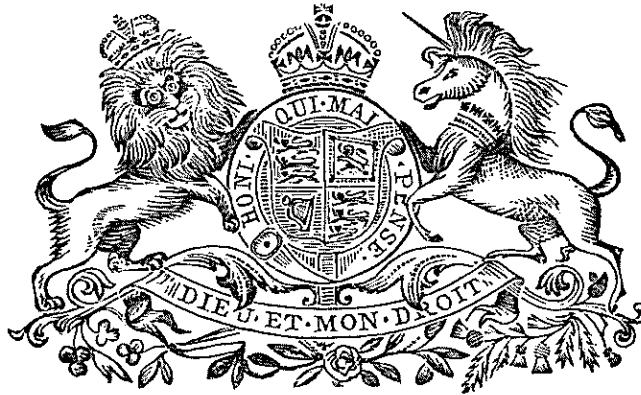


WESTERN AUSTRALIA.



ANNO SEXTO

GEORGII QUINTI REGIS,  
XXVII.

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No. 60 of 1915.

AN ACT to further amend the Land Act,  
1898.

[Assented to, 8th December, 1915.]

**B**E 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 Act Amendment Act, 1915*, and shall be read as one with the Land Act, 1898, hereinafter referred to as the principal Act. Short title.

2. Notwithstanding anything contained in the principal Act to the contrary— Power to reduce the price of conditional purchase land.

(a) If in the case of land open for selection under Parts V. or VI. of the principal Act, or held under conditional purchase lease granted under either of such Parts for a term commencing on or after the first day of January, One thousand nine hundred and ten, it is proved to the satisfaction of the Governor that, having regard to the quality and productiveness of the land, its distance from a railway and market or port, or other circumstances, the price of such land, prescribed by or under the principal Act, or reserved by the conditional purchase lease, is excessive, the Governor may, in his discretion, reduce the price of such land to not less than three shillings and ninepence per acre, exclusive of the value of improvements (if any) and survey fees; and

(b) In the case of land open for selection as aforesaid, or held under conditional purchase lease granted on or after the first day of January, One thousand nine hundred and five, it is proved to the satisfaction of the Governor that the land is infested with indigenous poison plants, the Governor may reduce the price to not less than two shillings and sixpence per acre, exclusive of the value of improvements (if any) and survey fees:

Provided that on such reduction being made the lessee shall not receive a refund of rent already paid, but the excess shall be placed to the lessee's credit, without, however, affecting his liability to continue the payment of annual rent at the reduced rate per acre, until the purchase price, adjusted as aforesaid, and reduced by the amount so placed to his credit, is fully paid.

Provided, also, that this section shall not apply to any lessee whose rent to the thirty-first day of December, One thousand nine hundred and fifteen, is in arrear, unless and until such rent is paid.

Annual rent under conditional purchase leases not to exceed sixpence per acre.

**3.** The annual rent hereafter payable under any conditional purchase lease granted before or after the commencement of this Act shall not, except as hereinafter provided, exceed sixpence per acre per annum; but, if the price of the land exceeds ten shillings per acre, the Minister may, so far as necessary to reduce the annual rent to sixpence per acre, extend the term of the lease to not exceeding thirty years from the commencement thereof, and such rent shall be payable by the lessee accordingly, under and subject to the provisions of the principal Act and the conditional purchase lease during the term thereof as extended: Provided that if the price of the land would not, at the rate of sixpence per acre per annum, be fully paid within thirty years from the commencement of the lease, the amount payable as annual rent shall be proportionately increased, to the intent that the payment of the price of the land shall be made in full within thirty years from the commencement of the lease: Provided, also, that this section shall not apply to any lessee whose rent to the thirty-first day of December, One thousand nine hundred and fifteen, is in arrear, unless and until such rent is paid.

Exemption from payment of rent.

**4.** In respect of any land held under Conditional Purchase lease coming within the meaning of this Act and which is more than twelve and a-half miles from an existing railway, the Minister may defer the payment of rent for any period up to five years, and may extend the term of the lease, subject to the last preceding section.

Power to average the price of cultivable and grazing land comprised in the same lease.

**5.** (1.) Land classified as cultivable land and grazing land may be comprised in the same conditional purchase lease, and leases granted under Part V. and Part VI. of the principal Act before the commencement of this Act may be amalgamated.

(2.) If more than half of the area comprised in a lease is cultivable land, the lease shall be granted under Part V. of the

principal Act, and if half or more than half of the said land is grazing land, the lease shall be granted under Part VI. of the principal Act.

(3.) The price of the land as a whole shall be the average of the price of the cultivable or grazing land comprised in the lease.

(4.) For the purpose of computing the maximum area which may be lawfully held under Part V. and Part VI. of the principal Act, as one holding under and subject to the principal Act as modified by this section, five acres of grazing land shall be deemed the equivalent of two acres of cultivable land.

(5.) If for the purpose of amalgamation leases are surrendered and a new lease is issued, any mortgages of, or other encumbrances upon, the surrendered leases, shall not be affected by the amalgamation, but shall attach to the new lease, and shall be endorsed thereon as encumbrances.

(6.) The Minister may exempt from the payment of registration fees any surrender of leases for the purpose of amalgamation under this section.

6. The proviso to section fifty-three of the principal Act is hereby repealed. Amendment of section 53.

7. Section one hundred and thirty-seven of the principal Act is hereby repealed. Repeal of section 137.

8. Notwithstanding anything contained in section one hundred and forty-seven of the principal Act to the contrary, where there are existing improvements on land applied for, and such improvements were made by a former lessee or licensee whose holding may have been surrendered or forfeited, and the Governor may, in the exercise of the discretion vested in him, have directed that the value of such improvements shall be wholly or partially paid to the former lessee or licensee, the applicant may be required to pay the value of such improvements to be determined by the Minister at such time and in such manner as the Minister may direct. Selector may be required to accelerate payment for existing improvements made by a prior selector.

9. Section fourteen of the Land Act Amendment Act, 1909, is hereby amended by the addition thereto of a paragraph as follows:— Amendment of Sec. 14 of Act of 1909.

All moneys standing for the time being to the credit of the lands improvement loan fund may be invested from time to time in such securities and in such manner as the Colonial Treasurer may determine, and the Colonial Treasurer may, subject to appropriations by Parliament, apply such moneys or the proceeds of the investments thereof, to the improvement, survey, and preparation for sale, of Crown land, or to any purpose authorised by the schedule of any Loan Act in force for the time being.

Fractions of an acre  
to be disregarded in  
fixing the area of  
holdings.

**10.** In fixing the maximum area of any holding under section fifty-five, fifty-six, fifty-seven, sixty-eight, or seventy-four of the principal Act, any fraction of an acre may be disregarded.