

No. 60 of 1969

An Ordinance to amend the *Crown Lands Ordinance 1931-1968*

[Reserved 26 June, 1969]

[Assented to 19 November, 1969]*

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:— Short title and citation

1.—(1.) This Ordinance may be cited as the *Crown Lands Ordinance 1969*.

(2.) The *Crown Lands Ordinance 1931-1968* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Crown Lands Ordinance 1931-1969*.

2. Section 73 of the Principal Ordinance is amended by omitting sub-sections (4.), (5.), (6.) and (7.) and inserting in their stead the following sub-sections:— Power to invite applications for leases

“(4.) The Administrator shall refer the applications to the Board for its consideration and recommendation.

“(5.) When the Board receives an application or applications for a miscellaneous lease, it shall consider the application or applications and shall make a recommendation to the Administrator in Council as to the applicant, if any, to whom a miscellaneous lease should be granted.

“(6.) If an applicant is a resident of the Territory the Board shall, in making a recommendation under the last preceding sub-section, give weight to the fact that he is such a resident.

“(7.) If the Board considers that two or more applicants are equally suitable and that no applicant is more suitable to be granted such a lease, it may decide by lot which applicant it shall recommend.

“(7A.) In considering an application under sub-section (5.) of this section, the Board shall give the applicant an opportunity of appearing before the Board and being heard, either personally or by counsel, solicitor or agent, in relation to the application, and the Board may make such inquiries as it thinks fit.

* Notified in the *Northern Territory Government Gazette* No. 51 of 17 December 1969, page 410.

“(7B.) Upon a recommendation being made by the Board under sub-section (5.) of this section that a miscellaneous lease be granted to a person, a miscellaneous lease shall be granted to that person in accordance with the recommendation unless the Minister, on the written recommendation of the Administrator in Council accompanied by the reasons for that written recommendation, by notice in the *Gazette* otherwise directs.

“(7C.) Within twenty-eight days after a direction has been given by the Minister under the last preceding sub-section, if—

(a) there is any other applicant for a miscellaneous lease of the parcel of land to which the application that was the subject of the direction related; and

(b) the Board is disposed to recommend that a lease be granted to that applicant,

the Board shall make another recommendation under sub-section (5.) of this section.”.

3. Sections 74 and 74A of the Principal Ordinance are repealed and the following section is inserted in their stead:—

Leases unsold at
auction may be
allotted

“74.—(1.) If any miscellaneous lease has been offered for sale by public auction and has not been sold, the lease may be allotted by the Administrator to any person who applies for it at the rental fixed by the Administrator.

“(2.) A person, to whom a lease is so allotted, may, if the prior consent in writing of the Administrator has been obtained, assign the right to the lease to another person.

“(3.) All rights, powers and obligations (including the power to assign the right to the lease) conferred or imposed by this Ordinance shall be deemed to have been assigned to the assignee and the assignee shall, for the purposes of this section, be deemed to be, and to have been, the person to whom the Administrator allotted the lease.”.

Licences in
respect of
reserved land

4. Section 109A of the Principal Ordinance is amended by omitting sub-section (1B.).
