

SPECIAL PURPOSES LEASES REGULATIONS*

- Citation.** 1. These Regulations may be cited as the *Special Purposes Leases Regulations*.*
- Interpretation.** 2.—(1.) In these Regulations, unless the contrary intention appears—
 “qualified person” means a person, Government, association or company to whom or to which the Minister may grant a lease for a special purpose in accordance with the Ordinance; and
 “the Ordinance” means the *Special Purposes Leases Ordinance* 1953-1954.
- (2.) In these Regulations, a reference to a form by number is a reference to the form so numbered in the Schedule to these Regulations.
- Form of application.** 3.—(1.) An application for a lease may be made by a qualified person in accordance with Form 1.
- (2.) The application shall be lodged at the Lands Office, Darwin.
- Fee payable on application.** 4.—(1.) An application for a lease shall be accompanied by a fee of One pound ten shillings.
- (2.) If an application is not granted, the Administrator shall refund the fee paid with the application, less any expenses incurred by the Administrator in connexion with the application.
- (3.) If an application is granted, no additional fee shall be payable for the preparation and registration of the lease.
- (4.) If an application is withdrawn or is deemed to have been withdrawn, the fee paid with the application shall not be refunded.
- General conditions of leases.** 5. A lease shall contain—
- (a) a reservation of a right of entry in favour of the Administrator, or an officer authorized in writing by the Administrator, at all reasonable times and in any reasonable manner, to enter upon the leased land or any part of it and to inspect the leased land or any part of it and any improvements on it;
- (b) a reservation to the Crown of all minerals and mineral substances in or on the leased land, including gold, silver, copper, tin, other metals, ores and substances containing metals, gems, precious stones, coal, shale, mineral oils and valuable earths or substances, together with the right to authorize any persons to enter upon the land to mine, work for, win, recover and remove them or any of them, and to do all things necessary or convenient for those purposes;
- (c) a reservation of a power to resume the leased land in accordance with the Ordinance;

* Regulations 1955, No. 10, in force under the *Special Purposes Leases Ordinance* 1953-1965; made on 2nd December, 1955; notified in *Northern Territory Government Gazette* and commenced on 21st December 1955.

- (d) a reservation of a right of entry for the purposes of providing and maintaining water, sewer, electricity and other services on the land leased, or on other land;
- (e) a covenant by the lessee that he will pay the rent annually in advance;
- (f) a covenant by the lessee that he will use the land only for the purpose, or a purpose ancillary to the purpose, for which the lease is granted;
- (g) a covenant by the lessee that he will pay all rates and taxes which may at any time become due in respect of the leased land;
- (h) a condition that the lease does not confer any rights on the lessee until the rent for the first year of the term has been paid;
- (i) a condition that the lessee has no right of entry on the land which is the subject of the lease until the rent for the first year of the term has been paid;
- (j) a condition that, if the rent (other than the rent for the first year) is not paid on or before the expiry of three months from the date on which it becomes payable, an additional amount (which shall be deemed to be recoverable as rent) at the rate of Five pounds per centum per annum from the expiry of that period shall become payable by the lessee in respect of the rent overdue, if demanded by the Administrator; and
- (k) a condition that the lessee, having paid all rent due by him, may at any time surrender the lease in accordance with the provisions of the Ordinance and these Regulations.

6.—(1.) Where an applicant fails to execute a lease within three months after the date on which the form of lease is forwarded to him for execution, the Administrator may give notice in writing to the applicant that, unless he executes the lease within the time specified in the notice, the application shall be deemed to have been withdrawn. Procedure where applicant fails to execute lease.

(2.) The time specified in a notice under the last preceding sub-regulation shall not be less than fourteen days after the date of the notice.

(3.) Where an applicant to whom notice has been given in accordance with the preceding provisions of this regulation fails to execute the lease within the time specified in that notice, the application shall be deemed to have been withdrawn.

7. A surrender of the whole or a part of a lease shall be in accordance with Form 2 and shall be lodged at the Lands Office, Darwin. Surrender of lease.

8. Moneys which are due under a lease but are unpaid may be sued for and recovered in any Court of competent jurisdiction in the name of the Commonwealth by a person authorized in that behalf by the Administrator. Suits for moneys due but unpaid.

Special Purposes Leases Regulations

THE SCHEDULE.

FORM 1.

Regulation 3.

THE NORTHERN TERRITORY OF AUSTRALIA.
Special Purposes Leases Ordinance 1953-1954.

APPLICATION FOR A LEASE.

Application is hereby made under the *Special Purposes Leases Ordinance 1953-1954*, for a lease for a period of _____ years, of the following land, being unleased land belonging to the Crown in the Northern Territory:—

The applicant is qualified to apply, under section four of that Ordinance, as

The amount of capital which the applicant is prepared to invest on the land proposed to be leased is

The land shall, if the lease is granted, be used for the following purpose:—

The applicant undertakes to pay the amount determined by the Administrator to be the cost of surveying the land.

If the lease now applied for is granted, the applicant undertakes to use the land for the purpose set out in this application, to execute a lease in duplicate, and to perform the covenants and conditions and observe the reservations of the lease as executed.

The applicant declares that the particulars set out above are true in every respect.

The applicant deposits herewith the sum of One pound ten shillings as application fee.

Dated this _____ day of _____, 19 .

(Applicant.)

To—
 The Administrator of the Northern
 Territory of Australia,
 Darwin.

FORM 2.

Regulation 7.

THE NORTHERN TERRITORY OF AUSTRALIA.
Special Purposes Leases Ordinance 1953-1954.

SURRENDER OF LEASE.

The lessee,

of

being the holder of lease No. _____, issued under the *Special Purposes Leases Ordinance 1953-1954*, hereby surrenders the whole of that lease or the part of the lease which comprises the following land:—

Dated the _____ day of _____, 19 .

Witness. _____ Lessee.

To—
 The Administrator of the Northern
 Territory of Australia,
 Darwin.