

CROWN LANDS ORDINANCE

(No. 2) 1970

653

No. 78 of 1970

An Ordinance to amend the *Crown Lands Ordinance* 1931-1969 as amended by the *Crown Lands Ordinance* 1970

[Reserved 11 December, 1970]

[Assented to 24 December, 1970]*

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

1.—(1.) This Ordinance may be cited as the *Crown Lands Ordinance* (No. 2) 1970. Short title
and citation

(2.) The *Crown Lands Ordinance* 1931-1969 as amended by the *Crown Lands Ordinance* 1970 is in this Ordinance referred to as the Principal Ordinance.

(3.) Section (1.) of the *Crown Lands Ordinance* 1970 is amended by omitting sub-section (3.).

(4.) The Principal Ordinance as amended by this Ordinance may be cited as the *Crown Lands Ordinance* 1931-1970.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.† Commencement

3. Section 26A of the Principal Ordinance is amended by omitting sub-sections (5.) and (6.) and inserting in their stead the following sub-sections:— Transfer of
leases granted
under section
68c

“(5.) As soon as practicable after the surrender of a lease in pursuance of an offer made under sub-section (2.) of this section, the Administrator shall pay to the lessee as compensation—

(a) the amount paid, or agreed to be paid, by the lessee for the right to the lease; and

(b) the value of the improvements as determined under sub-section (3.) of this section or, if that value is varied under this Ordinance, as finally determined under this Ordinance,

less all amounts owing under the lease or due to the Commonwealth under any mortgage registered with respect to the lease.

* Notified in the *Northern Territory Government Gazette* No. 52 of 30 December, 1970, page 374.

† The date fixed was 1 January, 1971 (see *Northern Territory Government Gazette* No. 52 of December, 1970, page 374).

“(6.) The amount paid, or agreed to be paid, by the lessee for the right to the lease is the amount by which the purchase price paid or agreed to be paid by the lessee (but not including the survey fee, or any fee paid in respect of the lease instrument, or any rent paid in respect of the lease) exceeds the amount determined by the Administrator to have been the value of the improvements at the time when the lessee accepted the offer made on behalf of the Crown or the Commonwealth to grant the lease.”.

Grant of leases
to tenants
occupying
dwelling houses

4. Section 68c of the Principal Ordinance is amended—

(a) by inserting after sub-section (3.), the following sub-sections:—

“(3A.) The Administrator shall determine the amount to be paid for the right to the lease and the improvements on the land by an applicant for the grant of a lease under this section.

“(3B.) On or before the date of the grant of the lease, the applicant shall, unless he has paid that amount in full, pay to the Commonwealth part of that amount, and execute in favor of the Commonwealth a mortgage of the land included in the lease, in such form as the Administrator thinks fit, to secure the payment of the balance of the amount and such interest as is provided for in the mortgage.

“(3C.) A mortgage executed in pursuance of this section may contain such covenants as the Administrator thinks fit.

“(3D.) The Administrator may, in the name of the Commonwealth, take any such mortgage and may, in relation to an mortgage taken, do, for or on behalf of the Commonwealth any or all of the acts or things which the Commonwealth or mortgagee is empowered, permitted or required to do.”; and

(b) by omitting from sub-section (4.) the words “section sixty-six” and inserting in their stead the words “sections thirty-one and sixty-six”.