



Government Gazette

OF

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PERTH: WEDNESDAY, SEPTEMBER 22.

[1909.

REGULATIONS FOR THE SALE OF SUBURBAN LANDS FOR CULTIVATION WITHIN APPROVED AREAS.

(Part IV. of "The Land Act, 1898.")

Department of Lands and Surveys,
13119/98. Perth, 22nd September, 1909.

HIS Excellency the Governor in Executive Council has been pleased to approve of the following Regulations under Section 161 of "The Land Act, 1898," for the sale of Suburban Lands for Cultivation within approved areas, and to repeal those published in the *Government Gazette* of 9th July, 1909:—

REGULATIONS.

Conditions of Sale of Suburban Lands advertised to be sold by auction at the day of , 190 .

1. The land offered for sale is particularised in the notice headed "Land Sales," published in the *Government Gazette* of the day of , 190 , and will be sold subject to the terms and conditions of "The Land Act, 1898," and of these Regulations, 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 offered shall be 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. Biddings shall advance at the rate of not less than Ten shillings when the upset price of the lot is £10 or under, or £1 if the upset price exceeds £10. 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 in cash 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 in cash as required, the purchase shall be void, and the lot may be offered again immediately for sale.
6. The balance of purchase money shall be paid to the Minister for Lands or his agent within ten years from the date of sale, by equal half-yearly instalments, on the first day of March and the first day of September in each year, as prescribed in Section 136 of "The Land Act, 1898," the Crown Grant fees being payable with the last instalment of purchase money: Provided that in no case shall any half-yearly instalment of purchase money be less than one pound: Provided also that nothing shall prevent the balance of the purchase money being paid at an earlier date should the purchaser so desire, but no Crown Grant shall issue until the Minister for Lands is satisfied that the prescribed conditions have been fulfilled.
7. In any case where the value of improvements on a lot is added to the upset price, and the lot is knocked down to any other person than the owner of such improvements, the value of the same shall be paid to the Minister for Lands or his agent immediately after the sale: Provided that if the improvements belong to the Crown, the value thereof, to be fixed by the Minister for Lands, will be added to the purchase money, and payment therefor may be made by instalments as aforesaid. Provided always that such improvements shall continue the property of the Crown until paid for, and shall not in the meantime be removed from the land: Provided also that until the purchase money has been paid in full, all improvements, including clearing, shall be efficiently maintained by the purchaser to the satisfaction of the Minister for Lands.
8. The purchaser shall, within two years from the date of sale, substantially fence in the whole of his land with a fence of the description prescribed by the said Act, and within three years shall plant in a *bona fide* manner as an orchard, vineyard, or vegetable garden, at least one-twentieth of the area, or otherwise clear and cultivate one-eighth of the said area and within six years shall similarly plant as aforesaid one-eighth of the whole area, or otherwise cultivate as aforesaid one-quarter of the whole area: Provided that the Minister for Lands may, if he think fit, dispense with the division fences between two or more adjoining lots purchased by one person, or may, if he think fit, accept other substantial improvements in lieu of fencing.
9. In default of payment of any one of the several instalments of purchase money within the times and with the fines prescribed by Section 136 of "The Land Act, 1898," or if the conditions as to fencing and cultivation have not been complied with within the times



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