

CROWN LANDS ORDINANCE 1975

611

No. 26 of 1975

An Ordinance to amend the *Crown Lands Ordinance* 1931 as amended

[Reserved 27 June 1975]

[Assented to 25 August 1975]*

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Crown Lands Ordinance* 1975. Short title
2. The *Crown Lands Ordinance* 1931 as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. Section 9(3) of the Principal Ordinance is amended— Land Board
 - (a) by omitting “7” and substituting “10”; and
 - (b) by omitting “one of whom shall be the person appointed under the *Social Welfare Ordinance* to be the Director of Social Welfare”.
4. Section 37(c) of the Principal Ordinance is amended— Terms and conditions of pastoral leases
 - (a) by inserting after “that” (first occurring) “, subject to any limitations imposed by virtue of the operation of the *Soil Conservation and Control Ordinance*,”; and
 - (b) by omitting all the words from and including “but that”.
- 5.(1) Section 37A(1) of the Principal Ordinance is amended by omitting “developmental work and improvements” and substituting “stocking, improvements or developmental work”. Variation of pastoral lease requirements
- (2) Section 37A(7) of the Principal Ordinance is amended by omitting “and the lease shall have effect as so varied”.
6. Section 39 of the Principal Ordinance is amended by omitting sub-section (2) and substituting: Stocking of land

“(2) The Administrator may, if he is satisfied that a term, covenant or condition prescribing a minimum number of stock which may be depastured on the land comprised in a lease is too onerous, vary that term, covenant or condition by agreement with the lessee or, without such agreement, to make it less onerous.

“(3) Pending the consideration of a variation of a term, covenant or condition under sub-section (2), the Administrator may suspend that term, covenant or condition.

“(4) Where, by virtue of the operation of the *Soil Conservation and Control Ordinance*, a lessee is unable to comply with a term, covenant or condition of his lease prescribing a minimum number of stock which may be depastured on the land comprised in the lease, the Administrator shall consider varying that term, covenant or condition.”.

7. After section 39 of the Principal Ordinance the following section is inserted:

Noting variation
of pastoral
lease

“39A.(1) A variation of a term, covenant or condition of a pastoral lease does not have effect until notice in writing, signed by the Administrator, is produced to the Registrar-General.

“(2) Upon receipt of the notice, the Registrar-General shall enter in the Register Book of Crown Leases kept under the Real Property Act and on the lessee’s copy of the lease or other instrument evidencing his title to the leased land the date and hour of the production to him of the notice and particulars of the variation made”.

Variation of
agricultural
lease
requirements

8.(1) Section 65(1) of the Principal Ordinance is amended by omitting “developmental work and improvements” and substituting “stocking, improvements or developmental work”.

(2) Section 65(7) of the Principal Ordinance is amended by omitting “and the lease shall have effect as so varied”.

9. After section 65 of the Principal Ordinance the following section is inserted:

Noting variation
of agricultural
lease

“65AA.(1) A variation of a term, covenant or condition of an agricultural lease does not have effect until notice in writing, signed by the Administrator, is produced to the Registrar-General.

“(2) Upon receipt of the notice, the Registrar-General shall enter in the Register Book of Crown Leases kept under the Real Property Act and on the lessee’s copy of the lease or other instrument evidencing his title to the leased land the date and hour of the production to him of the notice and particulars of the variation made”.

10. After section 68L of the Principal Ordinance the following section is inserted:

"68M. A lessee of town lands may, at any time, on payment of the rent due, surrender—

Surrender
of lease or part
of lease

(a) the lease; or

(b) with the consent of the Administrator, the lease in respect of part of the land the subject of the lease."

11. After section 74F of the Principal Ordinance the following section is inserted:

"74G. The holder of a miscellaneous lease may, at any time, on payment of the rent due, surrender—

Surrender of
lease or part
of lease

(a) the lease; or

(b) with the consent of the Administrator, the lease in respect of part of the land the subject of the lease."

12. Section 108(1) of the Principal Ordinance is amended by omitting all the words from and including "for the purpose" and substituting "for such purposes as the Administrator thinks fit".

Occupation
licences

13. Section 109A(1) of the Principal Ordinance is amended by omitting "(xiii)" and substituting "(xiv)".

Licences in
respect of
reserved land

14. Section 103(2C) of the Principal Ordinance is amended by omitting "sub-section (i)" and substituting "sub-section (1)".

Correction

15. Where, before the commencement of this Ordinance, a variation of a term, covenant or condition of a pastoral or agricultural lease was made and took effect without notice in writing, signed by the Administrator, being produced to the Registrar-General, that variation shall remain effective without such production.

Transitional

