

THE NORTHERN TERRITORY OF AUSTRALIA

No. 156 of 1979

AN ACT

To amend the Special Purposes Leases Act

[Assented to 12 December 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 Special Purposes Leases Act (No. 2) 1979. Short title
2. The Special Purposes Leases Act is in this Act referred to as the Principal Act. Principal Act
3. Section 5BA of the Principal Act is amended by omitting sub-sections (2) to (4) inclusive. Direct grants in towns
4. Section 4 of the Principal Act is amended by omitting sub-section (2) and substituting the following: Power to grant leases for special purposes
"(2) Subject to this Act, the Minister shall not grant a lease of land under this Act until all amounts payable under this Act in respect of the right to a lease, and such amount, if any, as the Minister determines to be the cost of surveying the land proposed to be leased, have been paid."
5. Section 5BB of the Principal Act is repealed and the following section substituted: Direct grants premiums
"5BB.(1) Where an application for a lease of land has been made, and the lease, if granted, is to be granted under section 5B, the Minister may, if he thinks fit, determine that there shall be paid, by way of premium for the lease, an amount determined by him, being not greater than the difference between the current market value determined by the Valuer-General and the reserve price, if any.
"(2) Where the Minister determines under sub-section (1) a premium for a lease and under section 8(2) as a condition of the lease that the premium and reserve price, if any, may be paid in instalments, the applicant shall not obtain a right to the lease until he has paid the first of those instalments."

Special Purposes Leases (No. 2)

Security and restriction on transfer, &c., where part of reserve price unpaid when lease granted

Terms and conditions of leases

Rent

Re-appraisalment of value of land

6. Section 5BC(1) of the Principal Act is amended by omitting "Where a lease" and substituting "Subject to section 5BB, where a lease".

7. Section 8 of the Principal Act is amended -

(a) by omitting "A lease granted" and substituting "(1) Subject to sub-section (2), a lease granted"; and

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

"(2) A lease of land granted under section 5B shall be subject to such reservations, covenants, conditions and provisions (including as to the rent, if any, to be paid) as are determined by the Minister and specified in the lease instrument."

8. Section 10A of the Principal Act is amended by omitting sub-section (1) and substituting the following sub-section:

"(1) Subject to this Act, the rent payable in respect of land comprised in a lease shall be -

(a) in the case of a lease granted after the commencement of the Special Purposes Leases Ordinance 1965 and before the commencement of the Special Purposes Leases Act (No. 2) 1979 -

(i) such rent as is reserved under the lease; or

(ii) if no rent is so reserved, the annual rent of 5 per cent of the unimproved capital value of the land; and

(b) in any other case, the rent, if any, reserved under the lease."

9. Section 11A of the Principal Act is amended by adding at the end the following sub-section:

"(8) The provisions of this section do not apply to or in relation to a lease granted under section 5B after the commencement of the Special Purposes Leases Act (No. 2) 1979 where the payment of rent is not reserved under the lease."