



ANNO DUODECIMO

GEORGII VI REGIS.

A.D. 1948.

No. 49 of 1948.

An Act to amend the Land Settlement Act, 1944.

[Assented to 22nd December, 1948.]

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 " Land Settlement Act Amendment Act, 1948 ".

(2) The Land Settlement Act, 1944, as amended by this Act, may be cited as the " Land Settlement Act, 1944-48 ".

(3) The Land Settlement Act, 1944, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of
s. 2 of the
principal Act—
Interpretation.

3. Section 2 of the principal Act is amended by inserting after the definition of " Secretary " therein the following definition :—

" the western division of the South-East " means the land described in the schedule to this Act.

Enactment of
s. 27a of the
principal Act—

4. The following section is enacted and inserted in the principal Act after section 27 thereof :—

Power to
acquire land
in South-East.

27a. (1) The Commissioner, on the recommendation of the Committee, may acquire any land in the western division of the South-East either by agreement or compulsory process.

(2) This section applies both to under-developed land and to other land.

(3) The provisions of this Act relating to under-developed land shall apply to under-developed land acquired or proposed to be acquired under this section.

(4) An area of land situated in that portion of the western division of the South-East which is south of drains K and L shall not be compulsorily acquired under this section unless within nine years after the passing of the Land Settlement Act Amendment Act, 1948—

- (a) the Commissioner has given notice of the proposed acquisition to the committee and to the owner or lessee of that land ; and
- (b) the Commissioner has requested the committee to make a recommendation for such acquisition ; and
- (c) the committee has recommended such acquisition and notice of such approval is given to the owner or lessee of that land.

5. Section 29 of the principal Act is amended by adding at the end thereof the following proviso :—

Amendment of
s. 29 of the
principal Act—
Disposal of
acquired land.

Provided that where a person from whom land in the western division of the South-East has been acquired under this Act duly applies for a block the whole or a part of which consists of land so acquired from him, the Land Board shall, notwithstanding any other provision of this Act allot him that block unless—

- (a) he has already been allotted a block of land in the western division of the South-East ; or
- (b) the block consists partly of land acquired from him and partly of land acquired from some other person and the Land Board considers it just that the block should be allotted to that other person ; or
- (c) he is disqualified by law from being allotted the block.

Provided also that in allotting land in the western division of the South-East to applicants from whom land in that division has been acquired under this Act the Land Board shall have regard to the area of land held by each applicant immediately before the acquisition, the

area retained by him after the acquisition, the volume of his production before the acquisition, his family, and all other relevant circumstances, and shall allot to each applicant such land, additional to that previously mentioned in this section, as the Land Board deems just and equitable; and this section shall be sufficient authority for making such allotment.

Enactment of
s. 29a of the
principal Act—

6. The following section is enacted and inserted in the principal Act after section 29 thereof :—

Temporary
occupation of
acquired land.

29a. (1) Where any land has been acquired under this Act, the Commissioner may permit the person from whom the land was acquired to remain in occupation of that land or any part thereof until possession of the land is required by the Commissioner for the carrying out of developmental operations or for allotment.

(2) Any such occupation shall be under such terms and conditions as are agreed between the Commissioner and the person from whom the land was acquired.

Executors and
administrators.

29b. In sections 29 and 29a of this Act any reference to a person from whom land in the western division of the South-East has been acquired shall include a reference to his executors or administrators.

Right to
acquire
freehold.

29c. If a person from whom land in the western division of the South-East has been acquired under this Act is granted a perpetual lease of the whole or part of that land whether with or without other land he may at any time, notwithstanding that ten years have not elapsed since the lease was granted, apply under section 6 of the Crown Lands Development Act, 1943, to purchase the fee simple of the land included in that lease, or any part of that land, and may complete such purchase.

Enactment of
schedule to
the principal
Act.

7. The following schedule is inserted at the end of the principal Act :—

THE SCHEDULE.

Land comprised in the Western Division of the South-East.

County of Grey.

Hundred of Rivoli Bay.—Sections 12S, 12N, 7S, 7NW, 7NE, 8E, 336, 9M, 9NE, 9SE, 10NW, 10SW, 10NEA, 10NEB, 10SE, 5ANE, 5ANW, 11S, 11N, 6SE, 6NE, 6SW, 351.

Hundred of Symon.—Sections 15, 16, 175, 17, 18, 19, 20, 21, 22, 23, 24, 50, 131, 132, 133, 134, 135, 136, 137, 138,

53, 54, 55, 56S, 56N, 57E, 57M, 57W, 58, 83, 82, 87, 78, 79, 80, 81, 86, 84, 176, 128, 127, 126, 125, 99A, 100, 124, 123, 122, 101, 93, 121, 102, 103, 92, 91, 104W, 104M, 104E, 105S, 105N, 64, 75, 76, 77, 88W, 88E, 89, 90, 130, 164, 109, 110, 112, 113, 114, 108, 107, 106, 117, 118, 120W, 120E, 3, 4, 5, 6, 129, 116, 119.

Hundred of Kennion.—Sections 120, 121, 122, 123SW, 123NE, 124, 203, 125, 126, 127, 128, 129, 130S, 130N, 131, 132, 133, 134E, 134W, 135, 136, 137, 138, 139, 140, 141, 204, 106, 107, 108E, 108M, 108W, 109, 198, 199, 100, 115, 114, 94, 95, 97, 96, 112S, 112N, 113, 154, 155, 156, 157, 110, 111, 93, 146, 68, 145S, 145N, 150, 151, 89, 152, 87W, 87E, 88, 86, 85SW, 85NE, 83S, 83N, 84, 101, 158, 159, 160, 161, 162, 102, 103, 104, 105, 82, 81, 205, 75, 76, 77, 202, 73, 98, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 54, 53E, 52, 51, 50, 41, 23, 42, 43, 47, 48, 49E, 49W, 78, 142, 143, 79, 80, 46, 45, 44, 22, 180, 181, 182, 183, 184, 155NE, 185, 186, 187, 188, 189, 190, 16, 17, 63, 64, 61, 62, 36, 34S, 34N, 33, 32, 31, 1, 3, 4, 5W, 5E, 29, 30, 35, 28, 6, 7, 27, 26, 8, 206, 9, 10, 119.

Hundred of Riddoch.—Sections 74, 75E, 75W, 76, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89E, 89W, 73, 72, 71, 99SE, 99NW, 97, 96SE, 96NW, 95, 94, 93, 30A, 176, 98SW, 98S, 98NE, 103NE, 103SW, 102NW, 102SE, 104, 101, 100, 69, 68, 70, 137, 140, 67, 66, 180, 61, 62, 63, 64N, 64S, 65, 59, 58, 109, 200, 138, 108, 189, 107, 106.

Hundred of Mount Muirhead.—Sections 292, 218, 217, 216, 214, 215, 212, 211, 210, 209.

Hundred of Short.—Sections 86, 88, 66, 99, 100, 101, 102, 25, 24, 23, 96, 39, 40, 33, 32, 30, 29, 28, 10, 9, 8, 31, 7, 11W, 11E, 12, 6, 98, 13, 97, 14E, 4, 5E, 3, 2, 15, 21, 22.

County of Robe.

Hundred of Fox.—Sections 2, 3, 4A, 9A, 43, 10, 11, 12, 14, 15, 4B, 9B, 5, 6, 7, 8, 16, 17, 18, 20, 21, 162, 163, 167, 168, 67, 68, 69, 70E, 166, 71, 80, 79, 81E, 81W, 82, 83, 84, 85, 86, 1, 42, 43, 44, 12, 13, 14, 15, 22, 30, 31, 32, 33, 40, 66, 64, 39, 158, 41E, 41W, 45, 46, 47, 53, 54, 55, 56, 57, 58, 59S, 60, 62, 63, 169, 23, 24, 25, 26, 27S, 27N, 28, 29, 160, 161, 165, 98, 99, 100, 34, 35, 36, 101, 102SW, 102NE, 114, 115, 37, 38, 48, 49, 50, 51, 52, 61, 131W, 132, 133, 130, 164, 134, 135, 136, 137.

Hundred of Smith.—Sections 76, 98, 99, 100, 120, 121, 122, 102, 103, 116, 117, 127, 126, 94, 95, 96, 78, 79, 80, 81, 69, 70, 71, 72, 73, 74, 38, 39E, 39W, 40, 41, 42, 43, 44, 45, 16, 17, 105, 106, 107, 108, 109, 110, 111, 112, 113, 86,

87, 88N, 89, 90, 91, 92, 60, 61, 62, 135, 63, 64, 65, 66, 67, 68, 124, 125, 1, 84, 85, 54, 55, 56, 57, 58, 23, 24, 25, 26, 27, 27A, 28, 29, 30, 31, 32, 33, 49, 50, 51W, 52, 53, 136, 128, 21, 22, 2, 2A, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 34, 47, 48, 59.

Hundred of Bray.—Sections 157, 158, 159, 160, 161, 162, 65, 176, 66, 67, 140, 141, 142, 143, 144, 50, 64, 101, 63, 102, 53, 52, 175, 100, 174, 47, 48, 49, 96, 97, 99, 33, 34, 31, 32, 12.

Hundred of Ross.—Sections 5, 6, 7, 15, 16, 24, 25, 26, 27, 28, 29S, 29N, 30N, 30S, 32, 119, 122, 123, 117, D, E.

Hundred of Conmurra.—Sections 116, 117, 118, 119, 120, 176, 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 196, Res. 164, 165, 105, 121, 122, 123, 124, 125, 126, 127E, 128, 197, 211, 1B, 129, 130, 131, 132, 133, 134, 135, 173, 158, 159, 79, 80, 81, 82, 83, 84, 86, 229, 78, 76, 75, 65, 64, 62N, 61N, 74, 73, 72, 85, 87, 71, 70, 210, 208, 209, 57, 58, 59, 60, 66S, 67E, 69, 230, 157, 42, 43, 44, 45, 46, 47W, 242, 48, 49, 50, 51, 52, 53, 54, 55, 56, 23, 24, 25, 26, 27W, 243, 28, 29, 30, 31, 32, 33, 34, 35, 36W, 36E, 37, 38, 39, 40SE, 41S, 41N, 175, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 167, 229.

Hundred of Bowaka.—Sections 59, 60, 61, 64, 65, 66, 68, 69, 70, 71, 123, 131, 132, 145.

Hundred of Townsend.—Sections 125, 124, 123, 122, 121, 120, 119, 216, 91, 92, 110, 111, 112, 113, 114, 115, 116, 117, 118, 217, 218, 95N, 127, 126, 206, 207, 242, 109, 220, 108, 107S, 107N, 105, 106, 222, 177, 178, 200, 202, 203, 204, 205, 221, 100, 101, 102, 90, 240, 71, 98, 97W, 97E, 96, 103, 104, 142, 143, 144, 150, 151, 152, 153, 154, 155, 175, 176, 227, 228, 51, 52, 53, 54, 55, 56, 57, 58, 41, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 49, 60, 131, 21, 22, 23, 24, 1, 2, 3, 4W, 4E, 5W, 5E, 6, 7, 233.

County of MacDonnell.

Hundred of Minecrow.—Sections 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 172, F, 92, 93, 94, 95, 96, 109, 110, 111, 112, 90, 91, 97, 98, 99, 105, 107, 108, 170, 171, G, H, 60, 61, 62, 63, 64, 65, 75, 76, 77, 78, 162, 163, 164, 165, 166, 167, 168, 169, 6A, 58, 59, 66, 67, 68, 73, 74, 79, 80, 81, 133, 134, E, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, C, 39, 40, 51, 38, 37, 23, 22, 11, 12, 10, 9, 8W, 13, 21, 3, 7, 8E, 14E, 180, 20, 24, 181, 182, 25NE, 33, 34, 36S, 36N, 41, 50, 49, 42, 178, 179, land south of section 9.

Hundred of Murrabinna.—Sections 15, 16, 14NW, 23, 9, 32, 7, 8, 18, 19, 20, 21, 30, 31, 3W.

Hundred of Lacepede.—Sections 425N, 481, 537, 525, 433N, 433S, 434E, 434W, 441, 442W, 442SE, 442NE, 443N, 443S, 447, 448, 449, 450, 446N, 446S, 445N, 445S, 444, 451, 28, 29, 35, 36, 37, 38, 39, 10, 42.

Hundred of Landseer.—Sections 16, 7, 6A, 6, 1.

Hundred of Duffield.—Sections 27, 28, 26, 25, 24, 20A, 20B, 21, 18, 19, 48, 15, 16, 17B, 14B, 11, 11B, 37.

County of Cardwell.

Hundred of Neville.—Sections 2, C.

Hundred of Wells.—Section 7.

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

C. W. M. NORRIE, Governor.