

CROWN LANDS ORDINANCE (No. 2) 1974

501

No. 79 of 1974

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

[Reserved on 19 August 1974]

[Assented to 28 October 1974]*

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

1. This Ordinance may be cited as the *Crown Lands Ordinance* (No. 2) 1974. Short title

2. The *Crown Lands Ordinance* 1931 as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3.(1) Section 26 of the Principal Ordinance is amended by omitting sub-section (1) and substituting the following sub-sections: Transfer, &c., of lease

“(1) Except as provided by this Ordinance, the lessee under a lease granted under this Ordinance shall not, without the consent of the Administrator—

- (a) transfer or mortgage the lease; or
- (b) sub-let or otherwise part with the possession of the land or part of the land the subject of the lease.

“(1A) Subject to sub-section (1B), the consent of the Administrator is not required to the transfer or mortgage of the lease of town lands (other than a lease of town lands for church purposes) or to the sub-letting of land or part of land subject to such a lease.

“(1B) Where in a covenant of a lease of town lands (other than a lease of town lands for church purposes) the lessee is required to erect a building on the land, the lessee shall not, before the completion of the building as provided by the lease—

- (a) transfer or assign the lease or an interest in the lease unless the Administrator is satisfied that the transferee or assignee intends to carry out

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the covenant and has given such security, if any, as the Administrator thinks to be adequate and the Administrator consents in writing to the transfer or assignment;

(b) mortgage the lease or an interest in the lease unless—

(i) the Administrator is satisfied that the money to be advanced under the mortgage is required or intended for use by the lessee for the purpose of erecting or completing the building or is required or intended for use by him to enable him to offer security for money borrowed by him for the purpose of acquiring the lease; and

(ii) the Administrator consents in writing to the mortgage; or

(c) sub-let the land or part of the land for a term extending beyond the dates specified in the lease for the commencement of the erection of the building unless the Administrator is satisfied that the lessee intends to carry out the covenant and the Administrator consents in writing to the sub-letting.”.

(2) Section 26(2) of the Principal Ordinance is amended by omitting “, a miscellaneous lease or a lease of town lands” and substituting “or a miscellaneous lease”.

(3) Section 26 of the Principal Ordinance is amended by omitting sub-section (4).

Consent to
transfer, &c.,
of leases

4. Section 27(1) of the Principal Ordinance is amended by omitting “or pastoral lease” and substituting “lease, lease of town lands for church purposes, miscellaneous lease or pastoral lease”.

Restriction on
hold of land by
aliens

5.(1) Section 101(1) of the Principal Ordinance is amended by omitting “friend”.

(2) Section 101(2) of the Principal Ordinance is amended by omitting “one year” and substituting “10 years”.