

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

22nd October, 1920.

Hon. Mr. Guthrie.

LAND LAWS AMENDMENT.

ANALYSIS.

Title.	
1. Short Title.	16. Extension of provisions as to postponement of rent by Crown tenants in event of natural disaster or other cause.
2. Provisions as to purchase at auction of Crown lands on deferred payments. Sale of town and suburban Crown lands. Settlement land may be sold for cash or on deferred payment. Consequential amendment.	17. Section 16 of Land Laws Amendment Act, 1912 (relating to exchanges of land) amended.
3. On dedication of roads under section 89 of Land Act, 1908, lessee required to pay value of dedicated lands into Land for Settlements Account.	18. Extension of area of Crown land that may be acquired for purposes beneficial to public.
4. Order of preference of applicants at ballots under Land Act, 1908. Consequential repeals.	19. Value of improvements of small grazing-runs proposed to be subdivided to be subject to arbitration.
5. Disposal by auction of limited areas of Crown land or of land of inferior quality.	20. Section 15 of Land Laws Amendment Act, 1915 (relating to revaluation of rural lands), amended.
6. Section 142 of Land Act, 1908 (relating to exchange of Crown and private lands), amended. Consequential repeal.	21. Extending provisions as to remission of rent in case of disabled soldiers.
7. Provision for payment of "thirds" in respect of pastoral lands within the Hauraki, Westland, and Karamea Mining Districts.	22. Repeal.
8. Board may accept surrender of license to occupy with right of purchase.	23. Revival of right to purchase settlement land held under lease in perpetuity. Consequential repeal.
9. Section 191 of Land Act, 1908 (providing for payment by lessee of 90 per cent. of capital value) amended.	24. Lands disposed of for public purposes under section 70 of Land for Settlements Act, 1908, not to be subject to provisions as to limitation of area.
10. Powers of arbitrators with respect to renewal of leases of small grazing-runs.	25. Areas of Crown land may be disposed of with adjacent settlement land.
11. Special provisions with respect to national endowment lands required for special settlement.	26. Section 80 of Land for Settlements Act, 1908, amended.
12. Extension of area of national endowment land that may be sold for public purposes.	27. In certain cases lease of land may be granted in compensation for lands included in lease from Crown and taken for purposes of public works.
13. Increase of area that may be held under occupation lease in mining district.	28. Section 46 of Land Transfer Act (relating to provisional registration) amended.
14. Special provisions in cases where value of improvements paid by Crown.	29. Owner of renewable lease of land set apart under Hauraki Plains Act, 1908, may acquire the freehold.
15. Reserves shown on plans of subdivision of towns to be vested in Crown in trust for purposes indicated on plan.	30. Increased rates of payment to members of Land Boards. Consequential repeal.
	31. Special provisions for investigations with reference to acquisition of land in contravention of law.

A BILL INTITULED

AN Act to amend the Law relating to Crown and other Lands. Title

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. 1920.

2. (1.) When pursuant to any Act any Crown lands are, after the passing of this Act, sold by auction on deferred payments, the following provisions shall, in the absence of provisions to the contrary, apply:— Provisions as to purchase at auction of Crown lands on deferred payments.

- (a.) The purchaser shall forthwith on the acceptance of his offer pay a deposit equal to *five* per centum of the price of the land, and shall thereupon be entitled to receive a license to occupy the land :
- (b.) The license to occupy shall provide for the payment of the balance of the purchase-money by equal annual instalments extending over such period not exceeding *nineteen* years as the Board, with the approval of the Minister, determines, with a right to the licensee to pay off at any time the whole or any part of the purchase-money then remaining unpaid ; and shall also provide for the payment half-yearly by the licensee of interest at the rate of *five* per centum per annum from the date of the sale upon such part of the purchase-money as for the time being remains unpaid :
- (c.) 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 :
- (d.) Upon payment of the purchase-money in full, and of all interest, the Board shall certify to the Minister that the licensee is entitled to a certificate of title in respect of the land purchased, and a certificate of title shall in due course be issued to him accordingly.

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Sale of town and suburban Crown lands.

Settlement land may be sold for cash or on deferred payment.

Consequential amendment.

On dedication of roads under section 89 of Land Act, 1908, lessee required to pay value of dedicated lands into Land for Settlements Account.

Order of preference of applicants at ballots under Land Act, 1908.

(2.) Any lands offered for sale by auction pursuant to section one hundred and twenty-three of the Land Act, 1908, may be sold either for cash or on deferred payments.

(3.) Section forty-three of the Land Laws Amendment Act, 1913, is hereby amended by omitting paragraph (c) of subsection one, and substituting the following paragraph :—

“(c.) Any such sale may be for cash or on deferred payments.”

(4.) Section six of the Land Laws Amendment Act, 1915, is hereby amended by omitting all words after the words “deferred payments” where they first occur in that section.

3. Section eighty-nine of the Land Act, 1908, is hereby amended by inserting, after subsection three, the following subsections :—

“(3A.) The approval of the Board and the consent of the Minister as aforesaid to the dedication of any land for roads shall be subject to the condition that the lessee or licensee shall pay into the Land for Settlements Account an amount equal to the capital value of the land so dedicated.

“(3B.) For the purposes of this section the capital value of any land shall be fixed in the first place by the Board, and in the event of dispute as to such capital value the matter shall be determined by arbitration.”

4. (1.) At every ballot under the Land Act, 1908, the following classes of applicants shall have preference equally over all other classes of applicants, that is to say :—

(a.) Landless applicants who have *one or more* children dependent on them :

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- (b.) Landless applicants who within two years immediately preceding the date of the ballot, being duly qualified as applicants, have applied for land at least twice unsuccessfully, whether under the Land Act, 1908, or the Land for Settlements Act, 1908 :
- (c.) Applicants who have served beyond New Zealand as members of a New Zealand Expeditionary Force raised for military service in connection with the war with Germany :
- (d.) Applicants who, not being members of a New Zealand Expeditionary Force as aforesaid, were engaged on military service beyond New Zealand in connection with the said war, if such persons immediately prior to the commencement of the war were *bona fide* residents of New Zealand. For the purposes of this paragraph the residence of any person in New Zealand shall not be deemed to have been affected by temporary absence therefrom if the Board is satisfied that during such absence he had a fixed intention of returning to New Zealand for the purpose of residing there.

(2.) In the case of other applicants, those who are landless shall have preference over those who are not landless.

(3.) 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 its approval of an application for land, require an applicant to dispose of his interest in any other land within six months after the date of its approval of the application. Until the applicant has complied with such condition, he shall not be deemed to have acquired any interest in the land to which his application relates, and if he fails to comply with such condition his deposit shall be forfeited.

(4.) In the case of an application by a husband or his wife (except when they are judicially separated) if either of them is not landless, neither of them shall be deemed to be landless.

(5.) Subject to the foregoing provisions of this section, the decision of the Board as to whether or not an applicant is landless within the meaning of this section shall be final and conclusive.

(6.) This section is in substitution for section one hundred and three of the Land Act, 1908, section eleven of the Land Laws Amendment Act, 1912, and section thirty-four of the Land Laws Amendment Act, 1913, and those enactments are hereby accordingly repealed.

Consequential repeals.

5. Section one hundred and thirty-two of the Land Act, 1908, is hereby amended by adding to subsection one the words "or any land (not being national endowment land) which may be deemed unsuitable for a separate holding on account of the smallness of its area or of its inferior quality for agricultural purposes, or on account of difficulties of access."

Disposal by auction of limited areas of Crown land or of land of inferior quality.

6. (1.) Section one hundred and forty-two of the Land Act, 1908, as amended by section seventeen of the Land Laws Amendment Act, 1913, is hereby further amended by omitting from sub-

Section 142 of Land Act, 1908 (relating to exchange of Crown and private lands), amended

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section one all the words after the word "receive," and substituting the words "any sum by way of equality of exchange."

Consequential repeal.

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

Provision for payment of "thirds" in respect of pastoral lands within the Hauraki, Westland, and Karamea Mining Districts.

7. (1.) Section one hundred and forty-five of the Land Act, 1908, in so far as it provides for the payment of "thirds" shall apply, in accordance with this section, with respect to lands disposed of after the passing of this Act on licenses issued pursuant to regulations under the Land Act, 1908, for the occupation of pastoral lands within the Hauraki Mining District, the Westland Mining District, and the Karamea Mining District respectively.

(2.) Payments under this section shall be made in respect of the period of *fifteen* years commencing on the date of the license.

Board may accept surrender of license to occupy with right of purchase.

8. (1.) The holder of a license under section one hundred and seventy-one of the Land Act, 1908, for the occupation of any Crown land with right of purchase may, with the consent of the Land Board, surrender the whole or any part of the land comprised in his license.

(2.) If a portion only of the land comprised in any such license is surrendered, the rent payable by the licensee shall be abated in such proportion as the Board, with the consent of the Minister, may determine.

Section 191 of Land Act, 1908 (providing for payment by lessee of 90 per cent. of capital value) amended.

9. Section one hundred and ninety-one of the Land Act, 1908, is hereby amended by inserting the following proviso after subsection four thereof:—

"Provided that a transfer of the lessee's interest in the land shall not be registered under the Land Transfer Act, 1915, unless and until the Registrar is satisfied that notice in writing of such transfer has been given by the lessee to the Commissioner."

Powers of arbitrators with respect to renewal of leases of small grazing-runs.

10. (1.) On a submission to arbitration pending on the passing of this Act or made after the passing of this Act of any question arising under section one hundred and eighty-two of the Land Act, 1892, or section two hundred and eighteen of the Land Act, 1908 (relative to the renewal of leases of small grazing-runs), it shall be the duty of the arbitrators to determine only the value of the simple of the land included in the lease, and the value of the substantial improvements of a permanent character made by the lessee and then in existence on the land.

(2.) Section two hundred and eighteen of the Land Act, 1908, and section one hundred and eighty-two of the Land Act, 1892, are hereby consequentially amended by omitting from the final paragraph thereof respectively the words "the rent to be paid," and in each case substituting the words "the valuations."

(3.) Section six of the Land Laws Amendment Act, 1918, is hereby consequentially amended as follows:—

(a.) By omitting from subsection one the words "(subject to the provisions of those sections as to arbitration)"; and

(b.) By omitting from subsection two the words "and at all times since the commencement of each of those Acts respectively has included not," and by omitting the words "but also the determination by the Land Board of the proportion hereinbefore referred to."

11. (1.) No land shall hereafter become national endowment land by reason of the operation of section two hundred and fifty-eight of the Land Act, 1908, and that section is hereby modified accordingly.

Special provisions with respect to national endowment lands required for special settlement.

(2.) The Governor-General may, by Proclamation approved in Executive Council, declare that—

(a.) Any unoccupied national endowment land not exceeding in the aggregate twenty thousand acres; or

(b.) Any national endowment land disposed of under the Discharged Soldiers Settlement Act, 1915,

shall, as from a date to be specified in the Proclamation, cease to be national endowment land, and every such Proclamation shall have effect according to its tenor.

(3.) On the taking-effect of any such Proclamation the land to which the Proclamation relates shall cease to be national endowment land and, in the case of unoccupied land, shall be forthwith set apart under the Discharged Soldiers Settlement Act, 1915, or under section eleven of the Land Laws Amendment Act, 1919.

(4.) In the case of any land which on the issue of a Proclamation in respect thereof under this section is held on renewable lease under the Discharged Soldiers Settlement Act, 1915, or is held on renewable lease under the Land Act, 1908, by any person competent to acquire land under the Discharged Soldiers Settlement Act, 1915, the lessee, having complied with all the conditions of his lease, may, at any time during the currency of the lease, acquire the fee-simple of the whole or part of the land comprised therein in the manner prescribed by section fifty-nine of the Land Laws Amendment Act, 1912, with such modifications as may be necessary, save that, for the purposes of this section, the expression "the original capital value" shall be deemed to be the amount upon which the rent at the rate of four per centum per annum was computed for the existing term of the lease.

(5.) In the case of any land which on the issue of a Proclamation in respect thereof under this section is held under the Discharged Soldiers Settlement Act, 1915, or is held under the Land Act, 1908, by any person competent to acquire land under the Discharged Soldiers Settlement Act, 1915, on any tenure other than a renewable lease, the lessee or licensee shall have the same rights, if any, with respect to the acquisition of the fee-simple of the whole or part of the land comprised in his lease or license as if the land had been disposed of as ordinary Crown land.

(6.) When any land excluded from the national endowment as aforesaid is thereafter set apart for settlement under section eleven of the Land Laws Amendment Act, 1919, a special valuation of that land shall be made by the Valuer-General as at the date of such setting apart, and the value of the land as so determined shall be paid into the National Endowment Account out of the Consolidated Fund without further appropriation than this section.

(7.) All revenues received from the sale or lease of lands excluded from the national endowment as aforesaid (including revenues derived in respect of timber or other valuable products

thereon or therein), after deducting therefrom all moneys payable in respect thereof to any local or public authority and any sums otherwise charged on or payable out of such revenues, shall be paid by the Receiver of Land Revenue into the National Endowment Account.

(8.) The cost of the administration of the said lands and of any funds derived therefrom shall be paid out of the National Endowment Account. 5

(9.) The Minister of Lands, in April of each year, shall cause to be prepared a report showing for the year ending on the preceding thirty-first day of March— 10

(a.) The aggregate area of land excluded from the national endowment, as herein provided, and the capital value thereof:

(b.) The aggregate area of land of which the fee-simple has been acquired as hereinbefore provided, and the capital value thereof: 15

(c.) The aggregate area of land excluded from the national endowment as aforesaid and held under lease or license, and the aggregate rental derived therefrom:

(d.) The aggregate area of land excluded from the national endowment as aforesaid and not disposed of by sale or lease, and the aggregate capital value thereof. 20

(10.) Every such report shall be laid before Parliament within thirty days after the receipt thereof by the Minister if Parliament is then in session and, if not, then within thirty days after the commencement of the next ensuing session. 25

Extension of area of national endowment land that may be sold for public purposes.

12. (1.) Section two hundred and sixty-seven of the Land Act, 1908, is hereby amended by omitting from subsection one the words "five acres," and substituting the words "ten acres."

(2.) The provisions of Part XIII of the Land Act, 1908, shall not apply to lands disposed of under section two hundred and sixty-seven of that Act. 30

Increase of area that may be held under occupation lease in mining district.

13. Section two hundred and seventy-four of the Land Act, 1908, is hereby amended by omitting the words "one hundred acres," and substituting the words "two hundred acres." 35

Special provisions in cases where value of improvements paid by Crown.

14. In any case where it is proposed to pay to the outgoing lessee or licensee of any Crown land the value of any improvements effected thereon, and to include that value in the capital value of the said land for purposes of its subsequent disposition, the amount so paid in respect of the value of improvements may, notwithstanding anything to the contrary in any Act, be paid out of the account into which the net proceeds of the sale or lease of the land are payable. 40

Reserves shown on plans of subdivision of towns to be vested in Crown in trust for purposes indicated on plan.

15. On the deposit under the Land Transfer Act, 1915, or the Deeds Registration Act, 1908, by the owner of any private land of any plan of subdivision within the meaning of section three of the Land Laws Amendment Act, 1912, all lands shown on such plan as reserves shall be deemed to be vested in His Majesty the King, free from encumbrances, and shall be held as reserves set apart for the purposes indicated on that plan, and shall be subject to the provisions of the Public Reserves and Domains Act, 1908. 45 50

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16. The provisions of section thirteen of the Land Laws Amendment Act, 1912 (relating to the postponement of the payment of rent by Crown tenants), shall extend and apply to the holder of any lease of a small grazing-run, to the holder of any lease under the Mining Districts Land Occupation Act, 1894, or Part VIII of the Land Act, 1908, for the occupation of Crown lands in a mining district, and to the holder of a license under the regulations for the occupation of pastoral lands within the Hauraki Mining District, the Karamea Mining District, and the Westland Mining District respectively, made under the Land Act, 1892, or the Land Act, 1908.

Extension of provisions as to postponement of rent by Crown tenants in event of natural disaster or other cause.

17. Section sixteen of the Land Laws Amendment Act, 1912, is hereby amended—

Section 16 of Land Laws Amendment Act, 1912 (relating to exchanges of land) amended.

(a.) By omitting from subsection one the words “which in his opinion is of approximately equal value”; and

(b.) By omitting from the same subsection the words “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,” and to substitute the words “any sum by way of equality of exchange.”

18. (1.) Section eighteen of the Land Laws Amendment Act, 1912, is hereby amended as follows:—

Extension of area of Crown land that may be acquired for purposes beneficial to public.

(a.) By omitting from subsection one the words “five acres,” and substituting the words “fifteen acres”; and

(b.) By omitting from subsection one the words “for any purpose beneficial to the public,” and by omitting from subsection two the words “as being in the public interest.”

(2.) No land acquired under the said section eighteen, whether before or after the passing of this Act, shall be transferred to any person other than His Majesty unless it has first been offered to the Crown at a price to be fixed by the Valuer-General, and the offer has not been accepted.

(3.) The District Land Registrar is hereby directed to enter on the certificate of title of any land disposed of by the Crown under the said section eighteen, whether before or after the passing of this Act, a memorial that the land comprised in such certificate is subject to the restrictions imposed by this section.

(4.) For the purposes of the *last preceding* subsection the District Land Registrar shall accept as sufficient evidence of the fact that any land has been disposed of under the said section eighteen a certificate to that effect under the hand of the Commissioner.

19. (1.) Section twenty-eight of the Land Laws Amendment Act, 1912 (relating to the subdivision of Crown land held as small grazing-runs), is hereby amended by inserting, after subsection five, the following subsection:—

Value of improvements of small grazing-runs proposed to be subdivided to be subject to arbitration.

“(5A.) In the event of the lessee not agreeing to the valuation of the improvements or to the apportionment of that value among the several allotments, the value or the apportionment thereof or both the value and apportionment, as the case may be, shall be determined by arbitration in the manner aforesaid.”

(2.) Section twenty-two of the Land Laws Amendment Act, 1914 (relating to the subdivision of settlement land held as small

grazing-runs), is hereby amended by inserting, after subsection five, the following subsection:—

“(5A.) In the event of the lessee not agreeing to the valuation of the improvements or to the apportionment of that value among the several allotments, the value or the apportionment thereof or both the value and apportionment, as the case may be, shall be determined by arbitration in the manner aforesaid.”

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Section 15 of Land Laws Amendment Act, 1915 (relating to revaluation of rural lands), amended.

20. (1.) Section fifteen of the Land Laws Amendment Act, 1915, is hereby amended as follows:—

(a.) By omitting from subsection seven the words “ may, with the approval of the Minister,” and substituting the word “ shall ”:

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(b.) By omitting from the same subsection the words “ or such less amount as it thinks equitable.”

(2.) The Minister may, on the recommendation of the Board, made on special grounds to be specified by the Board, remit the whole or any portion of the amount payable into the Public Account pursuant to the said section fifteen as amended by this section.

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Extending provisions as to remission of rent in case of disabled soldiers.

21. Section twenty-three of the Land Laws Amendment Act, 1915, is hereby amended by adding to the proviso to subsection two the words “ except in the case of lessees or licensees who may be wholly or partially disabled by reason of their military service.”

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Repeal.

22. Section four of the Land Laws Amendment Act, 1917, is hereby repealed.

Revival of right to purchase settlement land held under lease in perpetuity.

23. (1.) The right to purchase the fee-simple of the land comprised in any lease in perpetuity of settlement land, which is conferred on the owners of such leases by section sixty of the Land Laws Amendment Act, 1913, is hereby revived, and may be exercised at any time within five years after the passing of this Act.

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(2.) The right revived by this section in respect of the land comprised in any lease may be exercised by any person being the lessee at the passing of this Act (whether the original lessee or not), or by any person who may hereafter acquire the lease within the aforesaid period of five years.

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Consequential repeal.

(3.) Section nineteen of the Land Laws Amendment Act, 1919, is hereby repealed, and the rights revived by that section may be exercised at any time within five years after the passing of this Act.

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Lands disposed of for public purposes under section 70 of Land for Settlements Act, 1908, not to be subject to provisions as to limitation of area.

24. The provisions of subsection one of section sixty of the Land Laws Amendment Act, 1912, shall not apply or be deemed to have applied to any area disposed of by way of sale under section seventy of the Land for Settlements Act, 1908.

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Areas of Crown land may be disposed of with adjacent settlement land.

25. Section seventy-nine of the Land for Settlements Act, 1908, is hereby amended by omitting from subsection one thereof the word “ small.”

Section 80 of Land for Settlements Act, 1908, amended.

26. Section eighty of the Land for Settlements Act, 1908, is hereby amended by inserting, after the word “ intersect,” the words “ or are adjacent to ”; and by adding thereto the following proviso:—

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“ Provided that no road adjacent to any land acquired under this Act shall be closed under this section unless the consent in writing is first obtained of the owners of all lands having a frontage to that road.”

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27. (1.) Where portion of any land vested in the Crown and held under a lease or license is or has heretofore been taken under the Public Works Act, 1908, for any public work, and the lessee or licensee has agreed to accept as compensation in whole or in part therefor a lease or license of any other land vested in the Crown and available for disposal by way of lease or license (including any land heretofore or hereafter acquired for a public work, and not required for that purpose) a lease or license of such land may, notwithstanding anything to the contrary in any other Act, be granted to him accordingly, to be held by him as part of the land comprised in the original lease or license.

In certain cases lease of land may be granted in compensation for lands included in lease from Crown and taken for purposes of public works.

(2.) In any such case the District Land Registrar shall, upon receipt of a certificate signed by the Commissioner of Crown Lands, setting forth the terms and conditions of the agreement, endorse a memorial of such certificate upon the original lease or license.

(3.) On such endorsement being made the land described in the certificate shall be deemed to be incorporated in the original lease or license, and shall be held by the lessee or licensee on the same tenure and subject to the same terms and conditions as the land included in such lease or license is held.

(4.) Any land incorporated in a lease or license under the authority of this section shall be subject to the same reservations, trusts, rights, titles, interests, and encumbrances as those to which the land with which it is incorporated is subject.

28. Section forty-six of the Land Transfer Act, 1915, is hereby amended by omitting from paragraph (a) the words "Land Revenue Receiver's receipt," and substituting the words "receipt of the Commissioner of Crown Lands."

Section 46 of Land Transfer Act (relating to provisional registration) amended.

29. (1.) The owner of a renewable lease of any land set apart by section two of the Hauraki Plains Act, 1908, who has complied with all the conditions of his lease, may at any time during the currency of the lease acquire the fee-simple of the land comprised therein in the manner prescribed by section fifty-nine of the Land Laws Amendment Act, 1912, with such modifications as may be necessary, save that, for the purposes of this section, the expression "the original capital value" shall be deemed to be the amount upon which the rent at the rate of *four* per centum per annum was computed for the existing term of the lease.

Owner of renewable lease of land set apart under Hauraki Plains Act, 1908, may acquire the freehold.

(2.) Nothing in this section shall be deemed to authorize the acquisition of the fee-simple of any land in excess of the area specified in section ninety-seven of the Land Act, 1908.

30. (1.) Section forty-seven of the Land Act, 1908, as amended by section three of the Land Laws Amendment Act, 1918, is hereby further amended by omitting from subsection one the words "twenty shillings," and substituting the words "thirty shillings."

Increased rates of payment to members of Land Boards.

(2.) Section three of the Land Laws Amendment Act, 1918, is hereby repealed.

Consequential repeal.

31. (1.) In this section, unless a contrary intention appears,— "Acquisition" means the acquisition (whether before or after the commencement of this Act) of any estate, right, title, or interest in Crown land, Native land, or private land:

Special provisions for investigations with reference to acquisition of land in contravention of law.

“Wrongful acquisition” means acquisition in such manner or by such methods as to contravene any provision of any statute relating to Crown land, Native land, or private land, and includes the making or procuring, or being party to the making, by any person of a declaration required by any such statute, if such declaration is in any respect false. 5

(2.) The Governor-General in Council may from time to time, on the recommendation of the Minister, appoint fit persons, whether officers of the Public Service or not, to be Commissioners for the purposes of this section. 10

(3.) Every Commissioner so appointed shall hold the office of Commissioner during the pleasure of the Governor-General.

(4.) Every Commissioner so appointed shall have the powers, duties, and authorities conferred by this section. 15

(5.) A Commissioner shall have power and authority to investigate and inquire into and report to the Minister upon the circumstances of every acquisition which the Minister directs him to examine, for the purpose of ascertaining whether such acquisition was or is a wrongful acquisition. If in the course of any inquiry into an acquisition facts relating to any other acquisition are elicited which appear to the Commissioner to require investigation, he may proceed to investigate and inquire into such other facts and such other acquisition without further direction from the Minister. 20

(6.) Only one Commissioner shall be directed to investigate any particular acquisition, unless the Minister specially directs that two or more Commissioners shall sit together for the purposes of such investigation. 25

(7.) Every Commissioner shall have all the powers of a Commission of Inquiry under the Commissions of Inquiry Act, 1908, and the provisions of sections three, four, five, and ten of that Act shall apply as if the Commissioner were a Commission appointed under that Act. 30

(8.) Every person, being duly summoned to appear before a Commissioner, or to produce to a Commissioner any books, papers, writings, or documents, who— 35

(a.) Fails to appear according to the exigency of such summons; or

(b.) Refuses to be sworn, or to give evidence, or to make answer to such questions as may be put to him by the Commissioner; or 40

(c.) Fails to produce any such books, papers, writings or documents,

commits an offence against this section, and is liable on summary conviction to imprisonment for *two* years or to a fine of *five hundred* pounds. 45

(9.) (a.) No person shall be excused from answering any question put to him by a Commissioner, or from producing any book, paper, writing, or document on the ground that his answer to such question, or the production of such book, paper, writing, or document might tend to criminate him or on the ground of privilege. 50

(b.) A witness who, in the opinion of a Commissioner, answers fully and faithfully all questions put to him, and produces all such books, papers, writings, or documents (if any) as he is required to produce, shall be entitled to a certificate of indemnity from the  
5 Commissioner.

(c.) Such certificate of indemnity shall be a complete answer and bar to all proceedings of a criminal nature against such person so far as to prevent the infliction of any fine upon or the imprisonment of such person for any offence against any Act relating to Crown lands,  
10 Native lands, or private land divulged, whether directly or indirectly, by such person by his answer to any question put by the Commissioner, or by his production of any book, paper, writing, or document required by the Commissioner; but such certificate of indemnity shall not bar or affect in any manner any right of the Crown in  
15 respect of the land the acquisition whereof was the subject of inquiry by the Commissioner if such acquisition be a wrongful acquisition.

(10.) It shall not be necessary that a Commissioner should hold formal sittings for the purpose of any inquiry or investigation under this section. Every Commissioner may proceed to investigate and  
20 to summon witnesses in such manner and in such times and places as he thinks fit.

(11.) The fact that a Commissioner appointed by the Governor-General under this section proposes or proceeds to investigate any matter whatsoever relating to any acquisition shall be conclusive  
25 evidence that he has been duly directed by the Minister and has full authority to investigate such matter and to exercise in respect thereof all the powers and authorities conferred by this section.