the manner provided by subsection three of section seven of this Act, unless it be otherwise provided in the notification setting apart the land.

- 5 (3) All moneys accruing from the sale or leasing of lands under this Act shall be disposed of as if they had accrued from the sale or leasing of Crown land under the Crown Land Consolidation Act, 1913, or of land
10 acquired under the Closer Settlement Acts, or the Murrumbidgee Irrigation Act, 1910, as the case may require.

10. Land leased or sold to a discharged soldier under this Act shall not be capable of being transferred or otherwise dealt with, unless the Minister's consent
15 thereto has been obtained; and except where the Minister is satisfied that the settler is compelled by sickness of himself or family, financial difficulties or incapacity or other adverse circumstances, to leave his holding, it shall not be transferable—except by way of mortgage—
20 until the expiry of five years from the date of the commencement of the lease or purchase.

11. (1) The Minister shall, as early as practicable after the end of each financial year, cause to be prepared
a report showing for the previous financial year—

- 25 (a) the aggregate areas of land set apart under this Act;
(b) the number of applications received for such land, and the number of blocks and the aggregate area allotted;
30 (c) the amount expended in assisting settlers under this Act; and
(d) such other particulars as are prescribed.

- (2) Every such report shall be laid before Parliament within thirty days after the receipt thereof
35 by the Minister, if Parliament is then in session, and if not, then within thirty days after the commencement of the next ensuing session.

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