

LAND ALIENATION RESTRICTION.

8° and 9° GEO. VI., No. XVII.

No. 17 of 1944.

AN ACT to impose restrictions on the alienation or transfer of certain lands.

[Assented to 18th December, 1944.]

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 *Land Alienation Restriction Act, 1944.* Short title.

2. In this Act, subject to the context—

Interpretation.

“Crown Lands” means and includes all lands of the Crown vested in His Majesty, except land which is for the time being reserved for or dedicated to any public purpose, or land granted or lawfully contracted to be granted in fee simple or with the right of purchase under any Act or leased under any Act;

“Dependant of a member” means a person who is wholly or partly dependent for his support upon the pay of, or upon a pension payable in consequence of the incapacity or death of, a person who is or has been a member of the Forces;

“Land” includes any estate or interest in land;

“Member of the Forces” means a person who is, or has been, a member of the naval, military or air

forces of His Majesty the King during any period in which His Majesty is or has been engaged in war;

“Minister” means the Minister for Lands.

Certain lands not to be sold or leased without consent of Minister.

3. (1) No Crown Lands (other than town or suburban lands) shall be sold to any person other than a member of the Forces or a dependant of a member without the consent in writing of the Minister, or of an officer duly authorised by the Minister to give such consent.

(2) The Commissioners of the Agricultural Bank shall not, in exercise of any right, power or remedy as mortgages of land, sell any land (other than town or suburban land) to any person other than a member of the Forces or a dependant of a member without the consent in writing of the Minister or of an officer duly authorised by the Minister to give such consent.

Consent of Minister not to be granted except in certain circumstances.

4. Whenever the consent of the Minister or of the officer authorised by the Minister as aforesaid is required by this Act to the sale of land such consent shall not be granted unless the Minister is of opinion that such land would be unsuitable for the settlement of a member of the Forces or a dependant of a member.

Provided that when application is made to the Minister for his consent to the sale of land to any person other than a member of the Forces or a dependant of a member the Minister or the officer authorised by the Minister as aforesaid may consent to such transaction if he is of opinion that the land the subject of the application is required by such person to enlarge a present holding which is inadequate for the efficient carrying on of farming operations or if the Minister is of opinion that because of exceptional circumstances such consent should be granted.

Provided further, that the consent of the Minister or of the officer authorised by the Minister as aforesaid shall not be granted if he is of opinion that the land the subject of the application for consent is to be used for speculative purposes.

Duration of Act.

5. This Act shall continue in force until the end of the year one thousand nine hundred and forty-six, and no longer.