

CLOSER SETTLEMENT.

9° and 10° GEO. VI., No. XII.

No. 12 of 1945.

AN ACT to amend the Closer Settlement Act, 1927.

[Assented to 9th 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 *Closer Settlement Act Amendment Act, 1945*, and shall be read as one with the Closer Settlement Act, 1927 (No. 21 of 1927), hereinafter referred to as the principal Act. Short title.

2. The principal Act is amended by inserting two new sections as follows:— New sections.

6A. Notwithstanding any other provisions of this Act the Minister may from time to time— Minister may appoint Committee to inspect and report on land.

- (a) appoint a committee consisting of three members, one of whom shall be an officer of the Department of Lands and Surveys or of the Department of Agriculture who has a sound knowledge of land values in Western Aus-

tralia, one shall be the Director of Land Settlement and the third shall be a person selected by the Minister for his local knowledge and experience of agricultural or pastoral matters or any particular branch thereof in that part of the State in which the land the subject of inquiry at the time is situated.

- (b) direct such committee to enter and inspect and report on any land (whether unutilised or otherwise) which in the opinion of the Minister may be suitable for the purposes of closer settlement; and
- (c) subject to subsection (3) of section six B of this Act recommend to the Governor in Council that any such land should be acquired for such purposes.

Authority to
committee to
enter and
inspect land.

6B. (1) The committee appointed under section six A of this Act may, subject to the directions of the Minister, enter upon and inspect any land, and make of the owner or occupier thereof any inquiries and request any information which it may deem necessary for its report to the Minister and to enable the Minister to form an opinion as to the suitability of the land for closer settlement and such owner or occupier shall render to the committee all reasonable assistance in the carrying out of its inspection and the making of its investigations.

(2) If any such owner or occupier without reasonable cause fails or neglects to comply with his obligations under subsection (1) hereof or in any manner obstructs, hinders, prevents or interferes with the committee in the exercise of its powers under subsection (1) hereof he shall be guilty of an offence.

Penalty—Twenty pounds.

(3) (a) Before making a report to the Minister, the Committee shall serve a copy thereof on the owner and the occupier of the land in respect of which the report is made, and such owner or such occupier may within thirty days after such service appeal in the prescribed manner to a Judge of the Supreme Court against such report.

(b) The Judge who hears the appeal may take evidence and if thereafter he is of the opinion that the land is not unutilised within the meaning of this Act and that the taking of the land under this Act for closer settlement would not result in any substantial increase in production together with a reasonable increase in the number of persons normally resident on the land, he shall make an order annulling the report appealed against, and such order shall be final and not subject to any further appeal.

(c) Subject to paragraph (b) of this subsection the Judge hearing the appeal may make an order confirming the report or amending the same in any particular as he may think fit.

3. Section seven of the principal Act is amended by inserting after the word "sale" in line six the following "or if the Minister recommends that any land should be acquired for the purpose of closer settlement."

Amendment of
s. 7 of
principal Act.

4. Section eleven of the principal Act is amended by inserting after the word "board" in line four the words "or the Minister," and by inserting after the word "board" in line eight the words "or the Minister."

Amendment
of s. 11 of
principal Act.

5. The principal Act as amended by this Act may be cited as the Closer Settlement Act, 1927-1945.

Citation of
Principal Act
as amended.