

Procedure where
cause is shown ;
Government Agent
may-after inquiry-
recommend
cancellation of
grant.

92.

(1) If on the date and at the time and place specified in a notice issued under section 88 or appointed by the Government Agent under section 91 (2) cause is shown by any person against the proposal to cancel the grant of the holding referred to in such notice, the Government Agent may, if he is satisfied after inquiry that there has been due service of 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.

(2) The Government Agent may adjourn any inquiry under this section from time to time and shall hear evidence before making his recommendation. All such evidence shall be given on oath or affirmation which the Government Agent is authorized to administer for the purpose.

Date of
recommendation.

93. Every recommendation made by a Government Agent for the cancellation of the grant of a holding shall be dated as of the date on which such recommendation was so made.

Order of
Government Agent
to be served on
parties showing
cause and to be
posted on land.

94.

(1) A copy of the recommendation made by the Government Agent under section 92 shall be served forthwith upon every person who showed cause against the cancellation of the grant at the inquiry held under that section and a copy shall also be affixed forthwith in a conspicuous position on the holding. Every copy so served or affixed shall contain a statement to the effect that an appeal will lie to the Minister[1] against the recommendation of the Government Agent if preferred within a period of thirty days reckoned from the date on which such recommendation was made, and such date shall be specified in such statement.

(2) If a person who has to be served under subsection (1) with a copy of the recommendation made by the Government Agent under section 92 cannot by the exercise of due diligence be found, the copy shall be deemed to be duly served if it is left with some adult member of that person's family or with his servant residing with him ; and, if there is no member of the family or servant of that person on whom the copy can be so served by way of substitution for personal service, it shall be deemed to be duly served on that person if it is affixed to some conspicuous part of the house or homestead in which he ordinarily resides.

Appeal to Minister.

95. A person aggrieved by an order made by the Government Agent under section 91 (2) or by a recommendation made by the Government Agent under section 92 may appeal therefrom to the Minister. [1]

Time-limit for
appeal.

96.

(1) An appeal under section 95 shall be preferred by written petition within a period of thirty days reckoned from the date on which the recommendation for cancellation of the holding or the order under section 91 (2) was made.

(2) In computing the time within which an appeal must be preferred, the date on which the recommendation or order was made shall be excluded, but all public ' holidays and Sundays shall be included.

Powers of the
Minister in appeal.

97. It shall be competent for the Minister¹ in appeal-

- (a) to allow the appeal and reverse the recommendation or order of the Government Agent; or
- (b) to direct further inquiry to be made or information to be furnished or evidence to be taken ; or
- (c) to modify the recommendation of the Government Agent; or
- (d) to affirm the recommendation or order of the Government Agent.

Decision of
Minister when to
be communicated
to Government
Agent.

98. If the Minister[1] acts under paragraphs (a) or (b) of section 97, the decision of the Minister[1] shall be communicated to the Government Agent who shall forthwith comply with and give effect to the terms thereof.

Decision of
Minister when to
be submitted to
the Governor-
General.

99. If the Minister[1] acts under paragraphs (c) or (d) of section 97, the decision of the Minister¹ shall be submitted to the Governor-General[3] for confirmation.

No appeal against
recommendation
of Government
Agent under
section 91.

100. No appeal shall lie against a recommendation made by the Government Agent under section 91 (1), but such recommendation shall be submitted to the Governor-General[3] for confirmation through the Minister.[1]