An Act to amend the Crown Lands Act, 1929-1937.

[Assented to 1st December, 1938.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Crown Lands Act Amendment Act, 1938".

   (2) The Crown Lands Act, 1929-1937, as amended by this Act, may be cited as the "Crown Lands Act, 1929-1938".

   (3) The Crown Lands Act, 1929-1937, is hereinafter called "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

3. The following sections are enacted and inserted in the principal Act after section 23 thereof:

   23a. (1) Where the Director of Agriculture has certified that any Crown land could by clearing and cultivation be made suitable for pasture, and the board has recommended that that land should be allotted on the terms prescribed by this section, the Commissioner, by the notice declaring that the land is open for application, may also declare that the lease or agreement on which the land is allotted will contain, in addition to any other terms and covenants prescribed by or under this Act, terms, covenants, and conditions to the following effect:

   (a) That the Commissioner will prepare the said land or any part or area thereof specified in the notice for pasture:
(b) That such preparation shall include such of the following operations namely, clearing, cultivating, sowing, applying fertilisers, and doing any other work, as are specified in the notice, but the total cost of all such preparation shall not exceed one thousand pounds:

(c) That the lessee or purchaser shall, before the commencement of the work, pay to the Commissioner one quarter of the cost (as estimated by the Commissioner) of the said preparation of the land:

(d) That the balance of the cost of the said preparation will be deemed to be a loan made by the Commissioner to the lessee or purchaser and that the lessee or purchaser will repay that balance to the Commissioner with interest at the fixed rate in equal instalments payable at the times and during the period specified in the notice:

(e) That the Commissioner may, if he believes that the land comprised in the lease or agreement is being neglected and is thereby deteriorating in value, assume the general control and management of the land, and do anything necessary to prevent such deterioration: and that the expense incurred by the Commissioner in so doing shall be a charge on the land and shall be payable by the lessee or purchaser or the occupier for the time being, and recoverable by the Commissioner by action in any court of competent jurisdiction:

(f) Such other terms, covenants, and conditions as are specified in the notice, for the purpose of ensuring the proper working of the land, and for preventing any cleared parts thereof from reverting to scrub.

(2) Any lease or agreement granted pursuant to any such notice may contain any such terms and covenants as aforesaid.

(3) No land shall be allotted under a lease or agreement containing the terms and covenants prescribed by this section, unless the Land Board is satisfied that the proposed allottee has sufficient capital, over and above the amounts to be expended under this section on preparing the land, to enable him to work the land successfully.
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23b. (1) Subject to subsection (2) of this section the Commissioner may do all things necessary to carry out the obligations imposed on him by the terms, covenants, and conditions of any lease or agreement entered into pursuant to section 23a.

(2) All work required to be done by the Commissioner in connection with the clearing and cultivation of land comprised in any such lease or agreement shall be done under contracts made between the Commissioner and independent contractors, and before entering into any such contract the Commissioner shall by advertisement in a daily newspaper call for tenders for the work to be done.

(3) The cost of any such work shall be defrayed out of moneys to be provided by Parliament for the purpose.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. DUGAN, Governor.