

**WAR SERVICE LAND SETTLEMENT
(NOTIFICATION OF TRANSACTIONS).**

13° Geo. VI., No. CXXIX.

No. 43 of 1949.

AN ACT to provide for the Notification of Transactions affecting Rural Land likely to be required for settlement by former members of the Defence Forces.

[Assented to 26th October, 1949.]

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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *War Service Land Settlement (Notification of Transactions) Act, 1949.*

Interpreta-
tion.
Of. No. 30 of
1918, s. 4.

2. In this Act, unless the context requires otherwise—

“estate” used with reference to land, includes any estate or interest, easement, right, title, claim, demand, charge, lien, or encumbrance in, over, to, or in respect of, the land;

“land” includes messuages, tenements and hereditaments and houses and buildings, unless there are words to exclude houses and buildings;

“rural land” means—

(a) land of an area of not less than one hundred and fifty acres, being used or intended to be used, or capable of being used for horticultural, viticultural, dairy farming or poultry farming, or other like purposes, and being situate in that part of the State comprised in the road districts constituted under

the provisions of the Road Districts Act, 1919-1948, and referred to in the Schedule to this Act;

- (b) land of an area of not less than fifteen hundred acres being used or intended to be used, or capable of being used for agricultural, pastoral, or other like purposes, and being situate in that part of the State comprised in the South-West Division as defined by section twenty-eight of the Land Act, 1933-1948, but excluding the land comprised in the road districts referred to in the Schedule to this Act, as well as the land comprised in the "metropolitan area," as prescribed by the regulations made under the Traffic Act, 1919-1948.

3. Except as provided in this Act, a person shall not—

Notification
of
transactions.

- (a) without first notifying the Minister in manner prescribed; or
- (b) within forty-two days of so notifying the Minister, or such lesser period as the Minister may certify;
- (i) sell or purchase any estate in rural land;
- (ii) give or take an option for the purchase of any estate in rural land;
- (iii) let or take any lease of rural land;
- (iv) execute a transfer or assignment of any lease of rural land;
- (v) otherwise dispose of, or acquire, any estate in rural land.

4. The Governor may, by regulations, exempt from the whole or any of the provisions of this Act, and either unconditionally or subject to such conditions as are specified in the regulations—

Exemptions
and consents.

- (a) persons of any particular class specified in the regulations;
- (b) lands of any particular class specified in the regulations;

- (c) lands situated in any particular part of the State specified in the regulations; or
- (d) transactions of any particular class specified in the regulations.

Validation of transactions.

5. (1) Where any transaction is entered into in contravention of this Act, or where any condition to which the transaction is subject is not complied with, the transaction shall not thereby be invalidated, and the rights, powers, and remedies of any person thereunder shall be the same as if this Act had not been enacted.

(2) Nothing in this section shall affect the liability of any person to any penalty in respect of any contravention of this Act.

Registrar of Titles or Minister for Lands may require evidence that transactions are not in contravention of Act.

6. The Registrar of Titles, or Minister for Lands, or other proper officer may, upon submission to him for registration of any instrument relating to a transaction in connection with any land, require such evidence as he deems necessary that the transaction to which the instrument relates is not in contravention of any provisions of this Act, and may refuse to register the instrument until that evidence is submitted to him.

Offences and penalties.

7. (1) Any person who contravenes or fails to comply with any provision of this Act, or the regulations, or any requirement under this Act or the regulations commits an offence against this Act.

(2) Any person convicted of an offence against this Act is liable—

- (a) if a body corporate, to a penalty not exceeding two hundred pounds;
- (b) if any other person, to a penalty not exceeding one hundred pounds, or to imprisonment for a term not exceeding six months, or to both such penalty and imprisonment.

Regulations.

8. The Governor may make regulations prescribing all matters and things which by the provisions of this Act are required or permitted to be prescribed, or are

convenient for carrying into operation, or for facilitating the operation of the provisions and purposes of this Act.

9. This Act shall continue in operation until the thirty-first day of December, one thousand nine hundred and fifty, and no longer. Duration

SCHEDULE.

S. 2.

ROAD DISTRICTS.

Albany.	Greenbushes.
Armadale-Kelmscott.	Harvey.
Augusta-Margaret River.	Manjimup.
Balingup.	Mundaring.
Bridgetown.	Murray.
Bunbury.	Nannup.
Capel.	Preston.
Dardanup.	Rockingham.
Darling Range.	Serpentine-Jarrahdale.
Denmark.	Sussex.
Drakesbrook.	Swan.
Fremantle.	Wanneroo.
Gosnells.	
