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[AS REPORTED FROM WASTE LANDS COMMITTEE.]

(Mr. Macandrew.)

Otago Waste Lands Act 1872 Amendment.

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A BILL INTITULED

AN ACT to make further provision for the Sale and Occupation of Waste Lands of the Crown in the Province of Otago. Title.

WHEREAS it is expedient to amend "The Otago Waste Lands Act, 1872," (hereinafter referred to as "the said Act") : Preamble.

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

1. The Short Title of this Act shall be "The Otago Waste Lands Act 1872 Amendment Act, 1874." Short Title.

Clauses 2, 3, 4, and 5 omitted, and the following clauses inserted in lieu thereof :—

2. Notwithstanding anything in "The Otago Waste Lands Act, 1872," (hereinafter referred to as "the said Act,"³³) contained, all lands which may at any time hereafter be constituted into a hundred shall not be open for sale or lease until the expiration of thirty days from and after the first publication of the Proclamation constituting the hundred : Provided always that it shall be lawful for the Superintendent from time to time, by Proclamation in the Provincial Government *Gazette*, to fix a date after the said period of thirty days as the date on and after which the lands comprised in such hundred shall be open for sale or lease as aforesaid ; and in such case such lands shall not be open until the date mentioned in such last-mentioned Proclamation or the last of such Proclamations, as the case may be. Rural lands when open for sale.

3. It shall be lawful for the Board, with the consent of the Superintendent, to withdraw from sale any land the sale of which may appear to the Board to be or likely to be prejudicial to the public interest, notwithstanding application may have been made for the sale of such land : Provided always that when any land shall have been withdrawn from sale under this provision, such land shall not be again open for sale until after thirty days' notice of such land being about to be opened for sale shall have been given by advertisement in the Provincial *Gazette*, specifying the date on and after which applications for the purchase of such land will be received. Board with consent of Superintendent, may withdraw lands from sale.

Repeal of section
38 of said Act.

4. Section thirty-eight of the said Act is hereby repealed: Provided always that this repeal shall not affect any act or proceeding done or commenced under the said section hereby repealed, but the same may respectively be enforced and completed as if this Act had not been passed.

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Applications, how
made.

5. Any person desirous of purchasing rural land shall make an application in writing for the purchase thereof in a form to be by the Board prescribed, either at the Land Office of the district in which the land applied for is situate, or at the Land Office in Dunedin; and every such application shall be accompanied by a deposit of ten per centum upon the price at which such land shall be open for sale. Any application made at a District Land Office shall be forthwith forwarded to the Land Office in Dunedin.

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Decision of Board,
when given.

6. The decision of the Board upon every application for the purchase of rural land shall, if such land shall have been previously surveyed, be given within twenty-one days after the receipt of the application at the Land Office in Dunedin; and if such land shall not have been previously surveyed, then such decision shall be given on such day as the Board shall appoint, not being more than six months from the receipt of the application.

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Deposit may be
forfeited.

Should any applicant neglect or refuse to complete the purchase of the land applied for by him, his deposit shall be absolutely forfeited.

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Section 47 amended.

7. Section forty-seven of the said Act shall henceforth be construed and read as if the words "one hundred" were inserted in lieu of the word "thirty," before the word "thousand," in the twenty-second line.

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In Proclamation
under section 47 of
said Act date of
opening lands to
be fixed.

8. It shall be lawful for the Superintendent, in the Proclamation setting apart any district or block of land under the forty-seventh section of the said Act, to fix a date on and after which the lands in such districts or blocks, or any part or parts thereof, shall be open for license or lease or for sale on immediate payment, and from time to time, by a subsequent Proclamation, to alter such date and to fix a subsequent day on and after which such lands shall be opened as aforesaid.

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Section 49 amended.

9. And whereas it is expedient that applications for licenses to occupy land in districts or blocks set apart under the provisions of the forty-seventh section of the said Act should be made to any Land Office and in any Land District, it is hereby enacted that section forty-nine of the said Act shall henceforth be construed and read as if the word "any" was inserted in lieu of "a" before the words "Land Officer" in the second line of the said section, and as if the word "any" had been inserted in the third line of the said section before the word "district" in lieu of the word "the."

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Occupation licenses.

10. Every license issued under the ninety-second section of the said Act shall be drawn so as to expire on the thirty-first day of December.

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The annual fee chargeable in respect of any such license as and by way of rental shall be fixed by the Board, and for licenses issued after the first day of July in any year, one-half only of the annual fee so fixed shall be charged in respect of the unexpired portion of that year.

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Construction.

11. This Act shall be read and construed as part of "The Otago Waste Lands Act, 1872;" and words and expressions to which a particular or special meaning is assigned where used in the said Act, shall have the like meanings wherever the same or similar words and expressions are used in this Act.