

New Zealand.



AMENDED: See Act 1915 No. 14, 75

AMENDED: See Act 1916 No. 3

AMENDED: See Act 1917 No. 3

AMENDED: See Act 1918 No. 1

AMENDED: See Act 1919 No. 37, 39

AMENDED: See Act 1920 No. 12, 43

AMENDED: See Act, 1921 No. 2, 32, 61, 67

AMENDED: SEE ACT, 1924 NO. 78(1)

REPEALED: See Act, 1925 No. 15

ANALYSIS.

Title.

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| <ol style="list-style-type: none"> 1. Short Title. 2. Section 11 of Land Act, 1908, amended. 3. Power to alter land districts. 4. Section 62 of Land Act, 1908, amended. 5. Section 97 of Land Act, 1908, amended. 6. Section 129 of Land Act, 1908, amended. 7. Section 166 of Land Act, 1908, amended.
Section 168 of Land Act, 1908, amended. 8. Section 226 of Land Act, 1908, amended. 9. Section 311 of Land Act, 1908, modified. 10. Section 3 of Land Laws Amendment Act, 1912, amended. 11. Section 10 of Land Laws Amendment Act, 1912, amended. 12. Section 19 of Land Laws Amendment Act, 1912, amended. 13. Section 20 of Land Laws Amendment Act, 1912, amended. 14. Section 13 of Land Laws Amendment Act, 1913, modified. 15. Section 20 of Land Laws Amendment Act, 1913, amended. 16. Section 32 of Land Laws Amendment Act, 1913, amended. 17. Lessees in perpetuity of ordinary Crown lands may acquire fee-simple of the whole area, notwithstanding provisions as to limitation of area. 18. Lessees in perpetuity of settlement land may acquire fee-simple of the whole area, notwithstanding provisions as to limitation of area. 19. Section 28 of Land Laws Amendment Act, 1913, amended. 20. Section 31 of Land Laws Amendment Act, 1913, amended. 21. In certain cases lessee of small grazing-run may acquire fee-simple of part thereof. 22. On expiry of lease of small grazing-run of settlement land, land may be disposed of under this section. 23. Provisions as to temporary licenses to occupy small grazing-runs. 24. Provisions to apply where fee-simple of land comprised in lease or license is acquired on deferred payments. | <ol style="list-style-type: none"> 25. Purchasers of freehold to pay cost of valuation. 26. Section 50 of Land Laws Amendment Act, 1913, amended. 27. On subdivision of pastoral run, licensee may select one subdivision. Repeal. 28. Lease of allotment of settlement land may in certain cases be granted without competition to employee of former owner. 29. Moneys expended by Minister for draining and otherwise improving settlement land may be added to capital value. 30. Section 63 of Land Laws Amendment Act, 1913, amended. Repeal. 31. Section 64 of Land Laws Amendment Act, 1913, amended. 32. Authorizing exchange of pastoral license for small grazing-run lease. 33. Authorizing exchange of small grazing-run for renewable lease. 34. Outstanding unsecured advances to be added to price of land comprised in perpetual lease under Land Act, 1885. 35. Provisions as to acquisition of fee-simple of settlement land in cases where value of buildings not included in original capital value. 36. Special provisions as to sale by Crown of sand-dunes and other worthless land. 37. Power to change purposes of education reserve and national-endowment land, &c. 38. Provisions as to vacation of office by appointed members of Board of Land Purchase Commissioners. 39. Section 51 of Land for Settlements Act, 1908, amended. 40. Power to issue grazing-permits over settlement land. 41. Providing for acquisition under Land for Settlements Act of land held under Land Settlement Finance Act. 42. Minister may exempt lessees of Crown lands, &c., from conditions as to cropping, &c. Duration of this section. 43. Minister may postpone payment of rent of pastoral runs. 44. Minister may postpone payment of rent on small grazing-runs of settlement land. |
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1914, No. 51.

Title. AN ACT to amend the Law relating to Crown and other Lands.
[5th November, 1914.]

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

Short Title. 1. This Act may be cited as the Land Laws Amendment Act, 1914.

Section 11 of Land Act, 1908, amended. 2. (1.) Section eleven of the Land Act, 1908, is hereby amended as follows:—

(a.) By inserting, after the word "road" in subsection one, the words "or street":

(b.) By omitting from subsection two the words "Road Board, or of the County Council if there is no Road Board, or other":

(c.) By inserting, after the word "road" in subsection three, the words "or street":

(d.) By inserting, after the word "road" where it first occurs in subsection four, the words "or street"; and by inserting, before the words "may grant such closed road" in the same subsection, the words "in the case of a closed street, may grant or otherwise dispose of the land comprised therein in such manner as the Borough Council may by resolution determine, and in the case of a closed road."

(2.) In this section and in the said section eleven "street" means a street as defined by section one hundred and fifty-two of the Municipal Corporations Act, 1908.

(3.) This section shall be deemed to have been in operation as from the commencement of the Land Act, 1908.

3. Section twenty-one of the Land Act, 1908, is hereby amended by omitting the proviso to subsection two, and substituting the following proviso:—

"Provided that the Governor by Order in Council may from time to time, as he thinks fit,—

"(a.) Constitute and define the boundaries of any additional land district and districts; or

"(b.) Abolish any land district; or

"(c.) Alter the boundaries of any land district."

Power to alter land districts.

Section 62 of Land Act, 1908, amended.

4. Section sixty-two of the Land Act, 1908, is hereby amended by repealing subsection three.

Section 97 of Land Act, 1908, amended.

5. Section ninety-seven of the Land Act, 1908, is hereby amended by repealing subsection eight and substituting the following subsection therefor:—

"(8.) Any land which has not been classified under section one hundred and twenty-five hereof or the corresponding provisions of any former Land Act shall for the purposes of this section, if of an unimproved value of eight pounds an acre or upwards, be deemed to be first-class land; if of an unimproved value of less than eight pounds but not less than four pounds an acre, shall be deemed to be second-class land; and if of an unimproved value of less than four

REFER TO INSET APPENDED

pounds an acre, shall be deemed to be third-class land. For the purposes of this subsection the unimproved value of any land shall be deemed not to include the value of the timber (if any) standing thereon."

6. Subsection one of section one hundred and twenty-nine of the Land Act, 1908, is hereby amended—

- (a.) By omitting the words "a section of unsurveyed land," and substituting the words "an area of land";
- (b.) By inserting, before the words "on deposit," the words "in the case of unsurveyed land"; and
- (c.) By omitting the words "such section," and substituting the words "such land."

Section 129 of Land Act, 1908, amended.

7. (1.) Section one hundred and sixty-six of the Land Act, 1908, is hereby amended by omitting from subsection one the words "at any time within seven years from the date of his purchase."

Section 166 of Land Act, 1908, amended.

(2.) Section one hundred and sixty-eight of the said Act is hereby amended by omitting from subsection one the words "within the time therein limited," and substituting the words "within ten years from the date of his purchase"; and by omitting from subsection three the word "seven," and substituting the word "ten."

Section 168 of Land Act, 1908, amended.

8. Section two hundred and twenty-six of the Land Act, 1908, is hereby amended—

Section 226 of Land Act, 1908, amended.

- (a.) By omitting from subsection one the words "in areas exceeding five thousand acres";
- (b.) By omitting from subsection two the words "aforesaid Commissioners," and substituting the word "Board"; and
- (c.) By adding the following subsection:—

"(3.) The Board may also if it thinks fit and notwithstanding anything in this Act relating to preference to landless applicants, dispose of any pastoral lands consisting principally of high country to persons in occupation of sufficient low country to ensure the proper working of a run (whether such low country is Crown land or not, and whether contiguous to any portion of the run or not), and the provisions of the last preceding subsection shall not apply in any such case."

9. Section three hundred and eleven of the Land Act, 1908, is hereby amended by omitting from subsection one the word "rural."

Section 311 of Land Act, 1908, modified.

10. Section three of the Land Laws Amendment Act, 1912, is hereby amended by omitting the words "the Governor in Council" in subsection one thereof, and the words "the Governor" in subsection two thereof, and substituting in each case the words "the Minister."

Section 3 of Land Laws Amendment Act, 1912, amended.

11. Section ten of the Land Laws Amendment Act, 1912, is hereby amended by omitting the word "triplicate," and substituting the word "duplicate."

Section 10 of Land Laws Amendment Act, 1912, amended.

12. Section nineteen of the Land Laws Amendment Act, 1912, is hereby amended by omitting from paragraph (b) the words "for roads or any public purpose," and substituting the words "except in cases where the land received in exchange by the Crown or local authority is immediately prior to the exchange subject to the said Part XIII."

Section 19 of Land Laws Amendment Act, 1912, amended.

Section 20 of Land
Laws Amendment
Act, 1912, amended.

AMENDED: VIDE INSET

Section 13 of Land
Laws Amendment
Act, 1913, modified.

REPEALED: Vide Inset

Section 20 of Land
Laws Amendment
Act, 1913, amended.

Section 32 of Land
Laws Amendment
Act, 1913, amended.

Lessees in
perpetuity of
ordinary Crown
lands may
acquire fee-simple
of the whole area,
notwithstanding
provisions as to
limitation of area.

Lessees in
perpetuity of
settlement land
may acquire
fee-simple of the
whole area,
notwithstanding
provisions as to
limitation of area.

REFER TO INSET APPENDED

Section 28 of Land
Laws Amendment
Act, 1913, amended

REPEALED: See
Act, 19 20 No. 31
Schedule to

13. Section twenty of the Land Laws Amendment Act, 1912, is hereby amended by omitting from subsection one all words after the words "such reserve," and by substituting the words "Land set apart under this section may be disposed of in allotments not exceeding twenty-five acres in area."

14. (1.) An application under section thirteen of the Land Laws Amendment Act, 1913, for a new valuation of any rural land shall not, after the commencement of this Act, be received by the Board unless the applicant has been in occupation of the said land for not less than three years nor more than six years immediately preceding the date of the application.

(2.) The said section is hereby amended—

(a.) By inserting, before the word "request," the words "with the consent of the Minister"; and

(b.) By omitting the words "as from the date of the new valuation," and substituting the words "as from the first day of January or the first day of July following the date of the new valuation."

15. Section twenty of the Land Laws Amendment Act, 1913, is hereby amended by omitting the words "capital value of the land," and substituting the words "net price or value of the land, within the meaning of the said section one hundred and forty-five."

16. Section thirty-two of the Land Laws Amendment Act, 1913, is hereby amended by omitting the words "the Governor in Council," and substituting the words "the Minister."

17. (1.) Section thirty-seven of the Land Laws Amendment Act, 1912, is hereby amended by omitting the words "shall apply," and substituting the words "shall not apply"; and by omitting all words after the words "this Part of this Act."

(2.) Section forty of the Land Laws Amendment Act, 1913, is hereby repealed.

18. (1.) Section sixty of the Land Laws Amendment Act, 1913, is hereby amended by omitting from subsection two the words "Subject to the provisions of section sixty of the Land Laws Amendment Act, 1912, as to limitation of area."

(2.) Section sixty-one of the Land Laws Amendment Act, 1913, is hereby amended—

(a.) By omitting from subsection one the words "of a lease in perpetuity of settlement land, or of a renewable lease of any such land," and by substituting the words "of a renewable lease of settlement land"; and by omitting the words "by the last preceding section or" and the word "respectively"; and

(b.) By omitting from subsection four the words "and section sixty of this Act, respectively."

19. Section twenty-eight of the Land Laws Amendment Act, 1913, is hereby amended, as from the commencement of the said Act, by adding thereto the following subsection:—

"(3.) Nothing in this section shall be deemed to authorize the acquisition of the fee-simple of any national-endowment land, nor of any land in excess of the area specified in section ninety-seven of the Land Act, 1908:

“ Provided nevertheless that—

- “(a.) The owner of any license to which this section relates may acquire the freehold of so much of the land comprised in the license as, together with all other land owned, held, or occupied by him (but exclusive of that part of the land comprised in the license of which he does not propose to acquire the fee-simple), shall not exceed the area limited by the said section ninety-seven.
- “(b.) The licensee shall continue to hold the balance of the land comprised in the license on the same terms and conditions as those upon which he held the land comprised in the original license, save that the rent payable under the license shall be proportionately abated.
- “(c.) A plan of the part proposed to be acquired shall be submitted to the Board for its approval, and such approval shall be given only in cases where the Board and the Minister are satisfied that the balance of the land will not be injuriously affected for the purposes of closer settlement.
- “(d.) Such modifications of the method of ascertaining the price as may be necessary in the case of the purchase of the fee-simple of part only of the lands comprised in a license shall be made in the manner prescribed by regulations.”

20. Section thirty-one of the Land Laws Amendment Act, 1913, is hereby amended by omitting the words “and the provisions of subsection two of section twenty-eight hereof shall, *mutatis mutandis*, extend and apply to the acquisition of the fee-simple pursuant to this section,” and substituting the words “in the manner prescribed by Part II of the Land Laws Amendment Act, 1912, save that the price shall be ascertained and determined in the manner prescribed by subsection two of section twenty-eight of this Act.”

Section 31 of Land
Laws Amendment
Act, 1913, amended.

21. (1.) Notwithstanding anything as to limitation of area in the proviso to section thirty-one of the Land Laws Amendment Act, 1913, the holder of a lease of a small grazing-run, either of Crown land or of settlement land, may acquire the fee-simple of so much of the land comprised in his lease as, together with all other land owned, held, or occupied by him (but exclusive of the part of the land comprised in his lease of which he does not propose to acquire the fee-simple), shall not exceed the area specified in the said section thirty-one.

In certain cases
lessee of small
grazing-run may
acquire fee-simple
of part thereof.

(2.) The lessee shall continue to hold the balance of the land comprised in the lease on the same terms and conditions as those upon which he held the land comprised in the original lease, save that the rent payable under the lease shall be proportionately abated.

(3.) A plan of the part proposed to be acquired shall be submitted to the Board for its approval, and such approval shall be given only in cases where the Board and the Minister are satisfied that the balance of the land will not be injuriously affected for the purposes of closer settlement.

(4.) Such modifications of the method of ascertaining the price as may be necessary in the case of the purchase of the fee-simple of part only of the lands comprised in a lease shall be made in manner prescribed by regulations.

REFER TO Act. WIDE INSET

On expiry of lease of small grazing-run of settlement land, land may be disposed of under this section.

22. (1.) Notwithstanding anything in the Land for Settlements Act, 1894, or in the regulations issued thereunder relating to the renewal of leases of small grazing-runs of settlement land, the Minister may, on the recommendation of the Land Board, determine that the land comprised in any such lease shall, on the expiry of the 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.

(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 section two hundred and eighteen of the Land Act, 1908, 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, and in disposing of the other allotments preference shall be given to applications by sons of the lessee over twenty-one years of age who have resided on the run for not less than seven years of the ten years immediately preceding the expiry of the lease.

(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 of the Land Laws Amendment Act, 1912.

AMENDED: VIDE INSET
ADD hereto (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 Land Act, 1908, 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 Land Act, 1908, and all the provisions of that Act relating to the renewal of renewable leases shall, *mutatis mutandis*, apply to leases under this section.

(8.) The rent to be reserved by every such lease shall be fixed in the same manner as in the case of a renewable lease under the Land for Settlements Act, 1908.

(9.) The provisions of the Land for Settlements Act, 1908, relating to the improvements to be made by the holder of a renewable lease and to his residence on the land shall extend and apply to the holders of leases under this section.

(10.) Where the lease is held by the executors, administrators, or trustees of a deceased owner in trust for the persons beneficially interested, pursuant to section eighty-six of the Land Act, 1908, the right of election to receive a lease of one allotment conferred by subsection three hereof may be exercised by such executors, administrators, or trustees on behalf of any son or sons of such deceased owner.

23. Where before the commencement of this Act the lessee of a small grazing-run under the Land Act, 1885, was not offered a new lease on the determination of his original lease, as provided by section two hundred and nine of that Act, but was granted a license of the land comprised in his lease under section one hundred and thirty of the Land Act, 1908, and is the holder of the said license or of a renewal thereof on the commencement of this Act, he shall be deemed for the purposes of section thirty-one of the Land Laws Amendment Act, 1913, to be the holder of the original lease as if the term of the original lease had not expired before the commencement of this Act.

Provisions as to temporary licenses to occupy small grazing-runs.

REPEALED: See *3rd* Schedule to Act. 19 *24* No. *31*

24. (1.) If any lessee or licensee who is entitled to acquire the fee-simple of the land comprised in his lease or license pursuant to Part II or Part IV of the Land Laws Amendment Act, 1912, or pursuant to section twenty-eight or thirty-one or Part IV of the Land Laws Amendment Act, 1913, and who elects to purchase the said land upon deferred payments, fails to pay the prescribed deposit within the time limited in that behalf, the Board may, in its discretion, cancel and determine the contract of purchase, and the lessee or licensee shall continue to hold the land under his lease or license; but in such case the lessee or licensee shall not be entitled to again give a notice of intention to purchase until the expiration of three years from the date of the delivery of his original notice in the case of applications under Part IV of the Land Laws Amendment Act, 1913, and of five years from such date in all other cases.

Provisions to apply where fee-simple of land comprised in lease or license is acquired on deferred payments.

REFER TO INSET APPENDED

(2.) In the case of any person entitled to acquire the fee-simple of the land comprised in his lease or license as aforesaid who hereafter elects to purchase upon deferred payments the following provisions shall apply:—

(a.) The first annual instalment of the price of the said land shall be payable on the first day of January or the first day of July (as the case may be) after the expiration of twelve months from the date of the delivery of the notice of intention to purchase, and the succeeding instalments shall be payable on the same day in each year thereafter.

(b.) The first payment of interest shall be payable on the first day of January or July (as the case may be) after the expiration of six months from the date of the delivery of the notice, and the succeeding half-yearly payments shall be payable on each first day of January and July thereafter.

(3.) Where any lessee or licensee has exercised his right of purchase as aforesaid before the commencement of this Act all instalments in respect of the purchase-money shall hereafter be payable on

the first day of January or the first day of July in each year, as may be decided by the Board, and all payments in respect of interest shall hereafter be payable on the first day of January and the first day of July in each year.

(4.) The last preceding subsection shall not be so construed as to cause any instalment in respect of purchase-money to be payable before the expiration of six months from the date of the last payment made before the commencement of this Act.

25. Every person who, after the passing of this Act, gives notice of his intention to purchase the fee-simple of the land comprised in his lease or license pursuant to any lawful authority in that behalf shall, in cases where a new valuation of the said land is required to be made for the purpose of ascertaining the price, be required to pay the cost of such valuation. Such cost shall be paid with the purchase-money in the case of a purchase for cash, or with the deposit if the case of a purchase by deferred payments.

26. Section fifty of the Land Laws Amendment Act, 1913, is hereby amended—

(a.) By omitting from paragraph (a) the words “and which pursuant to section nineteen of the Land Act, 1908, as amended by section five of the Land Laws Amendment Act, 1912, are payable into the Consolidated Fund or the Land for Settlements Account”;

(b.) By omitting from the said paragraph the words “and not into the Consolidated Fund or the Land for Settlements Account,” and substituting the words “and not into the Consolidated Fund, the Land for Settlements Account, the National Endowment Account, or the Native Land Settlement Account, as the case may be”;

(c.) By omitting from subsection six the words “in the manner prescribed by section nineteen of the Land Act, 1908, as amended by section five of the Land Laws Amendment Act, 1912,” and substituting the words “in the same manner as if this Act had not been passed”; and by omitting from the same subsection all words after the words “shall thereupon be paid into,” and substituting the words “the Consolidated Fund, the Land for Settlements Account, the National Endowment Account, and the Native Land Settlement Account respectively in the proportion that the total amount that would have been paid into the said fund and accounts respectively if a special district had not been constituted bears to the total amount paid into the deposit account.”

27. (1.) Where on the expiry of a pastoral lease or license the land comprised in the lease or license is subdivided for the purpose of being disposed of on any tenure or tenures the Board shall determine the price or the rent in respect of the several subdivisions; and the outgoing lessee or licensee shall have a right to a new pastoral license over such one of the subdivisions proposed to be disposed of by way of lease or license as he selects, at the rent so determined, for the same term of years, and subject to the same conditions as were granted and provided in the original

Purchasers of freehold to pay cost of valuation.

REPEALED: See *24* Schedule to Act, 19 *24* No. *31*

Section 50 of Land Laws Amendment Act, 1913, amended.

AMENDED: VIDE INSET
On subdivision of pastoral run, licensee may select one subdivision.

REFER TO ACT, 1915
No. 75 Section 18

REFER TO ACT, 1919
No. 39 Section 22

AMENDED: VIDE INSET

pastoral lease or license, or he shall have a right to purchase, subject to the provisions of Part III of the Land Act, 1908, such one of the subdivisions proposed to be sold as he selects, at the price so determined.

(2.) On the expiry of the original lease or license the lessee or licensee shall be entitled to receive the value of the improvements on the subdivision or subdivisions of which he has not been granted a new pastoral license, or in respect of which he has not received a certificate of occupation under section one hundred and sixty-seven of the Land Act, 1908, and the provisions of section two hundred and forty-four of the last-mentioned Act shall, *mutatis mutandis*, extend and apply accordingly.

(3.) A lessee or licensee whose pastoral lease or license has expired, and who has continued in possession of the run formerly comprised in such pastoral lease or license, or of part thereof, under the terms of any temporary license or occupation license under the provisions of the Land Act, 1908, or under any extension granted pursuant to section twenty-seven of the Land Laws Amendment Act, 1912, shall, if the land comprised in the original pastoral lease or license is subdivided for the purpose of being disposed of on any tenure or tenures during or on the expiry of such possession, have the same rights as are conferred by subsections one and two of this section as if the subdivision had been made on the expiry of the original pastoral lease or license.

(4.) The provisions of subsection ten of section twenty-two hereof shall, *mutatis mutandis*, apply to the case of the subdivision of land held under pastoral lease or license.

(5.) This section is in substitution for section fifty-one of the Land Laws Amendment Act, 1913, and that section is hereby accordingly repealed.

28. Before any settlement land is opened for public selection the Board may, with the approval of the Minister, grant a renewable lease of any allotment thereof without competition to any person who has been continuously employed on the said land by the late owner thereof for at least five years immediately preceding its acquisition, and who by such acquisition is deprived of his employment, at an annual rental at the rate of four pounds ten shillings per centum of the capital value of the land as fixed by the Minister in accordance with section forty-five of the Land for Settlements Act, 1908:

Provided that such person shall be required to make the necessary declaration and otherwise to comply with the conditions required to be performed by an applicant for Crown lands.

29. (1.) All moneys expended by the Minister pursuant to section seventy-seven of the Land for Settlements Act, 1908, for the improvement, roading, drainage, or otherwise for the benefit or protection of any land leased under the said Act may be apportioned by the Minister, in such proportions as he thinks just, between the several allotments of the land in respect of which such moneys are expended, and in such case shall, as from a date to be determined by the Minister, be added to and deemed to form part of the capital value of those allotments as fixed in accordance

AMENDED: VIDE INSET

Repeal.

Lease of allotment of settlement land may in certain cases be granted without competition to employee of former owner.

REFER TO INSET APPENDED

REPEALED: See *3rd* Schedule to

Act, 19 *24* No. *31*

Moneys expended by Minister for draining and otherwise improving settlement land may be added to capital value.

REFER TO ACT, 19 *19*
No. *39* Section *21*

with section forty-five of the said Act; and the rent payable in respect of any such allotment shall, as from the said date, be based on the increased capital value and not on the capital value named in the lease, and the said lease shall be deemed to be modified accordingly.

(2.) On the production to him of a memorandum of any increase of the rental payable under any lease pursuant to this section, signed by the Minister, the District Land Registrar shall endorse the said memorandum on the registered copy of the memorandum of lease.

Section 63 of Land
Laws Amendment
Act, 1913, amended.

30. (1.) Section sixty-three of the Land Laws Amendment Act, 1913, is hereby amended—

- (a.) By inserting, after the words "Crown land" in subsection two, the words "or of other land administered by a Land Board pursuant to any Act"; and
- (b.) By omitting from paragraph (a) of subsection eight the word "Crown."

Repeal.

(2.) Section four of the Education Reserves Amendment Act 1910, is hereby repealed.

Section 64 of Land
Laws Amendment
Act, 1913, amended.

31. Section sixty-four of the Land Laws Amendment Act, 1913, is hereby amended by inserting after subsection four the following subsection:—

"(4A.) In any case where the person to be served with a notice under the last preceding subsection is out of New Zealand, or cannot be found in New Zealand, the notice may be served on him by delivering a copy thereof to any attorney or agent in New Zealand of such person, or by posting the same in a registered letter addressed to such person, attorney, or agent at his last known place of business or abode in New Zealand."

Authorizing
exchange of pastoral
license for small
grazing-run lease

REPEALED: See Schedule to
Act, 1914 No. 31

32. The holder of a pastoral license issued under Part VI of the Land Act, 1908, or the corresponding provisions of any former Land Act, and comprising an area of not more than twenty thousand acres, may, with the approval of the Board and the consent of the Minister, surrender his license; and the Board may thereupon grant to the holder in lieu thereof a lease under Part V of the Land Act, 1908 (relating to small grazing-runs), over the land comprised in the surrendered license:

Provided that the Minister shall not consent to the surrender of a license under this section unless the Board certifies that the land comprised in the license is not suitable or will not be required for the purposes of settlement.

Authorizing
exchange of small
grazing-run for
renewable lease.

33. (1.) The holder of a lease of a small grazing-run issued under the Land Act, 1908, or any former Land Act, and comprising an area of not more than five thousand acres calculated in the manner prescribed by section ninety-seven of the Land Act, 1908, may, with the approval of the Board and the consent of the Minister, surrender his lease, and the Board may thereupon grant to the holder in lieu thereof a renewable lease under Part III of the Land Act, 1908, over the land comprised in the surrendered lease.

(2.) For the purposes of a renewable lease issued under this section the capital value of the land shall be determined by the Board, and shall be deemed to be the present value of the land

(excluding the value of improvements effected or purchased by the lessee) at the time at which application is made for a renewable lease.

(3.) This section shall not apply to small grazing-runs of settlement land.

34. Notwithstanding anything in section twenty-eight or in section thirty-one of the Land Laws Amendment Act, 1913, where the holder of a perpetual lease issued under section one hundred and sixty-one, section one hundred and sixty-three, or section one hundred and sixty-seven of the Land Act, 1885, proposes to acquire the fee-simple of the land comprised in his lease, there shall be added to the price ascertained in the manner prescribed by section twenty-eight of the first-mentioned Act the amount outstanding in respect of any advance theretofore made without security by the Crown to the lessee or to any predecessor in title, and the result shall be deemed to be the price for the purpose of the acquisition of the fee-simple as aforesaid.

Outstanding unsecured advances to be added to price of land comprised in perpetual lease under Land Act, 1885.

35. (1.) Notwithstanding anything in Part IV of the Land Laws Amendment Act, 1912, or in Part IV of the Land Laws Amendment Act, 1913, or in any other enactment relating to the acquisition by lessees of the fee-simple of settlement land, the present capital value shall, for the purposes of the acquisition of the fee-simple of any land to which section fifty-seven of the Land for Settlements Act, 1908, applies, in no case be less than the original capital value or the value determined pursuant to section thirteen of the Land Laws Amendment Act, 1913, together with the amount outstanding in respect of the purchase by the lessee of any building situated on the land comprised in his lease.

Provisions as to acquisition of fee-simple of settlement land in cases where value of buildings not included in original capital value.

REFER TO INSET APPENDED

(2.) For the purposes of the enactments hereinbefore referred to all moneys paid by a lessee in respect of the purchase-money of any such building shall be included in the value of improvements effected by the lessee, and shall, for the purpose of ascertaining the present capital value, be deductible accordingly from the capital value of the land as ascertained by the Valuer-General.

36. (1.) The Land Board may, with the consent of the Minister, sell to the holders of contiguous lands, on such terms and conditions and at such price as may be deemed advisable, any Crown land composed chiefly of sand-dunes, or any other Crown land that is deemed to be practically worthless.

Special provisions as to sale by Crown of sand-dunes and other worthless land.

REFERENCED: See Schedule to Act 19 24 No. 31

Schedule to

(2.) For the purposes of this section land shall be deemed to be contiguous to other land although the said lands may be separated by a railway, road, or stream, or by such distance as the Board may in any case determine.

(3.) The provisions of sections ninety-seven and one hundred and fifty-five and of Part XIII of the Land Act, 1908, shall not apply to sales under this section.

(4.) No certificate of title shall issue to any purchaser under this section unless and until the Board is satisfied that the purchaser has complied with the terms and conditions determined by the Board, and also that the purchaser, within ten years from the date of his purchase, has, in the case of sand-dunes, planted the said land with grass, marram-grass, lupin, or trees, and, in the case of other lands,

has made such improvements as may be decided on by the Board at the time of sale.

(5.) The purchase-money in respect of the sale of any Crown land under this section shall be payable within one month from the date on which the application is approved, and upon such payment the purchaser shall receive a certificate of occupation. Such certificate shall specify the terms and conditions of the sale, and shall also set forth the nature and extent of the improvements to be made before a certificate of title will be issued.

(6.) The provisions of subsection two of section one hundred and sixty-six of the Land Act, 1908 (relating to the transfer of lands held under certificates of occupation), shall apply to lands held under this section.

Power to change purposes of education reserve and national-endowment land, &c.

37. (1.) Notwithstanding anything in the Land Act, 1908, or the Education Reserves Act, 1908, or in any other Act, the Governor may, by warrant under his hand, whenever he deems it expedient in the public interest so to do, cancel the reservation—

(a.) Over any education reserve or endowment vested in the Crown pursuant to the Education Reserves Amendment Act, 1910, or over any part thereof; and

(b.) Over any area of national-endowment land of equal value which it may be proposed to set apart pursuant to this section in lieu of the land referred to in the last preceding paragraph.

(2.) On the cancellation of the reservation over any education reserve or endowment or over any part thereof pursuant to this section the Governor shall forthwith reserve in lieu thereof either an area of equal value of national-endowment land over which the reservation has likewise been cancelled pursuant to this section or an area of equal value of ordinary Crown land.

(3.) On the cancellation of the reservation over any national-endowment land pursuant to this section the Governor shall forthwith set aside in lieu thereof an area of equal value of ordinary Crown land, and the area so set aside shall be deemed to be national-endowment land accordingly.

Provisions as to vacation of office by appointed members of Board of Land Purchase Commissioners.

38. (1.) Every person heretofore appointed by the Minister as a member of the Board of Land Purchase Commissioners, pursuant to section four of the Land for Settlements Act, 1908, and holding office at the commencement of this Act shall, unless his office sooner becomes vacant as hereinafter provided, cease to be a member of the Board on the thirty-first day of March, nineteen hundred and fifteen, but shall be eligible for reappointment.

(2.) Every person hereinafter appointed by the Minister as aforesaid shall be appointed for a term of three years, but shall be eligible for reappointment.

(3.) If any member of the Board appointed by the Minister as aforesaid resigns his office by writing addressed to the Land Purchase Inspector, or dies, or becomes of unsound mind, or is adjudicated a bankrupt, or is convicted of any offence which, prior to the coming into operation of the Criminal Code Act, 1893, would have been classed as a felony, or of any infamous crime, or is guilty of any negligent, improper, or fraudulent conduct which in the

REPEALED: Vide Inset

opinion of the Minister renders him unfit for the office, or is absent without sufficient cause from three successive ordinary sittings of the Board without the leave of the Board, or otherwise becomes incapacitated to act, his seat at the Board shall be thereby vacated.

(4.) The Land Purchase Inspector shall forthwith notify every vacancy as it occurs to the Minister, who shall take the necessary steps for the appointment of some qualified person to supply the vacancy.

39. Section fifty-one of the Land for Settlements Act, 1908, is hereby amended by adding the following subsection:—

“(3.) In addition to the powers conferred by the last preceding subsection, the Board may, with the consent of the Minister, dispose of any land without competition to the occupier of any adjoining settlement land if it is satisfied, having regard to the situation, configuration, or area of the land, or the means of access thereto, that it is expedient so to do.”

40. Section seventy-four of the Land for Settlements Act, 1908, is hereby amended by adding to paragraph (b) the words “and, in particular, may grant permits to use the said land or any part thereof for grazing purposes. The holder of any such permit shall not be deemed to be an occupier within the meaning of the Rating Act, 1908.”

41. (1.) Any allotment of land held under the Land Settlement Finance Act, 1909, may, with the consent of the holder, be acquired by the Governor under the provisions of the Land for Settlements Act, 1908.

(2.) Any land acquired under this section may, notwithstanding anything to the contrary in the last-mentioned Act, be disposed of by way of renewable lease, without competition, to the person from whom it was so acquired.

(3.) In every case where the land so acquired is subject to a mortgage to a land-settlement association, there shall be deducted from the purchase-money and paid to the Public Trustee as agent of the association a sum sufficient to provide for the payment of—

(a.) All moneys owing under the mortgage; and

(b.) All losses sustained or likely to be sustained by the association by reason of the failure of the vendor to complete his purchase in accordance with the terms of his agreement with the association.

(4.) The amount to be so deducted shall be agreed on between the vendor, the association, and the Board of Land Purchase Commissioners as one of the terms of the purchase.

42. (1.) The Minister may, in such manner and subject to such conditions as he thinks fit, exempt any lessee or licensee of Crown land, or settlement land, or of any land comprised in any public reserve or education reserve, from any provisions of his lease or license restricting the right of the tenant to use any part of the land comprised in his lease or license for agricultural purposes, or may modify any provisions of such leases or licenses relating to the rotation of crops.

(2.) This section shall continue in force until the thirtieth day of June, nineteen hundred and seventeen; on which day it shall be deemed to be repealed.

Section 51 of Land for Settlements Act, 1908, amended.

Power to issue grazing-permits over settlement land.

REFER TO INSET APPENDED

Providing for acquisition under Land for Settlements Act of land held under Land Settlement Finance Act.

REPEALED: See ^{3rd} Schedule to Act 1924 No. 31

Minister may exempt lessees of Crown lands, &c., from conditions as to cropping, &c.

AMENDED: VIDE INSET Duration of this section.

REFER TO Act, VIDE INSET

REFER TO ACT, 1921 No. 2 Section 2nd Sch

Minister may
postpone payment
of rent of pastoral
runs.

43. (1.) Notwithstanding anything in section two hundred and fifty-one of the Land Act, 1908, the Minister may, on the recommendation of the Land Board, and subject to such conditions as he thinks fit, postpone the payment of rent in respect of any run for such period, not exceeding four months at any one time, as he thinks fit.

(2.) If the rent so postponed, together with interest thereon at the rate of five per centum per annum, is paid within the extended period, the provisions of the said section two hundred and fifty-one as to the payment of a penalty shall not apply, and in any case the said penalty shall not be added to the amount of the rent until the expiration of thirty days after the expiry of the said extended period.

(3.) This section shall be deemed to have been in force as from the commencement of the first day of September, nineteen hundred and fourteen, and shall continue in operation until the thirty-first day of August, nineteen hundred and fifteen.

44. (1.) The Minister may, on the recommendation of the Land Board and subject to such conditions as he thinks fit, postpone the payment of rent in respect of any small grazing-run of settlement land for such period, not exceeding four months at any one time, as he thinks fit.

(2.) If the rent so postponed, together with interest thereon at the rate of five per centum per annum, is paid within one month after the expiry of the extended period, the Commissioner of Crown Lands and the Receiver of Land Revenue may grant to the lessee the same rebate as if the rent had been paid within one month after the day appointed in the lease for the payment thereof.

(3.) This section shall be deemed to have been in force as from the commencement of the first day of September, nineteen hundred and fourteen, and shall continue in operation until the thirty-first day of August, nineteen hundred and fifteen.

REFER TO Act. VIDE INSET

REFER TO ACT, 1921
No. 2 Section 2nd Sch

AMENDED: VIDE INSET

Minister may
postpone
payment of
rent on small
grazing-runs of
settlement land.

REPEALED: Vide Inset