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THE LAND ACT, 1898.

Department of Lands and Surveys,

Perth, 29th April, 1903.

HIS Excellency the Governor in Executive Council has been pleased to approve of the following Regulations relating to Residential Leases of lands now open for selection, or which may hereafter be declared open for selection, as Residential Lots.

HERBT. FARMER,

Acting Under Secretary for Lands.

REGULATIONS FOR RESIDENTIAL LEASES.

Repeal.

1. The Regulations of the 17th day of July, 1901, and all other regulations heretofore made relating to Residential Leases, are hereby repealed.

These Regulations, made this 29th day of April, 1903, shall come into force forthwith.

Applications.

2. Any person above the age of eighteen years, resident in Western Australia, and intending to actually reside on the lot applied for, may be an applicant for land set apart for Residential Leases.

But no lease of any lot shall be applied for, granted to, or held by any Asiatic or African alien, or any person having any interest in any other Residential Lot within two miles of the Lot applied for.

3. Every application—

- (1.) Shall be in the form of Schedule A, with the declaration therein contained; and
- (2.) Shall be lodged with the Land Agent for the District; or, in case there is no Land Agent for the District, with the Warden or Resident Magistrate.

4. With every application the applicant shall pay a fee of Ten shillings, and the amount of rent payable in advance, in accordance with the provisions of "The Land Act, 1898," or any amendment thereof, and of the Regulations thereunder.

5. All applications shall be subject to the approval of the Minister, or an officer authorised in that behalf by the Minister. In cases where no person has been so authorised the Land Agent, Warden, or Resident Magistrate shall forthwith forward the application, with his recommendation

thereon, and the fee and rent, to the Minister. The applicant may be granted by the Land Agent, Warden, or Resident Magistrate, respectively, permission to occupy the land applied for temporarily, in the form of Schedule B.

6. The granting or refusal of the application shall be in the discretion of the Minister, or the officer authorised in that behalf by the Minister; but priority will, where practicable, be given to married applicants where husband and wife intend to reside on the area applied for.

7. If an application is refused, the rent paid with the application shall be returned to the applicant.

8. (1.) If an application is approved, a lease shall be granted to the applicant in the form or to the effect of Schedule C, as from the first day of the quarter next preceding the date of approval of the application, upon payment by the applicant of a fee of Ten shillings for the cost of the lease.

(2.) On approval of an application, notice shall be given to the applicant by letter sent by post to his address.

(3.) If the fee of Ten shillings is not paid within thirty days after the posting to the applicant of notice of approval, such approval shall be void and the application shall be deemed to have been refused.

9. The granting of any lease shall not be a waiver of the restrictions mentioned in Regulation 2.

Conditions of Lease.

10. No lease or interest in a lease shall be held by any Asiatic or African alien, nor by any person under the age of eighteen years, nor by any person who is interested in any other Residential Lease within a distance of two miles.

11. Every lease shall be granted and held subject to the provisions of "The Land Act, 1898," and any amendment thereof (hereinafter referred to as the Act), and the Regulations thereunder in force for the time being relating to Residential Leases (hereinafter referred to as the Regulations).

12. Every lease shall be limited to the natural surface of the land demised, and the land below the natural surface to a depth not exceeding 40 feet if situated within a gold-field or mineral district, and if not so situated, not exceeding 200 feet.

13. The term granted by any lease shall not exceed twenty-one years from the first day of January preceding the date of the application.



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