

(4) Where pursuant to subsection (3) of this section any person holds any deficiency grant or any part thereof on trust for the proprietor of a property that person may, subject to any directions given him by the Board, hold and apply that grant or any part thereof in or towards the discharge of any debts or obligations incurred to him by the proprietor of that property in relation to dealings with the fruit produced on that property during the season.

Provisions for prevention of fraud, &c.

6—(1) Any person who with a view to the obtaining payment of a deficiency grant by the Board makes any representation that he knows to be false or does not believe to be true is guilty of an offence and liable to a penalty of one thousand dollars.

(2) Where in relation to an application for a deficiency grant representations have been made to the Board that are false in any material particular the Board may recover, as a debt due to it, the whole of the grant, or such part thereof as it may determine, from the person to whom the grant was paid or the proprietor of the property in relation to which the application was made.

(3) Any sums recovered by the Board under this section shall be paid into the Consolidated Revenue.

Expenses of Act.

7 The expenses of the Board under this Act shall be defrayed out of moneys provided by Parliament for the purpose.

CROWN LANDS (MISCELLANEOUS PROVISIONS) (No. 3).

No. 77 of 1972.

AN ACT to make provision for certain matters relating to certain Crown lands and other lands and to amend the *Crown Lands (Miscellaneous Provisions) Act 1970*. [17 January 1973.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

1—(1) This Act may be cited as the *Crown Lands (Miscellaneous Provisions) Act (No. 3) 1972*.

(2) This Act is incorporated and shall be read as one with the *Crown Lands Act 1935* (in this Act referred to as the Principal Act).

- 2** The Commissioner may sell the land described in the first schedule to the Mayor, Aldermen, and Citizens of the City of Launceston for a nominal sum. Sale of land to city of Launceston.
- 3** The contract for the sale of land in the former County of Wellington, Parish of Meunna, entered into between the Commissioner and A. E. Hilder Pty. Ltd. on the twentieth day of September 1956 shall be deemed to have been authorized by section twenty of the Principal Act and shall, for the purposes of that Act, have the like effect as if it had been entered into with a natural person who had attained the age of eighteen years, and nothing in Division V of Part IV of that Act shall be deemed to have the effect of rendering that contract void or unlawful or in any way prejudicing or affecting its operation. Validation of sale of land to A. E. Hilder Pty. Ltd.
- 4** The contract for the sale of land in the Parish of Fennington, Land District of Dorset, entered into on the eleventh day of April 1967 between the Commissioner and *Bertram Albert Farquhar*, of Scottsdale in this State, shall be deemed to have been authorized by section forty-six of the Principal Act, and nothing in Division V of Part IV of that Act shall be deemed to have the effect of rendering that contract void or unlawful or in any way prejudicing or affecting its operation. Validation of sale of land to B. A. Farquhar of Scottsdale.
- 5** The Commissioner may sell the land described in the second schedule to *Gordon Arthur Wing* of Midway Point in this State. Sale of land at Bicheno to G. A. Wing.
- 6** The Commissioner may sell the land described in the third schedule to *Owen Arnold Smith* of Currie in this State. Sale of land at Currie to O. A. Smith.
- 7** The Governor may, in the name and on behalf of Her Majesty, convey and alienate the land described in the fourth schedule to trustees to hold the land on such trusts as the Governor approves for the sale thereof and the application of the proceeds of the sale for or in connection with the provision of accommodation and other facilities for aged persons. Grant of land at Oatlands for purposes of accommodation for the aged.
- 8** The Commissioner may sell the land described in the fifth schedule to the Ulverstone Senior Citizens Association Inc. Sale of land to Ulverstone Senior Citizens Association Inc.
- 9** The Commissioner may sell the land described in the sixth schedule to *John McInnes Thomson* of Lindisfarne in this State. Sale of land at Lindisfarne to J. M. Thomson.
- 10** The Commissioner may sell the land described in the seventh schedule to *John James Benson* of Campbell Town in this State. Sale of land at Campbell Town to J. J. Benson.
- 11** Section eight of the *Crown Lands (Miscellaneous Provisions) Act 1970* is amended by omitting from subsection (2) the words "the sum of four thousand dollars" and substituting therefor the words "a nominal sum". Amendment of Crown Lands (Miscellaneous Provisions) Act 1970.
- 12** All public rights of passage over the land described in the eighth schedule are extinguished and the Commissioner may sell that land to Australian Newsprint Mills Limited. Sale of unused reserved roads near Moogara to Australian Newsprint Mills Ltd.

Sale of road site at Kingston to E. C. and P. Hazell.

13—(1) All public rights of passage over the land described in the ninth schedule are extinguished and that land reverts to and reverts in Her Majesty freed and discharged from all estates and interests therein subsisting in any person.

(2) The Commissioner may sell the land referred to in subsection (1) of this section to *Ellis Clement Hazell* and *Phyllis Hazell* both of Kingston in this State.

Sale of land at Strahan to F. A. Stütz and Mrs. A. R. Crosswell.

14—(1) All public rights of passage over the land described in the tenth schedule are extinguished and the Commissioner may sell that land to *Frederick Allan Stütz* and *Alma Rachel Crosswell*, both of Strahan in this State.

(2) The Recorder of Titles shall not register a certificate of title consequent upon the sale of land under this section, but instead he shall, if the certificate of title to the land comprised in the certificate of title registered volume 2701 folio 40 is surrendered to him, cancel that certificate of title, and register a consolidated certificate of title to that land and the land the subject of the sale, noting on that certificate a reference to this section.

(3) Where a consolidated certificate of title is registered in respect of any land under subsection (2) of this section there shall be deemed to have been made in respect of that land such an adhesion order as is referred to in section four hundred and seventy-seven A of the *Local Government Act 1962* and in relation to that land that section has effect as if—

- (a) that consolidated certificate of title were registered in accordance with that section as a consequence of the adhesion order;
- (b) for the purposes of subsection (7) of that section the date of the registration of the consolidated certificate of title were the date of the adhesion order; and
- (c) subsection (8) of that section were omitted therefrom.

Sale of reserved road near Jacobs Boat Harbour to Hamiltons Pty., Ltd.

15 All public rights of passage over the land described in the eleventh schedule are extinguished and the Commissioner may sell that land to *Hamiltons Pty. Ltd.*

Sale of reserved road near Jacobs Boat Harbour to E. C. and H. M. Morris.

16 All public rights of passage over the land described in the twelfth schedule are extinguished and the Commissioner may sell that land to *Edgar Charles Morris* and *Helen Mary Morris*, both of Boat Harbour in this State.

Sale of land at Queenstown to Innkeepers Ltd.

17 The Commissioner may sell the land described in the thirteenth schedule to *Innkeepers Limited* a company incorporated in the State of Victoria.

Supplementary provisions.

18—(1) Where power is given to the Commissioner under this Act to sell any land that land shall, except as otherwise provided therein, be so sold at such price and on such terms and conditions as may be determined by the Director of Lands.

(2) Subsection (2) of section seventy of the Principal Act applies to the conveyance and alienation of land pursuant to this Act as it applies to the alienation of land pursuant to that section, but nothing in this subsection shall be construed as affecting the operation of that section in relation to the sale of land pursuant to any of those provisions.

(3) Except as otherwise provided in this Act, the prescribed survey and grant fees shall be paid before any land is conveyed or alienated under this Act.

(4) Except as otherwise provided in this Act, any fees payable under the *Real Property Act* 1862 in respect of the conveyance or alienation under this Act of land to any person shall be defrayed by that person.

(5) Subject to the foregoing provisions of this Act, any land over which any public rights of passage are extinguished pursuant to any of those provisions shall be deemed to be Crown land within the meaning of the Principal Act.

(6) References in any of the schedules to this Act to a plan or diagram by a number shall be construed as references to the plan or diagram so numbered and filed in the office of the Director of Lands at Hobart.

THE FIRST SCHEDULE.

(Section 2.)

CITY OF LAUNCESTON.

All that area of Crown land containing 2 roods 5 $\frac{1}{10}$ perches as the same is shown on Plan 3920.

THE SECOND SCHEDULE.

(Section 5.)

TOWN OF BICHENO.

SECTION CC.

All that area of Crown land containing 38 $\frac{5}{10}$ perches as the same is shown as Lot 1 on Plan 2957.

THE THIRD SCHEDULE.

(Section 6.)

LAND DISTRICT OF KING ISLAND.

PARISH OF NUGARA.

All that area of Crown land containing 2 acres 3 roods 18 $\frac{9}{10}$ perches as the same is shown on Plan 3294.

THE FOURTH SCHEDULE.

(Section 7.)

TOWN OF OATLANDS.

SECTION I.

0A. 3R. 1 1/10P. or thereabouts.

Commencing at the intersection of Church Street and South Parade and bounded on the north-west by 235 feet 5 inches or thereabouts north-easterly along that Parade on the north east by 27 feet 2 1/4 inches south-easterly along 1 9/10 perches Municipal Garage Reserve again on the north-west by 18 feet 8 1/4 inches north-easterly again along that reserve again on the north-east by 104 feet 9 inches or thereabouts south easterly along Lot 3 purchased by J. Robinson on the south-east by 254 feet 1 inch or thereabouts south-westerly along Lot 2 purchased by J. Robinson to Church Street aforesaid thence on the south-west by 132 feet or thereabouts north-westerly along that Street to the point of commencement.

THE FIFTH SCHEDULE.

(Section 8.)

TOWN OF ULVERSTONE.

0A. 0R. 12 1/10P. or thereabouts.

Commencing at the north-east angle of Lot 12 Section D purchased by The Commonwealth Banking Corporation and bounded on the south-west by 87 feet 6 inches north-westerly along that land on the north-west by 37 feet 8 1/4 inches north-easterly along a footpath 7 feet wide on the north-east by 88 feet 8 1/4 inches south-easterly along a footpath 5 feet wide and thence on the south-east by 37 feet 0 inches south-westerly along King Edward Street to the point of commencement as the same is shown on Plan No. 2361.

THE SIXTH SCHEDULE.

(Section 9.)

TOWN OF LINDISFARNE.

All that area of Crown land containing 31 5/10 perches shown as Lot 9 on Survey Diagram Volume 195 Roads Folio 18.

THE SEVENTH SCHEDULE.

(Section 10.)

TOWN OF CAMPBELL TOWN.

All that area of Crown land containing 34 2/10 perches or thereabouts shown as Lot 3 on Survey Diagram Volume 233 Folio 2.

THE EIGHTH SCHEDULE.

(Section 12.)

LAND DISTRICT OF BUCKINGHAM.
PARISH OF MOLESWORTH.

9A. OR. 24P.

Commencing at a point distant 21 chains 95 $\frac{3}{10}$ links north easterly from the north west corner of 482 acres 1 rood 23 perches purchased by G. T. Bulleid and bounded on the south west north west and north east by 91 chains 81 $\frac{7}{10}$ links south easterly south westerly and north westerly in several bearings along that land along 96 acres 2 roods 20 perches purchased by C. W. Fysh along 320 acres purchased by G. T. Bulleid and along 103 acres 1 rood 6 perches purchased by P. O. Fysh again on the south west by 1 chain south easterly along 196 acres 1 rood 4 perches purchased by A. Fysh on the south east south west and north east by 94 chains 76 $\frac{7}{10}$ links north easterly south easterly and north westerly in several bearings again along 320 acres purchased by G. T. Bulleid aforesaid 96 acres 2 roods 20 perches purchased by C. W. Fysh aforesaid and 482 acres 1 rood 23 perches purchased by G. T. Bulleid aforesaid and thence again on the north west by 1 chain 7 $\frac{7}{10}$ links south westerly along 58 acres 1 rood 13 perches purchased by H. Leeson to the point of commencement as the same is shown on Survey Diagram Volumes 54, 85, 67 and 57 Roads Folios 20, 15, 19 and 9.

8A. 1R. 5P.

Commencing at a point distant 11 $\frac{1}{2}$ links north westerly from the north angle of 262 acres 1 rood 19 perches purchased by G. T. Bulleid and bounded on the north west south west north and north east by 82 chains 51 links north easterly north westerly easterly and south easterly in several bearings along 320 acres purchased by G. T. Bulleid crossing a reserved road 1 chain wide on the north west by 1 chain 37 links north easterly along part 196 acres 1 rood 4 perches purchased by A. Fysh and along a public works road one chain wide on the south east north east south west and south by 85 chains 7 links south westerly south easterly north westerly and westerly in several bearings recrossing the reserved road aforesaid and along 320 acres aforesaid and thence again on the south west by 1 chain 28 $\frac{5}{10}$ links north westerly along 262 acres 1 rood 19 perches aforesaid to the point of commencement as the same is shown on Survey Diagram Volume 114 Roads Folio 13.

1A. 1R. 10 $\frac{5}{10}$ P.

Commencing at a point distant 14 chains 8 $\frac{1}{10}$ links south westerly from the eastern angle of 320 acres purchased by G. T. Bulleid and bounded on the north east and south east by 26 chains 28 $\frac{5}{10}$ links north westerly and north easterly in several bearings along 320 acres aforesaid crossing a reserved road one chain wide again along 320 acres aforesaid and along 96 acres 2 roods 20 perches purchased by C. W. Fysh again on the north east by 64 $\frac{1}{10}$ links north westerly along a public works road one chain wide on the south west and north west by 26 chains 50 $\frac{7}{10}$ links south easterly and south westerly in several bearings along 320 acres aforesaid recrossing the reserved road aforesaid and again along 320 acres purchased by G. T. Bulleid aforesaid and thence again on the south east 51 $\frac{4}{10}$ links north easterly along Crown land to the point of commencement as the same is shown on Survey Diagram Volume 149 Roads Folio 3.

5A. 3R. 9 $\frac{6}{10}$ P.

Commencing at the south east angle of 320 acres purchased by G. T. Bulleid, and bounded on the south east by 58 chains 99 links north westerly in two bearings along that land along a reserved road 50 links wide again along 320 acres aforesaid along another reserved road one chain wide and again along 320 acres purchased by G. T. Bulleid on the north west by 1 chain 45 $\frac{5}{10}$ links north easterly along 196 acres 1 rood 4 perches purchased by A. Fysh on north east by 56 chains 97 links south easterly in 2 bearings

along 320 acres aforesaid along a reserved road 1 chain wide aforesaid again along 320 acres aforesaid again along a reserved road 50 links wide aforesaid and again along 320 acres purchased by G. T. Bulleid and thence again on the north east by 1 chain 41 $\frac{5}{10}$ links south easterly along 482 acres 1 rood 23 perches purchased by G. T. Bulleid to the point of commencement as the same is shown on Survey Diagram Volume 67 Folio 19.

THE NINTH SCHEDULE.

(Section 13.)

LAND DISTRICT OF BUCKINGHAM.

PARISH OF KINGBOROUGH.

All that area of land containing 3 roods 35 $\frac{2}{10}$ perches as the same is shown bounded in red on Plan No. 3384.

THE TENTH SCHEDULE.

(Section 14.)

TOWN OF STRAHAN.

All that area of Crown land containing 9 $\frac{7}{10}$ perches as the same is shown on Plan No. 3846.

THE ELEVENTH SCHEDULE.

(Section 15.)

LAND DISTRICT OF WELLINGTON.

PARISH OF SHEKLETON.

Oa. 3R. 30 $\frac{3}{10}$ P.

Commencing at a point distant 27 links northerly from the north-west angle of 101 acres 0 roods 0 perches purchased by R. J. McCulloch and bounded on the west by 2 chains 19 $\frac{8}{10}$ links northerly along a reserved road 1 chain wide and along 87 acres 0 roods 0 perches purchased by H. J. Fist on the north-west by 7 chains 93 links north-easterly in 3 bearings along 95 acres 0 roods 22 perches purchased by R. Quiggin on the north by 1 chain 7 $\frac{6}{10}$ links easterly along 60 acres 0 roods 0 perches purchased by A. L. Hamilton and along 33 acres 1 rood 12 perches purchased by F. W. L. Hamilton on the south-east by 8 chains 39 $\frac{3}{10}$ links south-westerly in 3 bearings along 95 acres 0 roods 22 perches aforesaid on the east by 34 $\frac{2}{10}$ links southerly again along that land and thence again on the south-east by 1 chain 65 $\frac{8}{10}$ links south-westerly again along that land to the point of commencement as the same is shown on Survey Diagram Volume 12 Folio 38 Wellington.

THE TWELFTH SCHEDULE.

(Section 16.)

LAND DISTRICT OF WELLINGTON.

PARISH OF SHEKLETON.

3A. 1R. 25 $\frac{3}{10}$ P.

Commencing at a point on the southern boundary of 87 acres purchased by H. J. Fist distant 7 chains 25 links westerly from the south-east angle of that land and bounded on the east and south-east by 33 chains 8 links

northerly and north-easterly in several bearings along part of 87 acres aforesaid again on the east by 1 chain 65 8/10 links northerly along a reserved road on the north-west and west by 35 chains 8 2/10 links south-westerly and southerly in several bearings again along part of 87 acres aforesaid and thence on the south by 1 chain easterly along another reserved road to the point of commencement as the same is shown on Survey Diagram Volume 10 Folio 27 Wellington.

THE THIRTEENTH SCHEDULE.

(Section 17.)

TOWN OF QUEENSTOWN.

0A. 1R. 0P. or thereabouts.

Commencing at a point on the northerly extension of the west boundary of Lot 4 Section X5 on Conglomerate Creek and bounded on the east by that extension southerly along Crown land to the north west angle of Lot 4 aforesaid on the south west by 37 feet 1 1/2 inches north westerly along Lot 3 Section X5 on the south by 86 feet 5 1/2 inches westerly along Lot 1 Section X5 on the south east by 165 feet 0 inches south westerly again along Lot 1 again on the south west by 68 feet 0 inches north westerly along Mary Street on the north west by 60 feet 0 inches north easterly along a Railway Reserve to Conglomerate Creek aforesaid and thence by that Creek in a general north easterly direction to the point of commencement as the same is shown on Plan Q9.

STAMP DUTIES.

No. 78 of 1972.

AN ACT to amend the *Stamp Duties Act 1931*.
[17 January 1973.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Stamp Duties Act 1972*.

Short title and
citation.

(2) The *Stamp Duties Act 1931*, as subsequently amended, is in this Act referred to as the Principal Act.