



ANNO PRIMO

**GEORGII VI REGIS.**

A.D. 1937.

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**No. 2363.**

An Act to amend the Crown Lands Act, 1929-1936.

[Assented to 1st December, 1937.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the "Crown Lands Act Amendment Act, 1937".

(2) The Crown Lands Act, 1929-1936, as amended by this Act, may be cited as the "Crown Lands Act, 1929-1937".

(3) The Crown Lands Act, 1929-1936, is hereinafter referred to as the "principal Act".

Amendment of  
principal Act,  
s. 5—  
Reserving of  
Crown lands  
for aviation  
stations.

2. Section 5 of the principal Act is amended by inserting therein after subdivision VI<sub>2</sub> of paragraph (f) thereof the following subdivision:—

via. for aviation stations or landing grounds established or to be established by any municipal or district council :

Amendment of  
principal Act,  
s. 31—  
Limitation of  
holding on  
allotment.

3. Section 31 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof)—

(2) In any case where the Commissioner is of opinion that in the special circumstances it is desirable so to do, he may, on the recommendation of the board, direct that a lease or agreement for Crown lands may be granted to a lessee or purchaser who holds or would then hold lands in excess of the unimproved value aforesaid, but in no case

shall the unimproved value of the land included in any lease or agreement so granted, or, if more than one such lease or agreement is granted, in all such leases and agreements, exceed five hundred pounds.

4. Division V. of Part X. of the principal Act is amended by inserting therein after section 174 the following section:—

Amendment of principal Act, Part X., Division V.—  
Provision in case of undeveloped land.

174a. (1) In any case where the Commissioner is of opinion that, by reason of the undeveloped condition of any block, this section should apply to the agreement in respect of the block, the Commissioner may direct that this section shall apply. In any such case the term of the agreement shall be for fifty-nine years and the purchase-money and the interest thereon shall be payable by the following instalments, namely:—

- I. Five per centum of the purchase-money shall be paid at the time of the application to purchase :
- II. For the first four years of the term of the agreement no instalments of principal or interest shall be payable :
- III. During the next five years of the said term no portion of the purchase-money shall be payable, and interest only at the fixed rate on the balance of the purchase-money shall be payable in half-yearly instalments :
- v. Thereafter the balance of the purchase-money and interest thereon at the fixed rate (including the amount of interest accruing during the first four years of the said term) over the whole term of the agreement shall be payable in such equal half-yearly instalments as will pay the full amount of the balance of the purchase-money and interest as aforesaid during the said term.

(2) Except as provided by paragraph i. of subsection (1), every instalment shall be paid at the end of the period in respect of which it is payable, and not in advance.

(3) The provisions of section 180 shall not apply to any such agreement.

(4) If any application is made to the Commissioner for the transfer of any such agreement the Commissioner may, before giving his consent to the transfer, require the applicant to pay the whole or any part of the interest which has accrued during the first four years of the term of the agreement. If any such amount is paid, the

amount of the half-yearly instalments subsequently falling due shall be decreased ratably to the amount so paid.

(5) In a case in which this section applies, the agreement shall contain the terms, covenants, conditions, and provisions provided for by section 174: Provided that the purchaser shall have the option of completing the purchase at any time after the expiration of six years from the date of the agreement, on paying the purchase-money, or the balance thereof, with interest at the fixed rate on the purchase-money, or on the balances thereof, from time to time remaining unpaid, from the date of the agreement to the date of completion, and complying with all the terms, covenants, conditions, and provisions of the agreement.

Amendment of  
principal Act,  
s. 220—  
Conditions of  
surrender.

5. Section 220 of the principal Act is amended—

(a) by striking out paragraph i. of subsection (1) thereof and by inserting in lieu thereof the following paragraphs:—

i. If the lease so surrendered is other than a miscellaneous lease or a perpetual lease subject to revaluation, the unimproved value of the land to be included in the perpetual lease or agreement, and the unimproved value of all other lands held by the lessee or purchaser under any tenure, shall not altogether exceed seven thousand pounds, except where the land to be included in the perpetual lease or agreement is, in the opinion of the Commissioner, suitable only for pastoral purposes:

ia. If the lease so surrendered is a miscellaneous lease or a perpetual lease subject to revaluation, the unimproved value of the land to be included in the perpetual lease or agreement, and the unimproved value of all other lands held by the lessee or purchaser under any tenure, shall not altogether exceed five thousand pounds, except where the land to be included in the perpetual lease or agreement is, in the opinion of the Commissioner, suitable only for pastoral purposes:

(b) by striking out the words "Pastoral Act, 1904," in paragraph ii. of subsection (1) thereof and by inserting in lieu thereof the words "Pastoral Act, 1936, or any Act repealed by that Act"; and

(c) by adding at the end thereof the following subsection :—

(3) For the purposes of subsection (1) hereof, account shall not be taken of the value of lands within the limits of any city or town held by the lessee or purchaser nor of the value of lands held by him under any miscellaneous lease or under lease under the Pastoral Act, 1936, or any Act repealed by that Act.

6. Section 262a of the principal Act is amended by striking out the word " public " wherever occurring in the second and fourth lines thereof.

Amendment of  
principal Act,  
s. 262a—  
Disposal of  
surplus land.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

G. J. R. MURRAY, Lieutenant-Governor.