CROWN LANDS (LEASING OF).

24 VICTORIA, NO. 16. An Act to provide for the leasing of crown lands previously occupied. [17th September, 1860.]

Preamble.

WHEREAS it is expedient that all lands now leased or otherwise occupied for pastoral purposes under Her Majesty's order in council and such regulations as are now in force in the Colony of Queensland should upon the expiration of the current term for which they are occupied be brought under an amended and uniform tenure Do it therefore enacted by the Queen's Most Excellent Majesty by and with the advice of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled and by the authority of the same as follows—

I. So much of an Act of the Legislature of New South Wales passed in the twenty-second year of Her Majesty's reign and numbered seventeen, intitled "An Act to impose an assessment on persons in the unsettled and intermediate districts and to increase the rent of lands leased for pastoral purposes within the settled districts of New South Wales" as may affect the provisions of this Act and so much of the orders in council and regulations now in force as are repugnant to or inconsistent with the provisions of the Act shall be and the same are hereby repealed Provided that nothing herein contained shall prejudice or affect anything already done or commenced or contracted to be done thereunder respectively.

II. Upon the expiration of the current terms for which any crown lands are now held under existing regulations or may be held under the provisions of the "Unoccupied Crown Lands Occupation Act of 1860 or of the "Tenures for Crown Lands Act of 1860" such crown lands shall in every case be let upon a lease for five years subject to the conditions hereinafter set forth.

III. Upon application from the occupant six months before the expiration of any lease of crown lands for pastoral purposes the fair annual value of lands comprised in such lease shall be determined for the five years next ensuing the expiration of such lease according to the provisions of clause thirteen of the "Unoccupied Crown Lands Occupation Act of 1860" and such valuation shall be based upon the grazing capabilities and other advantages or disadvantages of such lands but shall not have reference to any valuable improvements that may have been made therein and shall be the annual rent during the currency of such lease and such rent shall be paid in advance.

IV. In the event of such occupant not applying as aforesaid for a valuation of the lands comprised in his lease in order to obtain a renewal thereof according to the terms of such valuation as aforesaid or if such lands shall have been forfeited or vacated within the provisions of clause fourteen of the "Unoccupied Crown Lands Occupation Act of 1860" such lands shall be let to the person bidding the highest rent for the same at public auction but if such lands shall have been so forfeited or vacated then for the residue of the current term only and the upset rent at such auction shall in either case be the rent determined by such valuation as aforesaid and if there should be no bidders at such upset rent then it shall be lawful for the Governor with the advice aforesaid to reduce such upset rent according as he may think fit and again to submit the lease of such lands to public auction.

V. Any person not being the previous occupant of such lands who may obtain the renewed lease thereof shall in addition to his rent pay into the Treasury before entering upon such lands the amount that may be fixed by arbitration in manner provided in clause thirteen of the "Unoccupied Crown Lands Occupation Act of 1860" as being the value of the permanent improvements on such lands as may be comprised in any new lease to be granted thereof and such amount shall be forthwith paid to the outgoing lessee.
VI. All the clauses of the Unoccupied Crown Lands Occupation Act of 1860 from clause fourteen to clause thirty-four both inclusive except clauses fifteen and nineteen shall be and the same are hereby incorporated into this Act.

VII. This Act shall be styled and may be cited as "The Occupied Crown Lands Leasing Act of 1860."