

THE NORTHERN TERRITORY OF AUSTRALIA

No. 94 of 1979

AN ACT

To amend the Crown Lands Act

[Assented to 10 August 1979]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

- | | |
|---|---------------------|
| 1. This Act may be cited as the <u>Crown Lands Act (No. 2) 1979</u> . | Short title |
| 2. The <u>Crown Lands Act</u> is in this Act referred to as the Principal Act. | Principal Act |
| 3.(1) Section 24A(1) of the Principal Act is omitted and the following sub-sections substituted: | Breach of covenants |
| <p>"24A.(1) Where by virtue of any provision contained in any lease, not being a residence covenant under an agricultural lease, the Territory may determine the lease, the lease shall not be forfeited until 28 days notice that the Territory intends, in pursuance of the powers contained in the lease, to forfeit the lease, for breach of the conditions set out in the notice, has been given to the following persons:</p> <ul style="list-style-type: none">(a) the lessee;(b) where the land included in the lease is subject to a mortgage or other encumbrance registered under the <u>Real Property Act</u> - the mortgagee or encumbrancee;(c) where any person has any interest registered under that Act in the lease or the land - that person; and(d) where a caveat lodged under that Act is in force in respect of the land - the caveator. <p>"(1A) Any notice given to any person under sub-section (1) shall be in writing signed by the Minister and shall be deemed to have been duly given if -</p> | |

- (a) in the case of a lessee - it is delivered to him or sent by certified mail addressed to the lessee at his last known place of abode or his address specified in the lease, or if it is posted in a conspicuous place on the land to which it relates; and
- (b) in the case of any person referred to in paragraphs (b), (c) or (d) of that sub-section - it is delivered to that person or sent by certified mail addressed to him at his address as entered in the Register Book of Crown Leases in pursuance of the Real Property Act or appointed in the caveat as the place at which notices relating to the caveat may be served, as the case may be.

"(1B) The lessee may furnish to the Minister any explanation of the reason why he has not complied with the conditions specified in the notice."

(2) Section 24A(3) is amended by inserting at the commencement of paragraph (a) "in the manner specified in sub-section (1A)".

(3) Section 24A(4) is omitted and the following sub-section substituted:

"(4) If a lessee fails to comply with any direction under sub-section (2) or with any notice under paragraph (a) of sub-section (3), the Minister may, by notice in writing given to the lessee and to each of the persons referred to in sub-section (1), in the manner specified in sub-section (1A), forfeit the lease."
