

2 Section seven of the Principal Act is amended—

Gifts for
charitable
objects to
be exempt.

- (a) By inserting after paragraph I. of subsection (2) the following paragraph:—

“IA. Any charitable or religious institution or charitable or religious society (whether a public institution or public society or not) to which the Governor, by proclamation, declares that the provisions of this section shall apply:”; and

- (b) By omitting paragraph III. of that subsection and substituting therefor the following paragraph:—

“III. Any school registered or deemed to be registered under Part IV. of the *Education Act 1932**, irrespective of the class in which the school appears on the register kept for the purposes of that Part.”.

23 Geo. V. No. 22. For this Act, as amended to 1946, see the annual volume of the Statutes for 1946 (10 Geo. VI.) at p. 117. Subsequently amended by No. 56 of 1949.

CLOSER SETTLEMENT.

No. 46 of 1950.

AN ACT to amend the *Closer Settlement Act 1929* and the *Closer Settlement Act 1936*.

[16 November, 1950.]

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 *Closer Settlement Act 1949* and shall commence on a day to be fixed by proclamation. Short title,
commence-
ment, and
citation.

(2) The *Closer Settlement Act 1929**, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section thirty-six of the Principal Act is amended by omitting in subsections (3) and (4) the word “Board” and substituting therefor the word “Minister”. Right of
lessee to
purchase.

* 20 Geo. V. No. 77. For this Act, as amended to 1936, see Reprint of Statutes, Vol. I., p. 436. Subsequently amended by 1 Edw. VIII. Nos. 8 and 27, 1 Geo. VI. No. 71, 2 Geo. VI. No. 52, 3 & 4 Geo. VI. No. 64, 4 Geo. VI. Nos. 35 and 60, 8 & 9 Geo. VI. No. 53, 9 & 10 Geo. VI. Nos. 36 and 38, and No. 33 of 1949.

New section
37A.

3 After section thirty-seven of the Principal Act the following section is inserted:—

Restoration
of right to
purchase.

“37A—(1) Where the Minister is of opinion that any person who at the commencement of this section is a lessee for the time being under this Act is entitled in equity and good conscience to purchase the land comprised in his lease, and there has been substantially continuous *bona fide* possession of that land in purported pursuance of this Act by that lessee, or some lessee of whose interest he has become possessed, for the preceding ten years, the Minister on the recommendation of the Board may sell that land to that person subject to subsections (4) and (5) of section thirty-six and to section thirty-seven.

(2) This section shall expire on the thirty-first day of December 1959.”.

Surrender
of lease.

4 Section thirty-eight of the Principal Act is amended by inserting the following subsection at the end thereof:—

“(3) Where the surrenderor has a right (including an inchoate right) under this Act to purchase the land to be surrendered, it may be a condition of the surrender that a new lease shall contain a grant to the lessee thereunder of a right to purchase the land leased not earlier nor later than the surrenderor might purchase the land to be surrendered should he not surrender it, and in such a case the Minister may grant a right accordingly subject to the provisions of subsections (3) (4) and (5) of section thirty-six and of section thirty-seven.”.

Validation
of certain
leases.

5 Any lease granted in purported pursuance of section five of the *Closer Settlement Act 1936** before the commencement of this Act shall be deemed valid notwithstanding that—

- (a) the term thereof is not the residue of the term of the lease surrendered by the lessee pursuant to the section;
- (b) the lessee is not a person who surrendered a lease pursuant to the section and the term of his lease is not one authorised by the Principal Act; or
- (c) the lease is not upon prescribed terms and conditions.

Procedure on
and effect of
revaluation.

6 Section three of the *Closer Settlement Act 1936** is amended by inserting the following subsection at the end thereof:—

“(8) When any difference is written off under subsection (4) the Minister shall, subject to the lessee’s execution of the deed, by deed supplemental to the lease reduce the rent reserved thereon accordingly.”.

* 1 Edw. VIII. No. 8, as amended by 1 Edw. VIII. No. 27, 1 Geo. VI. No. 71, 2 Geo. VI. No. 52, 3 & 4 Geo. VI. No. 64, 4 Geo. VI. No. 60, and 10 Geo. VI. No. 26.

7 Section five of the *Closer Settlement Act 1936** is amended by omitting subsection (1) thereof.

Conditions on which benefits available.

8 Section nine of the *Closer Settlement Act 1936** is amended by omitting subsection (2) thereof.

Application of 1 Edw. VIII. No. 8.

9 Every notice of claim, application for a lease of a farm allotment, offer to sell, application for a lease, lease, stock mortgage (if made before the seventeenth day of July, 1931), bill of sale, hire purchase agreement, and agreement for advances purporting to be made pursuant to the regulations under the Principal Act before the commencement of this Act and made to or by the Minister for Agriculture or some other Minister of the Crown instead of to or by the Minister for Lands or the Minister for Lands and Works, as the case requires, shall not be held invalid only for that reason, and shall nevertheless bind the Crown as if the Minister required by the regulations to be designated was in fact designated and was identical with the Minister for the time being administering the Principal Act.

Validation of certain documents not complying with the regulations.

* 1 Edw. VIII. No. 8, as amended by 1 Edw. VIII. No. 27, 1 Geo. VI. No. 71, 2 Geo. VI. No. 52, 3 & 4 Geo. VI. No. 64, 4 Geo. VI. No. 60, and 10 Geo. VI. No. 26.

BURNIE CEMETERY.

No. 47 of 1950.

AN ACT to provide for the Conversion into Public Parks or Gardens of the disused Burnie Cemetery situated in Alexander Street, in the Town of Burnie, and for matters incidental thereto.

[16 November, 1950.]

WHEREAS the land described in the schedule to this Act and known as the Burnie Cemetery was by conveyance dated the thirty-first day of December, 1890 (registered number 8/6679), granted and conveyed by the Van Diemen's Land Company to *Thomas Atkinson, Thomas Summers, and William Mollison* the Trustees of the Emu Bay Public Cemetery subject to a condition that the land should not be used for any purpose other than as a cemetery:

PREAMBLE.