

AMENDED: See Act 1913 No. 24

AMENDED: See Act 1914 No. 51

AMENDED: See Act 1915 No. 75

AMENDED: See Act 1918 No. 21

AMENDED: See Act 1919 No. 39

AMENDED: See Act 1920 No. 43

AMENDED: See Act, 1921 No. 61

AMENDED: See Act, 1922 No. 29

AMENDED: SEE ACT, 1924 NO. 31 - 3 *repeal*

REPEALED: See Schedule to
Act, 1925 No. 15

P/5 III 4 IV

New Zealand.



ANALYSIS.

- | | |
|--|--|
| <p>Title.</p> <p>1. Short Title.</p> <p style="text-align: center;">PART I.</p> <p>2. Principal Act defined.</p> <p>3. Plans of towns to be approved by Governor. Repeal.</p> <p>4. Appointment of Deputy Commissioner of Crown Lands. Appointment of Deputy of Chief Surveyor.</p> <p>5. Moneys derived from sale of Crown lands to be paid into Land for Settlements Account.</p> <p>6. Section 41 of principal Act amended.</p> <p>7. Section 41 of principal Act further amended.</p> <p>8. Section 47 of principal Act amended.</p> <p>9. Uniform system of arbitration established. Repeal. Section 187 of principal Act amended.</p> <p>10. Section 90 of principal Act amended.</p> <p>11. Section 103 of principal Act amended. Repeal.</p> <p>12. Section 109 of principal Act amended.</p> <p>13. Repeal. Minister may postpone payment of rent by Crown tenant in certain cases.</p> <p>14. Section 128 of principal Act amended.</p> <p>15. Sections 171 to 174 of principal Act amended.</p> <p>16. National endowment land may be exchanged for other land.</p> <p>17. National Endowment Account. Repeal.</p> <p>18. Provisions as to limitation not applicable in certain cases where land acquired in public interests.</p> <p>19. Provisions of Part XIII of principal Act not to apply in certain cases. Repeal.</p> <p>20. Settlement of land within a kauri-gum district.</p> <p>21. Miscellaneous amendments of principal Act, as shown in Schedule.</p> <p style="text-align: center;"><i>Small Grazing-runs and Pastoral Runs.</i></p> <p>22. Repeal. Classification of small grazing-runs.</p> <p>23. Section 209 of principal Act amended.</p> <p>24. Section 218 of principal Act amended.</p> <p>25. Governor may set apart unoccupied pastoral land as grassing-areas.</p> <p>26. Resumption may be revoked and area restored to run.</p> <p>27. License may be extended for losses caused by snowfalls.</p> <p>28. On expiry of lease of small grazing-run, land may be disposed of by lease.</p> | <p style="text-align: center;">PART II.</p> <p style="text-align: center;">PURCHASE OF FREEHOLD OF LEASE-IN-PERPETUITY LANDS.</p> <p>29. This Part to be read with Land Act.</p> <p>30. Interpretation.</p> <p>31. Owner of lease in perpetuity may purchase fee-simple.</p> <p>32. Computation of price of land so purchased.</p> <p>33. Purchases for cash.</p> <p>34. Purchases on deferred payment.</p> <p>35. Computation of payments to be made by Commissioners.</p> <p>36. On completion of purchase Crown grant to be issued to purchaser.</p> <p>37. Section 97 of principal Act to apply to right of purchase by lessee.</p> <p>38. Regulations.</p> <p>39. This Part of Act not applicable to settlement land.</p> <p>40. Repeal.</p> <p style="text-align: center;">PART III.</p> <p style="text-align: center;">AGREEMENTS WITH OWNERS FOR SUBDIVISION.</p> <p>41. Interpretation.</p> <p>42. Agreements for subdivision of private land for settlement purposes. Particulars of agreements.</p> <p>43. Terms and conditions upon which owner to offer land.</p> <p>44. Restriction on acquisition or transfer of allotments after subdivision.</p> <p>45. Tenders to be accepted if not less than reserve price offered.</p> <p>46. Owner not to dispose of land after agreement without consent of Minister.</p> <p>47. On execution of agreement Minister may advance cost of subdivision, &c.</p> <p>48. Costs payable out of Land for Settlements Account.</p> <p style="text-align: center;"><i>Agreement with Owners of Native Lands.</i></p> <p>49. Native freehold land may be sold or leased under this Part.</p> <p>50. Minister may advance to Native owners out of Land for Settlements Account proportion of estimated proceeds of sale.</p> <p>51. Remuneration of agents of Native owners.</p> <p>52. Provision on death, &c., of agent.</p> <p>53. Enforcement of agreement.</p> <p style="text-align: center;"><i>Regulations.</i></p> <p>54. Governor may make regulations.</p> |
|--|--|

PART IV.

55. Principal Act defined.	60. Limitation of area. One allotment only to be held by one person.
56. Capital value may be reduced in certain cases.	61. Settlement land not selected within a township.
57. Settlement land may be sold in fee-simple.	62. Deposits by successful applicants for settlement land. Repeal.
58. Section 51 of principal Act amended.	Schedule.
59. Owners of renewable leases may acquire freehold.	

1912, No. 31.

AN ACT to amend the Law relating to Crown and other Lands. Title.
[7th November, 1912.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Land Laws Amendment Act, Short Title.
 1912.

PART I.

2. This Part of this Act shall form part of and be read together with the Land Act, 1908, which Act is in this Part referred to as the principal Act. Principal Act defined.

3. (1.) Where any land is subdivided for sale or lease or other disposition as a town, a plan of such subdivision showing the roads and reserves proposed to be made and the proposed name of the town shall be prepared by a licensed surveyor and approved by the ~~Governor in Council~~ before any part of the land is so disposed of or offered or advertised for disposition. Plans of towns to be approved by Governor.
 ADD hereto (1a)

AMENDED: VIDE INSET

(2.) Every person who, being an owner of any such land, disposes of any land so subdivided, or offers or advertises the same for disposition, before a plan of the subdivision is approved by the ~~Governor~~ as aforesaid is liable to a fine of one hundred pounds. AMENDED: VIDE INSET

(3.) In no case shall the plan of any such town be deposited under the Land Transfer Act, 1908, or the Deeds Registration Act, 1908, nor shall the transfer of any allotment or subdivision shown on any such plan be registered, unless the plan has been duly approved in terms of this section:

Provided that no right-of-way in any subdivision of land for a town shall be of less width than sixty-six feet, except with the consent of the Governor in Council. AMENDED: VIDE INSET
 ADD hereto (3a)

(4.) Section sixteen of the principal Act is hereby repealed. Repeal.

4. (1.) The Minister may from time to time, by writing under his hand, appoint a fit person to be the Deputy of any Commissioner of Crown Lands to act in case of the death, illness, or unavoidable absence of the Commissioner. Appointment of Deputy Commissioner of Crown Lands.

(2.) The Minister may from time to time, by writing under his hand, appoint a fit person to be the Deputy of any Chief Surveyor to act in case of the death, illness, or unavoidable absence of the Chief Surveyor. Appointment of Deputy of Chief Surveyor.

(3.) Every such Deputy, while so acting, shall have and may exercise all the powers, duties, and functions, and shall be subject to all the responsibilities, of the officer of whom he is Deputy.

(4.) The fact of a Deputy exercising any power, duty, or function as aforesaid shall be conclusive proof of his authority to do so, and no person shall be concerned to inquire whether the occasion has arisen requiring or authorizing the Deputy so to do.

5. (1.) All moneys accruing from the sale of any Crown lands shall be paid into the Land for Settlements Account and not into the Consolidated Fund, and section nineteen of the principal Act shall be read and construed accordingly.

(2.) This section shall not affect any Act by which Crown lands have been set apart or appropriated for the repayment of any loan or otherwise charged with any payment.

(3.) This section shall come into operation on the first day of April, nineteen hundred and thirteen.

6. Section forty-one of the principal Act is hereby amended by inserting after subsection three the following subsection:—

“(3A.) No person who is for the time being carrying on business as a land agent, either by himself or jointly with any other person, shall be eligible to be appointed, or elected, or to continue to be a member of the Land Board.”

7. Section forty-one of the principal Act is hereby further amended by adding, at the end of subsection five, the words “for the purposes of this subsection ‘Crown lands’ includes—

“(a.) National endowment land and

“(b.) Land vested in the Crown under the Education Reserves Amendment Act, 1910.”

8. Subsection one of section forty-seven of the principal Act is hereby amended by omitting the word “ten,” and substituting the word “fifteen.”

9. (1.) In every case where it is provided by the principal Act or this Act that any matter shall be referred to arbitration the reference shall be deemed to be a submission within the meaning of the Arbitration Act, 1908, and that Act shall accordingly apply.

(2.) In every such case the reference shall be to two arbitrators, one to be appointed by each party to the reference.

(3.) Each party shall pay his own costs of and incidental to the reference and to the appointment of the arbitrator appointed by him; but the costs of and incidental to the appointment of the umpire shall be paid equally by the parties:

Provided that all costs of or incidental to any arbitration under section one hundred and eighty-four or section one hundred and ninety-two of the principal Act shall be paid by the lessee.

(4.) Section eighty of the principal Act is hereby repealed.

(5.) Section one hundred and eighty-seven of the principal Act is hereby amended by omitting all the words of subsection one after the word “accordingly,” and by repealing subsections two and three.

10. Subsection one of section ninety of the principal Act is hereby repealed, and the following substituted in lieu thereof:—

“(1.) Every lease or license issued under this Act, and every renewal of a lease or license issued under this Act or any former Land Act, shall be executed in triplicate, by the Commissioner on behalf of His Majesty and by the lessee or licensee.”

Moneys derived from sale of Crown lands to be paid into Land for Settlements Account.

REFER TO Act. WIDE INSET

Section 41 of principal Act amended.

Section 41 of principal Act further amended.

Section 47 of principal Act amended.

REPEALED: Vide Inset.

Uniform system of arbitration established.

Repeal.

Section 187 of principal Act amended.

Section 90 of principal Act amended.

AMENDED: WIDE INSET

11. (1.) Section one hundred and three of the principal Act is hereby amended as follows:—

(a.) By omitting subsection two thereof, and substituting the following subsection:—

“(2.) An applicant is landless within the meaning of this section if he does not hold under any tenure such area of land, whether Crown land or not, as in the opinion of the Board is sufficient for the maintenance of himself and his family:

“Provided that the Board may, as a condition precedent to approving an application for land, require any such applicant to divest himself, within six months from the date of the approval of the application, of any interest which he may have in any other land. Until the applicant has so divested himself of such interest he shall not be deemed to have any interest in the land to which his application relates, and if he fails so to divest himself his deposit shall be forfeited”; and

(b.) By adding thereto the following new subsection:—

“(4.) At every such ballot preference shall be given to landless applicants who have children dependent on them, or who have within the two years immediately preceding the date of the ballot competed at least twice unsuccessfully at any previous land ballot, whether under the principal Act or the Land for Settlements Act, 1908.”

(2.) Sections one hundred and four and one hundred and five of the principal Act are hereby repealed.

12. Section one hundred and nine of the principal Act and section eleven of the Land for Settlements Administration Act, 1909, are hereby amended in each case by striking out the word “five” before the word “years,” and substituting the word “seven.”

13. Section one hundred and seventeen of the principal Act is hereby repealed, and the following substituted in lieu thereof:—

“117. (1.) In the event of any Crown tenant as defined in section one hundred and sixteen hereof being unable at any time, through any natural disaster or other sufficient cause, to pay the rent due under his lease or license, then, on the recommendation of the Board, and on being satisfied that it would be reasonable and equitable to afford relief, the Minister may postpone the payment of not more than one year's rent at any one time by such Crown tenant until such date as he may determine, and may from time to time further postpone payment of the whole or any portion of the said rent to a later date:

“Provided that the amount that may be so postponed shall not exceed three years' rent in the aggregate.

“(2.) Interest at the rate of four per centum per annum shall be payable on the amount of rent so postponed, and that amount, together with the interest thereon, shall be a charge on the land. Such charge shall have priority over all existing or subsequent mortgages, charges, or other incumbrances, other than those existing on the commencement of this Act.

“(3.) On any application for the transfer of any land so charged the Board may, if it thinks fit, before approving the transfer, make it

Section 103 of principal Act amended.

REPEALED: Vide Inset

Repeal.

Section 109 of principal Act amended.

REPEALED: Vide Inset.

Repeal.

Minister may postpone payment of rent by Crown tenant in certain cases.

REFER TO Act, VIDE INSET

a condition that the amount of the charge or any part thereof shall be paid.

“(4.) This and the last preceding section shall apply to leases and licenses current on the coming into operation of this Act, as well as to those hereafter granted.”

Section 128 of principal Act amended.

14. Subsection one of section one hundred and twenty-eight of the principal Act is hereby repealed, and the following substituted in lieu thereof:—

AMENDED: VIDE INSET

“(1.) Any selector, ~~of less than six hundred and forty acres of land under this Act, or under the provisions of any former Land Act, on any tenure,~~ may apply to the Board for an additional area of surveyed or unsurveyed land contiguous to the land in his selection, and the Board, if it thinks fit, but subject to the limitations of this Act, may dispose of such land to the applicant without competition on such tenure and at such a price as the Board with the approval of the Minister determines.”

Sections 171 to 174 of principal Act amended.

15. (1.) Notwithstanding anything in section one hundred and seventy-one of the principal Act, the right of purchase conferred on a selector by that section shall be exercisable at any time after six years from the date of his license.

(2.) All references in sections one hundred and seventy-one, one hundred and seventy-three, and one hundred and seventy-four to ten years shall be deemed to be references to six years.

National endowment land may be exchanged for other land.

16. (1.) Notwithstanding anything in Part VII of the principal Act, it shall be lawful for the Governor, whenever he deems it expedient in the public interest so to do, to grant in fee-simple any area of national endowment land in exchange for the fee-simple of any other land ~~which in his opinion is of approximately equal value,~~ and on any such exchange to pay or receive, by way of equality of exchange ~~any sum not exceeding twenty-five per centum of the estimated value of the national endowment land so granted:~~

AMENDED: VIDE INSET

Provided that the power hereby conferred on the Governor shall be exercisable only on the recommendation of the Board of Land Purchase Commissioners under the Land for Settlements Act, 1908.

(2.) Any sum so payable by the Crown by way of equality of exchange shall be paid out of the National Endowment Account without further appropriation than this Act, and all moneys receivable by the Crown under this section shall be paid into the said account, and shall be applied in the acquisition of other land for the purposes of the national endowment.

(3.) All land acquired by the Crown in pursuance of this section shall thereupon become national endowment land, and subject accordingly to the provisions of Part VII of the principal Act.

National Endowment Account.

17. (1.) The revenue received from national endowment land, after deducting all sums which are now payable therefrom to any local or public authority, shall be paid by the Receiver of Land Revenue into the Public Account, to the credit of the National Endowment Account.

AMENDED: VIDE INSET

(2.) Out of the moneys in the National Endowment Account there shall be paid the cost of the administration of the national endowment land.

Repeal.

(3.) Sections two hundred and sixty-one and two hundred and sixty-two of the principal Act are hereby repealed.

18. (1.) When, in the opinion of the Governor, it is desirable that small areas of freehold land or of land leased from the Crown, not exceeding in any one case five acres in extent, may be acquired for any purpose beneficial to the public by any person who already holds the prescribed maximum area of land, the purchaser shall not be required to make any declaration required by section eighty-four or section three hundred and forty-two of the principal Act, but may acquire such additional area irrespective of the area of land already held by that person.

Provisions as to limitation not applicable in certain cases where land acquired in public interests.

AMENDED: VIDE INSET

(2.) The District Land Registrar is hereby empowered and directed to register a transfer of any such area to any such person if the said transfer has indorsed thereon a certificate signed by the Minister that the Governor has consented to the transfer as being in the public interest.

Ibid

19. (1.) The provisions of Part XIII of the principal Act shall not apply to,—

Provisions of Part XIII of principal Act not to apply in certain cases.

AMENDED: VIDE INSET

(a.) Any interest acquired under sections eleven, one hundred and forty, or one hundred and forty-two of the principal Act:

(b.) Any interest acquired in respect of land received from the Crown or any local authority pursuant to any contract or arrangement for exchange of land for roads or any public purpose:

Ibid

(c.) Any interest acquired in respect of land formerly used or laid off as a road, but subsequently closed or stopped, whether under the provisions of the Public Works Act or any other enactment, and sold to any person.

(2.) This section shall apply to all interests hereinbefore mentioned acquired since the twentieth day of November, nineteen hundred and seven (being the date of the passing of the Land Laws Amendment Act, 1907), and any memorandum under section three hundred and forty-six of the principal Act on any certificate of title for any such interest shall, on the application of any person interested, be removed or cancelled by the District Land Registrar.

(3.) Section nine of the Public Works Amendment Act, 1911, is hereby repealed.

Repeal.

20. (1.) Notwithstanding anything in the Kauri-gum Industry Act, 1908, the Governor may set apart land in a kauri-gum district, being either a portion of a kauri-gum reserve or Crown land outside such reserve, in allotments not exceeding twenty-five acres in any one case for selection under this section:

Settlement of land within a kauri-gum district.

AMENDED: VIDE INSET

(2.) Such allotments shall be disposed of by way of license to occupy with right of purchase in pursuance of Part III of the principal Act, or by way of license to occupy with an agreement to purchase on deferred payment in pursuance of regulations under this section.

REFER TO Act. VIDE INSET

(3.) A license to occupy with an agreement to purchase on deferred payment shall be for a term of fifteen years, and the purchase-money shall be paid by equal half-yearly instalments, the first instalment being payable on the commencement of the sixth year after the date of the license:

Provided that the licensee may, if he thinks fit, pay any part of the purchase-money before the due date of such first instalment.

(4.) No rent shall be payable under a license to occupy with right of purchase in respect of the first five years of the term of such license.

(5.) The allotments shall be selected only by British subjects, and no selector shall hold more than one allotment unless he is a married man or a widower and has children dependent on him, in which case he may select more than one allotment, subject to conditions to be prescribed by regulations.

(6.) The conditions relating to application, selection, transfer, residence, occupation, and permanent improvements of land to which this section relates shall, subject to the provisions of this section and of regulations thereunder, be in accordance with Part III of the principal Act.

(7.) The Governor may from time to time make regulations fixing the terms and conditions on which such allotments may be applied for, disposed of, and occupied, subject to the foregoing provisions.

21. The principal Act is hereby amended in the manner and to the extent mentioned in the Schedule hereto.

Small Grazing-runs and Pastoral Runs.

22. Section two hundred and eight of the principal Act (relating to the classification and proclamation of small grazing-runs) is hereby repealed, and the following substituted in lieu thereof:—

“208. (1.) Any pastoral lands may be classified by the Board as small grazing-runs.

“(2.) Upon such classification being approved by the Minister the Governor may from time to time, by Proclamation, set aside the lands so classified, and subdivide them into such small grazing-run areas, not exceeding twenty thousand acres in any run, as he thinks fit.

“(3.) All such small grazing-runs shall be disposed of under this Part of this Act.”

23. Section two hundred and nine of the principal Act (relating to the leasing of small grazing-runs) is hereby amended by repealing subsection one thereof, and substituting the following:—

“(1.) Such runs may be declared open for lease on application at such yearly rent as is fixed by the Board and approved by the Governor.”

24. (1.) Section two hundred and eighteen of the principal Act (providing for renewals of leases of small grazing-runs) is hereby amended by omitting the words “or other determination,” and substituting the words “by effluxion of time.”

(2.) This section shall apply to existing leases as well as to those hereafter granted.

25. (1.) The Governor may from time to time, by notice in the *Gazette*, set apart any area of unoccupied pastoral land specified in the notice as a grassing-area for the purpose of making experiments in the sowing and growing of grasses.

(2.) The Governor may also from time to time, by a like notice, resume any area (not exceeding three hundred acres) of land comprised in a pastoral license, and thereupon the rent reserved by the said license shall be proportionately abated:

AMENDED: VIDE INSET

Miscellaneous amendments of principal Act, as shown in Schedule.

Repeal.

Classification of small grazing-runs.

Section 209 of principal Act amended.

Section 218 of principal Act amended.

Governor may set apart unoccupied pastoral land as grassing-areas.

Provided that the area so resumed shall not include any homestead buildings or stockyards.

(3.) The cost of such experiments shall be defrayed out of moneys from time to time appropriated by Parliament for that purpose.

26. In any case where land has been resumed as aforesaid the Governor may at any time, by notice in the *Gazette*, revoke the resumption, and thereupon a pastoral license of the land shall be offered to the original licensee or his successor in title for the remainder of the term of his license at a rent to be determined by the Board, and if he does not within two months after the date of such offer accept the same the land shall be held and disposed of under such of the provisions of the Land Acts as the Board with the approval of the Minister thinks fit.

Resumption may be revoked and area restored to run.

27. Where the holder of a pastoral license has suffered exceptional loss of live-stock by reason of the severity of the winter and the heavy falls of snow, and such loss has crippled his resources, the license of such holder may be extended for such period not exceeding seven years as, in the opinion of the Minister and the Land Board, seems equitable.

License may be extended for losses caused by snowfalls.

REFER TO Act, WIDE INSET

28. (1.) Notwithstanding anything in section two hundred and eighteen of the principal Act (relating to the renewal of leases of small grazing-runs), the Minister may, on the recommendation of the Land Board, determine that the land comprised in any such lease shall, on the expiry of that lease, be disposed of in two or more allotments by way of lease as hereinafter described, and the said land shall be so disposed of accordingly.

On expiry of lease of small grazing-run, land may be disposed of by lease.

REFER TO Act, WIDE INSET

(2.) Forthwith upon such determination the land comprised in the said run shall be subdivided into two or more allotments, and a valuation in the manner prescribed by paragraph (a) of the said section two hundred and eighteen shall be made of the substantial improvements of a permanent character made and then in existence on the said land, and the value of such improvements shall be apportioned among the several allotments in such manner as the appraiser making the valuation thinks fit.

(3.) Upon the expiration of the lease of the small grazing-run the lessee shall be entitled to receive a lease of such one of the allotments into which the said run has been subdivided as he elects.

AMENDED: WIDE INSET

(4.) On the expiration of the original lease the lessee shall be entitled to receive the value of the improvements, together with the value, if any, of the right of renewal which he would have had if this section had not passed, with respect to the allotments of which he has not been granted a new lease.

(5.) The value of the right of renewal provided for by the last preceding subsection shall be determined by arbitration in the manner prescribed by section nine hereof. **ADD hereto (50)**

AMENDED: WIDE INSET

(6.) Notwithstanding anything in the foregoing provisions of this section, if the improvements on the said land have become for any reason appreciated or depreciated in value between the date of valuation and the expiration of the lease of the small grazing-run, the amount of such appreciation or depreciation shall be assessed in manner provided by section one hundred and eighty-seven of the principal Act, and shall be added to or deducted from the value as so determined.

(7.) Every lease under this section shall be for a term of twenty-one years, with a right of renewal from time to time for a further term of twenty-one years; exercisable in the same manner as in the case of renewable leases under Part III of the principal Act, and all the provisions of that Act relating to the renewal of renewable leases shall, *mutatis mutandis*, apply to leases under this section.

ADD hereto (8) (9) (10)

AMENDED: VIDE INSET

PART II.

PURCHASE OF FREEHOLD OF LEASE-IN-PERPETUITY LANDS.

This Part to be read with Land Act.

29. This Part of this Act shall form part of and be read together with the Land Act, 1908, which Act is in this Part of this Act referred to as the principal Act.

Interpretation.

30. In this Part of this Act, if not inconsistent with the context,—

“Notice” means a notice in writing signed by a lessee of land held under lease in perpetuity of the lessee’s intention to purchase the fee-simple of the land:

“Original capital value” means the amount upon which the yearly rental of four per centum was computed at the date of the lease:

“Price” means the price at which land held under lease in perpetuity may be purchased, ascertained in the manner provided by this Part of this Act.

Owner of lease in perpetuity may purchase fee-simple.

31. (1.) The owner of a lease in perpetuity shall have a right at any time hereafter during the existence of the lease to purchase the fee-simple of the land comprised in the lease at a price ascertained and determined in the manner provided by this Part of this Act.

(2.) The right of purchase hereby conferred shall be exercised by giving notice to the Commissioner.

(3.) The delivery of the notice to the Commissioner shall constitute a contract between the lessee and the Crown for the purchase and sale of the said land.

(4.) The lessee shall in the notice notify whether he elects to purchase for cash or upon deferred payments.

Computation of price of land so purchased.

32. The price shall be computed as follows:—

(a.) The difference between a rental at five per centum per annum and four per centum per annum on the original capital value shall be treated as having been payable by the purchaser to the Crown in each year from the date of the lease, and accordingly a sum equal to one-half such difference shall be deemed to have become due by the purchaser to the Crown on each half-yearly day appointed by the lease for the payment of rent from the date of the lease to the date of the delivery of the notice, and to have remained unpaid.

(b.) Upon each such sum interest shall be computed at the rate of four per centum per annum, compounded with half-yearly rests from the date when such sum is treated as having become due until the date of the delivery of the notice.

(c.) The aggregate of the sums mentioned in paragraph (a) hereof and the aggregate of the interest computed as directed by paragraph (b) hereof shall be added to the original capital value and the total shall be the price.

33. If the lessee elects to purchase for cash—

Purchases for cash.

(a.) He shall within three months after the delivery of the notice pay the price, together with all rent accrued and accruing due under the lease up to the date of the delivery of the notice, and also interest at five per centum per annum on the price from that date to the date of payment, and upon such payments being made in full the purchase shall be deemed to have been completed.

(b.) If he makes default in any such payment within the time aforesaid, the Board may, in its discretion, cancel and determine the contract of purchase, and the lessee shall continue to hold the land under his lease in perpetuity, but in such case the lessee shall not be entitled to again give a notice until the expiration of five years from the delivery of the first-mentioned notice.

34. If the lessee elects to purchase upon deferred payments,—

Purchases on deferred payment.

(a.) He shall, within three months after the delivery of the notice, pay a deposit equal to ten per centum of the price, together with all rent accrued and accruing due under the lease up to the date of the delivery of the notice.

AMENDED: VIDE INSET

(b.) Upon such payment the lease shall determine, and he shall hold the land under license to occupy, but such license shall be subject to any right, title, interest, or incumbrance existing or vested in any person other than the lessee affecting the lease at the time of such determination.

(c.) The license to occupy shall provide for the payment of the balance of ninety per centum of the price by equal annual instalments extending over a period of nine years, with a right to the licensee to pay off at any time the whole or any part of the price then remaining unpaid, and shall also provide for the payment by the licensee of interest half-yearly at the rate of five per centum per annum from the date of the delivery of the notice upon such part of the price as for the time being remains unpaid.

Ibid

(d.) The license to occupy shall be in the prescribed form, and shall contain (and the right of the licensee shall be subject to) such provisions for forfeiture of the right and interest of the licensee in the event of his failure to pay any instalment of the price or to make any payment of interest as may be prescribed.

(e.) Upon payment of the price in full and of all interest, the purchase shall be deemed to be completed.

35. The computation of the price and of all other payments to be made as herein provided, whether the lessee elects to purchase for cash or on deferred payments, shall be made by the Commissioner or by some person appointed by the Commissioner in that behalf, and by such computation the price and all such other payments shall be conclusively ascertained and determined for all purposes.

Computation of payments to be made by Commissioner.

On completion of purchase Crown grant to be issued to purchaser.

36. (1.) On the completion of a purchase by the lessee in the case of purchase for cash or by the licensee in the case of a purchase on deferred payments, the Board shall certify to the Minister that the lessee or licensee is entitled to a Crown grant of the land purchased, and a Crown grant accordingly shall in due course be issued to him.

(2.) The fee-simple so granted shall continue to be subject to any right, title, interest, or incumbrance existing or vested in any person other than the lessee or licensee at the time of such completion.

Section 97 of principal Act to apply to right of purchase by lessee.

37. The provisions of section ninety-seven of the principal Act as to the limitation of areas shall apply to the exercise of a right of purchase under this Part of this Act ~~as if the purchaser were not already in occupation of the land in respect of which the right of purchase exists.~~ **ADD** proviso hereto

AMENDED: VIDE INSET

Regulations.

38. The Governor may, by Order in Council, make such regulations as he considers necessary for carrying into effect the provisions of this Part of this Act.

This Part of Act not applicable to settlement land.

39. The provisions of this Part of this Act do not apply to land which is subject to the provisions of the Land for Settlements Act, 1908.

Repeal.

40. Section one hundred and seventy-seven of the principal Act is hereby repealed.

PART III.

AGREEMENTS WITH OWNERS FOR SUBDIVISION.

Interpretation.

41. In this Part of this Act, if not inconsistent with the context,—

“Minister” means the Minister of Lands:

“Owner” means the person or all the persons for the time being beneficially entitled (whether legally or equitably) to the fee-simple of any land.

Agreements for subdivision of private land for settlement purposes.

42. (1.) The Minister may, after consultation with the Land Purchase Board, agree in writing with an owner to the effect defined in this Part of this Act with respect to any land of such owner, provided that every person entitled under any mortgage or charge registered against the land under the Deeds Registration Act, 1908, or the Land Transfer Act, 1908, shall be a party to and execute such agreement.

Particulars of agreements.

(2.) Every such agreement shall provide that—

(a.) A plan of subdivision of the land into allotments shall be made by a surveyor appointed by the Minister:

(b.) The plan of subdivision shall define such roads, bridges, and improvements as the surveyor considers necessary or expedient:

(c.) The plan prepared by the surveyor shall be approved in writing by the Minister and the owner respectively:

(d.) The plan may be varied in any respect from time to time with the consent in writing of the Minister and the owner.

(e.) Upon the plan being approved the land shall, within a time to be appointed in that behalf by the Minister, be offered by the owner by public tender for sale, or, at the option of the owner, for lease with right of purchase, in allotments as defined by the plan, the reserve price for each allotment being a sum determined by agreement between the Minister and the owner; and every such sale or lease shall be offered upon the terms and subject to the conditions hereinafter specified.

(3.) The agreement may contain such other provisions not inconsistent with this Part of this Act as the Minister and owner may agree upon.

43. (1.) The terms and conditions upon which the owner shall offer the land as aforesaid shall be—

Terms and conditions upon which owner to offer land.

(a.) In the case of sale, the payment of a deposit not exceeding ten per centum of the price tendered, and an agreement by the purchaser to pay to the owner, or as the owner directs, the balance of the purchase-money by annual instalments extending over a period of not less than ten nor more than twenty years, and an agreement by the purchaser to pay to the owner, or as the owner directs, interest upon all purchase-moneys for the time being remaining unpaid at a rate not exceeding five per centum per annum:

Provided that the purchaser may at any time pay the whole or any part of the balance of purchase-money then unpaid, together with interest thereon to the date of payment; and

(b.) In the case of lease with right of purchase the term of lease shall be twenty-one years, and the lessee shall have the right to purchase the allotment at any time during the term of the lease at the price named in the tender, and the rent shall not exceed five per centum of the amount of such price.

(2.) The said terms and conditions shall in all other respects be such as may be agreed upon between the owner and the Land Purchase Board with the approval of the Minister.

44. No person whose tender for any allotment is accepted shall be permitted to acquire by purchase or lease any other allotment of the same land, and no person whose tender for any allotment is accepted shall sell or transfer his interest in the allotment until at least one-quarter of the purchase-money has been paid by him to the owner.

Restriction on acquisition or transfer of allotments after subdivision.

45. No tender shall be accepted unless it is accompanied by a declaration as required in the case of an applicant for land under Part III of the Land Act, 1908; but, except as aforesaid, the owner shall not, without the consent of the Minister, decline any tender in which a sum equal to or exceeding the reserve price is offered.

Tenders to be accepted if not less than reserve price offered.

46. It shall not be lawful for the owner, after the execution of an agreement with the Minister under section forty-two hereof, to sell, mortgage, or charge his estate or interest in the land the subject of the agreement, or in any part thereof, without the previous consent in writing of the Minister.

Owner not to dispose of land after agreement without consent of Minister.

On execution of agreement Minister may advance cost of subdivision, &c.

47. At any time after the execution of the agreement by the owner and by every party whose consent thereto is required by section forty-two hereof the Minister may pay the whole costs and charges of the survey of the land and of the laying-out, construction, and completion of such roads, bridges, and improvements as are defined in the plan of the surveyor; and all moneys so expended by the Minister shall be repaid by the owner with interest at such rate being not less than four per centum per annum, and within such time as is agreed upon between the Minister and the owner, and until such repayment shall be a first charge upon the land and the proceeds of the sale thereof, and have priority over all other charges and incumbrances, whether registered against the land or unregistered.

Costs payable out of Land for Settlements Account.

48. All moneys paid by the Minister under the provisions of this Part of this Act shall be paid out of the Land for Settlements Account without further appropriation than this Act, and all moneys repaid by the owner pursuant to the last preceding section shall be paid into that account.

Agreements with Owners of Native Land.

Native freehold land may be sold or leased under this Part.

49. (1.) In this section, if not inconsistent with the context,—
 “Native freehold land” and “Native” have respectively the meanings assigned to those terms in the Native Land Act, 1909:

“Land Settlement Officer” means and includes a Commissioner of Crown Lands, or such other officers of the Lands and Survey Department as the Minister appoints to be Land Settlement Officers for the purposes of this section:

“Agents” means persons appointed by Native owners to be agents under the provisions of this section, and where only one such person is so appointed means that person.

(2.) Notwithstanding anything in the Native Land Act, 1909, the Native owner or owners of any Native freehold land may, either personally or by agents as hereinafter provided, enter into an agreement with the Minister for the sale or lease of such Native freehold land (or of any part thereof) in the manner prescribed in the preceding provisions of this Part of this Act as if such Native freehold land were European land, save that the provisions of paragraph (e) of subsection two of section forty-two hereof shall be read as if the words “or by public auction” were inserted therein after the words “public tender.”

(3.) In the case of an agreement for sale by public auction the provisions of sections forty-three and forty-four hereof shall be read as if the word “bid” were inserted therein in lieu of the words “tendered” or “tender” wherever those words occur; and in that case, in lieu of the provisions of section forty-five hereof, it is hereby enacted that every purchaser at public auction shall be required to lodge with the Land Settlement Officer a declaration as required in the case of an applicant for land under Part III of the Land Act, 1908.

(4.) The Native owners of any Native freehold land may, by writing under their hand, appoint some person or persons not exceeding three in number to be the agents of all such owners for the purposes of this section.

(5.) Where any such Native owner is a person under disability as defined by section one hundred and seventy-one of the Native Land Act, 1909, the Native Land Court may on behalf of such person, upon the application of the Minister, by order confirm an appointment of agents made by the Native owners who are not persons under disability.

(6.) The effect of such order shall be to constitute the agents to be the agents of the person under disability for all the purposes of this section, and the agents shall have the same powers in all respects to enter into an agreement with the Minister on behalf of such person as if such person had not been under any disability; and all conveyances, transfers, leases, and other documents executed by the agents under this section shall be as valid and effectual as if the whole legal and beneficial estate and interest of such person in the land were vested in the agents.

(7.) Where the Native owners of any Native freehold land exceed five in number, the appointment of agents for the purposes of this section may, if the Minister so directs, be made in manner following:—

(a.) The provisions of sections three hundred and thirty-eight to three hundred and fifty-one inclusive of Part XVIII of the Native Land Act, 1909 (relating to the powers of assembled Native owners) shall (except as hereinafter otherwise provided) be deemed to be incorporated in this section.

(b.) The provisions of section three hundred and forty-six of the said Part XVIII shall not apply to proceedings under this section, but in lieu thereof it is hereby enacted that the assembled owners of any Native freehold land may pass, in the manner provided by the said Part XVIII, a resolution that such land shall be disposed of by sale or lease under this Part of this Act, and a further resolution appointing some person or persons (not exceeding three in number) to be the agents of those owners for the purposes of this section.

(c.) On the confirmation by the Board of any resolution under this section, a copy of that resolution and confirmation under the seal of the Board shall be transmitted by the President to the Minister, and shall be gazetted.

(d.) A copy of the *Gazette* containing any such resolution and confirmation shall be conclusive evidence of the determination of the owners that the land shall be disposed of under this Part of this Act and that the appointment of the agents named therein was duly made by all the Native owners of the land.

(8.) Agents appointed pursuant to this section shall have and may exercise during the term of their appointment, for the purposes of this Part of this Act, all the powers of the owners with respect to

the land for the disposition of which they have been appointed agents; and, in particular, may execute in their own names on behalf of the owners, without any further consent or concurrence of the owners of such land, all such conveyances, transfers, leases, and other documents as are necessary for any of the purposes of this Part of this Act and for the disposition of land thereunder.

(9.) Notwithstanding anything in the preceding provisions of this section, no Native freehold land to which this section relates shall be disposed of by sale or lease except with the concurrence of a Land Settlement Officer, who shall be a party to every sale or lease of any part of such land, and shall join in the execution of every conveyance, transfer, lease, or other document in respect thereof.

(10.) Every conveyance, transfer, lease, or other document affecting land executed by the agents and by a Land Settlement Officer shall for all purposes effectually convey, transfer, demise, or otherwise affect the estate or interest in such land, according to the tenor of the instrument so executed.

(11.) The proceeds of all sales of land under this section shall be payable only to the Land Settlement Officer, and shall be paid by the Land Settlement Officer into an account to be entitled the Native Land Trust Account.

(12.) Such proceeds shall be applied, first, in repayment of moneys advanced and expended by the Minister and interest thereon as provided by section forty-seven hereof, and next in payment of all other charges and expenses incurred by the Minister and the agents and the Land Settlement Officer in relation to the land, and the balance of the capital proceeds shall be invested in such manner and upon such trusts for all the Native owners of the land, and their successors, as may be prescribed by regulations :

Provided that where by the agreement between the agents and the Minister it is stipulated that a part, not exceeding one-third of the whole of such balance of the capital proceeds, shall be paid over to the Native owners, such part may be so paid over in lieu of being invested as aforesaid :

Provided further that in every case the prescribed trusts of the moneys invested shall be such as to permit only the payment to the Native owners and their successors of the income of the investments.

(13.) The rents of all land demised under this section shall be paid into the said Native Land Trust Account, and shall be paid thereout from time to time to the Native owners and their successors.

(14.) There shall be charged and paid out of the said Native Land Trust Account in respect of the management and investment of the capital moneys, and the collection and distribution of the income and rents, such allowances and charges as may be prescribed by regulations.

(15.) Every purchaser and lessee of land under this section shall be deemed to be so far the purchaser or lessee of Native freehold land as that all the provisions of Part XII of the Native Land Act, 1909 (relating to limitation of area), shall apply to the acquisition by such purchaser or lessee of the land purchased by or leased to him.

(16.) Save as is herein expressly provided, the provisions of the Native Land Act, 1909, shall not prohibit, affect, or apply to any appointment of agents, agreement with the Minister, or alienation (whatever be the number of the Native owners), or to any deed of conveyance, transfer, lease, or other document affecting any Native freehold land under the provisions of this section.

(17.) It shall not be necessary that any appointment of agents, agreement with the Minister, alienation, conveyance, transfer, lease, or other document under the provisions of this section be confirmed or be executed as required by the Native Land Act, 1909.

50. (1.) Where an agreement made by Native owners with the Minister under this Act provides for payment over to the Native owners of a part of the balance of the capital proceeds of the land as provided by subsection twelve of the last preceding section, the Minister, upon the execution of such agreement,—

Minister may advance to Native owners out of Land for Settlements Account proportion of estimated proceeds of sale.

(a.) May advance and pay out of the Land for Settlements Account, without further appropriation than this Act, to the Native owners, or (if the agreement so provides) to agents appointed by them under the provisions of the last preceding section, any sum or sums not exceeding in the whole the part of the balance of capital proceeds of sale which is provisionally estimated to be ultimately payable directly to the owners; and

(b.) Shall cause an estimate to be made by an officer of the Department of Lands of the probable balance of the capital proceeds as defined in subsection twelve of the last preceding section, and the proportion of the amount so estimated which would, pursuant to the agreement, be payable to the owners shall be deemed to be the amount provisionally estimated for the purposes of the last preceding paragraph.

(2.) All moneys so advanced and paid to the owners pursuant to such provisional estimate shall be refunded to the Land for Settlements Account out of the proceeds of sale of the land, with interest thereon at the rate of four per centum per annum.

51. An appointment of agents by Native owners under section forty-nine hereof may contain provisions for the remuneration of the agents, and such provisions shall, if approved by the Minister, be part of such appointment and be binding upon the Native owners, anything in the Native Land Act, 1909, or any other Act to the contrary notwithstanding, and the amount of such remuneration shall be deemed to be a charge and expense incurred by the agents within the meaning of subsection twelve of section forty-nine hereof.

Remuneration of agents of Native owners.

52. If any agent appointed by Native owners under section forty-nine hereof dies, or declines or becomes incapable to act, any other agent or agents who has or have been appointed by the same Native owners to act as agents together with the agent who so dies, or declines or becomes incapable to act, may act alone on behalf of all the Native owners, and shall have the same powers and authorities for all purposes as all the agents originally appointed would have had if all acted together.

Provision on death, &c., of agent.

Enforcement of agreement.

53. Every agreement made by agents appointed by Native owners under section forty-nine hereof, whether such agreement is with the Minister or with any purchaser or lessee of lands, may be enforced by action or other proceedings in the Supreme Court of New Zealand against the agents in their own names, sued as representing all the Native owners; and if in any such action or proceeding any decree is made for the execution of any conveyance, transfer, lease, or other document, the said Court may direct that such conveyance, transfer, lease, or other document shall be executed either by the agents or by a Land Settlement Officer, and the same shall, when so executed, be as valid and effectual for all purposes as if executed by all the Native owners.

Regulations.

Governor may make regulations.

54. The Governor may, by Order in Council, make such regulations as he considers necessary for carrying into effect the provisions of this Part of this Act.

PART IV.

Principal Act defined.

55. This Part of this Act shall form part of and be read together with the Land for Settlements Act, 1908, which Act is in this Part referred to as the principal Act.

Capital value may be reduced in certain cases.

56. Notwithstanding anything in section forty-five of the principal Act, the Minister may, on the recommendation of the Land Board, reduce the capital value of any allotment to such amount as he thinks fit in any case where the allotment remains unselected for a period of more than one year after the date when it became available for selection.

Settlement land may be sold in fee-simple.

57. (1.) Notwithstanding anything in the principal Act, any settlement land acquired after the passing of this Act, or any settlement land heretofore acquired but not selected under that Act, may, if the Minister so determines, be disposed of by way of sale in fee-simple.

(2.) The provisions of section fifty-one of the principal Act and section eleven of the Land for Settlements Administration Act, 1909, shall, *mutatis mutandis*, apply to all settlement lands so disposed of.

(3.) The price to be paid by the purchaser shall be the capital value fixed by the Minister in accordance with section forty-five of the principal Act.

58. Section fifty-one of the principal Act is hereby amended by omitting from subsection two the word "adjoining."

59. (1.) In this section, if not inconsistent with the context,—

"Notice" means a notice in writing, signed by a lessee of settlement land held under renewable lease, of the lessee's intention to purchase the fee-simple of the land:

"Original capital value" means the amount upon which the rent at the rate of four and a half per centum per annum was computed for the existing term of a renewable lease:

Section 51 of principal Act amended.

Owners of renewable leases may acquire freehold.

REPEALED: Vide Inset.

“ Price ” means the price at which settlement land held under renewable lease may be purchased, ascertained in the manner provided by this section.

(2.) Subject to the provisions of the next succeeding section, the owner of a renewable lease of settlement land (whether made before or after the commencement of this Act) may at any time during the currency of the lease acquire the fee-simple of the land comprised in his lease upon the terms and subject to the conditions defined, and at a price ascertained and determined in the manner provided by this section.

(3.) All the provisions of Part II of this Act (except sections twenty-nine, thirty, subsection one of section thirty-one, and section thirty-two thereof) shall be deemed to be incorporated in and shall apply to the right of purchase conferred by this section.

(4.) The price shall be computed as follows :—

(a.) The Valuer-General shall cause a new valuation to be made in accordance with the provisions of the Valuation of Land Act, 1908, of the capital value of the land comprised in the lease as at the date of the notice.

(b.) From the capital value ascertained by such new valuation there shall be deducted the value (to be ascertained by valuation) of any improvements effected by the lessee and of any other improvements to which the lessee is entitled by reason of their being effected after the grant of the first lease of the land, whether such first lease was a lease in perpetuity or a renewable lease. The resulting sum is hereinafter referred to as “ the present capital value.”

(c.) In no case shall the present capital value be less than the original capital value.

(d.) The amount by which the present capital value exceeds the original capital value being ascertained, an actuarial computation shall be made of the present value of such excess if payable at the expiration of the existing term of the lease. The rate of interest for the purpose of such computation shall be five per centum per annum, payable half-yearly. The amount ascertained by such actuarial computation shall be added to the original capital value and the result shall be the price.

MODIFIED: See Act, 1913
No. 24 Section 60

60. (1.) It shall not be lawful for any person to become the purchaser in fee-simple of any area of settlement land if such land, together with all other land of any description owned, held, or occupied by him under any tenure, whether in severalty or jointly with any person, exceeds a total area of three thousand acres, calculated in the manner provided by section ninety-seven of the Land Act, 1908.

Limitation of area.

REFER TO Act, 7IDE INSET

(2.) It shall not be lawful for any person who holds any estate or interest in any allotment of land, which is or was at any time settlement land, to acquire any estate or interest in any other allotment which is or was at any time settlement land :

AMENDED: 7IDE INSET
One allotment only
to be held by one
person.

REFER TO Act, 7IDE INSET

Provided that nothing in this section shall restrict the operation of subsection two of section fifty-one of the principal Act.

AMENDED: 7IDE INSET

(3.) The provisions of sections three hundred and forty-two to three hundred and forty-seven of the Land Act, 1908, shall, *mutatis mutandis*, apply to the several limitations and prohibitions contained in this section, the words "this section" being read for the words "this Part of this Act," wherever they occur in the said sections.

(4.) Every document of title issued by the District Land Registrar for land affected by this section shall contain a notification that the land is subject to the restriction contained in this section.

61. (1.) Allotments of settlement land situated within a township which remain unselected for a period of more than one year from the date when they became available for selection may be leased for grazing purposes for any period not exceeding five years to any applicant who makes the declaration prescribed for applicants for Crown land, whether or not such applicant already holds another allotment under the principal Act or any Act repealed thereby.

(2.) Such lease may be determined at any time by three months' written notice of intention to do so being given by the Commissioner to the lessee.

(3.) The lessee shall not be entitled to compensation for any improvements he may effect upon the allotment, but he may remove any such improvements prior to the expiry of his lease, whether by determination or effluxion of time.

62. (1.) The provisions of section sixty-three of the Land Act, 1908, relating to the deposit payable by a successful applicant for a renewable lease of surveyed land, and the provisions of section sixty-five of that Act relating to the application of such deposit, shall apply to successful applicants for settlement land, save that the deposit shall be at the rate of two and a quarter per centum instead of two per centum.

(2.) Paragraphs (q), (r), and (s) of subsection one of section fifty-one of the principal Act are hereby repealed.

Settlement land not selected within a township.

Deposits by successful applicants for settlement land.

Repeal.

SCHEDULE.

Schedule.
Sec. 21.

MISCELLANEOUS AMENDMENTS OF THE LAND ACT, 1908.

Number of Section affected.	Nature of Amendment.
Section 48 ...	By omitting all the words of paragraph (c) after the words " may be," and substituting the words " called by the Commissioner either on his own initiative, or pursuant to resolution of the Board, or on the request in writing of any three members of the Board."
Section 62 (7)	By omitting the words " or pastoral."
Section 63 ...	By adding the following new subsection :— " (4.) The rent for the period elapsing between the date of the lease and the due date of the first half-yearly payment shall be payable, at the option of the Board, either with such first half-yearly payment or at the due date of the next succeeding half-yearly payment."
Section 82 ...	By omitting the words " and renewals or transfers thereof," and substituting the words " or other instruments relating to the occupation of land (including renewals and transfers of leases and licenses)"; by omitting the words " leases and licenses, and renewals or transfers of leases and licenses, under this Act," and substituting the words " such instruments "; by inserting, after the words " twenty-one shillings " in paragraph (d), the words " such fee to include the cost of the registration of the instrument in respect of which it was paid "; and by omitting all the words of that paragraph after the words " ten shillings."
Section 125 ...	By omitting the words " two shillings and sixpence " in paragraph (c), and substituting the words " five shillings."
Section 130 ...	By omitting the words " from year to year," and substituting the words " for any term not exceeding five years."
Section 155 (3)	By omitting all words after the words " first-class land," and substituting the words " ten shillings per acre for second-class land, and five shillings per acre for third-class land."
Section 166 (1)	By adding the words " and five shillings per acre on third-class lands."
Section 179 (2)	By omitting all the words after the words " Crown lands " down to and including the words " similar purport."
Section 192 (3)	By inserting, after the word " improvements," the words " effected or purchased by the lessee."
Section 244 (5)	By omitting the words " this subsection," and substituting the words " subsection three of this section."
Section 267 (2)	By adding the words " and shall be applied in the purchase of other lands, which shall form part of the national endowment."
Section 332 ...	By omitting the words " which has been leased prior to the first day of November, one thousand eight hundred and ninety-two (being the date of the coming into operation of 'The Land Act, 1892')," and substituting the words " whether granted before or after the passing of this Act."