

27. Before any instrument of alienation of the freehold in fee-simple of any land, or of a leasehold interest for a term exceeding seven years which has been confirmed by the Board, shall be delivered by the Board to the persons entitled thereto, the Board shall be satisfied that all survey liens, liens for rates, and fees affecting the land which is the subject of the confirmation have been paid and discharged.

28. When confirmation is refused a minute of such refusal, setting forth the grounds thereof, shall be entered on the records of the Board.

29. An application for the consent of the Governor in Council, under section 230 of the Act, to the confirmation by the Board or the Court of an instrument of alienation by way of mortgage or charge shall be made through the Board or Court, and may be in the Form No. 5 in the Second Schedule. The Board shall consider the application, and shall forward the same, together with its recommendation thereon, to the Under-Secretary.

DISPOSAL OF LANDS BY THE BOARD.

30. When public notification is required to be given of the Board's intention to offer any land for sale or lease, it shall be sufficient if notice of such intention is inserted in the *Gazette* and *Kahiti*, and at least once in each week for three consecutive weeks in some newspaper circulating in the locality in which the land is situated. The Board may, in addition, give further public notice in such other manner as it considers necessary.

31. The notice in the *Gazette* and *Kahiti* shall specify the land offered, the upset price or rental of each allotment, the term of any lease to be granted, the general conditions of such sale or lease, shortly stated, and the manner, time, and place of disposal. In the newspaper the notice may shortly refer to the offer of sale or lease, the place and time of such offer, and the place where the fuller particulars of such offer may be obtained.

32. (1.) Where the sale or lease is by public tender, tenders shall be in writing, signed by the tenderer or his duly authorized agent, in the Form No. 6 or No. 7 in the Second Schedule, as the case may require.

(2.) Every tender shall be enclosed in a closed envelope addressed to the Board or President. The outside of the envelope shall be marked "Tender for lease [*or purchase*] of [*Specify land*]," or in some other way to identify it as such tender.

33. Upon any sale or lease the Board may require the purchaser or lessee to deposit such sum as it thinks fit, not exceeding three guineas (in addition to stamp duty and registration fees), on account of the costs of the preparation, execution, stamping, and registration of the lease or contract of sale. The amount of any such deposit shall be paid into the Board's account, together with the amount paid on account of stamp duty and registration fees, and may be paid out from time to time, as the Board directs, in payment of the aforesaid costs.

34. Every purchaser or lessee shall, before executing the contract of sale or lease, make and lodge with the Board a declaration of qualification in the Form No. 8 in the Second Schedule. Such declaration shall be made and lodged within thirty days after the date of sale or making of the agreement to lease, as the case may be.

35. If the price or rental offered by two or more tenderers is the same amount, and is higher than that offered by any other tenderer, then the Board shall decide, in such manner as it thinks fit, which of those tenders shall be accepted.

36. The deposits and fees paid by any unsuccessful tenderer shall be returned to him immediately any other tender is accepted, or if all tenders are declined.

37. When the Board accepts any tender it shall forthwith give notice, in the Form No. 9 in the Second Schedule, to the successful tenderer by registered letter addressed to him at the address given in his tender, but failure to give such notice shall not invalidate the acceptance of the tender.

38. Every contract of sale made by a Board in pursuance of the Act shall be in the form set out in the Third Schedule hereto, with such modifications, additions, or omissions as may in the opinion of the Board be required or expedient in the particular case. Every such contract shall be executed in triplicate by the Board under its seal and by the purchaser under his hand, or where the purchaser is a body corporate under its seal, and may be registered under the Land Transfer Act, 1908, in the same manner as a memorandum of lease.

39. The foregoing Regulations Nos. 30, 33, 34, and 38 and the form in the Third Schedule hereto shall, *mutatis mutandis*, apply to sales by auction.

40. The Board shall in each case of land being offered for sale by auction prepare the conditions of sale, and such conditions shall be printed and shall have attached thereto a form of contract based on the form in the Third Schedule hereto, and the conditions shall provide that such contract shall be signed by the successful bidder on his being declared the purchaser by the auctioneer.

41. Except where otherwise provided by statute the conditions of sale of any Native freehold land by public auction shall in every case provide (1) that a purchaser shall forthwith after the sale pay to the Board a deposit of not less than 10 per cent. of the purchase-money, and (2) that payment by the purchaser of the balance of the purchase-money shall be made at such time within twelve months after the date of sale as the conditions shall provide.

42. Every lease granted by a Board in pursuance of the Act shall be in the form set out in the Fourth Schedule hereto, with such modifications, additions, or omissions as may in the opinion of the Board be required or expedient in the particular case. Every such lease shall be executed in triplicate by the Board and the lessee in manner required for the registration thereof under the Land Transfer Act, 1908.