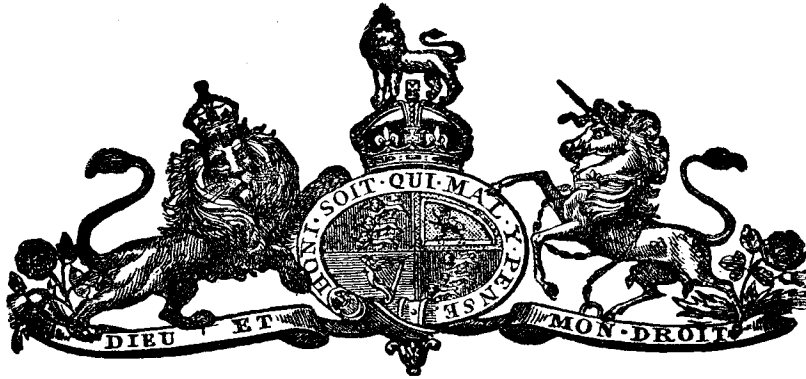


## TASMANIA.



1931.

ANNO VICESIMO SECUNDO  
 GEORGII V. REGIS.

No. 55.

## ANALYSIS.

- |   |  |
|---|--|
| <p>1. Short title.<br/>         2. Repeal of enactments in Schedule (1).<br/>         3. Amendment of 2 Geo. V. No. 64.<br/>             New Sections 23 and 24.<br/>             Value and class of rural land.<br/>             Who may select.<br/>             Terms of payment.<br/>             Allowance for improvements.<br/>         Section 36.<br/>         Section 40.<br/>         Section 106.</p> | <p>New Sections 151 to 154, inclusive.<br/>         Provision for roads, bridges, &amp;c.<br/>         First-class land.<br/>         Provision in case of other land.<br/>         New Sections 155 and 156.<br/>         Appropriation of half purchase-money.<br/>         Acquisition of land for works.<br/>         Schedule (7).<br/>         4. Retrospective application of Section 24.</p> |
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\*\*\*\*\*  
 AN ACT to amend the Crown Lands Act, 1911. [21 December, 1931.] —

A.D.

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 This Act may be cited as "The Crown Lands Act, 1931."

Short title.

2 The enactments enumerated in the Schedule to this Act are hereby repealed.

Repeal of  
 enactments  
 in Schedule  
 (1).

6d.]

*Crown Lands.*

A.D. 1931.

— New Sec-  
Amend- tions 23  
ment of 2 and 24.  
Geo. V. Value and  
No. 64. class of  
rural land.

**3** The Crown Lands Act, 1911, is hereby amended—

I. By substituting for repealed Sections Twenty-three and Twenty-four thereof the following new sections—

“**23** For the purposes of the selection of rural lands for purchase—

- i. The Secretary for Lands shall determine the value and class of any rural lands, and the value so determined in each case shall be the sale price of the land :
- ii. All such land shall be classified as first-class, second-class, or third-class respectively :
- iii. Rural land shall be classified according to the value determined as aforesaid, and, if such value is determined—
  - (a) At or above Fifteen Shillings per acre, the land shall be first-class ;
  - (b) At less than Fifteen Shillings and not less than Seven Shillings and Six Pence, the land shall be second-class ; and
  - (c) At less than Seven Shillings and Six Pence, the land shall be third-class :
- iv. Every application by a selector shall—
  - (a) Be made in the prescribed form and manner, and the prescribed fee shall be lodged therewith ;
  - (b) Contain an offer to purchase upon credit—
    - i. First-class land at not less than Fifteen Shillings per acre : or
    - ii. Other land at a price to be determined by the Secretary for Lands—

and shall be subject to land of the area and class for which the application is made being available.”

“**24**—(1) Subject to the provisions of this Act, any person of or over the age of eighteen years may select and purchase, at the value determined in respect thereof by the Secretary for Lands and upon the terms hereinafter prescribed in relation thereto, one lot of—

- i. First-class land, not less than fifteen nor more than two hundred :
- ii. Second-class land, not less than thirty nor more than three hundred :
- iii. Third-class land, not less than sixty nor more than six hundred—

Who may  
select.

*Crown Lands.*

A.D. 1931.

acres in area provided, in any of the said cases that he is not the holder upon credit of any land of the class so selected which, added to the land selected, would increase his total holding of land of that class beyond the maximum hereinbefore prescribed for that class, whether such land or any of it was sold under this Act or under any previous Act relating to the sale of Crown lands.

(2) For the purposes of Subsection (1) hereof unclassified rural land held upon credit by any person applying to select and purchase first-class land shall be deemed to be first-class land.

(3) Upon the sale of any land under this section, there shall be added to the sale price by way of premium for credit a sum equal to one-third of such sale price, and the total amount resulting therefrom shall be the purchase-money for such land, and such purchase-money shall be payable—

- i. In the case of first-class and second-class lands, by a deposit at the time of sale of an amount equal to one one-hundred and sixtieth of the purchase-money and the balance by twenty-four annual instalments payable respectively at the expiration of each succeeding period of twelve months from the time of sale, and being respectively of amounts representing—
  - (a) For each of the first four years, one one-hundred and twenty-eighth :
  - (b) For each of the next four years thereafter, one-sixty-fourth :
  - (c) For each of the next four years thereafter, three-eightieths : and
  - (d) For each of the remaining twelve years, one-sixteenth : and
- ii. In any other case, by a deposit at the time of sale of an amount equal to one-fortieth of the purchase-money and the balance by fourteen annual instalments payable respectively at the expiration of each succeeding period of twelve months from the time of sale, and being respectively of amounts representing—
  - (a) For the first two years, one twenty-sixth of such balance : and
  - (b) For each of the remaining twelve years, one thirteenth of such balance—

of the purchase-money, as shown in the examples set forth respectively in Schedules (2) and (3) to this Act, and the purchaser shall enter into a contract to pay, and shall pay, the same accordingly.

*Crown Lands.*

A.D. 1931. Allowance  
— for im-  
provements.

(4) Where the Commissioner is satisfied that the purchaser of any first-class or second-class land under this section, in any one of the first five years after the time of sale, has effected on such land substantial improvements to a value equal, in the case of—

- i. First-class land, to Two Shillings : or
- ii. Second-class land, to One Shilling—

for every acre of such land, the Commissioner may remit the payment of the instalment of purchase-money payable in respect of that year by such purchaser.

(5) Every such remission as aforesaid shall be subject to a claim having been made therefor by such purchaser within three months after the day upon which such instalment as aforesaid became payable.

(6) Where in any such year as aforesaid a purchaser has effected substantial improvements as aforesaid to a value in excess of that specified in Subsection (4) hereof in relation to land of the class of which he is a purchaser, the Commissioner may give him credit for such excess against his liability in respect of any such year thereafter."

Section 36.

II. As to Section Thirty-six thereof—

(a) By deleting from Subsection (1) thereof—

- i. The words "of Two Shillings and Six Pence for every pound sterling or part thereof,"
- ii. The word "one-fifth" in the seventh line, and
- iii. The word "four" in the ninth line—

and substituting therefor in the respective cases the words "equal to one half of such amount," "one-tenth," and "twenty-four," respectively ; and

(b) By expunging Subsection (2) thereof and substituting therefor the following new Subsection (2)—

"(2) The first of such annual payments shall be due and payable one year after the payment of the deposit on purchase, and the subsequent payments shall be payable respectively at the expiration of each succeeding period of twelve months thereafter."

Section 40.

III. By deleting the word "one-fifth" in Paragraph 1. of Section Forty thereof and substituting therefor the word "one-tenth" :

Section  
106.

IV. By deleting the word "granted" in the first line of Section One hundred and six thereof and substituting therefor the word "sold" :

*Crown Lands*

- V. By substituting for repealed Sections One hundred and fifty-one to One hundred and fifty-four, inclusive, the following new Section One hundred and fifty-one—
- New Sections 151 to 154, inclusive.
- A.D. 1931
- “**151**—(1) Where in any locality the first-class land sold under this Act in pursuance of all or any of the provisions of Parts III., V, and VI. aggregates an area of not less than five hundred acres in not less than five lots which adjoin or are in close proximity to each other, the Minister shall make provision for surveying, making, constructing, and erecting such roads, bridges, and drains as may be required in the vicinity of such land.
- Provision for roads, bridges, &c.
- (2) Such provision as aforesaid shall be of an amount equal to Seven Shillings and Six Pence for every acre of the land sold as aforesaid.
- First-class land.
- (3) In the case of other lands sold as aforesaid under this Act, the Minister, wherever necessary, shall make the provision mentioned in Subsection (1) hereof to the extent of Three Shillings and Nine Pence for every acre of second-class land, and Two Shillings and Six Pence for every acre of third-class land so sold, and, in the case of land sold within any town other than a mining town, to the extent of one-half of the sale price of the land so sold.”
- Provision in case of other land.
- VI. By substituting for repealed Sections One hundred and fifty-five and One hundred and fifty-six the following new sections :—
- New Sections 155 and 156.
- “**155** One-half of all purchase-money received after the passing of this Act for the sale of land under this Act, other than land within any city or land sold under Part VII. of this Act, shall be paid by the Treasurer to the State Sinking Fund, and shall form part of that fund, as provided by the State Sinking Fund Act, 1929.
- Appropriation of half purchase-money.
- 20 Geo. V. No. 27.
- “**156**—(1) It shall be lawful for the Commissioner to purchase, acquire, and take such land as he may think necessary for the purpose of constructing or completing any road, bridge, tramway, wharf, jetty, drain, or other work authorised by or under this Act.
- Acquisition of land for works.
- (2) Any such land may be acquired by the Commissioner at his option under the provisions of any Act providing generally for the acquisition of land for public purposes.
- (3) The powers conferred by Sections Twenty-four and Twenty-five of the Lands Resumption Act, 1910, shall be exercisable by the Commissioner in relation to any land, although the same is not within the distance from any land acquired by him under that Act which is prescribed by Section Twenty-four thereof.”
- 1 Geo. V. No. 11.

*Crown Lands.*

A.D. 1931. Schedule  
 (7).  
 8 Geo. V.  
 No. 42.

VII. By expunging Schedule (7) thereof as inserted by the Crown Lands Act, 1917, and substituting therefor the following new Schedule (7)—

“ (7)

	£	s.	d.
Cash Survey Fee for 150 acres .....	21	17	6
Add one-half for credit .....	10	18	9
	<hr/>		
	£32	16	3
	<hr/>		

*Payments.*

One-tenth on demand.....	3	5	8
And twenty-four annual payments each of.....	1	4	8

and in like proportion for any greater or less area.”

Retro-  
 spective  
 application  
 of Section  
 24.

4 The provisions of Section Twenty-four as hereby inserted in the Crown Lands Act, 1911, shall apply to every application for first-class or second-class land where the applicant has not yet paid the deposit mentioned in Subsection (3) of that section.

**SCHEDULE.****ENACTMENTS HEREBY REPEALED.**

Regnal Year and Number of Act.	Title of Act.	Extent of Repeal.
2 Geo. V. No. 64	The Crown Lands Act, 1911	Sections 23, 24, and 151 to 157, inclusive
8 Geo. V. No. 42	The Crown Lands Act, 1917	Section 10
9 Geo. V. No. 35	The Crown Lands Act, 1918	Section 3
15 Geo. V. No. 32	The Crown Lands Act, 1924	Sections 3 and 4