

10 GEO. VI. No. 13, 1946. *Land Acts Amendment Act.*

LANDS.

- (1) *Land Acts Amendment Act of 1946* .. 10 *Geo. VI. No. 13*
- (2) *War Service Land Settlement Acquisition Act of 1945* 9 *Geo. VI. No. 25*
- (3) *War Service Land Settlement Agreement Act of 1945* 9 *Geo. VI. No. 30*
- (4) *War Service Land Settlement Act of 1946* 10 *Geo. VI. No. 23*
- (5) *Stock Routes and Rural Lands Protection Act Amendment Act of 1946* 10 *Geo. VI. No. 31*

An Act to Amend "The Land Acts, 1910 to 1945," in certain particulars, and for other purposes.

10 GEO. VI.
NO. 13.
THE LAND
ACTS
AMENDMENT
ACT OF 1946.

[ASSENTED TO 26TH MARCH, 1946.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows :—

1. (1.) This Act may be cited as "*The Land Acts Amendment Act of 1946*," and shall be read as one with ^{Short title and construction} *"*The Land Acts, 1910 to 1945*," herein referred to as the ^{of Act.} Principal Act.

(2.) The Principal Act and this Act may collectively ^{Collective title.} be cited as "*The Land Acts, 1910 to 1946*."

Amendments of the Principal Act.

2. Section one hundred and eighteen of the Principal ^{Amendment of s. 118.} Act is amended as follows :—

(a) Before the words "The person" occurring at the commencement of the second paragraph thereof the words "Subject as hereinafter provided" are inserted.

(b) The following proviso is added to the said second paragraph, namely :—

"Provided that the provisions of subsection two of section one hundred and twenty-one of this Act shall, *mutatis mutandis*, apply and extend and be so construed

* 1 G. 5 No. 15 and amending Acts, v. 5, p. 15 *et seq.*

to apply and extend herein accordingly and to the intent that the deposit to be paid by the purchaser shall include a sum equal to three pounds per centum of the maximum capital sum stated in the notification of sale concerned at which the bidding ceased in accordance with the provisions of the said subsection."

Amendment
of s. 119.

3. Section one hundred and nineteen of the Principal Act is amended by adding thereto the following proviso, namely:—

"Provided that the provisions of subsection two of section one hundred and twenty-one of this Act shall, *mutatis mutandis*, apply and extend and be so construed to apply and extend herein accordingly and to the intent that the deposit to be paid by the purchaser shall include a sum equal to three pounds per centum of the maximum capital sum stated in the notification of sale concerned at which the bidding ceased in accordance with the provisions of the said subsection."

Amendment
of s. 121.

4. (1.) A new subsection two is inserted after subsection one of section one hundred and twenty-one of the Principal Act, as follows:—

"(2.) Notwithstanding anything to the contrary contained in subsection one of this section, the notification of sale in respect of the offering for sale of any town land, suburban land, or country land may state in respect of the whole of the land concerned so offered for sale or in respect of any specified lot or lots as referred to therein the amount of the maximum capital sum at which the bidding shall cease.

In the event of two or more persons bidding the maximum capital sum as declared in any such notification, the successful purchaser shall be determined by lot amongst such persons and in the manner prescribed."

(2.) Subsection two of the said section one hundred and twenty-one is renumbered subsection three accordingly.

Application
of the
provisions
of this Act.

5. The provisions of the Principal Act as amended by this Act shall also apply and extend to the sale of any land, notification of which has, pursuant to Part V. of the Principal Act, been published in the *Gazette*, which sale has not been held prior to the passing of this Act.

1946.

Land Acts Amendment Act.

6. Where in respect of land offered for sale pursuant to Part V. of the Principal Act as amended by section four of this Act the notification of such sale has specified the amount of the maximum capital sum at which the bidding shall cease, then, notwithstanding anything to the contrary contained in the Principal Act or in any other Act or law or rule or process of law, nothing in any such notification as aforesaid shall prejudice or in any-wise affect—

- (i.) The power and jurisdiction of the Court in respect of the determination of the rent for the second and subsequent periods of any Perpetual Town Lease, Perpetual Suburban Lease, or Perpetual Country Lease of any land so offered ; or
- (ii.) The power and jurisdiction of the Court in respect of the determination of the rent of any other Perpetual Town Lease, Perpetual Suburban Lease, or Perpetual Country Lease for the second and subsequent periods ; or
- (iii.) The power and jurisdiction of any Local Authority (including Brisbane City Council) (or on appeal the Valuation Court in the case of a Local Authority or, as the case may be, in the case of Brisbane City Council) in respect of valuations made or to be made by such Local Authority (or, as the case may be, Brisbane City Council) under **“ The Local Government Acts, 1936 to 1946,”* or, as the case may be, †*“ The City of Brisbane Acts, 1924 to 1945 ”* ; or
- (iv.) The power and jurisdiction in respect of valuations of the Valuer-General (or on appeal the Land Court or, as the case may be, a Valuation Court constituted by a Stipendiary or Acting Stipendiary Magistrate) on the promulgation into force of ‡*“ The Valuation of Land Act of 1944.”*

* 1 G. 6 No. 1 and amending Acts, v. 5, p. 826 *et seq.*

† 15 G. 5 No. 32 and amending Acts, v. 10, p. 6 *et seq.*

‡ 8 G. 6 No. 3, 1944-5 Sess. v., p. 297.