

LAND.

22° GEO. V., No. LI.

No. 51 of 1931.

AN ACT to provide for the adjustment of and otherwise relating to Rental of Pastoral Leases granted under the Land Act, 1898, and its amendments ; and also to authorise an enlargement of the area of certain free Homestead Farms granted under the said Act and its amendments.

[Assented to 9th December, 1931.]

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 *Land Act Amendment Act, 1931*, and shall be read as one with the Land Act, 1898 (hereinafter referred to as the principal Act) and its amendments.

Adjustment and appraisalment of rentals of pastoral leases.

2. (1.) Notwithstanding anything to the contrary contained in the principal Act or in any Act amending the same, or in any regulations made under the principal Act or under any Act amending the same, but subject to this Act, pastoral leases granted under the principal Act and its amendments shall be subject to the following provisions:—

(a) As from and including the first day of January, one thousand nine hundred and thirty-two, and until and including the thirty-first day of March, one thousand nine hundred and thirty-three, the rental payable at the commencement of this Act for and in respect of pastoral leases devoted primarily to

raising of large stock shall be reduced by forty per cent. in the case of leases situated in the Kimberley Division east of 127deg. longitude, and by twenty per cent. in the case of leases situated in the said Kimberley Division west of 127deg. longitude.

- (b) As from the first day of January, one thousand nine hundred and thirty-two, the rental payable at the commencement of this Act for and in respect of pastoral leases situated in the Kimberley Division and devoted primarily to raising of sheep, and also for and in respect of pastoral leases situated in the North-West, South-West, Eastern, and Eucla Divisions, shall be adjusted annually on the first day of July in each year on the basis of the average price of greasy wool produced in Western Australia for the season ending on the next preceding thirtieth day of June as declared by the Government Statistician, so that, as and whenever the said average price for any such season is less than one shilling per pound avoirdupois, the rental payable for the year following such season shall be the rental payable at the commencement of this Act reduced by amounts computed at the rate of six per cent. thereof for each one penny and a proportionate part of such rate for any fraction of one penny by which the average price of greasy wool aforesaid is less than one shilling per pound avoirdupois, and so that, as and whenever the said average price of greasy wool aforesaid for any such season exceeds one shilling per pound avoirdupois, the rental payable for the year following such season shall be the rental payable at the commencement of this Act increased by amounts computed at the rate of six per cent. thereof for each one penny and a proportionate part of such rate for any fraction of one penny by which the said average price exceeds one shilling per pound avoirdupois:

Provided that—

- (i) in no case shall the aggregate of reductions or increases of rental in any year made under this paragraph exceed an amount equal to thirty per cent. of the rental payable at the commencement of this Act;

- (ii) for the purposes of adjusting the rental under this paragraph for the portion of the current year between the first day of January, one thousand nine hundred and thirty-two and the thirtieth day of June, one thousand nine hundred and thirty-two, such adjustment shall be made on the basis of the average price of greasy wool produced in Western Australia as declared by the Government Statistician for the season ending the thirtieth day of June, one thousand nine hundred and thirty-one;
 - (iii) this paragraph shall operate only until the rental payable at the commencement of this Act is re-appraised as hereinafter mentioned.
- (c) The rentals payable at the commencement of this Act for and in respect of all pastoral leases situated in the Kimberley Division shall be re-appraised as on the first day of April, one thousand nine hundred and thirty-three, in accordance with the Act relating to such re-appraisal then in force but as modified by this paragraph.
- (d) The rentals payable at the commencement of this Act for and in respect of all pastoral leases situated in the North-West, South-West, Eastern, and Eucla Divisions shall be re-appraised forthwith on the expiration of the period of ten years from and including the first day of January, one thousand nine hundred and thirty-two, and not before, in accordance with the Act relating to such re-appraisal then in force but as modified by this paragraph, and the rental as then fixed shall continue until the expiration of the term of the lease in each and every case.

(2.) In the case of pastoral leases granted after the commencement of this Act, the rental to be reserved by any such lease shall be ascertained in accordance with the provisions relating thereto of the principal Act and its amendments without reference to this Act, but when such rental has been so ascertained it shall thereafter be subject to the provisions of subsection one of this section in the same manner as if the said lease had been granted before the commencement of this Act.

3. Notwithstanding anything to the contrary contained in Part VIII. of the principal Act, or in any Act amending the same, where lands have prior to the commencement of this Act been disposed of or shall hereafter be disposed of as free homestead farms under the authority of section five of the Land Act Amendment Act, 1922 (No. 34 of 1922), the Governor may, on the recommendation of the Minister in every case, in respect of free homestead farms granted prior to the commencement of this Act, increase the area thereof by including therein such further area of land as the Minister may approve, and in respect of applications made after the commencement of this Act grant free homestead farms having an area of such amount in excess of one hundred and sixty acres as the Minister may approve.

Area of certain
free homestead
farms may be
increased.