NORTHERN TERRITORY OF AUSTRALIA

SPECIAL PURPOSES LEASES REGULATIONS 1955

As in force at 13 September 2025

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SPECIAL PURPOSES LEASES REGULATIONS 1955

Regulations under the Special Purposes Leases Act 1953

1 Citation

These Regulations may be cited as the *Special Purposes Leases Regulations 1955*.

2 Interpretation

(1) In these Regulations:

qualified person means a person, Government, association, statutory corporation established under a law of the Commonwealth or of a State or Territory, or company to whom or to which the Minister may grant a lease for a special purpose in accordance with the Act.

the Act means the Special Purposes Leases Act 1953.

(2) In these Regulations, a reference to a form by number is a reference to the form as numbered and approved by the Minister under section 32A of the Act.

3 Form of application

- (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.

4 Fee payable on application

- (1) An application for a lease, other than a lease within the Darwin Town Area or a municipality, shall be accompanied by a fee of 3 dollars.
- (2) If an application is not granted, the Minister shall refund the fee paid with the application, less any expenses incurred by the Minister in connection 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- (4) If an application is withdrawn or is deemed to have been withdrawn, the fee paid with the application shall not be refunded.

5 General conditions of leases

A lease shall contain:

- (a) a reservation of a right of entry in favour of the Minister, or an officer authorised in writing by the Minister, 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 authorise 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 Act;
- (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 the lessee will pay the rent annually in advance;
- (f) a covenant by the lessee that the lessee 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 the lessee 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;
- 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 3 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 5 per cent per annum from the expiry of that period shall become payable by the lessee in respect of the rent overdue, if demanded by the Minister; and
- (k) a condition that the lessee, having paid all rent due by the lessee, may at any time surrender the lease in accordance with the provisions of the Act and these Regulations.

6 Procedure where applicant fails to execute lease

- (1) If an applicant fails to give written agreement of acceptance to the Minister within 3 months after the day of receipt of an offer of a special purposes lease, the Minister may, by notice in writing to the applicant, advise a time after which the offer will be withdrawn.
- (2) The time specified in a notice under subregulation (1) shall not be less than 14 days after the date of the notice.
- (3) If an applicant to whom a notice under subregulation (1) has been given fails, within the time specified in the notice, to give the written agreement of acceptance referred to in that subregulation, the offer is withdrawn.

8 Suits for moneys due but unpaid

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 Territory by a person authorised in that behalf by the Minister.

9 Form for the purpose of section 4A

For the purposes of section 4A of the Act, a form lodged under that section must be in accordance with Form 3.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended od = order
app = appendix om = omitted
bl = by-law pt = Part

ch = Chapter r = regulation/rule
cl = clause rem = remainder
div = Division renum = renumbered

exp = expires/expired rep = repealed
f = forms s = section
Gaz = Gazette sch = Schedule
hdg = heading sdiv = Subdivision

ins = inserted SL = Subordinate Legislation

It = long title sub = substituted

nc = not commenced

2 LIST OF LEGISLATION

Special Purposes Leases Regulations (SL No. 10, 1955)

Notified 21 December 1955 Commenced 21 December 1955

Ordinances Revision Ordinance 1973 (Act No. 87, 1973)

Assent date 11 December 1973 Commenced 11 December 1973

Amendments of the Special Purposes Leases Regulations (SL No. 6, 1978)

Notified 2 June 1978 Commenced 2 June 1978

Transfer of Powers (Self-Government) Ordinance 1978 (Act No. 54, 1978)

Assent date 1 July 1978 Commenced 1 July 1978 (s 2)

Real Property (Consequential Amendments) Act 1991 (Act No. 33, 1991)

Assent date 25 June 1991

Commenced 1 October 1991 (*Gaz* S49, 1 October 1991)

Amendments of Special Purposes Leases Regulations (SL No. 50, 1991)

Notified 1 October 1991

Commenced 1 October 1991 (r 1, s 2 Real Property (Consequential

Amendments) Act 1991 (Act No. 50, 1991) and Gaz S49,

1 October 1991)

Lands, Planning and Environment Legislation Amendment Act 2025 (Act No. 25, 2025)

Assent date 12 September 2025

Commenced pt 6: nc; rem: 13 September 2025 (s 2(1))

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the list of amendments to this reprint) are made by s 11 of the *Ordinances Revision Ordinance 1973* (Act No. 87, 1973) (as amended) to the following provisions: rr 2, 4, 5, 6 and sch.

4 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: rr 1 and 2 and sch.

5 LIST OF AMENDMENTS

r 2	amd No. 6, 1978, r 1; Act No. 25, 2025, s 47
r 4	amd No. 6, 1978, r 2; Act No. 54, 1978, s 6
r 5	amd No. 6, 1978, r 3; Act No. 54, 1978, s 6; Act No. 25, 2025, s 47
r 6	amd Act No. 54, 1978, s 6; Act No. 33, 1991, s 7; Act No. 25, 2025, s 47
r 7	rep Act No. 33, 1991, s 7
r 8	amd Act No. 54, 1978, s 6; Act No. 25, 2025, s 47
r 9	ins No. 50, 1991, r 2
	amd Act No. 25, 2025, s 47
sch	amd No. 6, 1978, r 4; Act No. 54, 1978, s 6; No. 50, 1991, r 3
	om Act No. 25, 2025, s 47