

## LAND.

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No. 29 of 1969.

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### AN ACT to amend Part VI of the Land Act, 1933-1968.

[Assented to 16th May, 1969.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Land Act Amendment Act, 1969.* Short title and citation.

(2) In this Act the Land Act, 1933-1968 is referred to as the principal Act. Reprinted as approved for reprint 14th February, 1968, and amended by Act No. 67 of 1968.

(3) The principal Act as amended by this Act may be cited as the Land Act, 1933-1969.

Commence-  
ment.

2. This Act shall come into operation on a date to be fixed by proclamation.

S. 91  
amended.

3. Section ninety-one of the principal Act is amended—

(a) by adding after the word, “shall” in line one of subsection (2), the passage, “, subject to subsection (3) of this section,”; and

(b) by adding after subsection (2) the following subsection—

(3) An application for a lease made by a body corporate shall not be approved except on the recommendation of the Minister, and any lease issued on the approval of such an application shall be issued subject to such additional terms, conditions and restrictions as are determined by the Minister and set forth in the lease. .

S. 115  
amended.

4. Section one hundred and fifteen of the principal Act is amended by adding after subsection (1) the following subsection—

(1a) Where the Minister approves of a transfer of the whole or any portion of the pastoral lands of a lessee to a body corporate he may require such additional terms, conditions and restrictions as he thinks fit to be included in the lease of the pastoral lands so transferred, and he shall incorporate those additional terms, conditions and restrictions in the new lease issued to the transferee pursuant to subsection (2) of this section. .

5. The principal Act is amended by adding after section one hundred and fifteen a section as follows—

S. 115A  
added.

115A. (1) Where—

Restrictions  
on transfers  
of shares in  
certain  
companies.

- (a) the holder of a pastoral lease is a company; and
- (b) the working of that pastoral lease or the working of that pastoral lease together with the working of any other pastoral lease or pastoral leases of which the company is also the holder, constitutes the principal activity or, one of the principal activities of the company,

the company shall not register a transfer of any share in it unless the instrument of transfer of the share has been endorsed with the approval of the Minister to the transfer.

Penalty: One thousand dollars, and in addition the Minister may, if the company is convicted of an offence against this subsection, forfeit the lease or leases held by the company convicted of the offence.

(2) A person who holds a beneficial interest in a share in a company of the kind referred to in subsection (1) of this section shall not sell, transfer, charge or otherwise dispose of his beneficial interest in the share unless he has first obtained the consent in writing of the Minister.

Penalty: One thousand dollars.

(3) For the purposes of this section—

- (a) “company” and “share” have the same respective meanings as are given to those terms by section five of the Companies Act, 1961; and

- (b) a person, including a body corporate, shall be deemed to have a beneficial interest in a share if that person, either alone or together with other persons (including a body corporate or bodies corporate), is entitled (other than as trustee for, on behalf of or on account of, another person) to receive, directly or indirectly, any dividends in respect of the share or to exercise, or to control the exercise of, any rights attaching to the share. .
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