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No. 97]

PERTH: WEDNESDAY, 19th NOVEMBER

[1958.

Crown Law Department,
Perth, 3rd November, 1958.

THE undermentioned regulations made under the provisions of the Land Act, 1933, and amended from time to time prior to the 23rd September, 1958, are reprinted pursuant to the Reprinting of Regulations Act, 1954, as so amended, by authority of the Minister for Justice.

R. C. GREEN,
Under Secretary for Law.

LAND ACT, 1933-1956

Regulations.

[Published in the *Government Gazette* on the 16th December, 1949, incorporating amendments thereto published in the *Government Gazette* on the 2nd November, 1951; 31st October, 1952; 23rd October, 1953; 20th August, 1954; 24th September, 1954; 17th June, 1955; 28th March, 1958; and 13th June, 1958, and reprinted pursuant to the Reprinting of Regulations Act, 1954.]

Reprinted pursuant to the Reprinting of Regulations Act, 1954 by authority of the Minister, dated 3rd November, 1958.

REGULATIONS UNDER THE LAND ACT, 1933.

Department of Lands and Surveys,
Perth, 1st December, 1949.

Corres. 2316/33.

HIS Excellency the Governor has been pleased to approve of the following regulations under and for the purposes of the Land Act, 1933-1948, all those previously published under the Land Act, 1933-1946, with the exception of the Rules and Directions for the Guidance of Surveyors, being hereby cancelled.

(Sgd.) H. E. SMITH,
Under Secretary for Lands.

Applications.
(Section 135.)

1. (1) All applications for land within the State made under the provisions of the Land Act, 1933-1948,¹ shall be lodged, with prescribed deposits, at the Department of Lands and Surveys, Perth, except however in regard to applications for land within the town-sites of Kalgoorlie and Boulder which applications, with prescribed deposits, shall be lodged at the office of the Government Land Agent at Kalgoorlie.

(2) Applications will not be accepted unless the land applied for has been declared available for selection and any deposits forwarded with applications for land not already declared available for selection will be refunded to the applicant provided that the Minister may in his discretion hold any such application or deposit until the land is declared available, but in such case no priority in favour of the applicant shall thereby be created or established.

Scale of Office Fees and Charges.
(Section 172.)

Reg. 2
amended by
G.G.
23/10/53,
p. 2119.

2. There shall be payable—	£	s.	d.
(1) For the preparation of every lease (this fee is to be lodged with the application, together with the registration fee of 5s. payable under the Transfer of Land Act, 1893)	15	0	0
(2) For the preparation of a duplicate or substituted lease and advertising	15	0	0
(3) For the preparation of a duplicate or copy of any document other than a lease, at per folio of 72 words			9
(4) For certificate thereon under the hand of the Under Secretary for Lands	5	0	0
(5) For every map thereon	6	0	0
(6) For registration of a discharge of mortgage— for every holding affected	5	0	0
(7) For entering up executor or administrator, or as trustee under the Bankruptcy Act, or for entering up curator as proprietor	10	0	0
For every holding after the first	5	0	0
(8) For entry of survivors or other persons as proprietors in case of joint proprietorship	10	0	0
For every holding after the first	5	0	0
(9) For lodging a caveat	10	0	0
(10) For lodging a withdrawal or partial withdrawal of a caveat	2	6	0
(11) For serving notice on caveator under subsection (3) of section 153 of the Land Act, 1933 ¹	10	0	0

¹ Now Land Act, 1933-1956.

	£	s.	d.
(12) For entering notice of writ of <i>fi fa</i> , warrant of Local Court, or any order of the Supreme Court	10	0	
(13) For entering satisfaction of any such writ or warrant, for each holding affected	1	0	
(14) For amendment of name in any document— for every name amended	5	0	
(15) For re-instatement of a forfeited holding	10	0	
(16) For every search of the register in respect of each holding	2	6	
(17) For every general search in one name (the search ticket to be available for day of issue only)	6	0	
(18) Plans—for every diagram drawn or certified on a transfer, surrender, mortgage application or other instrument	6	0	
(19) For every application for amendment of boundaries of a pastoral lease	2	0	0
(20) For Lithographs— Old standard type 4, 20, 40, 80, 160, 240, 300, 320 and 800-chain scale, including townsites—per sheet	3	0	
(21) For Lithographs— New standard type 4, 20, 40, 80, 160 and 320-chain scale, including town-sites—per sheet	5	0	
(22) For Lithographs— 10-mile topographical series—each	5	0	
(23) For Lithographs— Metropolitan road map, 40-chain scale—each	3	6	
Metropolitan road map, 20-chain scale, in four sheets—per sheet	5	0	
(24) Booklets— Metropolitan road map—each	7	6	[23/10/53, p. 2119]
(25) For Maps— Regional—each	5	0	[23/10/53, p. 2119]
(26) For Maps— World radio station localities—each	10	0	
(27) For mounting lithographs and maps mentioned above—per sheet— Muslin	7	6	[23/10/53, p. 2119]
Calico	15	0	
(28) For school maps of Western Australia (mounted)—each	2	10	0
(29) For school maps of Australia and New Zealand (mounted)—each	2	10	0
(30) For pastoral maps of Western Australia (mounted)	3	3	0 [23/10/53, p. 2119]
(31) For drawing sketches or plans—actual cost.			
(32) For copies of classifications of land—each	10	0	
(33) For certificates on plans or maps by the Surveyor General—10s. plus necessary plans and drafting costs.			[23/10/53, p. 2119]
(34) Discounts on maps, plans, metropolitan road maps and lithographs of maps shall be allowed to stationers as follows:—			[23/10/53, p. 2119]
Not less than—			Discount.
12 copies			15%
25 copies			20%
100 copies			25%

Note.—The following fees are prescribed by Statute:—

	£	s.	d.
(a) For preparing and recording the Crown Grant of a holding	2	0	0
For each additional holding included, after the first (section 142)	1	0	0
(b) For the registration of every transfer or sub-lease of a holding (section 144)	1	0	0
(Each holding to be transferred or sub-let by a separate instrument.)			
(c) For the registration of a mortgage—for every holding affected (section 145)	5	0	
(d) For the registration of a transfer of mortgage—for every holding affected (section 145)	5	0	

Office Hours.

3. The offices of the Lands and Surveys Department (whether in Perth or elsewhere) shall be open to the public only between the hours of 10 a.m. and 3.30 p.m. daily, from Monday to Friday inclusive.

System of Numbering Leases.

4. The following system of numbering leases shall be adopted in order to distinguish leases held under this Act:—

The figure 3 shall be prefixed before the section number under which the lease is granted and placed over the lease number, thus:—A lease numbered 650 under section 47

would be shown as $\frac{347}{650}$.

Survey Fees.

5. (1) The cost of survey of land shall be payable in accordance with the First Schedule to this regulation, provided that in special cases approved by the Minister the cost of survey shall be charged at the actual cost incurred in survey as certified in writing by the Surveyor General, and shall be payable accordingly.

(2) In respect of selections under Part V:—

(a) Where the cost of survey is charged in accordance with the First Schedule hereto and is included in the price of the land or, in the case of a free homestead farm otherwise required to be paid, then such cost of survey, with interest, shall be payable in regard to the individual type of holding by the particular method set out in the respective schedule to this regulation applicable thereto as referred to in the following table:—

Type of Holding.	Schedule prescribing Method of Payment with Interest.
Selection under section 47 or 49, after survey	Second Schedule
Selection under section 47 or 49, before survey	Third Schedule
Selection under section 53	Fourth Schedule
Selection under section 54	Fifth Schedule
Selection under section 65	Sixth Schedule

(b) Where in any case the Minister directs under the proviso to subregulation (1) of this regulation that the cost of survey to be charged shall be the actual cost, the latter shall be payable, with interest, by instalments over the period mentioned in the respective schedule applicable to the type of holding as referred to in the foregoing table, but in such instalments as the Minister shall direct.

Reg. 5 amended by G.G. 24/9/54, p. 1653, G.G. 28/3/58, p. 567.

(3) (a) Except as hereafter provided no application for land under Part V of the Land Act, 1933-1948,¹ shall be approved, if such land is not surveyed before selection, until the land applied for has been surveyed, classified, and priced.

(b) After such survey, classification and pricing, and of approval to the application the applicant will be duly notified.

(c) The Minister may, in his discretion, approve of applications before survey in special cases where the delay otherwise through the isolation of the land applied for, or other sufficient reason, would cause hardship or inconvenience to the applicant.

(d) Where land is applied for under the provisions of section 47, 49 or 65, and such land is unsurveyed at the time of selection then the applicant shall, unless otherwise required by the Minister in any particular case, lodge with his application in addition to any other prescribed fees, an amount equal to one-quarter of the cost of survey and shall pay the balance of the cost of survey, with interest, over the first five years of the term of the lease in the manner prescribed in the Third Schedule to this regulation.

(e) Whether the land is surveyed or unsurveyed at the time of selection, no applicant shall be entitled to a refund of any portion of the money he has paid with his application, should the approval notice have been issued, or the land have been surveyed as a result of his application prior to issue of the approval notice.

(4) Notwithstanding anything in these regulations to the contrary, the Minister may in his discretion in any particular case refuse to effect the survey of any land for an applicant or lessee unless the applicant or lessee shall pay, or agree to pay, as the case may require, the full cost of the survey in such amounts, in such manner, and at such times as the Minister shall in writing direct.

(5) Where a lease is surrendered or forfeited, the Minister may direct that the cost of the survey, or the unpaid balance thereof, shall be paid to the Minister forthwith by the person in whom the lease was vested at the date of the surrender or forfeiture.

(6) Survey fees as set out in the Seventh Schedule hereto shall be payable in respect of land granted by the Crown whether for an estate in leasehold or freehold, under the provisions of section 33 of the Land Act, 1933-1948,¹ and such survey fee shall be payable with the application.

First Schedule.
Scale of Survey Fees.

When the area does not exceed 10 acres	Exceeding 10 but not exceeding 20 acres	20 acres	50	100	160	200	300	400	500	600	700	800	900	1,000	1,200	1,400	1,600	1,800	2,000	2,500	3,000	3,500	4,000	4,500	5,000
9	12	19	27	33	36	44	52	57	64	67	72	76	81	89	96	104	110	115	128	140	152	163	172	182	
0	15	5	5	10	15	15	15	10	0	5	0	15	10	0	0	0	10	0	0	15	0	5	15	10	0

Substituted
by
G.G. 24/9/54,
p. 1653;
G.G. 28/3/58,
p. 567.

¹ Now Land Act, 1933-1956.

Substituted
by
G.G. 24/9/54,
p. 1653;
G.G. 28/3/58,
p. 568.

Second Schedule.

Lands Surveyed before Selection.

Scale of Payment of Survey Fees with Interest on Conditional Purchase Leases under Deferred Payments extending over 25 Years.

Area.		Cost of Survey.	Half-yearly Instalments in Advance for 1st Five Years.	Balance Payable, including Interest over 20 Years in Advance.	Total Payable (including Interest 1st Five Years).
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
When the Area does not Exceed 10 Acres.		9 10 0	5 0	15 2 9	17 12 9
Exceeding	Not Exceeding				
10	20	12 15 0	6 4	20 6 4	23 9 8
20	50	19 5 0	9 8	30 13 6	35 10 2
50	100	27 5 0	13 8	43 8 8	50 5 4
100	160	33 10 0	16 9	53 7 8	61 15 2
160	200	36 15 0	18 5	58 11 3	67 15 5
200	300	44 15 0	1 2 5	71 6 2	82 10 4
300	400	52 15 0	1 6 5	84 1 1	97 5 3
400	500	57 10 0	1 8 9	91 12 6	106 0 0
500	600	64 0 0	1 12 0	101 19 8	117 19 8
600	700	67 5 0	1 13 8	107 3 3	123 19 11
700	800	72 0 0	1 16 0	114 14 8	132 14 8
800	900	76 15 0	1 18 5	122 6 0	141 10 2
900	1,000	81 10 0	2 0 9	129 17 5	150 4 11
1,000	1,200	89 10 0	2 4 9	142 12 4	164 19 10
1,200	1,400	96 0 0	2 8 0	152 19 6	176 19 6
1,400	1,600	104 0 0	2 12 0	165 14 6	191 14 6
1,600	1,800	110 10 0	2 15 3	176 1 8	203 14 2
1,800	2,000	115 5 0	2 17 8	183 13 1	212 9 9
2,000	2,500	128 0 0	3 4 0	203 19 4	235 19 4
2,500	3,000	140 15 0	3 10 5	224 5 8	259 9 10
3,000	3,500	152 0 0	3 16 0	242 4 4	280 4 4
3,500	4,000	163 5 0	4 1 8	260 2 10	300 19 6
4,000	4,500	172 15 0	4 6 5	275 5 7	318 9 9
4,500	5,000	182 10 0	4 11 3	290 16 4	336 8 10

Substituted
by
G.G. 24/9/54,
p. 1653;
G.G. 28/3/58,
p. 568.

Third Schedule.

Land Selected before Survey.

Scale of Payments under Accelerated Method with Interest on Conditional Purchase Leases and Homestead Farms.

Area.		Cost of Survey.	Quarter Deposit with Application.	Half-yearly Instalments over 5 Years.	Total Payable, including Interest.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
When the Area does not Exceed 10 Acres.		9 10 0	2 7 6	16 4	10 10 10
Exceeding	Not Exceeding				
10	20	12 15 0	3 3 9	1 1 11	14 2 11
20	50	19 5 0	4 16 3	1 13 0	21 6 3
50	100	27 5 0	6 16 3	2 6 9	30 3 9

Third Schedule—continued.

Area.		Cost of Survey.	Quarter Deposit with Application.	Half-yearly Instalments over 5 Years.	Total Payable, including Interest.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
Exceeding	Not Exceeding				
100	160	33 10 0	8 7 6	2 17 5	37 1 8
160	200	36 15 0	9 3 9	3 3 0	40 13 9
200	300	44 15 0	11 3 9	3 16 9	49 11 3
300	400	52 15 0	13 3 9	4 10 5	58 7 11
400	500	57 10 0	14 7 6	4 18 7	63 13 4
500	600	64 0 0	16 0 0	5 9 9	70 17 6
600	700	67 5 0	16 16 3	5 15 4	74 9 7
700	800	72 0 0	18 0 0	6 3 5	79 14 2
800	900	76 15 0	19 3 9	6 11 7	84 19 7
900	1,000	81 10 0	20 7 6	6 19 9	90 5 0
1,000	1,200	89 10 0	22 7 6	7 13 5	99 1 8
1,200	1,400	96 0 0	24 0 0	8 4 7	106 5 10
1,400	1,600	104 0 0	26 0 0	8 18 3	115 2 6
1,600	1,800	110 10 0	27 12 6	9 9 5	122 6 8
1,800	2,000	115 5 0	28 16 3	9 17 7	127 12 11
2,000	2,500	128 0 0	32 0 0	10 19 5	141 14 2
2,500	3,000	140 15 0	35 3 9	12 1 3	155 16 3
3,000	3,500	152 0 0	38 0 0	13 0 7	168 5 10
3,500	4,000	163 5 0	40 16 3	13 19 10	180 14 7
4,000	4,500	172 15 0	43 3 9	14 16 1	191 4 7
4,500	5,000	182 10 0	45 12 6	15 12 10	202 0 10

Fourth Schedule.

Lands Surveyed before Selection.

Scale of Payments of Survey Fees with Interest on Land Selected under Section 53.

Substituted
by
G.G. 24/9/54,
p. 1653;
G.G. 28/3/58,
p. 569.

Area.		Cost of Survey.	Payments, 10 per Cent. with Application.	Balance by Four Quarterly Instalments.	Total Payable, including Interest.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
When the area does not exceed 10 acres		9 10 0	19 0	8 16 5	9 15 5
Exceeding	Not Exceeding				
10	20	12 15 0	1 5 6	11 16 9	13 2 3
20	50	19 5 0	1 18 6	17 17 5	19 15 11
50	100	27 5 0	2 14 6	25 6 0	28 0 6
100	160	33 10 0	3 7 0	31 2 0	34 9 0
160	200	36 15 0	3 13 6	34 2 4	37 15 10
200	300	44 15 0	4 9 6	41 10 10	46 0 4
300	400	52 15 0	5 5 6	48 19 5	54 4 11
400	500	57 10 0	5 15 0	53 7 7	59 2 7
500	600	64 0 0	6 8 0	59 8 3	65 16 3
600	700	67 5 0	6 14 6	62 8 7	69 3 1
700	800	72 0 0	7 4 0	66 16 9	74 0 9
800	900	76 15 0	7 13 6	71 4 11	78 18 5
900	1,000	81 10 0	8 3 0	75 13 2	83 16 2
1,000	1,200	89 10 0	8 19 0	83 1 8	92 0 8
1,200	1,400	96 0 0	9 12 0	89 2 4	98 14 4
1,400	1,600	104 0 0	10 8 0	96 10 11	106 18 11
1,600	1,800	110 10 0	11 1 0	102 11 7	113 12 7
1,800	2,000	115 5 0	11 10 6	106 19 9	118 10 3
2,000	2,500	128 0 0	12 16 0	118 16 6	131 12 6
2,500	3,000	140 15 0	14 1 6	130 13 2	144 14 8
3,000	3,500	152 0 0	15 4 0	141 2 1	156 6 1
3,500	4,000	163 5 0	16 6 6	151 10 11	167 17 5
4,000	4,500	172 15 0	17 5 6	160 7 4	177 12 10
4,500	5,000	182 10 0	18 5 0	169 8 4	187 13 4

Substituted
by
G.G. 24/9/54,
p. 1654;
G.G. 28/3/58,
p. 570.

Fifth Schedule.

Scale of Payment of Survey Fees with Interest on Land Selection
under Section 54.

Area.		Cost of Survey.	Payments— 6 Half-yearly Instalments in Advance.	Total with Interest.
When the area does not exceed 10 acres		£ s. d. 9 10 0	£ s. d. 1 14 6	£ s. d. 10 7 0
Exceeding	Not Exceeding			
10	20	12 15 0	2 6 4	13 18 0
20	50	19 5 0	3 9 11	20 19 6

Substituted
by
G.G. 24/9/54,
p. 1655;
G.G. 28/3/58,
p. 570.

Sixth Schedule.

Scale of Payments of Survey Fees with Interest on Homestead
Farms Surveyed before Selection.

Area.		Cost of Survey.	Half-yearly Instalments in Advance.		Total Payable over 7 Years, Including Interest.
			For First 5 Years.	For Two Years next Ensuing.	
When the area does not exceed 10 acres		£ s. d. 9 10 0	£ s. d. 5 0	£ s. d. 2 10 7	£ s. d. 12 12 4
Exceeding	Not Exceeding				
10	20	12 15 0	6 4	3 7 10	16 14 8
20	50	19 5 0	9 8	5 2 5	25 6 4
50	100	27 5 0	13 8	7 4 11	35 16 4
100	160	33 10 0	16 9	8 18 2	44 0 2
160	200	36 15 0	18 4	9 15 5	48 5 0
200	300	44 15 0	1 2 4	11 17 11	58 15 0
300	400	52 15 0	1 6 4	14 0 6	69 5 4

Substituted
by
G.G. 24/9/54,
p. 1655;
G.G. 28/3/58,
p. 570.

Seventh Schedule.

Survey Fees Payable on Lands Granted in Trust under Section 33.

Area not exceeding $\frac{1}{4}$ acre	£ s. d. 3 5 0
Area exceeding $\frac{1}{4}$ acre but not exceeding 1 acre	4 15 0
Area exceeding 1 acre but not exceeding 5 acres	6 0 0
Area exceeding 5 acres (in accordance with the scale in the First Schedule to this regulation).	

G.G. 2/11/51,
p. 3028,
G.G. 24/9/54,
p. 1653.

5A. [Inserted by G.G. 2/11/51, p. 3028; revoked by G.G. 24/9/54, p. 1653.]

Classification Fees.

6. The fees payable for classification or reclassification of conditional purchase lands shall be as follows:—

When area does not exceed 300 acres	£ s. d. 1 5 0
When area exceeds 300 acres and does not exceed 600 acres	1 12 6
When area exceeds 600 acres and does not exceed 800 acres	1 19 0
When area exceeds 800 acres and does not exceed 1,000 acres	2 5 0
When area exceeds 1,000 acres and does not exceed 1,500 acres	3 0 0

	£	s.	d.
When area exceeds 1,500 acres and does not exceed 2,000 acres	3	12	0
When area exceeds 2,000 acres and does not exceed 3,000 acres	4	10	0
When area exceeds 3,000 acres and does not exceed 4,000 acres	5	5	0
When area exceeds 4,000 acres and does not exceed 5,000 acres	5	15	0

Two or more blocks adjoining held by the same person shall be considered as one, for the purpose of calculating the fee required to be paid.

Interest.

7. The interest payable on value of improvements under sections 47 (2b) and 75 shall be at the rate of 5 per cent. per annum, and where interest is payable on survey fees under sections 47 (4b 1) and 51, such interest shall be at the rate of 5 per cent. per annum: Provided that this clause shall not apply to land acquired under the Agricultural Lands Purchase Act, 1909, or Part VIII of the Land Act, 1933-1948.

Improvements on Reserves set apart for Public Bodies or Institutions.

8. (1) Blocks of land reserved for public bodies or institutions shall, within 12 months of the date of reservation, be utilised in a bona fide manner for the purpose of which they have been set apart, failing which the reservation shall be cancelled: Provided that, where good and sufficient reason is shown for not utilising the land as aforesaid within the time allowed, the Minister may, in his discretion, extend such time for a further period, but no Crown Grant or lease of such land shall be issued until the Minister is satisfied that this regulation is being complied with.

(2) In any case in which it is prescribed under the provisions of section 33 that the consent of the Governor is required to any dealing with lands granted in trust under that section, whether for an estate in leasehold or freehold, application for such consent shall be lodged with the Minister for Lands setting forth—

- (a) the particular land in respect of which such consent is sought with particulars of trusts affecting the same;
- (b) particulars of the proposed dealing;
- (c) reasons for necessitating the same;
- (d) the specific purpose to which any money proposed to be raised is to be applied;
- (e) particulars as to the means by which provision is to be made to raise or accumulate the necessary moneys to pay interest and principal in respect of any loan proposed to be raised on mortgage;
- (f) a statement showing compliance with all other conditions precedent to the lawful completion of the transaction.

(3) The statements of fact in any such application shall be verified by statutory declaration to be made by the person being the registered proprietor of the lands intended to be dealt with, provided that in the case of a body corporate, such declaration shall be made by the sealholder or such other person as is otherwise empowered to or capable of making a statutory declaration in regard to the affairs of such body corporate.

(4) Each application will be dealt with separately on its merits and shall be subject to certification by the Attorney General that the transaction is one that in his opinion may lawfully be assented to by the Governor in Council.

Land Board.

9. (1) The Land Board constituted under section 135 (2) of the Land Act, 1933-1948,¹ to deal with simultaneous applications for land, hereinafter called the "Board," shall consist of three members duly appointed by the Minister.

Reg. 9
amended by
G.G. 31/10/52,
p. 2639.

¹ Now Land Act, 1933-1956.

(2) The Board shall elect its own chairman unless otherwise decided by the Minister.

(3) The Board shall sit at such places and at such times as may be determined, and, if necessary, may adjourn from time to time.

(4) The Board shall take evidence on oath, and may call any evidence or witnesses they think fit, provided that the Board may admit evidence verified by statutory declaration from an applicant who may be unable to appear before the Board in person.

[Substituted
G.G. 31/10/52,
p. 2639.]

(5) There shall be an interval of at least seven days between the closing date for the receipt of applications and the date fixed for the sitting of the Board. When the date for the sitting of the Board has been fixed, due notice shall be sent to each applicant, advising the time, place and date of the sitting of the Board; together with a form of declaration for completion by the applicant and return by him to the Chairman of the Board, to reach the Chairman at least three days prior to the date of the sitting of the Board.

[Substituted
G.G. 31/10/52,
p. 2639.]

(6) Declarations, setting out particulars required by the Board, may be made before a justice of the peace, a town clerk, secretary of a road board, electoral registrar, a postmaster, classified officer in the State or Commonwealth Public Service, a classified State school teacher, a member of the police force, or a commissioner for declarations, under the Declarations and Attestations Act, 1913.¹

Any statement shall be supported by documentary evidence, if so desired by the Board.

(7) The Board shall sit in open court in connection with each block dealt with, and any objector may be allowed to give evidence or produce any documents for the inspection of the Board.

(8) The Board may, at the request of an applicant, vary his application preference list, but shall only substitute or add thereto a holding referred to the Board for determination.

(9) The members and secretary of the Board shall receive such remuneration as may be approved by the Governor and, in addition, be paid a travelling allowance as prescribed by the Public Service Regulations.

(10) It shall be necessary for any person appearing before the Board on behalf of an applicant to produce to the chairman an order so authorising him to appear.

(11) Any applicant for land or person appearing on behalf of an applicant who shall interview, prior to the sitting of the Board, any member of the Board, with a view to influencing an application, shall be disqualified both as an applicant and as an agent.

(12) In all cases of adjudication the decision of the Board or of the majority of the members of the Board shall be final, and no applicant for land or any person acting on behalf of an applicant shall have the right to interview any member of the Board with a view to commenting on the decision arrived at.

(13) No person shall interrupt the proceedings of the Board, or cause a disturbance, and the Board may, if they think fit, while deliberating, order all persons present to retire at any time during the sitting of the Board, and such persons shall retire accordingly. Any person offending against this regulation shall be liable to a penalty not exceeding £10.

(14) There shall be a secretary of the Board, who shall be responsible for the proper recording and indexing of the minutes, and shall carry out all necessary work incidental to his position as may be required from time to time by the Board.

¹ Now Declarations and Attestations Act, 1913-1953.

The Sale and Leasing of Town and Suburban Lands

(Part IV and Section 117).

10. Town and suburban lands shall be sold and leased subject to the conditions set forth in the following Schedules Part A and Part B respectively, and the purchase money or premium shall be payable in the instalments therein stated.

Reg. 10
substituted
by
G.G. 20/8/54,
p. 1452-6.

Part A (Sales in Fee Simple).

Schedule Referred to.

Conditions of sale of town and suburban lands advertised to be sold by auction at..... on the..... day of....., 19....., at.....

(1) The land offered for sale is particularised in the notice headed "Land Sales" published in the *Government Gazette* on the..... day of....., 19....., and in the Schedule as appended hereto, and will be sold subject to the terms and conditions of the Land Act, 1933-1953,¹ and the regulations hereunder and to a depth of..... feet below the natural surface.

(2) The lots will be offered separately and in such order as the auctioneer shall at the time determine.

(3) The highest bidder shall be the purchaser and, if any dispute arise, the lot in dispute shall be put up again and resold.

(4) Each lot shall be offered at the upset price, and if no advance be made, the applicant for the same shall be declared the purchaser at that price; but, if any advance be made, the highest bidder shall be the purchaser as aforesaid. Bidding shall advance at the rate of not less than one pound.

Should the applicant not be the purchaser, his deposit will be refunded in due course.

(5) The purchaser shall, immediately upon the fall of the hammer, pay to the Minister for Lands or his agent, a deposit at the rate of 10 per cent. upon the total amount of the purchase money, unless he has already paid a sufficient deposit on application, and any such deposit shall be considered as payment of the purchase money so far as the same will extend. Should the purchaser fail to pay the deposit as required, the purchase shall be void and the lot shall be offered again immediately for sale.

(6) The balance of purchase money shall be paid to the Minister for Lands or his agent within 12 months from the day of sale by four (4) equal quarterly instalments, on the 1st days of January, April, July and October. The first instalment of purchase money shall become due and payable on the first day of the quarter next following the date of sale, the Crown grant fee being payable with the last instalment of purchase money: Provided that nothing shall prevent the balance of purchase money and fees being paid on an earlier date shall the purchaser so desire, but no Crown grant of any suburban lot shall issue until the Minister is satisfied that the prescribed fencing and improvements have been effected.

(7) (a) Each suburban lot shall be fenced on the surveyed boundaries, within two (2) years from the date of sale, with a fence capable of resisting great and small stock to the satisfaction of the Minister: Provided that the Minister for Lands may, if he thinks fit, dispense with the division fences between two or more adjoining lots purchased by one person; or may, if he thinks fit, accept other substantial improvements in lieu of fencing.

(b) In addition to the above, each suburban lot shall within three years be improved to a value equal to double the amount of purchase money.

(8) In default of payment of any one of the several instalments of purchase money within thirty days after the dates mentioned, or, if the prescribed conditions as to improvements have not been

¹ Now Land Act, 1933-1956.

complied with within the times prescribed, the land shall be absolutely forfeited, together with all purchase money and fees that may have been paid.

(9) On payment of the final instalment of the purchase money, provided that in the case of suburban lots the prescribed conditions as to improvements have been complied with, and maintained, a Crown grant shall be issued on payment of the prescribed fee of two pounds.

(10) Immediately after the sale, the purchaser shall declare to whom or in whose name he requires the Crown grant to issue, and the name, address and occupation of such person shall thereupon be inserted in the form of application to purchase.

(11) If any lot is improved, the value of the improvements (unless the purchaser is the owner of the improvements) will be payable by the purchaser to the Minister for Lands or his agent, in addition to the purchase money forthwith after the sale, or at such time and by such instalments (if any) as the Minister may determine, and the Minister's valuation of the improvements shall be final and binding on the purchaser.

Part B (Sales in Leasehold).

Schedule Referred to.

Conditions of sale of town and suburban lands advertised to be sold by auction at.....on the.....day of....., 19....., at.....

(1) The land offered for sale is particularised in the notice headed "Land Sales" published in the *Government Gazette* of the.....day of....., 19....., and in the Schedule as appended hereto, and will be sold subject to the terms and conditions of the Land Act, 1933-1953,¹ and the regulations hereunder and to a depth of.....feet below the natural surface.

(2) The lots will be offered separately and in such order as the auctioneer shall at the time determine.

(3) The highest bidder shall be the purchaser and if any dispute arise, the lot in dispute shall be put up again and resold.

(4) Each lot shall be offered at the upset price, and, if no advance be made, the applicant for the same shall be declared the purchaser at that price; but, if any advance be made, the highest bidder shall be the purchaser as aforesaid. Bidding shall advance at the rate of not less than one pound.

(5) (a) The purchaser will have the right to select a lease under the following conditions, at the schedule capital value nearest the upset price, as set out in the Third Schedule hereto for a term of 99 years, at a ground rent of 4 per cent. of the capital value, and a premium equal to the amount of his bid in excess of the upset price.

(b) The said lease shall issue in the form of the Second Schedule hereto.

(6) (a) Every purchaser shall, at the fall of the hammer, pay to the Minister for Lands or his agent a lease fee of fifteen shillings, a fee of five shillings for registration under the Transfer of Land Act, 1893-1950,² and a sum equal to the instalment of rent of lease purchased, payable in advance, pursuant to section 139 of the Land Act, 1933-1953,¹ unless the purchaser shall, as an applicant, have previously paid the same as a deposit.

¹ Now Land Act, 1933-1956.

² Now Transfer of Land Act, 1893-1954.

(b) The purchaser shall also pay on the fall of the hammer the sum of ten shillings (10s.) or 10 per centum of the premium, whichever shall be the greater, and shall pay the balance (if any) of the premium within 30 days thereafter. In default of such payment, the purchase shall be void, the deposit (if any) forfeited, and the lease may be put up again and resold.

(7) (a) Each suburban lot shall be fenced on the surveyed boundaries, within two (2) years from the date of sale, with a fence capable of resisting great and small stock to the satisfaction of the Minister: Provided that the Minister for Lands may, if he thinks fit, dispense with the division fences between two or more adjoining lots purchased by one person; or may, if he thinks fit, accept other substantial improvements in lieu of fencing.

(b) In addition to the above, each suburban lot shall within three years be improved to a value equal to double the amount of purchase money.

(8) In default of payment of rent under the provisions of section 139 of the Act, or, if the conditions as to fencing and improvements have not been complied with within the times prescribed, the land shall be absolutely forfeited.

(9) Immediately after the sale, the purchaser shall declare to whom or in whose name he requires the lease to issue, and the name, address and occupation of such person shall thereupon be inserted in the form of application to lease.

(10) If any lot is improved, the value of the improvements (unless the purchaser is the owner of the improvements) will be payable by the purchaser to the Minister for Lands or his agent, in addition to the rent or premium, forthwith after the sale, or at such time and by such instalments (if any) as the Minister may determine, and the Minister's valuation of the improvements shall be final and binding on the purchasers.

(11) Fresh valuations may be made by the Minister from time to time during the currency of the lease at intervals of not less than ten years and notified in the *Government Gazette*; provided that the value of all improvements made by the lessee shall be excluded from every such valuation. If any lessee is dissatisfied with any such valuation, he may, within one month of the date of notification in the *Gazette*, or within such further time as the Minister may in special circumstances permit require the question to be submitted to arbitration under the provisions of the Arbitration Act, 1895.

(12) No person shall (without the approval in writing of the Minister for Lands first obtained) acquire or hold under lease more than two town lots in any one town, or more than one suburban lot in the State.

(13) No person under 16 years of age shall be eligible to acquire a lease under these regulations.

(14) Every lease shall confer on the lessee, his executors, administrators, or permitted assigns, the right of renewal of the term thereof at its expiration (if in the meantime the lease is not surrendered or forfeited) at the rent and subject to the conditions prescribed by the regulations in force at the time of such renewal.

(15) Where a lot is offered for sale for a leasehold estate only, then, notwithstanding anything to the contrary contained in these conditions of sale, or in any other regulation, but as a supplementary condition thereto, such lot is offered, and the purchaser shall and will take such lot upon and subject to the special condition that the purchaser shall and will erect upon such lot a substantial dwelling-house or other building for use by persons which complies with all relevant and material local government building by-laws or regulations, within six months after the date of the sale of such

lot to the purchaser, and that if the purchaser fails, neglects, or refuses to perform the said special condition, the said lot and all and singular the estate, right, title, and interest to the purchaser therein and of any person claiming under or through the purchaser, shall forthwith, after the expiration of the said period of six months be liable to be forfeited to the Crown by notice of forfeiture under the hand of the Minister given to the purchaser; and also that unless and until the purchaser shall have performed the said special condition, the purchaser shall be and is hereby restrained and prohibited from selling, transferring, assigning, or otherwise disposing of his estate, right, title or interest in the said lot to any other person, and any sale, transfer, assignment or other disposition of the said lot by the purchaser in contravention of this clause shall, as against the Crown be absolutely null and void and of no effect.

Provided that—

- (i) in the notice of sale of any lot published in the *Government Gazette* in accordance with clause (1) of these conditions of sale, the Minister for Lands may, by express notice, exclude the provisions of this present clause from the conditions of sale relating to such lot, and in such case the provisions of this present clause shall not apply to any lease of such lot granted to the purchaser; and
- (ii) notwithstanding that the provision of this present clause may apply to a lease of any lot sold to a purchaser for a leasehold estate, the Minister for Lands may by writing under his hand release and discharge the purchaser from the special condition aforesaid imposed by this present clause, where, in the special circumstances of the case the Minister is satisfied that the purchaser should be so released and discharged.

S. 412.

First Schedule.

Correspondence No.....

Land Act, 1933-1956.

APPLICATION FOR A LEASE OF A TOWN OR SUBURBAN LOT TO BE SUBMITTED TO AUCTION.

.....Division.

Application No.....

Town or Suburban }
Area or District }

Plan.....

Lot No..... Acreage.....

Place and Date of }
Application }

I HEREBY request that a lease of the lot above described may be submitted to auction, subject to the Land Act, 1933-1956, and the regulations thereunder; and I deposit herewith the lease fee of fifteen shillings, registration fee of five shillings, and..... poundsshillings, being a sum equal to the instalment of rent of the lot applied for, payable in advance, pursuant to section 139 of the said Act.

.....Signature of Applicant.

Received this application on the.....of.....
19....., with deposit of £.....

.....Accountant.

Application approved for sale by auction to a depth of.....feet below the natural surface at.....on the.....day of....., 19....., at.....o'clock. Upset price, £.....

By order of the Minister for Lands.

Name at full length, Address, and Calling of Applicant	Name at full length, Address, and Calling of Purchaser	A.	R.	P.	Purchase Money, Fees, etc.		
					Particulars	Amount	
					£	s.	d.
					Capital unimproved value		
					Annual rent 1st ten years		
					Lease fee		
					Registration fee		
					Premium.....		

<p>Received deposit of £.....and £.....Premium</p> <p>.....Accountant.</p> <p>Application approved as shown above to a depth of.....feet below the natural surface, this.....day of....., 19.....</p> <p>Term of lease to extend from.....to.....</p> <p>By order of the Minister for Lands.</p>	<p>Office References.</p> <p>Applicants are requested not to write in this space.</p>
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Second Schedule.

Western Australia.

Land Act, 1933-1956.

LEASE OF A TOWN LOT OR SUBURBAN LOT.

No.....

Town or.....

Lot No.....

Elizabeth the Second, by the Grace of God of the United Kingdom, Australia, and Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith. To all whom these presents shall come, Greeting: Know ye that, whereas by section 117 of the Land Act, 1933-1956 (hereinafter referred to as the said Act), power is given to the Governor of the State of Western Australia, in the Commonwealth of Australia, to grant leases of any town or suburban land on such terms as he may think fit: And whereas by Regulations published in the *Government Gazette* on the.....day of....., 19....., the terms and conditions on which leases of town or suburban lands may be granted were prescribed: And whereas....., of....., in the said State, has made application for a lease, under and subject to the said regulations, of the land hereinafter described, and the Minister for Lands has approved of such application: Now,

therefore, We, of our Special Grace, and in consideration of the rent hereinafter reserved and by the said....., his executors, administrators, or approved assigns (hereinafter called the lessee) to be paid, and in exercise of the powers in that behalf to us given by the said Act and Regulations, do by these presents demise to the lessee the natural surface, and so much of the land as is below the natural surface to a depth of..... feet, of all that piece or parcel of land marked and distinguished in the maps and books of the Department of Lands and Surveys as..... No..... and containing..... more or less, as the same is delineated by a border of green colour in the plan hereon with the appurtenances, To hold the same unto the lessee, subject to the provisions of the said Act, and any amendments thereof, and the regulations thereunder for leases of town or suburban land now in force, or at any time during continuance of this lease to be in force for the time being, for the term of 99 years, to be computed from the.....day of....., 19....., Yielding and paying for the same by equal half-yearly instalments, in advance, on the first day of March and the first day of September, in every year, during the first ten years of the said term, the yearly rent of..... unto Us, our Heirs and Successors, without deduction (the first of such payments having been already made), and yielding and paying as aforesaid, during every subsequent period of ten years of the said term, such yearly rent as shall be fixed by our Minister for Lands at the rate of four pounds per centum on the capital unimproved value of the land as determined for the time being pursuant to the said regulations.

Provided that it shall at any time within twenty-one years from the date of these presents, be lawful for Us, Our Heirs and Successors, or for any person or persons acting in that behalf by Our or their authority, to resume and enter upon possession of any part of the said piece or parcel of land hereby demised which it may at any time by Us, Our Heirs or Successors, be deemed necessary to resume for roads, tramways, railways, railway stations, bridges, drainage or irrigation works, and generally for any other works or purposes for public use, utility, or convenience, and for the purpose of exercising the power to search for minerals hereinafter reserved, and such lands so resumed to hold to Us, Our Heirs and Successors, as of Our or their former estate without making to the lessee any compensation in respect thereof, so, nevertheless, that no such resumption be made without compensation of any part of the said piece or parcel of land upon which any expenditure or improvement shall have been made by the lessee. Provided also that the lessee shall not transfer or underlet the demised premises or any part thereof without the consent, in writing, of Our Minister for Lands for the time being, which consent, however, shall not be unreasonably or arbitrarily withheld. And we do hereby save and reserve to Us, Our Heirs and Successors, all mines of gold, silver, copper, tin, and other metals, ore, and minerals or other substances containing metals, and all gems and precious stones, and coal and mineral oil and all phosphatic substances in and under the said land, with full liberty at all times to search and dig for and carry away the same, and for that purpose to enter upon the land or any part thereof: Provided, also, that if the lessee shall, during the said term at any time make default in (the due payment of any instalment of the purchase money as aforesaid) or in the due payment of the rent hereby reserved, and such default shall continue after the times set forth in section 139 of the Land Act, 1933-1956, for the receipt of rents with fines, or in case of any breach or non-observance by the lessee of any of the provisions and conditions of this lease or of the said Act or any amendment thereof, or the regulations thereunder for leases of town or suburban land, now in force, or at any time during the continuance of this lease to be in force for the time being, and on the part of the lessee to be observed or performed, this lease may be forfeited, and it shall be lawful for Us, Our Heirs and Successors, into and upon the said demised premises or any part thereof, in the name of the whole, to re-enter, and the same to have again, re-possess, and enjoy as if this deed poll had never been executed, without making any compensation to the said lessee.

The Plan herein referred to.
 Scale _____ chains to an inch.
 In witness whereof the Minister for Lands of the said State, with
 the consent and by the direction of the Governor-in-Council, has
 hereunto set his hand and seal this _____ day of _____,
 One thousand nine hundred and _____

Minister for Lands.

Registered the _____ day of _____, 19____, in
 conformity with section 81C of the Transfer of Land Act, 1893-1954,
 and numbered _____

Registrar of Titles.

THIRD SCHEDULE.

Corr. 38/12.

Schedule showing Capital Values and Annual Payments on a Basis
 of Four per cent. for Town and Suburban Lots.

Capital Values.		Annual Rent.		Capital Values.		Annual Rent.	
£	s. d.	£	s. d.	£	s. d.	£	s. d.
12	10 0	0	10 0	57	10 0	2	6 0
15	0 0	0	12 0	60	0 0	2	8 0
17	10 0	0	14 0	62	10 0	2	10 0
20	0 0	0	16 0	65	0 0	2	12 0
22	10 0	0	18 0	67	10 0	2	14 0
25	0 0	1	0 0	70	0 0	2	16 0
27	10 0	1	2 0	72	10 0	2	18 0
30	0 0	1	4 0	75	0 0	3	0 0
32	10 0	1	6 0	77	10 0	3	2 0
35	0 0	1	8 0	80	0 0	3	4 0
37	10 0	1	10 0	82	10 0	3	6 0
40	0 0	1	12 0	85	0 0	3	8 0
42	10 0	1	14 0	87	10 0	3	10 0
45	0 0	1	16 0	90	0 0	3	12 0
47	10 0	1	18 0	92	10 0	3	14 0
50	0 0	2	0 0	95	0 0	3	16 0
52	10 0	2	2 0	97	10 0	3	18 0
55	0 0	2	4 0	100	0 0	4	0 0

Conversion of Leases of Town and Suburban Lots to Freehold.

11. (1) An application for leave to surrender a lease or a town or suburban lot or suburban lot for cultivation and to obtain a grant in fee simple in lieu thereof under section 44 may be in the form of the First Schedule to this regulation.

(2) The application must be accompanied by the lease, with a surrender thereof in the form of the Second Schedule, and the Titles Office fee of £1 5s. If more than one lease is surrendered on the same form a fee of 10s. is required for each additional lease.

(3) All rent accrued due under the lease to the date of application must be paid.

(4) The purchase price together with the Crown grant fee of £2 must be paid with the application, and the prescribed conditions of the lease as to improvements must have been fulfilled.

First Schedule.

L. and S. 3125/16.

S. 237.

H.O. Correspondence No..... D.O. Correspondence No.....

Land Act, 1933-1956.

APPLICATION FOR GRANT IN FEE OF A TOWN OR SUBURBAN LOT IN LIEU OF LEASE.

Application No.....

Place

Date

I HEREBY apply to surrender my Crown lease No. of the lot described below, and for a grant in fee simple in lieu thereof, under the provisions of section 44 of the Land Act, 1933-1956.

Lot No.	Name at full length, Address, and Calling of Applicant	Acreage	Name of Town or Suburban Area	Street	Price

..... Signature of applicant
 Received this application on the day of, 19....., with deposit of £

..... Under Secretary for Lands.
 Received £
 Accountant. Date

Application approved for sale at fixed price of £

.....
 An officer authorised in this behalf.
 By order of the Minister for Lands.
 Date

Office References.
 Applicants are requested not to write in this space.

I hereby certify that £....., being the full amount of purchase money and fees, has been paid.
 Accountant.
 Conditions fulfilled..... Date.....19
 Permit to occupy issued to..... Date.....19
 Crown grant issued..... Date.....19

Second Schedule.
 Western Australia.
 (56 V., No. 14, s. 82, Schedule 7.)
SURRENDER OF CROWN LEASE.

I,, being registered as the proprietor of an estate in leasehold in the land hereinafter described, subject to the encumbrances notified hereunder, in consideration of the grant to me in fee simple of the holding pursuant to section 44 of the Land Act, 1933-1956.

Do hereby surrender to Her Majesty Queen Elizabeth the Second, all my estate and interest in all that piece of land being Town (or Suburban) Lot No....., the subject of the Crown lease No....., 19....., and I,, as Minister for Lands hereby accept the surrender for and on behalf of Her Majesty.

Dated the..... day of....., one thousand nine hundred and.....

Signed, sealed and delivered by the said }
 }
 in the presence of }
 * }
 Signed by the said Minister for Lands, }
 and sealed with the seal of this }
 office, in the presence of }

* To be attested by the Registrar of Titles, or an Assistant Registrar, or by a Justice of the Peace, Notary Public, Solicitor of the Supreme Court, Commissioner for taking Affidavits, Postmaster, Postmistress, Minister of Religion, or any other person authorised in that behalf by the Governor in Council.

Depth of Crown Grants, Conditional Purchase Leases, etc.
(Section 15 (2).)

12. All Crown Grants or conditional purchase leases or licenses issued under this Act shall be issued for an estate in the land to a limited depth only, as follows:—

Within goldfields, mineral fields and mining districts—40 feet.

All other lands—200 feet,

or such other depths, in special cases, as the Minister in his discretion may direct.

Crown Grants of Adjoining Holdings.

13. (1) The holder of any lease or license granted under the provisions of the Land Act, 1933-1946,¹ or any enactment repealed thereby, to which rights in freehold appertain, may upon fulfilment of the prescribed conditions, obtain the Crown Grant upon payment of the fee of £1 10s. as prescribed at the time such lease or license was approved.

(2) From the date of these regulations coming into force no application will be accepted for the issue of one Crown Grant to include several such adjoining holdings as are referred to in the preceding clause at the one Crown Grant fee £1 10s.

(3) The holder of any such leases or licenses as are referred to in clause 1 of this regulation shall be at liberty to avail himself of the provisions of section 142 of the Land Act, 1933-1948¹ (as amended by the Land Act Amendment Act, 1948 (No. 1)), and apply for the issue of a consolidated Crown Grant upon payment of the Crown Grant fee prescribed, viz., £2 for the first holding and £1 for each additional holding included after the first.

Reservation of Timber.
(Sections 16 and 20.)

14. (1) All Crown Grants or conditional purchase leases or licenses issued under the Act of land (other than townsite lots) shall be subject respectively to the following condition which shall be included therein:—

All marketable indigenous timber including all sandalwood and mallet trees on the said lands is reserved to the Crown save that the grantee, lessee or licensee, as the case may be, may ringbark, fell or otherwise destroy any marketable indigenous timber other than sandalwood and mallet trees in the ordinary course of *bona fide* clearing and use any of the timber so felled for his own reasonable requirements in connection with farming operations on the said lands with full liberty to Us, Our heirs and successors and persons authorised by Us or by any person or corporation in whom the control of forests is for the time being vested, to enter, obtain and remove any of the marketable indigenous timber and for that purpose or for the purpose of extracting any marketable indigenous timber from any other land in the locality, full liberty for Us and any of the persons aforesaid to pass and re-pass over the said lands with or without workmen, machinery, horses and cattle and to take water from any spring, stream, well or water hole and to lay down and construct pipe lines for conveying the water and to make roads and ways and construct and maintain timber tramways on the said lands subject however (where the road, way, tramway or pipe line is for the purpose of extracting any marketable indigenous timber or conveying water from any other land in the locality) to no other direct and satisfactory route being available through Crown lands, reserves or State forests without making to the grantee, lessee, or licensee, as the case may be, or their respective transferees or assigns any compensation in respect of any of the matters aforesaid:

Reg. 14
substituted
by
G.G. 17/6/55,
p. 1510.

¹ Now Land Act, 1933-1956.

Provided that We, Our heirs and successors will make good the actual amount of any structural damage done to any buildings, erections or fences in the exercise of those rights and where a fence forming part of a cattle or sheep-proof enclosure is opened, provide and maintain cattle-pits and other efficient means to prevent the escape therefrom of cattle and sheep.

(2) Where the said lands are the subject of a Crown Grant the condition referred to in subregulation (1) of this regulation shall apply to the land for a period of twenty years and no longer from the date of the issue of the Grant.

Agricultural Lands Purchase Board.

(Part VIII.)

15. (1) The Board shall meet for the despatch of business at such time or times, at such place or places as the Minister for Lands, or other officer authorised by him in that behalf, shall from time to time appoint.

(2) Every meeting of the Board (excepting an adjourned meeting) shall be convened and appointed by the Minister for Lands, or other officer authorised by him in that behalf, by posting each member of the Board at his usual address, at least three clear days before the date of such meeting, a notice in writing specifying the date and place of such meeting. Any omission to post such notice as aforesaid to any one or more members of such Board shall not invalidate such meeting.

(3) Members for the time being constituting the Board shall, before entering into the consideration of the several offers referred to them for their report (in accordance with section 122 of the Land Act, 1933-1948¹), choose one of their number to be the chairman for that meeting (including any adjournment thereof), but the omission to choose a chairman at such meeting shall not invalidate any act done by the Board.

(4) At every meeting of the Board the chairman shall preside. No meeting of the Board shall be deemed properly constituted under these regulations unless three members thereof shall attend thereat throughout.

(5) The members present at any meeting convened and appointed as aforesaid shall have power to adjourn such meeting to such other time and place as a majority present at such meeting shall agree upon.

(6) The Minister for Lands shall from time to time forward to the Board particulars of any offer or offers received pursuant to section 121 of the Land Act, 1933-1948,¹ and in respect of which a report or reports is or are required, and immediately after the consideration thereof by the Board the Chairman for the time being thereof shall, with all convenient speed, make the report or reports in writing of the Board touching the several matters referred to in section 122 of the Land Act, 1933-1948.¹ Such report or reports shall be entered in the minute book and signed by the Chairman of the Board and the several members thereof present at any such meeting. The Chairman of such meeting shall immediately forward to the Minister a copy of such report or reports.

(7) All matters which shall be considered at any meeting of the Board shall be determined by a majority of votes of the members present. Each member to have one vote, and, in case of an equal division of votes, the Chairman shall have a casting vote besides his ordinary vote.

(8) Any member of the Board who is not an officer employed in the Public Service shall be entitled to receive a fee of £2 2s. for each sitting of the Board, convened and appointed as aforesaid, and shall also, in addition, be entitled to and shall receive his transport expenses actually incurred and paid by him, and a subsistence allowance of £1 10s. per diem when travelling or absent from home on the business of the Board.

¹ Now Land Act, 1933-1956.

(9) Any member of the Board who shall not be present at any meeting within 15 minutes of the time appointed for the meeting of the same, without reasonable excuse, shall not be entitled to any remuneration for his attendance, or for any transport expenses or subsistence allowance as hereinbefore mentioned.

(10) All proceedings of the Board shall be entered in a minute book to be kept for that purpose, and at each meeting of the Board the minutes of the meeting shall be read and confirmed or amended, and the presiding Chairman shall sign them as confirmed or amended.

(11) No member of the Board during his tenure of office shall be eligible to make any offer to surrender land to His Majesty under the provisions of the above Act, and no member shall act in any matter in which he shall have any direct or indirect interest.

Cropping Leases (Section 131).

16. Cropping leases granted under section 131 of Part VIII (Agricultural Land Purchase) of this Act shall be subject to such terms, conditions, and rental as in each case the Minister may think fit.

In the event of any repurchased land being vacant, applications for cropping leases may be invited by notice in the *Government Gazette*, and, in the event of more than one application being received for the same area on or before the published closing date for receipt of applications, they will be dealt with by the Land Board as simultaneous applications under the provisions of section 135.

Special Leases and Licenses.

17. (1) Pursuant to the provisions of section 116 (14), the following are approved purposes for which special leases may be granted:—

- Tea gardens.
- Stacking, hewing, and distributing timber and pumping water.
- Dairying.
- Paddocking horses.
- Poultry farms.
- Brick kilns.
- Recreation grounds.
- Schools.
- Pleasure grounds.
- Stockyards.
- Sheep dip.
- Tourist purposes.
- Slaughter yards.
- Grazing.
- Pig farms.
- Cropping.
- Beekeeping.

(2) In addition to such rental or fee as may be required to be paid by the lessee or licensee of any lease or license granted for the purpose of collecting guano, rock phosphate, or any like purpose, or for brickmaking or quarrying, the Minister may in his discretion require such lessee or licensee to pay a royalty to be determined by the Minister on the materials collected or taken and in such case the lessee or licensee shall furnish returns half-yearly or at such other times as the Minister may specify, showing particulars and quantities of materials collected or taken. Such returns shall be verified by statutory declaration to be made by the lessee or licensee who shall in addition, if required by the Minister, produce for inspection his books of account in relation to the activities carried on by him on such lease or license.

Leases for Collection and Manufacture of Salt.

18. (1) Leases may be granted under Section 116 of the Land Act, 1933-1948,¹ for the collection and manufacture of salt of not more than 500 acres in any one lease, unless otherwise specially recommended by the Minister for Lands and approved by the

Reg. 18
amended by
G.G. 13/6/58,
p. 1293.

¹ Now Land Act, 1933-1956.

Governor, for such term as may be approved by the Governor at a rental of not less than Two pounds per annum for every 100 acres or portion thereof, and subject to the payment by the lessee of a royalty of not less than Sixpence per ton on all salt marketed. The lease shall be in the form or to the effect of the Schedule in this Regulation.

(2) Every application shall be accompanied by a deposit of rent as prescribed by Section 139 of the Act, together with the lease fee and registration fees. The cost of survey must, if so required by the Surveyor General, be paid by the applicant within 30 days of demand.

(3) The lessee shall keep at least one man for every 100 acres constantly employed during the months of December, January, February, March, and April in each year, in gathering salt on the leased land.

(4) No person or association of persons or company shall hold or be beneficially interested in more than 1,000 acres leased under this Regulation, unless otherwise specially recommended by the Minister for Lands and approved by the Governor.

(5) Adjoining leases granted under this Regulation, the aggregate area of which does not exceed 1,000 acres, or any greater area approved by the Governor, and held by the same person or association of persons or company may, with the approval of the Minister for Lands, be deemed one lease in respect to the labour conditions for such time as the Minister may think fit.

(6) The Minister for Lands may, in his discretion, grant exemption from working the lease for any portion of the period referred to in Clause (3).

(7) The lessee will be required to furnish returns half-yearly or otherwise as the Minister may direct of all salt collected and marketed, such returns to be verified by statutory declaration, and to produce his books of account for inspection on behalf of the Minister.

(8) Every lease shall be granted on the condition that the Minister may authorise the construction of railways and tramways or the opening up of roads on the leased area on the application of any person or persons, and may grant permission to construct and use the same without compensation to the lessee, except so far as any improvements may be affected.

(9) The lease will be liable to forfeiture if any of the prescribed conditions are not complied with to the satisfaction of the said Minister for Lands.

(10) The lease will be open to renewal to the lessee at such rental and on such working conditions as may be prescribed at the termination of the period referred to in Clause (1).

Schedule amended by G.G. 13/6/58, p. 1293.

The Schedule.

Western Australia.

SPECIAL LEASE.

(Under Section 116 of the Land Act, 1933-1956.)

.....Division. Lease No. No.....

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Australia and her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith. To all to whom these presents shall come, Greeting: Know Ye that whereas by the Land Act, 1933-1956, power is given to the Governor in Council of our State of Western Australia to grant leases of any portion of land to any person for any special purpose upon the

terms and conditions set forth in Section 116 of the said Act: And whereas....., of.....in the said State, has made application for a lease of the land hereinafter described, for the special purpose of.....the collection and manufacture of salt.....: And whereas the said Governor in Council has approved the granting of the said lease: We, of our especial Grace, and in consideration of the premises, and also in consideration of the rent and royalty hereinafter reserved and on the part of the said....., Executors, Administrators, and Assigns (hereinafter called "The Lessee"), to be paid, and in exercise of the powers in that behalf to us given by the said Act, do by these Presents demise and lease to the said Lessee the natural surface and so much of the land as is below the natural surface to a depth of.....feet of all that piece or parcel of land delineated on the plan hereon, with the appurtenances: To have and to hold the premises hereby demised subject to the powers, reservations, and conditions herein and by the said Act contained, and with all the rights, powers, and privileges conferred by such of the said Act as are applicable hereto, unto the said lessee, for the term of.....years, to be computed from the.....day of....., 19....., for the special purpose aforesaid: Yielding and paying thereto during the said term unto Us, Our Heirs and Successors, the yearly rent ofwithout deductions, by equal payments half-yearly, in advance, on or before the first day of March and the first day of September in every year, and also yielding and paying a royalty of.....per ton on all salt collected from the said land and marketed by the Lessee, such rent and royalty to be paid to our Minister for Lands of Our said State: Provided, nevertheless, that it shall at all times be lawful for Us, Our Heirs and Successors, or for any person or persons acting in that behalf by Our or their authority, to resume and enter upon possession of any part of the said lands which it may at any time by Us, Our Heirs and Successors, be deemed necessary to resume for roads, tramways, railways, railway stations, bridges, canals, towing paths, harbour or river improvements works, drainage or irrigation works, quarries, and generally for any other works or purposes of public use, utility, or convenience, and for the purpose of exercising the power to search for minerals and gems hereinafter reserved, and such land so resumed to hold to Us, Our Heirs and Successors, as of Our or Their former estate, without making to the said Lessee, Heirs and Assigns any compensation in respect thereof; so, nevertheless, that the lands so to be resumed shall not exceed one-twentieth part in the whole of the lands aforesaid, and that no such resumption be made of any part of the said lands upon which any buildings may have been erected, or which may be enclosed, and in use as gardens, or otherwise for the more convenient occupation of any such buildings without compensation: Provided also that it shall be lawful at all times for Us, Our Heirs and Successors, or for any person or persons acting in that behalf by Our or Their authority, to cut and take away any such indigenous timber, and to search and dig for, and carry away any stones or other materials which may be required for making or keeping in repair any roads, tramways, railways, stations, bridges, canals, towing paths, harbour works, breakwaters, river improvements, drainage, or irrigation works, and generally for any other works or purposes of public use, utility, or convenience, without making to the Lessee, Heirs, or Assigns, any compensation in respect thereof, and we do hereby save and reserve to Us, Our Heirs and Successors, all mines of gold, silver, copper, tin, or other metals, ore, and mineral, or other substances containing metals, and all gems and precious stones, and coal or mineral oil in and under the said land, with full liberty at all times to search and dig for and carry away the same; and for that purpose enter upon the said land or any part thereof. Provided also and it is hereby declared that this lease is granted subject to the following conditions:—

- (a) That the lessee shall keep at least one man for every 100 acres constantly employed on the demised land during the months of December, January, February, March, and April in each year, in gathering salt:

Provided that any adjoining leases granted under the Regulations of.....may, with the approval of the Minister for Lands, be deemed one lease in respect to the labour conditions for such time as the Minister may think fit, if the aggregate area does not exceed 1,000 acres, or any greater area approved by the Governor.

- (b) That the Lessee shall deliver to the Minister at the Department of Lands, Perth, half-yearly (or oftener if so required) returns in writing, verified by statutory declaration to the satisfaction of the Minister, of all salt collected on the demised land and marketed, and with each return shall remit the amount of royalty payable; and that the Lessee shall keep proper books of account containing entries of all salt marketed, and produce such books for inspection on behalf of the Minister, whenever required to do so.
- (c) That the Lessee and any person claiming under the lease shall not hold or be beneficially interested in more than 1,000 acres in the aggregate of land held for the said special purpose, unless otherwise specially recommended by the Minister for Lands and approved by the Governor.
- (d) The Minister for Lands may in his discretion grant exemptions from working the lease for any portion of the period referred to in paragraph (a).
- (e) That notwithstanding anything herein contained to the contrary, the Minister for Lands may authorise the construction of railways or tramways, or the opening up of roads on the application of any person or persons, and may grant permission to construct and use the same without compensation to the Lessee, except so far as any improvements may be affected.

Provided, also, that if the said Lessee shall, during the term hereby created, at any time make default in payment of the rent hereby reserved, or shall fail or cease to use, hold, and enjoy the said land for the said special purpose, or to observe and perform the conditions aforesaid it shall thereupon be lawful for Us, Our Heirs and Successors, into and upon the said demised premises, or any part thereof in the name of the whole to re-enter, and the same to have again, re-possess and enjoy as if this deed-poll had never been executed, without making any compensation to the Lessee.

Plan herein referred to.

The bearings on the above plan are true or thereabouts, and the area and measurements more or less.

In witness whereof we have caused Our said Minister for Lands to affix hereto his seal and set his hand this
day of _____, 19 _____.

.....
By order of the Minister for Lands.

Regulation re Transfer and Discharge of Mortgages.

19. Mortgages by the holder of leases or licenses given and registered in accordance with the Land Act, 1933-1948,¹ shall be transferred and wholly or in part discharged by means of the respective forms in the Schedule to this regulation, or by forms as near thereto as circumstances will allow.

¹ Now Land Act, 1933-1956.

Schedule.

Correspondence No.

Land Act, 1933-1956.

TRANSFER OF MORTGAGE.

I, _____ of _____ being registered as
the proprietor of a mortgage numbered _____, granted to me by
_____ upon the land hereinafter described,
in consideration of the sum of _____ paid
to me by _____ of _____, do hereby
transfer to the said _____ the principal sum
of _____ and all interest secured by the said
mortgage, all my estate and interest as such mortgagee in
All

Signed, sealed, and delivered by the said }
in the presence of } [L.S.]

Received this Transfer of Mortgage at _____ on the
_____ day of _____, 19 _____, with fee of
Five shillings on each block.

Accountant.

Registered No. Under Secretary for Lands.
Date

Correspondence No.

Land Act, 1933-1956.

DISCHARGE OF MORTGAGE.

Discharge }
No. } _____

I, _____ do hereby discharge the following
lands _____ from the whole of the
moneys secured to me by Instrument of Mortgage registered the
_____ day of _____ 19 _____, to secure
£ _____

Signature

Signed by the abovenamed Mortgagee this _____ day
of _____ 19 _____, in my presence.

Received this discharge at _____ the
_____ day of _____ 19 _____, with fee of Five shillings on
each block.

Accountant.

Discharge No. _____ registered.
Under Secretary for Lands.

Date

Correspondence No.

Land Act, 1933-1956.

PARTIAL DISCHARGE OF MORTGAGE.

Discharge }
No. } _____

Whereas under instrument of mortgage, registered the day of 19 , the lands herein mentioned were mortgaged to me, the undersigned, to secure £ principal and £ per cent. per annum interest thereon, viz.:—*

And whereas on this day of 19 , there is due to me under the said mortgage £ principal and £ of interest: I hereby discharge the said lands from the whole of the said interest and from £ part of the said principal.

Dated this day of 19 .

Signature

Signed by the said Mortgagee in the presence of me.

Received this partial discharge this day of 19 , with fee of Five shillings. Accountant.

Partial Discharge No. registered.

Under Secretary for Lands.

Date

* Here describe lands.

Sussex and Nelson Districts—Restriction in Selection of Areas.

20. (1) No person, being the holder of conditional purchase land in the Sussex or Nelson Districts under Parts V., VI., and VIII. of the Land Act, 1898, or under Part V. of the Land Act, 1933-1948,¹ or whose wife or husband, as the case may be, is the holder of any such land, shall be qualified to acquire any other conditional purchase land in either of the said districts, except in special cases approved by the Minister; and no person shall be qualified, without the said approval of the Minister, to acquire any conditional purchase land under either of the said Parts in the Sussex or Nelson Districts exceeding the surveyed area of any block now open or hereafter to be thrown open for selection and acquired by him.

(2) When any block of land is acquired under this regulation by any person, the wife or husband, as the case may be, of such person shall be disqualified from acquiring any other block of land in either of the said Districts.

(3) This regulation shall not affect the transfer of conditional purchase land acquired before the 22nd April, 1921, except so far as the general provisions of the Land Act, 1933-1948,¹ relating to holdings and transfers apply.

¹ Now Land Act, 1933-1956.

Schedule B.

Western Australia.

Land Act, 1933-1956.

(Sections 139A and 139B.)

APPLICATION FOR WAR SERVICE (LAND RENT) CONCESSIONS.

I, of hereby apply for—

- (a) deferment of payment of land rent, under section 139A;
(b) rebate in amount of rent payable, under section 139B (3);
(c) five years' exemption from payment of rent under section 139B (5);
(d) continuation of concessions previously granted under the Discharged Soldiers' Settlement Act, 1918, under section 139B (8);
(e) rebate in amount of rent payable under section 139B (10) (deceased's estate);

(Strike out parts not applicable.)

in respect of the following leases:—

In support of this application I solemnly and sincerely declare:—

- (i) That I am the owner of the abovementioned leases.
(ii) That I was a resident of the Commonwealth for a period of not less than twelve months immediately prior to the 3rd September, 1939.
(iii) That particulars of my membership of the forces are:—
Identification No. Unit
Date of enlistment Date of Discharge
Reason for Discharge
(iv) That I am a discharged member of the forces within the meaning of that term in section 139B (1) of the Land Act, 1933-1956.

AND I make this solemn declaration conscientiously believing the same to be true, and by virtue of section 106 of the Evidence Act, 1906.

Declared at this day of , 19

Before me: (J.P. or other authorised person.)

Received this day of , 19 for Under Secretary for Lands.

Application approved for period commencing Date:

An officer authorised in this behalf by the Governor. By order of the Minister.

Amendment of Schedules.

22. The following Schedules to the Act are hereby modified or amended as follows, under section 172 (2):—

Third Schedule.

In the twentieth line the words "at all times" are deleted.

Fourth Schedule.

In the twenty-fourth line, after the word "demised," the following words are added:—"or shall not make use of the land for such purpose within two years from the date of the lease, or such further period as the Minister in his discretion may in writing approve."

Fifth Schedule.

The form of application for a town or suburban lot is hereby amended to the following and the Fifth Schedule is hereby amended accordingly:—

Corres. No.....

Land Act, 1933-1956.

Schedule 5.

APPLICATION FOR A TOWN OR SUBURBAN LOT
TO BE SUBMITTED TO AUCTION.
(Under Section 38.)

Place.....

Appln. No.....

Date.....

I HEREBY apply to have the block of land, described below, submitted to auction under the provisions of section 38 of the Land Act, 1933-1956:—

Lot No.	Name at full length, Address, and Calling of Applicant	Acreage			Town	Street
		a.	r.	p.		

<p>Signature of Applicant. Received this Application on the day of, 19....., with deposit of £.....</p> <p>Accountant. Application approved for sale by auction to a depth of feet below the natural surface, on the day of, 19....., at.....</p> <p>Upset price £..... Sale approved,</p> <p>An officer authorised in this behalf by the Governor. By order of the Minister for Lands.</p> <p>Note.—All improvements on the land applied for are the property of the Crown, and shall be paid for as the Minister may direct.</p>	<p>Office References.</p> <p>Applicants are requested not to write in this space.</p> <p>Passed on Plan Examined.</p>
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Name at full length, address, and calling of person to whom Purchaser wishes Grant to issue*	Price realised			Remarks
	£	s.	d.	

* If two or more persons are named as grantees, they must state whether they desire to hold as tenants in common or joint tenants.

Received £....., the first instalment of purchase money due.

.....
Accountant.

License issued to..... Date.....

I hereby certify that £....., being the full amount of purchase money and fees, has been paid.

.....
Accountant.

Date.....19.....

Conditions fulfilled..... Date.....

Issue of Crown Grant approved.

.....
An officer authorised in this behalf by the Governor.

By order of the Minister for Lands.

Seventh Schedule.

The Seventh Schedule is hereby amended to be as follows:—

Seventh Schedule.

Western Australia.

Land Act, 1933-1956.

APPLICATION FOR A CONDITIONAL PURCHASE.

Application No..... Division.....
District..... Location or Lot No.....
Place and date of application.....
Plan.....
Locality.....

I HEREBY apply to purchase the Crown land described above, under the provisions of section.....of the Land Act, 1933-1956. I am over 16 years of age; I am not the holder under the said Act, or any Act thereby repealed, of 1,000 acres of cultivable land and 2,500 acres of grazing land, or the equivalent area of grazing and cultivable land mixed, or 5,000 acres of grazing land, as prescribed by the Act, and I am otherwise duly qualified to hold land under this section.

.....
Signature of applicant.

Name at full length, Address and Calling of Applicant	Acreage applied for	Purchase Money, Fees, etc.	
		Particulars	Amount
	Areas allocated as under—		£ s. d.
	Cultivable land		
	Grazing land		
	Total Area		

(On Back.)

Position and Boundaries of Land Applied for.

Ninth Schedule.

In the Ninth Schedule, instead of the words "am not the holder of any land" insert "am not the owner of more than 100 acres of land."

Tenth Schedule.

APPLICATION FOR A CONDITIONAL PURCHASE UNDER SECTION 54.

Application No..... Division.
District..... Location or Lot No.....
Place and date of application.....

I hereby apply to purchase the Crown land as described under the provisions of section 54 of the Land Act, 1933-1956; I am over 16 years of age; I am not the holder of 1,000 acres of cultivable land and 2,500 acres of grazing land, or the equivalent area of grazing and cultivable land mixed, or 5,000 acres of grazing land within the State, and I am otherwise duly qualified to hold land under the said section.

Signature of applicant.

Nineteenth Schedule.

The following proviso is hereby deleted:—

Provided that the value of stud improvements of the flocks and herds of a lessee may be accepted by the Minister to such extent as the Minister in his discretion thinks fit in lieu of improvements as prescribed by section one hundred and forty of the said Act: Provided also, that stud improvements in lieu of such improvements as prescribed shall be obligatory if and to such extent as the Minister may think fit.

Additional Forms and Schedules.

23. The following additional Forms and Schedules are hereby prescribed under section 172 (2) of the Act:—

Land Act, 1933-1956.

FORM OF LEASE FOR COMMONWEALTH RIFLE RANGE.

(Under Section 33.)

Lease /33. Division No.

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Australia and Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith: To all to whom these presents shall come, Greeting: Know ye that whereas the land delineated and bordered green on the plan endorsed on these presents containing acres or thereabouts was, under the provisions of section 29 of the Land Act, 1933-1956, reserved unto Her Majesty, Her Heirs and Successors, for the purpose of a Rifle Range: And whereas by the said Act it is provided that His Excellency the Governor of Our State of Western Australia may lease any reserved land, on such terms as he may think fit, to secure the use thereof for the purpose for which the reserve was made: And whereas the Commonwealth of Australia has made application for a lease of the said reserve: And whereas Our said Governor, with the advice of the Executive Council, has approved of the granting of the said lease: Now therefore, We, of Our especial grace, and in consideration of the premises and of the rent hereinafter reserved, and in exercise of the powers in that behalf to us given by the said Act, do by these presents demise and lease to the Commonwealth of Australia (hereinafter referred to as "the Lessee") the natural surface and so much of the land as is below the natural surface to a depth of feet of all that piece or parcel of land containing acres or thereabouts delineated as aforesaid on the plan endorsed on these presents, with the appurtenances: To have and to hold the premises hereby demised subject to the powers, reservations,

and conditions herein and in the said Act contained, and with all rights, powers, and privileges conferred by such provisions of the said Act as are applicable thereto, unto the lessee for the term of one year to be computed from the day of , and thereafter from year to year to secure the use thereof for the purpose for which the reserve was made, namely, for the purpose of a Rifle Range, yielding therefor during this demise unto Us, Our Heirs and Successors, for the yearly rent of one pound in advance on or before the day of , in every year, such rent to be paid to the Minister for Lands of Our said State: Provided always, and it is hereby declared that this demise is made subject to the following conditions, namely, that the Lessee shall pay to Our Department of Lands and Surveys, on demand, the fees payable in respect of the survey of the demised premises; and that the Lessee shall be responsible for all necessary expenditure on the demised premises; and that the Lessee shall at all times take every reasonable and proper precaution to protect all persons against danger arising from the use of the demised premises as a Rifle Range, and for the safety of the public, and shall appoint an inspector and such other officers as may be necessary for that purpose: Provided, also, that subject to such regulations as may be made by the Lessee for securing the public against danger arising from the use of the demised premises as a Rifle Range, and prohibiting the obstruction of the use thereof, it shall be lawful for the public to enter upon the demised premises: Provided, nevertheless, that it shall at all times be lawful for Us, Our Heirs and Successors, or for any person or persons acting in that behalf by Our or Their authority, to resume and enter upon possession of any part of the land hereby demised which it may at any time by Us, Our Heirs and Successors, be deemed necessary to resume for roads, tramways, railway stations, landing-places, bridges, harbour or river improvement works, drainage, or irrigation works, quarries, and generally for any other works or purposes for public use, utility, or convenience whatsoever, and such land so resumed to hold to Us, Our Heirs and Successors, as of Our or Their former estate, without making to the said Lessee any compensation in respect thereof: Provided, also, that it shall be lawful at all times for Us, Our Heirs and Successors, or for any person or persons acting in that behalf by Our or Their authority, to cut and take away any such indigenous timber, and to search and dig for and carry away any stones or other materials which may be required for making or keeping in repair any roads, tramways, railways, railway stations, landing-places, bridges, harbour or river improvement works, drainage or irrigation works, and generally for any other works or purposes of public utility or convenience, without making to the lessee any compensation in respect thereof: And We do hereby save and reserve to Us, Our Heirs and Successors, all mines of gold, silver, copper, tin, or other metals, ore, and minerals, or other substances containing metals, and all gems and precious stones, and coal or mineral oil, and all phosphatic substances, in and under the said land, with full liberty at all times to search and dig for and carry away the same, and for that purpose enter upon the said land or any part thereof: Provided, also, that if the Lessee shall at any time make default in payment of the rent hereby reserved or shall fail or cease to use, hold, or enjoy the demised premises for the said special purpose, or shall fail to observe and perform the conditions subject to which this demise is made, it shall thereupon be lawful for Us, Our Heirs and Successors, into and upon the said demised premises, or any part thereof in the name of the whole, to re-enter and the same to have again, repossess, and enjoy as if this deed-poll had never been executed, without making any compensation to the said Lessee.

Plan Herein Referred to.

The bearings of the above plan are true or thereabouts, and the area and measurements more or less.

In witness whereof we have caused Our said Minister for Lands to affix his seal and set his hand, this day of , 19 .

By order of the Minister for Lands.

And in witness and acceptance whereof the hand of the Honourable , Attorney General for the Commonwealth of Australia, on behalf of the said The Commonwealth of Australia, is hereto set this day of , 19 .

LEASE OF CROWN RESERVES AND RIVER FRONTAGES FOR GRAZING PURPOSES.

(Under Section 32 of the Land Act, 1933-1956.)

Lease No.	/32.	Division No.
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ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Australia and Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith: To all to whom these presents shall come, Greeting: Know ye that we, of our especial Grace, certain knowledge and mere motion, do by these presents grant and demise unto Executors, Administrators, and Assigns (hereinafter referred to as the Lessees), the natural surface and so much of the land as is below the natural surface to a depth of feet of all that piece or parcel of land situate and being in Our State of Western Australia, containing acres and distinguished in the maps and books of the Department of Lands and Surveys of Our said State as roads perches, more or less, and marked as the same is delineated with a margin of green colour in the plan drawn in the margin hereof. Together with all easements and appurtenances to the said piece or parcel of land belonging or appertaining: To hold the premises hereby demised for grazing and no other purpose from the day of , 19 , on a yearly tenancy determinable nevertheless as hereinafter provided: Yielding and paying therefore to Us, Our Heirs and Successors, the yearly rental of by equal half-yearly instalments payable in advance as provided by Section 139 of the Land Act, 1933-1956. Provided always that his demise shall be determinable by Us, Our Heirs and Successors or by the Lessee(s) at any time on three months' notice, such notice if given by Us, Our Heirs and Successors, to be in writing signed by or on behalf of Our Minister for Lands addressed to the Lessee(s) and delivered to or left at or sent by post to the address stated in this lease and if given by the Lessee(s), to be in writing signed by addressed to Our Minister for Lands and delivered or sent by post to the Department of Land and Surveys, Perth: Provided always, that if the Lessee(s) at any time during the said term shall make default in the due payment of the rent hereinbefore reserved, or shall use the premises for any other purpose than as hereinbefore expressed, it shall thereupon be lawful for Us, Our Heirs and Successors, into and upon the said land, or any part thereof in the name of the whole to re-enter, and the same to have again, reposses and enjoy as if this demise had never been executed. Provided also, that it shall at all times be lawful for Us, Our Heirs and

Successors, or for any person or persons acting in that behalf by Our or Their authority, to resume and enter upon possession of any part of the said land which it may at any time by Us, Our Heirs and Successors, be deemed necessary to resume for roads, tramways, railways, railway stations, bridges, canals, towing-paths, harbour or river improvement works, drainage or irrigation works, quarries, and generally for any other works or purposes of public use, utility, or convenience, and for the purpose of exercising the power to search for minerals and gems hereinafter reserved, and such land so resumed to hold to Us, Our Heirs and Successors, as of Our or Their former estate, without making to the Lessee any compensation in respect thereof: Provided also, that it shall be lawful at all times for Us, Our Heirs and Successors, or for any person or persons acting in that behalf, by Our or Their authority, to cut and take away any indigenous timber, and to search and dig for and carry away any stones or other materials which may be required for making or keeping in repair any roads, tramways, railways, railway stations, bridges, canals, towing-paths, harbour works, break-waters, river improvements, drainage or irrigation works, and generally for any other works or purposes of public use, utility, or convenience, without making to the Lessee(s), heirs, or assigns, any compensation in respect thereof; and we do hereby save and reserve to Us, Our Heirs and Successors, all mines of gold, silver, copper, tin, or other metals, ore, and mineral or other substances containing metals, and all gems and precious stones, and coal or mineral oil, and all phosphatic substances in and under the said land, with full liberty at all times to search and dig for and carry away the same; and for that purpose enter upon the said land or any part thereof: Provided also that on the determination of this lease the Lessee(s), Executors, Administrators, or Assigns shall have no claims in respect to any improvements he may have effected on the land, but any such improvements shall belong to the Crown.

Plan herein referred to.



Scale chains to an inch.

The area and measurements above are more or less.

In witness whereof we have caused Our said Minister for Lands to affix hereto his Seal and set his hands this day of , 19

By order of the Minister for Lands.