

FREEHOLD TITLES ORDINANCE 1970

477

No. 29 of 1970

An Ordinance to amend the *Freehold Titles Ordinance 1962-1968*

[Reserved 13 May, 1970]

[Assented to 20 June, 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 *Freehold Titles Ordinance 1970*. Short title and citation

(2.) The *Freehold Titles Ordinance 1962-1968* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance as amended by this Ordinance may be cited as the *Freehold Titles Ordinance 1962-1970*.

2. The title of the Principal Ordinance is amended— Title of Principal Ordinance

(a) by omitting the words and figures "*Darwin Town Area Leases Ordinance 1947-1962*" and inserting in their stead the words and figures "*Darwin Town Area Leases Ordinance 1947*"; and

(b) by omitting the words and figures "*Church Lands Leases Ordinance 1947-1961*" and inserting in their stead the words and figures "*Church Lands Leases Ordinance 1947*".

3. Section 3 of the Principal Ordinance is amended— Definitions

(a) by inserting after the definition of "State Act" the following definitions:—

"the *Church Lands Leases Ordinance 1947*' includes that Ordinance as amended;

"the *Crown Lands Ordinance 1931*' includes that Ordinance as amended;

"the *Darwin Town Area Leases Ordinance 1947*' includes that Ordinance as amended;"; and

(b) by omitting the definition of "town lands" and inserting in its stead the following definition:—

" 'town lands' means lands set apart as town lands under the provisions of the *Crown Lands Ordinance 1931* or of any law in force in the Northern Territory prior to the commencement of that Ordinance;".

Applications for grant of fee simple in respect of town lands, &c.

4. Section 4 of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:—

"(1.) A lessee under—

(a) an existing lease of town lands granted in pursuance of Division 4 of Part III. or section one hundred and twelve A of the *Crown Lands Ordinance 1931*;

(b) an existing lease of town lands granted in pursuance of an Ordinance referred to in section two of the *Crown Lands Ordinance 1931*;

(c) an existing lease granted in pursuance of the *Darwin Town Area Leases Ordinance 1947*; or

(d) an existing lease granted in pursuance of the *Church Lands Leases Ordinance 1947*,

may make application for the grant to him of an estate in fee simple of any portion, or all, of the land that is included in the lease."

5. After section 6 of the Principal Ordinance the following section is inserted:—

"6A. The Administrator shall reject an application under section four of this Ordinance if—

(a) the lease in respect of which the application is made—

(i) is a lease of town lands granted in pursuance of section sixty eight A, sixty-eight C, sixty-eight D, sixty-eight E or sixty-eight G of the *Crown Lands Ordinance 1931*; or

(ii) is a lease granted in pursuance of section sixteen A, sixteen B or sixteen D of the *Darwin Town Area Leases Ordinance 1947*; and

(b) The application is made less than five years after the date on which the lessee or his predecessor in title obtained from the Crown the right to be granted the lease."

Rejection of certain applications where lease commenced less than five years before application made

6. Section 7 of the Principal Ordinance is amended by inserting in sub-section (1.), after the word "shall", the words " , except where he has rejected it under section six A of this Ordinance,".

Procedure upon application

7. Section 9 of the Principal Ordinance is amended by omitting the words "The Minister shall" and inserting in their stead the words "Subject to this Ordinance, the Minister shall, except where the Administrator has rejected the relevant application under section six A of this Ordinance,".

Grant or further consideration of application

8. Section 21 of the Principal Ordinance is amended by omitting the words and figures "*Darwin Town Area Leases Ordinance 1947-1962*" and inserting in their stead the words and figures "*Darwin Town Area Leases Ordinance 1947*".

Party-walls

9. The amendments effected by sections 2, 3, 4 and 8 of this Ordinance shall be deemed to have come into operation on the date on which the *Freehold Titles Ordinance 1962* came into operation.

Operation of sections 2, 3, 4 and 8
