

## CROWN LANDS ORDINANCE (NO. 3) 1963.

## No. 12 of 1964.

An Ordinance to amend the *Crown Lands Ordinance* 1931-1962, as amended by the *Crown Lands Ordinance* 1963 and the *Crown Lands Ordinance* (No. 2) 1963, and for purposes connected therewith.

[Reserved 28th January, 1964.]

[Assented to 19th March, 1964.]\*

**B**E it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act* 1910-1962, as follows:—

Short title  
and citation.

1.—(1.) This Ordinance may be cited as the *Crown Lands Ordinance* (No. 3) 1963.

(2.) The *Crown Lands Ordinance* 1931-1962, as amended by the *Crown Lands Ordinance* 1963 and the *Crown Lands Ordinance* (No. 2) 1963, is in this Ordinance referred to as the Principal Ordinance.

(3.) Section one of the *Crown Lands Ordinance* (No. 2) 1963 is amended by omitting sub-section (4.).

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Crown Lands Ordinance* 1931-1963.

Commence-  
ment.

2. This Ordinance shall come into operation on the day on which the *Valuation of Land Ordinance* 1963 comes into operation.

Parts.

3. Section four of the Principal Ordinance is amended by omitting the words—

“Part VA.—The Land Court (Sections 106A-106U).

Part VB.—Appeals (Section 106v).”

and inserting in their stead the words—

“Part VA.—Objections and Reviews (Sections 106A-106E).”.

Definitions.

4. Section five of the Principal Ordinance is amended—

(a) by omitting the definition of “Improvements” and inserting in its stead the following definition:—

“‘Improvements’ has the same meaning as in the *Valuation of Land Ordinance* 1963;”;

\* Assent notified in the *Government Gazette* of the Northern Territory on 8th April, 1964 (see *Gazette* No. 14, 1964, p. 54).

- (b) by omitting the definition of "The Land Court" and inserting in its stead the following definition:—

“ ‘The Land and Valuation Review Tribunal’ or ‘The Tribunal’ means the Land and Valuation Review Tribunal established by the *Valuation of Land Ordinance* 1963;”;

- (c) by inserting after the definition of "The Real Property Act" the following definition:—

“ ‘The Valuer-General’ means the person for the time being holding, or performing the duties of, the office of Valuer-General under the *Valuation of Land Ordinance* 1963;”;

- (d) by adding at the end thereof the following definition:—

“ ‘Unimproved capital value’ has the same meaning as in the *Valuation of Land Ordinance* 1963.”.

5. Section twenty-three A of the Principal Ordinance is repealed and the following section inserted in its stead:—

“ 23A.—(1.) Subject to this section, the Land and Valuation Review Tribunal, on application by the lessee under a lease granted in pursuance of Division 4 or Division 5 of this Part, whether the lease was granted before, or is granted after, the date on which the *Crown Lands Ordinance* 1963 comes into operation, may, by order, vary any provision, covenant or condition of the lease in relation to the purpose for which the land subject to the lease may be used.

Variation of purposes for which land leased.

“ (2.) The Tribunal shall not make an order under the last preceding sub-section—

- (a) unless it is satisfied that such circumstances exist as, in the opinion of the Tribunal, make it desirable that the provision, covenant or condition should be varied in order that the reasonable user of the land will not be impeded;
- (b) if the Administrator, not less than fourteen days before the day fixed for hearing the application, files a certificate with the Registrar of the Tribunal stating that, in the opinion of the Administrator in Council, the variation sought is repugnant to the principles for the time being governing the use of land in the town or locality in which the leased land is located; or

(c) permitting land included in a miscellaneous lease to be used except as a market garden, plantation, orchard, vineyard, poultry farm, piggery or the like.

“ (3.) An application under this section shall be in writing and shall be filed with the Registrar of the Tribunal together with a statement of the reasons in support of the application.

“ (4.) An applicant shall, at least thirty days before the day fixed for hearing the application—

(a) serve a copy of the application and statement on the Administrator; and

(b) cause a copy of the application and statement to be published in the *Gazette* of the Northern Territory and in one newspaper circulating in the Northern Territory.

“ (5.) Both the applicant and the Administrator may appear on the hearing of the application.

“ (6.) Any person who, within twenty-one days after the publication of a copy of the application in the *Gazette* of the Northern Territory—

(a) has filed with the Registrar of the Tribunal notice of his intention to oppose an application for variation stating the grounds of his opposition; and

(b) has served on the applicant a copy of his notice of intention to oppose the application,

may, with the leave of the Tribunal, appear in opposition to the application for variation.

“ (7.) Sections twenty-seven to twenty-nine (inclusive) and section thirty-one of the *Valuation of Land Ordinance 1963* apply to and in relation to applications to the Tribunal under this section and orders of the Tribunal upon those applications in like manner as they apply to and in relation to references to the Tribunal under that Ordinance and decisions of the Tribunal upon those references.

“ (8.) An order made by the Tribunal under this section—

(a) may be absolute, or subject to such conditions, whether as to compensation to other persons or otherwise, as the Tribunal thinks fit; and

(b) is not effective with respect to the variation of the provision, covenant or condition of the lease until a copy of the order, signed by the Registrar of the Tribunal, is produced to the Registrar-General for the Northern Territory.

“ (9.) Upon receiving a copy of the Tribunal’s order, signed by the Registrar of the Tribunal, the Registrar-General shall enter in the Register Book of Crown Leases kept in pursuance of 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 of the order, the date and hour of the production to him of a copy of the order and particulars of the variation made by the order.

“ (10.) Notice of the filing of the certificate referred to in paragraph (b) of sub-section (2.) of this section shall be published in the *Gazette* of the Northern Territory not later than seven days before the day fixed for hearing the application, and a copy of the notice shall be served personally or by post on the applicant and on every person who has filed notice of his intention to oppose the application.

“ (11.) For the purposes of this section, service of any document on the Administrator may be effected personally or by post or by leaving the document at the office of the Administrator.”

6. Section twenty-six A of the Principal Ordinance is amended by omitting sub-sections (3.) and (4.) and inserting in their stead the following sub-sections:—

Transfer of  
leases granted  
under section  
68c.

“ (3.) Where the Administrator accepts an offer under the last preceding sub-section, he shall require the Valuer-General to determine the value of the improvements on the land comprised in the lease.

“ (4.) The Valuer-General shall give to the lessee notice, in writing, of a determination under the last preceding sub-section.

“ (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 for the improvements on the land comprised in the lease the amount (if any) by which 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 exceeds the aggregate of any amounts owing under the lease.

“ (6.) In this section, ‘the value of the improvements’ means, in relation to improvements on land comprised in a lease that is surrendered in pursuance of an offer made under sub-section (2.) of this section, the replacement value of the improvements, as at the date on which the offer was made, less the amount, if any, representing any depreciation or obsolescence of the improvements.”

Improvements  
on lands to be  
leased.

7. Section thirty-one of the Principal Ordinance is amended—

- (a) by inserting in sub-section (6.), after the word “amount” (second occurring), the words “, by notice in writing to the lessee”; and
- (b) by omitting from sub-section (9.) the words “An appeal does not lie to the Land Court from” and inserting in their stead the words “An objection may not be made to, and a request may not be made to the Administrator to refer to the Land and Valuation Review Tribunal for review,”.

Re-appraise-  
ment of rent,  
&c.

8. Section thirty-two of the Principal Ordinance is amended—

- (a) by omitting sub-section (1A.) and inserting in its stead the following sub-section:—

“(1A.) Where the rental payable under a miscellaneous lease or a lease of town lands is based upon the unimproved capital value of the leased land, the Administrator shall require the Valuer-General to re-appraise the unimproved capital value of the leased land every fourteen years and, for the purposes of sub-section (5.) of this section, the rental shall be deemed to be subject to re-appraisal accordingly.”; and

- (b) by omitting sub-sections (3D.) to (3J.) (inclusive) and inserting in their stead the following sub-sections:—

“(3D.) Where the Administrator, under this section, re-appraises the rental payable under a lease, the rental payable under the lease after the re-appraisal is the amount of rental specified in the notice under sub-section (3.) of this section or the last preceding sub-section, as the case may be, served on the lessee or, if that amount of rental is varied under this Ordinance, the amount of rental as finally determined under this Ordinance.

“(3E.) The re-appraised rental in respect of a lease is payable on and from the first day of July next succeeding—

- (a) the date on which the rental is subject to re-appraisal in accordance with this section;

(b) the date on which notice is served on the lessee—

(i) in accordance with sub-section (3.) of this section, if the lessee does not make an application under sub-section (3A.) of this section or lodge an objection under section one hundred and six A of this Ordinance to the re-appraised rental; or

(ii) in accordance with sub-section (3C.) of this section, if the lessee makes an application under sub-section (3A.) of this Ordinance and does not lodge an objection under section one hundred and six A of this Ordinance to the re-appraisal rental; or

(c) the date on which the lessee lodges an objection under section one hundred and six A of this Ordinance to the re-appraised rental,

whichever is the latest.”.

9. Section thirty-six of the Principal Ordinance is repealed and the following section inserted in its stead:—

“ 36.—(1.) Subject to this Ordinance, where, under this Ordinance, a person is entitled to receive payment for or in respect of improvements on land—

Valuation of  
improvements.

(a) if the land is comprised in a pastoral lease, a pastoral homestead lease or a licence to graze stock on land—the Administrator shall determine the value of the improvements; or

(b) if the land is comprised in any other class of lease—the Administrator shall require the Valuer-General to determine the value of the improvements,

and the value so determined or, if that value is varied under this Ordinance, the value as finally determined under this Ordinance is the value of those improvements for the purposes of ascertaining the amount payable to the person for or in respect of those improvements.

“(2.) Where the Administrator or the Valuer-General, under the last preceding sub-section, determines the value of improvements, he shall give to the person entitled to be paid notice, in writing, of that value, together with a plan showing the improvements on the land.”

**10.** Section forty-five of the Principal Ordinance is repealed and the following section inserted in its stead:—

Payment of  
value of  
improvements  
to outgoing  
lessee.

“45. Subject to this Ordinance, on the determination of a lease granted in pursuance of this Division, or upon the lessee giving up possession of the lease, whichever last happens, the lessee is entitled to be paid an amount equal to the value, as at the date of the determination of the lease, of any improvements on the land comprised in the lease.”

Compensation  
for  
improvements  
on surrendered  
land.

**11.** Section forty-eight DA of the Principal Ordinance is amended—

(a) by omitting from sub-section (1.) the words “to receive compensation for the improvements” and inserting in their stead the words “to be paid, as compensation for the improvements, an amount equal to the value of the improvements on the day immediately following the day on which the land was surrendered”; and

(b) by omitting sub-section (2.).

Resumption of  
land included  
in lease.

**12.** Section forty-nine of the Principal Ordinance is amended—

(a) by omitting the words “The Minister may” and inserting in their stead the words “Subject to the next succeeding sub-section, the Minister may, by notice in writing to the lessee”; and

(b) by adding at the end thereof the following sub-section:—

“(2.) A resumption under paragraph (b) of the last preceding sub-section—

(a) shall not be made until the land to be resumed is finally determined under this Ordinance; and

(b) shall not be effective unless the land resumed is the land finally determined under this Ordinance to be the land to be resumed.”

13. Section fifty of the Principal Ordinance is amended by omitting the words "or on behalf of the Minister to the lessee of the land proposed to be resumed specifying the part of the land" and inserting in their stead the words "the Administrator to the lessee of the land proposed to be resumed specifying the part of the land determined under the next succeeding section to be the land that".

Notice of  
resumption.

14. Section fifty-one of the Principal Ordinance is amended by adding at the end thereof the following sub-section:—

Rules governing  
resumption.

"(3.) A determination under this section is not effective until it is approved by the Minister."

15. Section fifty-six of the Principal Ordinance is amended by omitting all the words from and including the word "Upon" to and including the words "at the date" and inserting in their stead the words "As soon as practicable after the resumption of land under section forty-nine, forty-nine A, fifty-three or fifty-three A of this Ordinance, the lessee shall be paid, as compensation for any improvements on the land resumed, an amount equal to the value of the improvements as at the date".

Compensation  
for  
improvements.

16 Section fifty-nine HA of the Principal Ordinance is amended—

Compensation  
for  
improvements  
on surrendered  
land.

(a) by omitting from sub-section (1.) the words "to receive compensation for the improvements" and inserting in their stead the words "to be paid, as compensation for the improvements, an amount equal to the value of the improvements on the day immediately following the day on which that land was surrendered"; and

(b) by omitting sub-section (2.).

17. Section sixty-five B of the Principal Ordinance is amended—

Surrender of  
agricultural  
lease in  
exchange for  
new  
agricultural  
lease.

(a) by inserting in sub-section (9.), after the words "entitled to", the words "be paid, as";

(b) by adding at the end of sub-section (9.) the words "an amount equal to the value of those improvements on the day immediately following the day on which the agricultural lease is surrendered"; and

(c) by omitting sub-section (10.).



Lease of town  
lands to be  
ffered at  
auktion.

**18. Section sixty-seven of the Principal Ordinance is amended—**

- (a) by omitting from sub-section (2.) the words “determine the unimproved” and inserting in their stead the words “require the Valuer-General to determine the unimproved capital”;
- (b) by adding at the end of sub-section (2.) the words “and to determine the value of the improvements, if any, on each parcel of land”;
- (c) by inserting in sub-sections (3.), (4.) and (5.), after the word “unimproved”, the word “capital”;
- (d) by omitting from paragraph (f) of sub-section (6.) the word “Administrator” and inserting in its stead the word “Valuer-General”;
- (e) by inserting in paragraphs (i), (k) and (m) of sub-section (6.), after the word “unimproved”, the word “capital”; and
- (f) by omitting from paragraph (k) of sub-section (6.) the word “Administrator” and inserting in its stead the word “Valuer-General”.

Power to  
invite  
applications  
for leases.

**19. Section seventy-three of the Principal Ordinance is amended—**

- (a) by inserting in sub-section (2.), after the word “rent,”, the words “require the Valuer-General to”;
- (b) by omitting from sub-section (2.) the word “shall” (second occurring) and inserting in its stead the word “to”;
- (c) by inserting in sub-sections (4.), (5.) and (6.), after the word “unimproved” the word “capital” and
- (d) by omitting from sub-section (7.) the words “Administrator and the unimproved” and inserting in their stead the words “Valuer-General and the unimproved capital”.

Provisions not  
applicable to  
leases under  
this Part.

**20. Section ninety of the Principal Ordinance is amended by omitting the words “section twenty-four AA,” and inserting in their stead the word “sections”.**

21. Section one hundred and five of the Principal Ordinance is amended—

Cancellation  
of lease as  
regards  
resumed land.

(a) by omitting from sub-section (2.) all the words from and including the words “and give notice” and inserting in their stead the words “determine the extent to which the requirements shall be varied and give notice, in writing, of that determination to the lessee”; and

(b) by adding at the end thereof the following sub-section:—

“ (3.) Where the Administrator, under the last preceding sub-section, gives notice of a determination to a lessee, the requirements of the lease as to developmental work and improvements shall be taken to be varied—

(a) if the determination is varied under this Ordinance—in accordance with that determination as so finally varied; and

(b) in any other case—in accordance with the determination,

as from the date on which the determination is so varied or as from the date of the determination, as the case may be.”.

22. Section one hundred and five A of the Principal Ordinance is amended—

Compensation  
for resumption  
in certain  
cases.

(a) by omitting from sub-section (2.) the words “The compensation” and inserting in their stead the words “Subject to the next succeeding sub-section, the compensation”;

(b) by inserting after sub-section (2.) the following sub-section:—

“ (2A.) The Administrator shall, in the case of land comprised in a lease other than a pastoral lease or a pastoral homestead lease, require the Valuer-General to assess the compensation referred to in sub-section (1.) of this section.”; and

(c) by omitting sub-section (3.) and inserting in its stead the following sub-sections:—

“ (3.) The Administrator or the Valuer-General, as the case may be, shall give to the lessee notice, in writing, of an assessment under this section.

“(3A.) As soon as practicable after a resumption referred to in sub-section (1.) of this section, the Administrator shall pay to the lessee an amount equal to the compensation assessed under this section or, if that compensation is varied under this Ordinance, an amount equal to that compensation as finally determined under this Ordinance.”.

Compensation  
for resumption  
in other cases.

**23.** Section one hundred and six of the Principal Ordinance is amended by omitting sub-section (3.) and inserting in its stead the following sub-sections:—

“(3.) The Administrator shall, in the case of land comprised in a pastoral lease or pastoral homestead lease, assess the compensation referred to in this section after an inspection of the land has been made by an officer appointed for the purpose by the Administrator.

“(3A.) The Administrator shall, in the case of land comprised in a lease other than a pastoral lease or pastoral homestead lease, require the Valuer-General to assess the compensation referred to in this section.

“(3B.) The Administrator or the Valuer-General, as the case may be, shall give to the lessee notice, in writing, of an assessment under this section.

“(3C.) As soon as practicable after a resumption referred to in sub-section (1.) of this section, the Administrator shall pay to the lessee an amount equal to the compensation assessed under this section or, if that compensation is varied under this Ordinance, an amount equal to the compensation as finally determined under this Ordinance.”.

**24.** Parts VA and VB of the Principal Ordinance are repealed and the following Part is inserted in their stead:—

“PART VA.—OBJECTIONS AND REVIEWS.

Objections.

“106A.—(1.) Subject to section thirty-one of this Ordinance, where the Administrator or the Valuer-General gives to a person notice—

- (a) of the re-appraisalment of the rent of a lease;
- (b) of a determination of the value of improvements on land comprised in a lease or licence under this Ordinance;

- (c) of a determination under section fifty-one of this Ordinance in respect of a lease, other than a lease to which section one hundred and five A of this Ordinance applies;
- (d) of a determination under section one hundred and five of this Ordinance;
- (e) of an assessment of compensation under section one hundred and five A or one hundred and six of this Ordinance; or
- (f) of the forfeiture of a lease under this Ordinance,

that person may, within the prescribed period after receipt of the notice or within such extended period as the Administrator or the Valuer-General, as the case may be, allows, send by post to, or lodge with, the Administrator or the Valuer-General, as the case may be, at his office an objection to the re-appraisement, determination, assessment or forfeiture specifying the grounds of objection.

“(2.) For the purposes of the last preceding sub-section, the prescribed period is—

- (a) in the case of a re-appraisement of rent—three months;
- (b) in the case of an assessment of compensation—six months; and
- (c) in the case of a determination or forfeiture—twenty-eight days.

“(3.) The Administrator or the Valuer-General shall, within twenty-eight days after receiving an objection, consider the objection and may disallow it or allow it in whole or in part and shall forthwith give to the objector notice of his decision upon the objection.

“106B.—(1.) An objector who is dissatisfied with—

- (a) a decision of the Administrator or the Valuer-General upon an objection to a re-appraisement, determination or assessment referred to in sub-section (1.) of the last preceding section; or
- (b) a decision of the Administrator to disallow an objection to the forfeiture of a lease under this Ordinance,

Applications  
for review.

may, within twenty-eight days after receipt of the notice of the decision, by writing request the Administrator or the Valuer-General, as the case may be, to refer the decision to the Land and Valuation Review Tribunal for review.

“(2.) Upon receipt of the request, the Administrator or the Valuer-General, as the case may be, shall forthwith refer the decision to the Tribunal.

“(3.) Upon such a reference, the objector is limited to the grounds stated in the objection.

**Powers of  
Tribunal.**

“106c.—(1.) Where the Tribunal reviews a decision of the Administrator or the Valuer-General upon an objection to a re-appraisal, determination or assessment referred to in sub-section (1.) of section one hundred and six A of this Ordinance, it has all the powers of the Administrator or the Valuer-General, as the case may be, in making the re-appraisal, determination or assessment.

“(2.) Where the Tribunal reviews a decision of the Administrator to disallow an objection to the forfeiture of a lease under this Ordinance, it may confirm or annul the notice forfeiting the lease to which the decision relates.

“(3.) Sections twenty-seven to twenty-nine (inclusive) and section thirty-one of the *Valuation of Land Ordinance 1963* apply to and in relation to a reference to the Tribunal under this Ordinance and the decision of the Tribunal upon that reference in like manner as they apply to and in relation to a reference to the Tribunal under that Ordinance and the decision of the Tribunal upon that last-mentioned reference.

“(4.) For the purposes of section twenty-eight of the *Valuation of Land Ordinance 1963* in its application to a reference to the Tribunal under this Ordinance—

(a) the person requesting the reference;

(b) in the case of a reference of a decision of the Administrator—the Administrator; and

(c) in the case of a reference of a decision of the Valuer-General—the Valuer-General,

are parties to the reference.

“(5.) When the Tribunal gives its decision it shall, at the same time, certify the amount which, in its opinion, would be a reasonable amount to be paid by the Administrator or the Valuer-General or by the other party to the reference, as the case may be, in respect of costs incurred by the reference to the Tribunal.

“(6.) An amount certified under the last preceding subsection is recoverable as a debt, payable by the Administrator, the Valuer-General or by the other party to the reference, as the case may be, in any court of competent jurisdiction.

“ 106D. The validity of a re-appraisal, determination or assessment referred to in sub-section (1.) of section one hundred and six A of this Ordinance is not affected by—

Validity of re-appraisements, &c.

- (a) a failure to give notice of the re-appraisal, determination or assessment;
- (b) the lodging of an objection to the re-appraisal, determination or assessment;
- (c) a failure to give notice of a decision upon an objection to the re-appraisal, determination or assessment; or
- (d) a reference to the Tribunal of a decision upon an objection to the re-appraisal, determination or assessment.

“ 106E.—(1.) Where—

Notice of forfeitures of leases.

- (a) the Administrator gives a notice under this Ordinance forfeiting a lease and the person entitled to object does not, within twenty-eight days after receipt of the notice, object to the forfeiture of the lease;
- (b) the Administrator gives, under section one hundred and six A of this Ordinance, notice of his decision to disallow an objection to the forfeiture of a lease under this Ordinance and the objector does not, within twenty-eight days after receipt of the notice, request the Administrator to refer the decision to the Tribunal for review; or
- (c) upon the review of a decision to disallow an objection to the forfeiture of a lease under this Ordinance, the Tribunal confirms the notice forfeiting the lease,

the Administrator may cause notice of the forfeiture to be published in the *Gazette*.

“ (2.) The forfeiture of a lease under this Ordinance is not effective until a notice of the forfeiture is published in the *Gazette* of the Northern Territory in pursuance of the last preceding sub-section.

“ (3.) A notice published in the *Gazette* of the Northern Territory in pursuance of sub-section (1.) of this section—

- (a) has the same effect as a re-entry and recovery of possession by, or on behalf of, the Crown; and
- (b) is conclusive evidence that the lease to which the notice relates has been forfeited.

“(4.) The Administrator shall forward to the Registrar-General for the Northern Territory a copy of each notice of the forfeiture of a lease published in the *Gazette* of the Northern Territory in pursuance of sub-section (1.) of this section.

“(5.) The receipt of a copy of a notice of the forfeiture of a lease forwarded to him under the last preceding sub-section is sufficient proof of the forfeiture to the Registrar-General, and he shall, immediately upon receipt of the notice, call in the copy of the lease for cancellation.”.

Improvements  
on land in  
respect of which  
grazing licences  
are held.

25. Section one hundred and seven A of the Principal Ordinance is amended—

(a) by omitting from sub-section (4.) the words “to receive compensation for the improvements” and inserting in their stead the words “to be paid, as compensation for the improvements, an amount equal to the value of the improvements immediately after the expiration or determination of the licence”; and

(b) by omitting sub-section (5.).

Land for  
church  
purposes.

26. Section one hundred and twelve A of the Principal Ordinance is amended by omitting sub-section (5.) and inserting in its stead the following sub-section:—

“(5.) On the determination of a lease granted under this section (whether by forfeiture, surrender or otherwise), the lessee is entitled to be paid for any improvements effected on the land comprised in the lease an amount equal to the value of the improvements to the Commonwealth immediately after the termination of the lease.”.

27. After section one hundred and twenty-four of the Principal Ordinance, the following section is inserted:—

Service of  
notices, &c.

“124A. Except where otherwise provided in this Ordinance, a notice required by this Ordinance to be given to any person may be delivered personally to that person or sent by post, addressed—

(a) in the case of an individual, to his last-known place of business or residence; and

(b) in the case of a corporation, to its registered office in the Territory.”.

Additional  
amendments.

28 The Principal Ordinance is amended as set out in the Schedule to this Ordinance.

29.—(1.) The Principal Ordinance continues to apply, *Savings.* notwithstanding the amendments effected by this Ordinance—

(a) in a case where a notice under—

- (i) sub-section (1.) of section twenty-four A;
- (ii) sub-section (5.) of section thirty-one;
- (iii) sub-section (3.) or (3c.) of section thirty-two;
- (iv) sub-section (2.) of section thirty-nine A;
- (v) sub-section (3.) of section forty-eight F;
- (vi) section fifty;
- (vii) sub-section (3.) of section fifty-nine N; or
- (viii) sub-section (2.) of section fifty-nine W, of the Principal Ordinance had been given before the commencement of this Ordinance;

(b) in a case where the liability of the Commonwealth or the Administrator to make a payment under the Principal Ordinance for or in respect of improvements had arisen, and the payment had not been made, before the commencement of this Ordinance;

(c) in a case where an application to the Supreme Court of the Northern Territory of Australia under section twenty-three A of the Principal Ordinance was pending at the commencement of this Ordinance;

(d) in a case where a matter or proceeding was pending in the Land Court, or a court on appeal from the Land Court, at the commencement of this Ordinance;

(e) in a case where, under any other law in force in the Territory, an appeal may be made or a matter may be referred to the Land Court.

(2.) Notwithstanding the repeal by this Ordinance of Part VA. of the Principal Ordinance, all judgments and orders of the Land Court, or of a court on appeal from the Land Court, subsisting at the commencement of this Ordinance continue in force as if that Part had not been repealed.

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## THE SCHEDULE.

## Section 28.

## ADDITIONAL AMENDMENTS.

Sections amended.	Amendments.
24A	(a) Omit from paragraph (b) of sub-section (3.) and from sub-section (4.) "by notice in the <i>Gazette</i> ", insert "by notice in writing to the lessee". (b) Omit sub-sections (5.), (6.) and (7.).
24AA	Repeal.
24AB	Repeal.
24B	Omit "by notice in the <i>Gazette</i> ", insert "by notice in writing to the lessee".
24C	Repeal.
24D	Repeal.
24E	Repeal.
29	Omit from sub-section (3.) "by notice in the <i>Gazette</i> ", insert "by notice in writing to the mortgagee".
30	Omit from sub-section (6.) "by notice in the <i>Gazette</i> ", insert "by notice in writing to that person".
38A	(a) After "may" in sub-section (11.), insert, "by notice in writing to that person and, if that person is not the holder of the lease that is to be forfeited, to the holder of that lease". (b) Add at the end of sub-section (11A.) "by giving notice in writing of the forfeiture to the person".
39A	After "may" in sub-section (4.), insert "by notice in writing to the lessee".
48F	Omit from sub-section (4.) "forfeit the lease", insert "by notice in writing to that lessee, mortgagee or person holding the lease, as the case may be, forfeit the lease".
59L	After "shall" in sub-section (3.), insert, "by notice in writing to the mortgagee;"
59M	After "shall" in sub-section (5.), insert, "by notice in writing to the legal personal representative;"
59N	Omit from sub-section (4.) "forfeit the lease", insert "by notice in writing to that lessee, mortgagee or person holding the lease, as the case may be, forfeit the lease".
59Q	After "shall" in sub-sections (1.) and (3.), insert, "by notice in writing to the lessee".
59S	After "shall" in sub-section (1.), insert, "by notice in writing to the lessee".
59W	After "may" in sub-section (4.), insert, "by notice in writing to the lessee".
72	Omit from sub-section (2.) "determine the unimproved", insert "require the Valuer-General to determine the unimproved capital".
74	(a) After "unimproved" (wherever occurring), insert "capital". (b) Omit "Administrator", insert "Valuer-General".
74B	After "unimproved" in sub-section (1.), insert "capital".