

1945.] *War Service Land Settlement Agreement* [No. 43.
(Land Act Application).

WAR SERVICE LAND SETTLEMENT AGREEMENT (LAND ACT APPLICATION).

9° and 10° GEO. VI., No. XLIII.

No. 43 of 1945.

AN ACT to provide for the application and modification of the provisions of the Land Act, 1933-1939, for the implementation of the agreement between the Commonwealth and the State in relation to War Service Land Settlement.

[*Assented to 30th January, 1946.*]

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:—

1. This Act may be cited as the *War Service Land Settlement Agreement (Land Act Application) Act, 1945.* Short title.

2. This Act shall be read in conjunction with the following Acts, that is to say—

- (a) The War Service Land Settlement Agreement Act, 1945; and
- (b) The Land Act, 1933-1939.

This Act to be
read in con-
junction with
certain other
Acts.

3. In this Act unless the context otherwise requires— Interpreta-
tion.

“The Agreement” means the agreement between the Commonwealth and the State in relation to War Service land settlement the execution of which by or on behalf of the State is authorised by the War Service Land Settlement Agreement Act, 1945, of this State;

“The Land Act” means the Land Act, 1933-1939 (No. 37 of 1933 as amended by the Acts No. 47 of 1934, No. 4 of 1936, No. 39 of 1937, No. 20 of 1938, and No. 36 of 1939).

No. 43.] *War Service Land Settlement Agreement* [1945.
(Land Act Application).

Application of
Land Act for
implementation of the
Agreement.

4. For the purposes of enabling the State duly to carry out its obligations under the agreement:—

- (a) All the provisions of the Land Act shall, so far as they are applicable and so far as they can with necessary adaptations and modifications be made applicable, apply in respect of the granting of leases in pursuance of the scheme as contained in the agreement.
- (b) Notwithstanding anything to the contrary contained in the Land Act, it shall be lawful for the Governor to grant leases of land for the term of nine hundred and ninety-nine years upon such terms and conditions as the Governor may approve in order to give effect to the scheme as contained in the agreement as aforesaid as if the granting of such leases for the said term and the imposition of the said conditions were expressly authorised by the Land Act.

Provided that the conditions imposed by the Governor under the authority of this paragraph shall not be in any way inconsistent with or repugnant to any of the provisions of the agreement.

- (c) Where any act, matter or thing required by any provision of the agreement to be done by or on behalf of the State in relation to the granting of leases in pursuance of the scheme as contained in the agreement cannot conveniently be done under the provisions of the Land Act, the Governor may under the Land Act make regulations for authorising the doing of such act, matter and thing, and such regulations shall be valid and have effect notwithstanding that they are inconsistent with or repugnant to a provision of the Land Act.

Provided that no regulation shall be made under the authority of this paragraph so as to be inconsistent with or repugnant to any provision of the agreement.