

nominated successor on death of permit-holder.

Land reverts to Crown unless successor nominated by permit-holder applies for permit within specified time.

Vesting of surrendered land.

Name of successor nominated by permit-holder may be endorsed on permit before issue.

shall be entitled, on application made to the Government Agent, to receive a permit for the land which was alienated to the deceased permit-holder.

**85.** A successor duly nominated by a permit-holder, who fails to make application for a permit within a period of one year reckoned from the date of the death of that permit-holder, shall be deemed to have surrendered to the Crown his title as successor to the land.

**86.** Land deemed to have been surrendered under section 85 shall vest in the Crown free from all encumbrances.

**87.** It shall be lawful for a person to whom the Government Agent has agreed to alienate land upon a permit to nominate his successor and the name of the successor may be endorsed on the permit before it is issued to that person and the provisions of sections 77, 78, 81, 82, 83, 84 and 85 shall apply accordingly to any successor nominated or to be nominated under this section.

## CHAPTER VIII

### CANCELLATION OF GRANTS AND PERMITS

Notice to owner of holding where there has been a breach of a condition of ownership.

Period allowed for showing cause.

Notice to be posted on land and served on interested parties.

**88.** If it appears to the Government Agent that the owner of a holding has failed to observe a condition of ownership, the Government Agent may issue a notice in the prescribed form intimating to such owner that a recommendation will be made to the Governor-General[3] for the cancellation of the grant of such holding unless sufficient cause to the contrary is shown to the Government Agent on a date and at a time and place specified in such notice.

**89.** The date specified in a notice issued under section 88 shall not be less than thirty days from the date of the issue of such notice on the owner.

**90.**

(1) A copy of the notice issued by the Government Agent under section 88 shall be served on the owner of the holding and a copy shall be affixed in a conspicuous position on the holding.

(2) If an owner who has to be served under subsection (1) with a notice issued under section 88 cannot by the exercise of due diligence be found, the notice shall be deemed to be duly served on that owner if a copy thereof is left with some adult member of his family or with his servant residing with him ; and, if there is no member of the family or servant of that owner on whom the notice can be so served by way of substitution for personal service, the notice shall be deemed to be duly served on that owner if a copy thereof is affixed to some conspicuous part of the house or homestead in which he ordinarily resides.

(3) The Government Agent may also cause a copy of such notice to be served on any person who, in his opinion, is interested in the holding or may be affected by a cancellation of the grant thereof.

Procedure where no cause is shown against cancellation of grant

**91.**

(1) If the owner of the holding or other person interested therein fails to appear on the date and at the time and place specified in a notice issued under section 88, or appears and states that he has no cause to show why the grant should not be cancelled, the Government Agent may, if he is satisfied that there has been due service of such notice and that there has been a breach of any of the conditions of ownership, recommend to the Governor-General[3] the cancellation of the grant of such holding, but no such recommendation shall be made until after the expiry of a period of fourteen days reckoned from the date specified in the notice issued under section 88.

(2) If, within a period of fourteen days reckoned from the date specified in the notice issued under section 88, the owner of the holding or any other person satisfies the Government Agent that he has cause to show against the proposal to cancel the grant of the holding referred to in such notice and that he was prevented by accident, illness, misfortune or other unavoidable cause from appearing on the date and at the time and place specified in such notice, the Government Agent shall appoint another date, time and place for the purpose of enabling cause to be shown against the proposal to cancel the grant of the holding.