

LAND.5th Elizabeth II., No. XLI.

No. 41 of 1956.

AN ACT to amend the Land Act, 1933-1954.*[Assented to 18th December, 1956.]*

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

1. (1) This Act may be cited as the *Land Act Amendment Act, 1956*.

Short title
and citation.

(2) In this Act the Land Act, 1933-1954,

Act No. 37 of 1933 as reprinted with amendments to and including Act No. 68 of 1948 incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938 and as further amended by Acts Nos. 58 of 1950, 66 of 1953 and 17 of 1954,

Reprinted
Acts,
Vol. 3, 1950.
Approved for
reprint,
23rd March,
1950.

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Land Act, 1933-1956.

S. 3
amended.

2. Section three of the principal Act is amended—

- (a) by adding before the word, “In” in line one, the subsection designation, “(1)”;
- (b) by adding before the word, “all” in the third last line of the interpretation, “Crown Lands,” the word, “includes”; and
- (c) by adding the following subsection:—

Construction
of expression
“Crown
Lands.”

(2) For removing doubts, it is hereby declared that the expression “Crown Lands” in subsection (1) of this section includes and is deemed to have always included all lands between high and low water mark on the seashore and the banks of tidal waters.

S. 7
amended.
Cf. No. 58 of
1950, s. 4; and
Common-
wealth Act
No. 69 of
1955, ss. 7
and 8.

3. Section seven of the principal Act is amended by adding after the word, “Commonwealth” in line two of subsection (4), the words, “or other appropriate authority of the Commonwealth”.

S. 143
amended.

4. Section one hundred and forty-three of the principal Act is amended by adding the following subsections:—

(4) Except in special cases to be approved by the Minister no area leased under Part VI. of this Act shall be transferred or sublet until after the expiration of two years from the commencement of the lease unless the lessee—

- (a) has expended under section one hundred and two of this Act, on improvements mentioned in section one hundred and forty of this Act

- (i) at the rate of five pounds for each one thousand acres of the area leased, if he desires to transfer or sublet the area within five years from the commencement of the lease; or
- (ii) at the rate of ten pounds for each one thousand acres of the area leased, if he desires to transfer or sublet the area within ten years from the commencement of the lease;

and in either case

- (b) has stocked and kept stocked, under section one hundred and three of this Act, the area leased
 - (i) at the rate of ten head of sheep or two head of large stock for each one thousand acres of the area, if he desires to transfer or sublet the area within two years from the commencement of the lease; or
 - (ii) at the rate of twenty head of sheep or four head of large stock for each one thousand acres of the area leased, if he desires to transfer or sublet the area after the expiration of two years but before the expiration of seven years from the commencement of the lease; or
 - (iii) at the rate of thirty head of sheep or six head of large stock for each one thousand acres of the area, if he desires to transfer or sublet the area, at any time after the expiration of seven years from the commencement of the lease.

(5) The special cases which may be approved of by the Minister and which are referred to respectively in subsection (3) and in subsection (4) of this section may be so approved notwithstanding that none of the conditions for a transfer or subletting set out respectively in subsection (3) and in subsection (4) of this section has occurred, been complied with or performed.
