NORTHERN TERRITORY OF AUSTRALIA

SPECIAL PURPOSES LEASES ACT 1953

As in force at 13 September 2025

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 13 September 2025

SPECIAL PURPOSES LEASES ACT 1953

An Act relating to the granting of leases for special purposes, the resumption of those leases and for other purposes

1 Short title

This Act may be cited as the *Special Purposes Leases Act 1953*.

2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3 Definitions

In this Act:

Aboriginal Land Council means the Aboriginal Land Council established under section 21 of the *Aboriginal Land Rights (Northern Territory) Act 1976* for the area that contains the particular area of land.

Aboriginal reserve includes land which is reserved under a law in force in the Territory for the use and benefit of the Aboriginal people of the Territory.

agricultural does not include horticultural.

approved form means a form approved under section 32A.

approved person means:

(a) an Aboriginal person of or over the age of 18 years; or

(b) a company or a co-operative registered under the *Co-operatives (National Uniform Legislation) Act 2015* all the shares in which are beneficially owned by Aboriginal people.

association means an association incorporated under the *Associations Act 2003*.

Darwin Town Area means the land described in the Schedule to the *Darwin Lands Acquisition Act 1945* (Cth) as in force immediately before its repeal.

improvements means buildings, erections, structures and any works which are suitable to the land and, having been executed, add to the leasing value of the land, but does not include buildings, erections, structures or works paid for by the Commonwealth or the Territory and in respect of which the Commonwealth or the Territory has not received, and is not entitled to receive, payment from any person.

lease means a lease granted under this Act in accordance with the form prescribed under the *Land Title Act 2000*.

lessee includes the person to whom a lease is granted, a person to whom a lease is transferred with the approval of the Minister and a person to whom a lease passes under a will or an intestacy.

municipality means a municipality constituted and in existence under the *Local Government Act 2019*.

reserve price, in relation to the right to be granted a lease of a parcel of land, means the minimum amount payable, whether in one sum or by instalments, for the right to be granted a lease of that parcel of land.

right to a lease, in relation to a parcel of land, means right to be granted a lease of that parcel of land.

special purpose means any purpose other than a private residential purpose within a town, or a site for a town, within the meaning of the *Crown Lands Act 1992*, a pastoral, agricultural or mining purpose.

the Act means the *Land Title Act 2000*.

the Land and Valuation Review Tribunal or ***the Tribunal*** means the Land and Valuation Review Tribunal established by the *Valuation of Land Act 1963*.

the Valuer-General means the person for the time being holding, or performing the duties of, the office of Valuer-General under the *Valuation of Land Act 1963*.

unimproved capital value has the same meaning as in the *Valuation of Land Act 1963*.

4 Power to grant leases for special purposes

(1) Notwithstanding the provisions of any other law in force in the Northern Territory, but subject to this Act, the Minister may, in the name of the Territory, grant a lease for a special purpose of any unleased land belonging to the Crown or the Territory in the Northern Territory, including the bed of the sea within the territorial limits of the Northern Territory and land reserved under any Act:

(a) to a person not under 18 years of age;

(b) to the Government of a country outside the Commonwealth, or to the duly accredited agent of that Government, for a diplomatic, consular or official purpose of that Government, or for the purpose of a residence for an accredited agent of that Government, or for all or any of those purposes;

(c) to an association if the special purpose is within the objects or purposes of the association;

(d) to a company, if the special purpose is within the objects of the company; or

(e) to a statutory corporation established under a law of the Commonwealth or of a State or Territory, if the special purpose is within the powers of the corporation.

(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.

(3) The Minister shall not grant a lease of any land under this Act after the date upon which the *Special Purposes Leases Act 1979* comes into operation if the use or development of that land for the special purpose proposed is in contravention of the development provisions, or an interim development control order, under the *Planning Act 1999*.

4A Agreement to grant lease for special purpose

(1) Where a person has a right to be granted a lease for a special purpose of unleased land referred to in section 4(1), the Minister may, in the Minister's discretion and the approved form, lodge with the Registrar-General details of the means by which the right arose.

(2) On the lodgement of the details referred to in subsection (1), the Registrar-General shall, under the *Land Title Act 2000*, create a folio of the Register and shall issue a certificate as to title in relation to the land.

(3) Notwithstanding that a lease of land for a special purpose has not been signed by the lessee or the lessor, a folio of the Register created, and a certificate as to title issued, in relation to the land by the Registrar-General shall be deemed to be a lease.

5 Delegation

(1) The Minister may, by instrument in writing, delegate to a person or authority all or any of his respective powers, functions and authorities under this Act (except this power of delegation) in relation to a matter or class of matters so that the delegated powers, functions and authorities may be exercised by the delegate with respect to the matter or class of matters specified in the instrument of delegation.

(2) A delegation under subsection (1) is revocable in writing at will and does not prevent the exercise of a power, function or authority by the Minister.

5A Power to invite applications for leases

(1) Subject to this section, the Minister may, by notice in the *Gazette*, invite applications for the right to a lease of any parcel of unleased land and shall specify in the notice:

(a) the date on which the applications close; and

(b) the situation and description of the land offered for lease; and

(c) the purposes for which the land may be used; and

(d) the term of the lease; and

(e) in respect of each parcel of land situated within the Darwin Town Area or within a municipality, the annual rent payable (if any); and

(f) in respect of each parcel of land not situated within the Darwin Town Area or within a municipality:

(i) the annual rent payable; and

(ii) that the successful applicant will be required to pay rent in advance in respect of a period specified in the notice, being a period of not less than one year; and

(g) in respect of any improvements on the land:

(i) a description of them; and

(ii) the amount payable for them; and

(iii) the period within which, and the terms, including interest, upon which, the successful applicant will be required to pay for them; and

(h) in respect of each parcel:

(i) if the parcel is not within the Darwin Town Area or a municipality, the survey fee, being the survey fee determined by the Minister, and the unimproved capital value of the land, being the unimproved capital value of the land as determined by the Valuer-General; or

(ii) if the parcel is within the Darwin Town Area or a municipality, the reserve price for the right to the lease, being the amount determined by the Minister to be the reserve price for the right to the lease.

(1A) For subsection (1)(e), the Minister may:

(a) determine the rent payable; and

(b) if rent is payable – decide when and how to levy the rent.

(2) An application made under subsection (1) must be made in the approved form (if any) and subject to any conditions directed by the Minister.

(3) An applicant for a lease shall, in his application, state:

(a) if the land is not within the Darwin Town Area or a municipality – his estimate of the unimproved capital value of the land; or

(b) if the land is within the Darwin Town Area or a municipality – the amount he offers to pay for the right to a lease of the land.

(4) Other things being equal, the right to a lease shall be offered to the applicant who, under subsection (3):

(a) in the case where the land is not within the Darwin Town Area or a municipality, places the highest estimate of the unimproved capital value of the land; or

(b) in the case where the land is within the Darwin Town Area or a municipality, offers an amount for the right that is higher than the amount so offered for the right by any other applicant.

(5) If 2 or more applicants state the same amount under subsection (3) and are otherwise equally eligible as lessees, the Minister may determine by ballot or otherwise the applicant to whom the right to a lease may be offered.

(6) Notwithstanding subsections (4) and (5), the right to a lease of a parcel of land within the Darwin Town Area or a municipality, shall not be offered to any applicant if the amount offered by him under subsection (3) is less than the reserve price for the right to the lease of that parcel as determined by the Minister and specified by him in the notice inviting applications for the grant of a lease of that parcel.

(7) Where an applicant to whom the right to a lease is offered under this section accepts the offer and pays to the Territory:

(a) if the land is not within the Darwin Town Area or a municipality – the amount by which his estimate of the unimproved capital value of the land exceeds the unimproved capital value of the land specified in the notice referred to in subsection (1); or

(b) if the land is within the Darwin Town Area or a municipality – the amount offered by him under subsection (3),

and, in addition, where the land proposed to be leased is not within the Darwin Town Area or within a municipality, the first year's rent and the survey fee determined by the Minister, he shall be informed in writing that the Minister has approved that the lease be granted to him and shall thereupon obtain the right to the lease.

(8) At any time before the right to a lease of a parcel of land is obtained under this section, the Minister may:

(a) revoke the notice inviting applications for the right to a lease of the parcel; and

(b) invite fresh applications for the right to a lease of the parcel under the same or other conditions.

5AB Auctioning of leases

(1) Subject to this section, the Minister may offer by auction the right to a lease of any unleased land in respect of which a lease may be granted under section 4.

(2) The Minister shall require the Valuer-General to determine:

(a) the unimproved capital value of each parcel of land the right to a lease of which is offered by auction under this section; and

(b) the value of the improvements, if any, on each such parcel of land.

(3) Bidding at the auction shall be:

(a) if the land is not within the Darwin Town Area or a municipality – by capital sum representing the unimproved capital value of the land; or

(b) if the land is within the Darwin Town Area or a municipality – by capital sum representing the value placed by the bidder on the right to be granted a lease of the land.

(4) At the auction there shall be:

(a) if the land is not within the Darwin Town Area or a municipality – a reserve value, which shall be the amount determined by the Valuer-General to be the unimproved capital value of the land; or

(b) if the land is within the Darwin Town Area or a municipality – a reserve price, which shall be the amount determined by the Minister to be the reserve price for the right to a lease of the land.

(5) The Minister shall cause notice of the auction to be published in the *Gazette* not less than 30 days or more than 90 days prior to the date of the auction and shall specify in the notice:

(a) the date, time and place of the auction; and

(b) the situation and description of the land offered for lease; and

(c) the purpose for which the land may be used; and

(d) the term of the lease; and

(e) in respect of each parcel of land situated within the Darwin Town Area or within a municipality, the annual rent payable (if any); and

(f) in respect of each parcel of land not situated within the Darwin Town Area or within a municipality:

(i) the annual rent payable; and

(ii) that the successful bidder will be required to pay rent in advance in respect of a period specified in the notice, being a period of not less than one year; and

(g) in respect of any improvements on the land:

(i) a description of them; and

(ii) the amount payable for them; and

(iii) the period within which, and the terms, including interest, upon which, the successful bidder will be required to pay for them; and

(h) in respect of each parcel of land to be offered:

(i) if the parcel is not within the Darwin Town Area or a municipality – the survey fee, being the survey fee determined by the Minister, and the reserve value of the land; or

(ii) if the parcel is within the Darwin Town Area or a municipality – the reserve price for the right to the lease.

(5A) Where such a notice specifies a parcel of land as land the right to a lease of which is to be offered at an auction, the Minister may, at any time before the right to a lease of that parcel of land is offered at that auction, direct that it shall not be offered at that auction; and, if he does so, that right shall not be offered at that auction.

(5B) For subsection (5)(e), the Minister may:

(a) determine the rent payable; and

(b) if rent is payable – decide when and how to levy the rent.

(6) The successful bidder shall, at the time of the auction, pay to the Minister:

(a) if the land is not within the Darwin Town Area or a municipality – a sum representing the difference (if any) between the reserve value of the land and the unimproved capital value of the land as bid by the successful bidder and, in addition, the first year's rent and the survey fee determined by the Minister; or

(b) if the land is within the Darwin Town Area or a municipality – the amount of the bid that made him the successful bidder.

(7) The successful bidder shall be entitled to, and shall accept, sign and seal, a lease of the parcel of land for which he is the successful bidder.

(8) Where the successful bidder has failed to accept, sign and seal, within 3 months after the date of the auction, a lease of the land for which he is the successful bidder, the Minister may, at any time during which the failure continues, by notice in the *Gazette*, after at least 3 months' notice (given in accordance with the provisions of this section) of his intention so to do, determine the right of the successful bidder to a lease.

(9) The notice of the intention of the Minister to determine the right of the successful bidder to the lease shall be given in writing and signed by the Minister and shall be deemed to have been duly given to the successful bidder if it is served on the person, sent to the person by electronic communication or if it is posted in a conspicuous place on the land to which it relates.

(11) Where a successful bid has been made by a person purporting to bid as the agent of another person and the secondly mentioned person has not acknowledged to the Minister the authority in that behalf of the person bidding or has not ratified the bid, the notice of the intention of the Minister to determine the right of the successful bidder to the lease may be given in accordance with the provisions of this section as if either of the persons mentioned in this subsection were the successful bidder.

(12) A person whose right to a lease of land has been determined under this section shall not have any claim for compensation in respect of the determination or for the recovery of any rent or other moneys paid to the Commonwealth or the Territory in respect of the land.

5B Grant of lease without applications being called

(1) The Minister may grant a lease of land for a special purpose notwithstanding that applications have not been invited under section 5A and that the right to the lease has not been offered by auction under section 5AB:

(a) if the land is land which was included in a pastoral or agricultural lease which has been surrendered as to that land for the purpose of enabling that land to be leased for a special purpose;

(b) if the land is land reserved under any Act; or

(c) if the Minister is satisfied that the circumstances are such that the lease ought to be granted without first inviting applications for or offering by auction the right to the lease.

(2) Where a pastoral or agricultural lease has been surrendered as to any land for the purpose of enabling that land to be leased for a special purpose and the surrender has been accepted by the Minister subject to conditions specified in writing by the lessee at the time of the surrender, the Minister shall not grant a lease of that land except to such person and on such terms and conditions as are not inconsistent with the conditions so specified or are consented to in writing by the lessee of the pastoral or agricultural lease.

5BA Direct grants in towns

(1) Before a lease of land within the Darwin Town Area or a municipality is granted under section 5B the Minister shall determine an amount to be the reserve price for the right to the lease.

5BB Direct grants premiums

(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 subsection (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.

5BC Security and restriction on transfer, &c., where part of reserve price unpaid when lease granted

(1) Subject to section 5BB, where a lease is granted before the person to whom it is granted has paid in full the amount of the reserve price (if any) for the right to the lease, the lease instrument shall contain a covenant under which the lessee covenants to pay the part of the amount that is unpaid as at the date on which the lease is granted, together with interest thereon, in accordance with the written agreement under which he has undertaken to do so.

(2) Where, under this Act, a person has obtained the right to a lease without having paid the full amount of the reserve price the lease is not capable of being transferred or assigned either at law or in equity until the full amount of the reserve price has been paid.

(3) Subsection (2) does not apply so as to prevent a transfer or assignment of a lease or of an interest in a lease:

(a) by operation of law or by will;

(b) by way of mortgage; or

(c) by a mortgagee in pursuance of a power of sale as mortgagee.

5C Payment for improvements

(1) The grant of a lease may be subject to payment to the Territory by the lessee for the improvements (if any) on the land at the commencement of the lease.

(2) The amount payable to the Territory for the improvements shall be:

(a) where the right to the lease is offered by auction or where applications are invited for the right to the lease – the amount determined as the value of the improvements by the Valuer-General; and

(c) where the lease is granted in pursuance of section 5B – the amount determined by the Minister,

and shall be paid in accordance with the provisions of this section.

(3) Where the right to the lease is offered by auction, the successful bidder may:

(a) at the time of the auction pay the whole of the amount payable for the improvements;

(b) subject to such terms and conditions as the Minister thinks fit, pay that amount (together with interest thereon at the rate specified in the notice of the auction) by such instalments as the Minister determines; or

(c) at the time of the auction pay part of that amount, and execute in favour of the Territory a mortgage of the land included in the lease, in such form as the Minister thinks fit, to secure the payment of the balance of the purchase money and such interest as is provided for in the mortgage.

(4) Subsection (4A) applies if:

(a) applications are invited for the right to the lease; or

(b) a person has entered into an agreement with the Minister for the grant of a lease under section 5B or has offered to accept a lease under that section and has paid rent or other moneys to the Territory for the land to which the offer relates.

(4A) The successful applicant or person referred to in subsection (4)(b) may:

(a) on or before the date of the grant of the lease, pay to the Territory the whole of the amount payable for the improvements; or

(b) subject to the terms and conditions the Minister thinks fit, pay to the Territory that amount (together with the prescribed interest on that amount) by the instalments the Minister determines; or

(c) on or before the date of the grant of the lease, pay to the Territory part of that amount, and execute in favour of the Territory a mortgage of the land included in the lease, in the form the Minister thinks fit, to secure the payment of the balance of the purchase money and the interest provided for in the mortgage.

(5) A mortgage executed in pursuance of this section may contain such covenants as the Minister thinks fit.

(6) The Minister may, in the name of the Territory, take any such mortgage, and may, in relation to any mortgage so taken, do, for or on behalf of the Territory, any or all of the acts or things which the Territory as mortgagee is empowered, permitted or required to do.

6 Lessee may transfer, &c., his lease

(1) Subject to the consent of the Minister, a lessee may:

(a) transfer the whole or a part of the lessee's lease;

(b) mortgage the lessee's lease;

(c) sub-let the whole or a part of the land comprised in the lessee's lease; and

(d) surrender the whole or a part of the lessee's lease.

(2) The Minister must not consent to:

(a) the transfer of the whole or a part of a lease;

(b) the mortgage of a lease; or

(c) the sub-letting of the whole or a part of the land comprised in a lease,

(not being a lease for purposes ancillary to mining) of land within an Aboriginal reserve unless:

(d) the proposed transfer, mortgage or sub-lease has been submitted to the Aboriginal Land Council for consideration and report;

(e) the Aboriginal Land Council has considered the proposed transfer, mortgage or sub-lease and has forwarded to the Minister a report containing:

(i) any advice which it sees fit to give; and

(ii) any recommendation which it sees fit to make,

in relation to the proposed transfer, mortgage or sub-lease; and

(f) the Minister has considered the report.

(3) In considering the proposed transfer, mortgage or sub-lease the Aboriginal Land Council must consult with the Aboriginal people residing within reasonable proximity to the land the subject of the proposed transfer, mortgage or sub-lease who intimate that they wish to make representations in relation to or otherwise discuss the proposed transfer, mortgage or sub-lease and with any church or missionary society or organisation or like body which:

(a) conducts an establishment or activities for the benefit of Aboriginal people on the Aboriginal reserve in which the land the subject of the proposed transfer, mortgage or sub-lease is situated; and

(b) is, in the opinion of the Aboriginal Land Council, able to furnish it with relevant information or advice.

6A Acquisition of land in a reserve by a non-approved person

(1) Where a lease, other than a lease for purposes ancillary to mining, of land within an Aboriginal reserve is held by an approved person and that lease passes by devolution or by operation of law to a person who is not an approved person:

(a) the person who acquires it shall notify the Minister forthwith that he has acquired it; and

(b) the Minister shall either:

(i) submit the matter to the Aboriginal Land Council for its opinion as to whether the person should be permitted to hold the lease; or

(ii) serve notice on the person requiring him to dispose of it.

(2) Where the Minister submits a matter to the Aboriginal Land Council under subsection (1) and the opinion of the Aboriginal Land Council is that the person should not be permitted to hold the lease, the Minister shall serve notice on the person requiring him to dispose of the lease.

(3) Where a person is served with a notice under subsection (1) or subsection (2), he shall forthwith take, and continue to take, all steps reasonably necessary to dispose of the lease satisfactorily to the Territory or to an approved person in the shortest practicable time.

(4) At any time after the expiration of one year from the date on which a person is served with a notice under subsection (1) or subsection (2), the Minister may serve on him notice of his intention to recommend that the lease be resumed.

(5) If at the expiration of one year from the date on which the Minister serves a notice under subsection (4), the lease is still held by the person upon whom that notice was served, the Minister shall recommend that the lease be resumed.

6B Exercise of powers of mortgagee

(1) Where a lease, other than a lease for purposes ancillary to mining, of land within an Aboriginal reserve is held by an approved person and that lease is mortgaged otherwise than to an approved person, the mortgagee shall, before he exercises any of his powers as mortgagee, give to the Minister reasonable notice of his intention so to do.

(2) Where a lease, other than a lease for purposes ancillary to mining, of land within an Aboriginal reserve is held by an approved person and that lease is mortgaged otherwise than to an approved person, the Minister may, on behalf of the Territory at any time:

(a) pay to the mortgagee the amount owing under the mortgage; and

(b) require the mortgagee to execute a transfer of the mortgage to the Territory.

7 Power to hold leases and sub-leases

(1) Except with the approval of the Minister, a company which is not incorporated in Australia and registered in accordance with the laws in force in the Northern Territory shall not be capable of holding:

(a) a lease as lessee or as mortgagee; or

(b) a sub-lease of the whole or a part of the land comprised in the lease.

8 Terms and conditions of leases

(1) Subject to subsection (2), a lease granted after the commencement of the *Special Purposes Leases Act 1965*:

(a) shall be for a term of years or in perpetuity, as determined by the Minister and specified in the lease instrument; and

(b) shall include such reservations, covenants, conditions and provisions as are prescribed and such additional reservations, covenants, conditions and provisions as are determined by the Minister and specified in the lease instrument.

(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.

8A Conversion of term of lease to perpetuity

(1) The lessee of a lease granted before the commencement of the *Special Purposes Leases Act 1965* may apply in writing to the Minister for permission to surrender that lease in exchange for a lease in perpetuity.

(2) If all the rent due on the existing lease has been paid as at the date of the application and all other terms and conditions of the existing lease have been complied with, the Minister shall:

(a) require the Valuer-General to determine the unimproved capital value of the land comprised in the lease as at the date of the application;

(b) determine the reservations, covenants, conditions and provisions that shall be included in any lease in perpetuity granted to the lessee in respect of the land; and

(3) The Minister shall consider the application and may reject or approve the grant of the application.

(4) The Minister shall thereupon, by notice in accordance with subsection (5), advise the lessee:

(a) whether he has rejected or has approved of the grant of the application; and

(b) if the Minister is willing to grant the application, the reservations, covenants, conditions and provisions that shall be included in any lease in perpetuity granted to the lessee in respect of the land.

(5) A notice under subsection (4) must be in writing addressed to the lessee and sent by post or electronic communication to an address given in the application.

(6) At any time within 2 months after the date of such a notice, or within such further time as the Minister allows, the lessee may serve notice on the Minister that he elects to surrender the existing lease and accept a new lease.

(7) An election made under subsection (6):

(a) is irrevocable and binding on the lessee; and

(b) if a new lease is granted under this section, operates from the date of the grant as a surrender of the lease existing at the date of the election.

(8) Upon receiving an election under subsection (6) the Minister shall grant to the lessee a new lease of the land comprised in the lease existing at the date of the application.

(9) The new lease shall be in perpetuity.

(10) Where the annual rent payable under the new lease is a specified percentage of the unimproved capital value of the land in the lease, the unimproved capital value is as determined by the Valuer-General in accordance with the Minister's requirement under subsection (2) until the unimproved capital value is re-appraised in accordance with section 11A.

(11) The reservations, covenants, conditions and provisions of the new lease shall be the reservations, covenants, conditions and provisions specified in the notice referred to in subsection (4).

(12) A lessee may, at any time before he makes an election under subsection (6) by notice in writing to the Minister withdraw an application made under subsection (1).

(13) Where a lessee:

(a) so withdraws his application; or

(b) within the time specified in subsection (6), fails to elect to surrender the existing lease and accept a new lease,

his existing lease shall continue as though he had not made his application.

9 Land not to be used for other than specified purposes

The land comprised in a lease granted under this Act shall not be used for any purpose other than the purpose, or a purpose ancillary to the purpose, for which the lease was granted.

9A Subdivision

A lessee shall not subdivide, or make an application under Part 5 of the *Planning Act 1999* for consent to subdivide, the lands comprised in a lease.

10 Procedure on application for further lease

(1) At any time during 6 months immediately before the expiration of a lease, the lessee may make application in writing for a further lease of the land comprised in the lease for the purpose of which the expiring lease was granted.

(2) On receipt of an application under subsection (1), the Minister may:

(a) grant to the lessee a further lease of the land;

(b) inform the lessee that the Minister intends to sub-divide the land into blocks and make the blocks available for leasing; or

(c) reject the application.

(3) If the Minister informs the lessee in accordance with subsection (2) that the Minister intends to sub-divide the land, the lessee shall be entitled to the grant of a lease of such one of the blocks into which the land is sub-divided as the lessee elects.

(4) An election under subsection (3) must be in writing and served on, or sent by electronic communication to, the Minister.

(5) A lease granted under this section:

(a) shall be for a term of years or in perpetuity, as determined by the Minister and specified in the lease instrument; and

(b) shall include such reservations, covenants, conditions and provisions as are prescribed and such additional reservations, covenants, conditions and provisions as are determined by the Minister and specified in the lease instrument.

(6) If the Minister rejects an application made under subsection (1) the Minister must not, before or within 3 years after the expiration of the lease, grant to a person other than the lessee a lease of the land or a part of the land in respect of which the application is made unless the lease has first been offered in writing to the lessee and the lessee has either refused the offer or failed to accept the offer within 3 months after the date on which the offer was made.

(7) Nothing in this section shall limit the power of the Minister:

(a) to make all or part of any land in respect of which an application is made under subsection (1) available for leasing under an Act other than this Act; or

(b) to grant at any time, under an Act other than this Act, a lease to any person of land in respect of which a lease under this Act has expired.

10A Rent

(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 Act 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% of the unimproved capital value of the land; and

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

(2) Subject to this Act (other than subsection (1)), the rent payable in respect of the land comprised in a lease is:

(a) in the case of a lease granted before the commencement of the *Special Purposes Leases Act 1965*, subject to re-appraisement in accordance with the lease instrument; and

(b) in any other case, from and after the taking of effect of the first re-appraisement of the unimproved capital value of the land in accordance with section 11A, such amount (not exceeding

5% per annum of the unimproved capital value of the land as re-appraised from time to time in accordance with that section) as the Minister from time to time determines.

(3) Nothing in this section shall prevent the enforcement of any covenant by a lessee to pay additional rent where any amount of rent payable under his lease remains unpaid for such period as is specified in the lease.

10B Rent of land within a municipality

(1) The rent payable in respect of land within the Darwin Town Area or within a municipality is, in respect of any period during which it is within the Darwin Town Area or within a municipality, the annual rent determined by the Minister (if any).

(1A) For subsection (1), the Minister may decide when and how to levy any rent that is payable.

(2) The rent payable in respect of land not within the Darwin Town Area or within a municipality is, in respect of any period during which it is not within the Darwin Town Area or within a municipality, such rent as is payable in accordance with section 10A.

(3) Where a change occurs in the status of the land, so that land not within the Darwin Town Area or within a municipality becomes land within the Darwin Town Area or within a municipality, or land within the Darwin Town Area or within a municipality becomes land not within the Darwin Town Area or within a municipality, then the lessee shall be entitled to a refund of rent overpaid, or shall pay rent, as the case requires, in respect of the period from the date of the change to the end of the next succeeding annual or other rental period, the amount of the refund or the rent being calculated as if the rent in respect of the first-mentioned period were payable on a day to day basis.

(4) Subject to subsection (5):

(a) a provision in a lease determining the rent payable under the lease;

(b) a covenant by the lessee to pay rent or to pay additional rent under the lease; or

(c) a covenant by the lessee, the Commonwealth or the Territory or any mutual covenant by the lessee and the Commonwealth or Territory providing for the determination of the lease in the event of the rent payable under the lease remaining unpaid for any period,

shall cease to have any force or effect in respect of any period commencing on or after the date of commencement of the *Special Purposes Leases Act 1970* during which the land comprised in the lease is within a municipality and shall cease to have any force or effect after the date of commencement of the *Special Purposes Leases Act 1971* if the land comprised in the lease is within the Darwin Town Area.

(5) Nothing in this section prevents the enforcement of any covenant by a lessee to pay rent or additional rent where any amount of rent payable under his lease in respect of a period during which the land subject to the lease is not within a municipality remains unpaid for such period as is specified in the lease.

11 Rent for church sites, &c., not subject to re-appraisement

The rent for land leased for the purpose of being used solely as:

(a) a site for a church, mosque or synagogue;

(b) a residence for clergy, ministers of religion or members of a religious order; or

(c) a charitable institution,

or for more than one of those purposes, or for a purpose ancillary to those purposes, shall not be subject to re-appraisement.

11A Re-appraisement of value of land

(1) Subject to this section, the Minister shall require the Valuer-General to re-appraise the unimproved capital value of land that is not situated within the Darwin Town Area or within a municipality and is comprised in a lease granted after the commencement of the *Special Purposes Leases Act 1965* during each of the prescribed periods subsequent to the date of the commencement of the lease.

(2) The prescribed periods shall be the period of 12 months commencing on 1 July, 1970 and the subsequent periods of 12 months that shall commence on 1 July in each succeeding twentieth year thereafter.

(3) If, for any reason the unimproved capital value of such land is not re-appraised by the Valuer-General during a prescribed period, the Minister may, at any time after the expiration of the period, require the Valuer-General to re-appraise the unimproved capital value of that land on the basis of the unimproved capital values of comparable lands during that period.

(4) Subject to this section, a re-appraisement of the unimproved capital value of such land shall take effect on 1 July next succeeding the prescribed period and notice of that re-appraisement shall be given in writing by the Minister to the lessee of the land not later than 28 days after that date.

(5) In any case where the Minister has not given to the lessee of such land notice in writing of the re-appraisement of the unimproved capital value of that land within the time prescribed in subsection (4) but has given to that lessee notice in writing of the re-appraisement within 12 months after the prescribed period for that re-appraisement has expired, the re-appraisement shall take effect on 1 July next following the date on which the notice was given to the lessee.

(6) In any case where the Minister has not given to the lessee of such land notice in writing of the re-appraisement of the unimproved capital value of that land within 12 months after the prescribed period for that re-appraisement has expired, the re-appraisement shall not take effect until the date upon which the Minister gives to the lessee notice in writing of the re-appraisement.

(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.

12 Notice of reappraisals, determinations etc.

(1) Notice of the following must be given to a lessee or former lessee by the Minister or the Valuer-General as soon as practicable:

(a) a reappraisal by the Minister of the rent payable under a lease;

(b) a determination by the Valuer-General under section 19(2) or 32;

(c) a determination by the Minister under section 21(1);

(d) a decision under section 13(3).

(2) A notice under subsection (1) must be:

(a) in writing; and

(b) served on, or sent by electronic communication to, the lessee or former lessee.

13 Objections

(1) If a lessee or former lessee is given notice of any of the following, the lessee or former lessee may make an objection to the reappraisal, determination or forfeiture:

(a) the reappraisal of the rent payable under a lease;

(b) a determination under section 19(2), 21(1) or 32;

(c) the forfeiture of a lease under section 23.

(2) An objection under subsection (1) must:

(a) be made within 28 days after receipt of the notice; and

(b) specify the grounds of the objection; and

(c) be served on, or sent by electronic communication to, the Minister or Valuer-General (as the case requires).

(3) The Minister or Valuer-General must, within 28 days after receiving an objection:

(a) consider the objection; and

(b) disallow it or allow it in whole or in part.

14 Applications for review

(1) An objector who is dissatisfied with:

(a) a decision of the Minister or the Valuer-General upon an objection to a re-appraisement or determination referred to in subsection (1) of section 12; or

(b) a decision of the Minister to disallow an objection to the forfeiture of a lease under section 23,

may within 28 days after receipt of the notice of the decision, by writing request the Minister or the Valuer-General, as the case may be, to refer the decision to the Land and Valuation Review Tribunal for review.

(2) Upon receipt of the request the Minister or the Valuer-General, as the case may be, shall forthwith refer the decision to the Tribunal.

(3) Upon such a reference, the objector is limited to the grounds stated in the objection.

15 Powers of Tribunal

(1) Where the Tribunal reviews a decision of the Minister or the Valuer-General upon an objection to a re-appraisement or determination referred to in subsection (1) of section 12 it has all the powers and functions of the Minister or the Valuer-General, as the case may be, in making the re-appraisement or determination.

(2) Where the Tribunal reviews a decision of the Minister to disallow an objection to the forfeiture of a lease under section 23, it may confirm or annul the notice forfeiting the lease to which the decision relates.

(3) Sections 27 to 29 (inclusive) and section 31 of the *Valuation of Land Act 1963* apply to and in relation to a reference to the Tribunal under this Act and the decision of the Tribunal upon that reference in like manner as they apply to and in relation to a reference to the Tribunal under that Ordinance and the decision of the Tribunal upon that last-mentioned reference.

(4) For the purposes of section 28 of the *Valuation of Land Act 1963* in its application to a reference to the Tribunal under this Act:

(a) the person requesting the reference;

(b) in the case of a reference of a decision of the Minister – the Minister; and

(c) in the case of a reference of a decision of the Valuer-General – the Valuer-General,

are parties to the reference.

16 Validity of determinations

The validity of a re-appraisement or determination referred to in subsection (1) of section 12 is not affected by:

(a) a failure to give notice of the re-appraisement or determination;

(b) the lodging of an objection to the re-appraisement or determination;

(c) a failure to give notice of a decision upon an objection to the re-appraisement or determination; or

(d) a reference to the Tribunal of a decision upon an objection to the re-appraisement or determination.

17 Certificate as to costs

(1) When the Tribunal gives a decision upon a matter referred to it under this Act, it shall, at the same time, certify the amount which, in its opinion, would be a reasonable amount to be paid by the Valuer-General or the Minister or by the other party to the reference, as the case may be, in respect of costs incurred by the reference to the Tribunal.

(2) An amount so certified is recoverable by the Valuer-General or the Minister or the other party to the reference as the case may be in any court of competent jurisdiction.

19 Lessee's rights in improvements

(1) Where, upon the expiration of a lease of land on which there are improvements, the former lessee is granted under this Act a further lease of that land or of any part of that land, he is not liable to make any payment to the Territory in respect of the improvements on that land or part.

(2) Where a lessee of land upon which there are improvements applies under this Act for a further lease of the land but is not granted a further lease of the whole of the land, the Minister shall require the Valuer-General to determine the value of the improvements, if any, on that part of the land in respect of which the lessee is not granted a further lease.

(2A) Where the Valuer-General determines the value of improvements under subsection (2), the Territory shall pay to the lessee an amount equal to that value or, if that value is varied under this Act, an amount equal to the value of the improvements as finally determined under this Act.

(3) Where a lessee of land upon which there are improvements does not apply for a further lease of that land he may, within 14 days from the date of the expiry of the lease, elect to remove those improvements from the land or to apply for compensation in respect thereof.

(4) Upon application by a former lessee for compensation in accordance with an election under subsection (3), the Territory is liable to pay to him such amount as is, in the opinion of the Minister, the value to the Territory of the improvements on the land.

(5) An election made under subsection (3) confers on the former lessee a right to enter upon the land and to remove the improvements but that right subsists only for a period of 3 months after the date of the election or for such longer period as the Minister allows.

20 Lessee's rights in certain works

(1) In this section and section 20A, ***works*** means works which are not improvements by reason only of the fact that they are not works which are suitable to the land but which, having been executed, add to the leasing value of the land.

(2) Upon the expiration of a lease the Territory shall pay to the former lessee such amount as is, in the opinion of the Minister, the value to the Territory of such works as are upon any land, included in the expired lease, in respect of which the former lessee is not granted a further lease, whether or not he applies for a further lease.

20A Payment for improvements and certain works

Where the Territory is required under section 19 or section 20 to pay for improvements or works, it shall make the payment to the former lessee:

(a) immediately upon the expiration of the lease, where the liability of the Territory arises because the whole or a part of the land which was included in the expired lease is not made available for further leasing to any person; or

(b) in any other case, immediately upon the granting to any person other than the lessee of a lease of the whole or a part of the land which was included in the expired lease and on which there are improvements or works.

21 Income from improvements to be paid to former lessee in certain circumstances

(1) Where the Territory, under section 19, is required to pay for improvements and, between the date of expiration of the lease and the date upon which it pays for those improvements in accordance with section 20A, the Territory uses, or permits a person to use, those improvements, or some of them, the Minister shall determine a fair rental for the improvements so used.

(2) Where the Minister determines a fair rental for improvements under subsection (1), the Territory shall pay to the former lessee an amount equal to that fair rental or, if that fair rental is varied under this Act, an amount equal to the fair rental of the improvements as finally determined under this Act, less the amount of such expenditure as has been incurred by the Territory by way of maintenance of, or in connection with, those improvements.

23 Forfeiture

(1) Where:

(a) the land comprised in a lease is being used for a purpose other than the purpose, or a purpose ancillary to the purpose, for which the lease was granted;

(b) the purpose for which the lease was granted has been fulfilled or the purpose is no longer capable of fulfilment;

(c) a lessee has failed to comply with a covenant or condition of a lease;

(da) a company which is not incorporated in Australia and registered in accordance with the laws in force in the Northern Territory holds, without the approval of the Minister:

(i) a lease, as lessee or mortgagee; or

(ii) a sub-lease of the whole or a part of the land comprised in the lease; or

(e) rent in respect of the lease, or any sum of money which, in accordance with the provisions of the lease is deemed to be or to be recoverable as rent, has remained unpaid for at least one year without the Minister's consent,

the Minister may by notice in writing to the lessee, in the manner specified in subsection (2) of section 12, forfeit the lease.

(2) At least 14 days before the Minister forfeits a lease under subsection (1), the Minister must serve notice stating reasons for the proposed forfeiture on every person who is registered under the Act as having an interest in that lease.

24 Notice of forfeitures of leases

(1) Where:

(a) the Minister gives a notice under section 23 forfeiting a lease and the lessee does not, within 28 days after receipt of the notice, object to the forfeiture of the lease;

(b) the Minister gives, under section 13, notice of his decision to disallow an objection to the forfeiture of a lease under section 23 and the objector does not, within 28 days after receipt of the notice, request the Minister to refer the decision to the Land and Valuation Review Tribunal for review; or

(c) upon the review of a decision to disallow an objection to the forfeiture of a lease under section 23, the Tribunal confirms the notice forfeiting the lease,

the Minister may cause notice of the forfeiture to be published in the *Gazette*.

(2) The forfeiture of a lease under section 23 is not effective until a notice of the forfeiture is published in the *Gazette* in pursuance of subsection (1).

(3) A notice published in the *Gazette* in pursuance of subsection (1):

(a) has the same effect as a re-entry and recovery of possession by, or on behalf of, the Crown; and

(b) is conclusive evidence that the lease to which the notice relates has been forfeited.

25 Copy of notice to be forwarded to Registrar

(1) The Minister shall forward a copy of the notice published in accordance with section 24 to the Registrar-General for the Northern Territory.

(2) Upon receipt of the copy of the notice referred to in subsection (1), the Registrar-General shall:

(a) note the forfeiture in the Register kept pursuant to the Act; and

(b) call in the lessee's copy of the lease for cancellation.

26 Lessee's rights as to improvements when lease forfeited or surrendered

(1) Where a lease of land is forfeited in accordance with this Act or is surrendered the former lessee may, within 14 days of the forfeiture or of the surrender, elect to remove from the land buildings on the land or to apply for compensation in respect thereof.

(2) Upon application by a former lessee for compensation in accordance with an election under subsection (1), the Territory is liable to pay to the former lessee such amount as is, in the opinion of the Minister, the value to the Territory of the buildings on the land.

(3) An election made under subsection (1) confers on the former lessee a right to enter upon the land and to remove the buildings but that right subsists only for a period of 3 months after the date of the election or for such longer period as the Minister allows.

27 Minister may postpone or remit rent

On application by a lessee, the Minister may, on such terms as are prescribed and as he thinks fit:

(a) postpone the payment of rent due by that lessee; or

(b) if he is satisfied that payment of the full amount of the rent due by that lessee would impose a serious hardship on him, remit the whole or a portion of that rent.

28 Resumption and reservation

Subject to this Act, the Administrator may, by Proclamation:

(a) resume any land comprising, or included in, a lease:

(i) for a forest reserve or for the purposes of afforestation or sylviculture;

(ii) for a travelling-stock reserve;

(iii) for a reserve for the recreation or amusement of the public;

(iv) for the purposes of water conservation;

(v) for cultivation purposes;

(vi) for commonage purposes; or

(vii) for any other public purpose which he thinks fit; and

(b) reserve, for the purpose for which it is resumed, the whole or any part of the land so resumed.

29 Notice of intended resumption

(1) Before the Administrator makes a Proclamation under section 28, the Minister shall give not less than 6 months' notice in writing, of an intended resumption to a lessee whose land, or a portion of whose land, it is intended to resume.

(2) A notice under this section may be sent by registered post or electronic communication.

30 Certain land not to be resumed

The Administrator shall not, under section 28, resume for a travelling-stock reserve, for cultivation purposes or for commonage purposes, land which is within one-quarter of a mile of a residence

which has been erected, or a watering place for stock which has been made, since the date upon which the lease was granted.

31 Effect of Proclamation

A Proclamation made under section 28:

(a) is conclusive evidence of the resumption; and

(b) from and including the date of publication of the Proclamation:

(i) cancels the lease as regards the land resumed; and

(ii) reduces the rent payable under a lease, in respect of land comprised in the lease which is not resumed, in proportion to the extent of the resumption.

32 Territory to pay compensation

(1) Where land is resumed under section 28, the Minister shall require the Valuer-General to determine the amount to be paid to the former lessee as compensation:

(a) for improvements on the resumed land, the property of the lessee;

(b) for depreciation, by reason of the resumption, in the value of land comprised in the lease which is not resumed; and

(c) where the whole of the land comprised in a lease is resumed, for the loss of the lease.

(2) In determining the amount of compensation to be paid under subsection (1):

(a) regard shall not be had to any increased value of the land by reason of the construction, or proposed construction, of public works since the date when the lease was granted; and

(b) any increase, by reason of the construction or proposed construction, of public works since the date when the lease was granted, in the value of land comprised in the lease, which is not resumed, shall be offset against any compensation for depreciation.

(3) Where the Valuer-General determines an amount of compensation under subsection (1), the Territory shall pay to the former lessee an amount equal to that amount of compensation or, if that amount of compensation is varied under this Act, an amount equal to the amount of compensation as finally determined under this Act.

32A Approved forms

The Minister may approve forms for this Act.

33 Regulations

The Administrator may make regulations not inconsistent with this Act, prescribing all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act and in particular:

(a) for prescribing covenants and conditions to be included in leases;

(b) for prescribing the method of recovering moneys due and unpaid under leases; and

(c) for prescribing fees payable in respect of leases.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz* = *Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced
od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

***Special Purposes Leases Ordinance 1953* (Act No. 27, 1953)**
Assent date 20 January 1954
Commenced 1 October 1955 (*Gaz* No. 39, 28 September 1955)

***Special Purposes Leases Ordinance 1954* (Act No. 3, 1955)**
Assent date 30 March 1955
Commenced 1 October 1955 (*Gaz* No. 39, 28 September 1955)

***Special Purposes Leases Ordinance 1956* (Act No. 35, 1956)**
Assent date 17 October 1956
Commenced 1 November 1956 (*Gaz* No. 43, 31 October 1956)

***Special Purposes Leases Ordinance 1961* (Act No. 23, 1961)**
Assent date 21 June 1961
Commenced 31 January 1962 (*Gaz* No. 6, 31 January 1962)

***Special Purposes Leases Ordinance 1962* (Act No. 36, 1963)**
Assent date 22 May 1963
Commenced 10 July 1963 (*Gaz* No. 28, 10 July 1963)

***Special Purposes Leases Ordinance 1963* (Act No. 45, 1963)**
Assent date 26 June 1963
Commenced 26 June 1963

***Special Purposes Leases Ordinance (No. 2) 1963* (Act No. 19, 1964)**
Assent date 16 April 1964
Commenced 10 February 1964 (s 2, s 2 *Valuation of Land Ordinance 1963* (Act No. 69, 1963), *Gaz* No. 7A, 6 February 1964 and s 8 *Special Purposes Leases Ordinance 1965* (Act No. 36, 1965))

***Special Purposes Leases Ordinance 1965* (Act No. 36, 1965)**
Assent date 29 September 1965
Commenced 16 February 1966 (*Gaz* No. 8, 16 February 1966)

Special Purposes Leases Ordinance 1968 **(Act No. 48, 1968)**

Assent date	3 July 1968
Commenced	3 July 1968

Special Purposes Leases Ordinance (No. 2) 1968 **(Act No. 75, 1968)**

Assent date	3 January 1969
Commenced	3 January 1969

Special Purposes Leases Ordinance 1969 **(Act No. 19, 1969)**

Assent date	20 August 1969
Commenced	20 August 1969

Special Purposes Leases Ordinance (No. 3) 1968 **(Act No. 32, 1970)**

Assent date	9 September 1970
Commenced	31 December 1970 (s 2, s 2 *Crown Lands Ordinance (No. 3) 1969* (Act No. 31, 1970) and *Gaz* No. 52, 31 December 1970, p 374)

Amending Legislation

Special Purposes Leases Ordinance (No. 3) 1968 Amendment Ordinance 1970 **(Act No. 86, 1970)**

Assent date	30 December 1970
Commenced	30 December 1970

Special Purposes Leases Ordinance 1970 **(Act No. 87, 1970)**

Assent date	30 December 1970
Commenced	1 January 1971 (s 2, s 2 *Crown Lands Ordinance (No. 3) 1969* (Act No. 31, 1970) and *Gaz* No. 52, 31 December 1970, p 374)

Special Purposes Leases Ordinance 1971 **(Act No. 25, 1971)**

Assent date	19 May 1971
Commenced	1 July 1971 (*Gaz* No. 26, 30 June 1971)

Special Purposes Leases Ordinance (No. 2) 1971 **(Act No. 38, 1971)**

Assent date	4 August 1971
Commenced	1 July 1971 (s 2)

Special Purposes Leases Ordinance 1973 **(Act No. 28, 1973)**

Assent date	21 June 1973
Commenced	21 June 1973

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

Assent date	11 December 1973
Commenced	11 December 1973 (s 12(2))

Amending Legislation

Ordinances Revision Ordinance 1974 **(Act No. 34, 1974)**

Assent date	26 August 1974
Commenced	11 December 1973 (s 3(2))

Ordinances Revision Ordinance (No. 2) 1974 **(Act No. 69, 1974)**

Assent date	24 October 1974
Commenced	11 December 1973 (s 3)

***Ordinances Revision Ordinance 1976* (Act No. 27, 1976)**

Assent date	28 June 1976
Commenced	ss 1, 2 and 6: 28 June 1976 (s 6(2)); ss 3 and 4: 11 December 1973; s 5: 24 October 1974

***Special Purposes Leases Ordinance 1974* (Act No. 81, 1974)**

Assent date	7 November 1974
Commenced	7 November 1974

***Special Purposes Leases Ordinance 1977* (Act No. 45, 1977)**

Assent date	23 September 1977
Commenced	23 September 1977

***Special Purposes Leases Ordinance 1978* (Act No. 24, 1978)**

Assent date	14 June 1978
Commenced	14 June 1978

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

Assent date	1 July 1978
Commenced	1 July 1978 (s 8)

***Statute Law Revision Act 1978* (Act No. 95, 1978)**

Assent date	5 September 1978
Commenced	5 September 1978

***Special Purposes Leases Ordinance (No. 2) 1978* (Act No. 108, 1978)**

Assent date	9 November 1978
Commenced	1 February 1979 (s 3, s 2 *Aboriginal Land Ordinance 1978* (Act No. 106, 1978) and *Gaz* G4, 26 January 1979, p 18)

***Statute Law Revision Act (No. 2) 1978* (Act No. 19, 1979)**

Assent date	2 February 1979
Commenced	2 February 1979

***Special Purposes Leases Act 1979* (Act No. 50, 1979)**

Assent date	14 May 1979
Commenced	3 August 1979 (*Gaz* G31, 3 August 1979, p 4)

***Special Purposes Leases Act (No. 2) 1979* (Act No. 156, 1979)**

Assent date	12 December 1979
Commenced	12 December 1979

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

Assent date	25 June 1991
Commenced	1 October 1991 (*Gaz* S49, 1 October 1991)

***Statute Law (Miscellaneous Amendments) Act 1991* (Act No. 77, 1991)**

Assent date	16 December 1991
Commenced	16 December 1991

***Pastoral Land (Consequential Amendments) Act 1992* (Act No. 39, 1992)**

Assent date	25 June 1992
Commenced	26 June 1992 (s 2, s 2 *Pastoral Land Act 1992* (Act No. 17, 1992) and *Gaz* S33, 26 June 1992)

Local Government (Consequential Amendments) Act 1993 **(Act No. 84, 1993)**

Assent date	31 December 1993
Commenced	1 June 1994 (s 2, s 2 *Local Government Act 1993* (Act No. 83, 1993) and *Gaz* S35, 20 May 1994)

Planning (Consequential Amendments) Act 1993 **(Act No. 86, 1993)**

Assent date	31 December 1993
Commenced	18 April 1994 (s 2, s 2 *Planning Act 1993* (Act No. 85, 1993) and *Gaz* S28, 18 April 1994)

Planning (Consequential Amendments) Act 1999 **(Act No. 56, 1999)**

Assent date	14 December 1999
Commenced	12 April 2000 (s 2, s 2 *Planning Act 1999* (Act No. 55, 1999) and *Gaz* S15, 12 April 1999)

Land Title (Consequential Amendments) Act 2000 **(Act No. 45, 2000)**

Assent date	12 September 2000
Commenced	1 December 2000 (s 2, s 2 *Land Title Act 2000* (Act No. 2, 2000) and *Gaz* G38, 27 September 2000, p 2)

Statute Law Revision Act 2002 **(Act No. 18, 2002)**

Assent date	7 June 2002
Commenced	7 June 2002

Statute Law Revision Act 2004 **(Act No. 18, 2004)**

Assent date	15 March 2004
Commenced	5 May 2004 (s 2(1), s 2 *Associations Act 2003* (Act No. 56, 2003) and *Gaz* G18, 5 May 2004, p 2)

Statute Law Revision Act 2005 **(Act No. 44, 2005)**

Assent date	14 December 2005
Commenced	14 December 2005

Statute Law Revision Act 2008 **(Act No. 6, 2008)**

Assent date	11 March 2008
Commenced	11 March 2008

Co-operatives (National Uniform Legislation) Act 2015 **(Act No. 13, 2015)**

Assent date	22 May 2015
Commenced	1 July 2015 (*Gaz* S62, 23 June 2015)

Local Government Act 2019 **(Act No. 39, 2019)**

Assent date	13 December 2019
Commenced	pt 8.6: 1 July 2022; rem: 1 July 2021 (*Gaz* S27, 30 June 2021)

Amending Legislation

Statute Law Revision Act 2020 **(Act No. 26, 2020)**

Assent date	19 November 2020
Commenced	20 November 2020 (s 2)

Local Government Amendment Act 2021 **(Act No. 15, 2021)**

Assent date	25 May 2021
Commenced	26 May 2021 (s 2)

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 SAVINGS AND TRANSITIONAL PROVISIONS

s 12 *Special Purposes Leases Ordinance (No. 2) 1963* (Act No. 19, 1964)
s 15 *Special Purposes Leases Ordinance 1970* (Act No. 87, 1970)
s 9 *Special Purposes Leases Ordinance 1971* (Act No. 25, 1971)

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 *Ordinances Revision Ordinance 1973* (Act No. 87, 1973) (as amended) to the following provisions: ss 3, 4, 4D, 5, 5A, 5AB, 5B, 5BA, 5BB, 5BC, 5C, 6A, 8A, 10, 10A, 10B, 11A, 12, 13, 14, 15, 16, 19, 20, 20A, 21, 23, 24, 25, 26, 29, 30, 31 and 32.

5 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: ss 1, 3, 4, 5AA and 9A.

6 LIST OF AMENDMENTS

s 3	amd No. 35, 1956, s 3; No. 23, 1961, s 3; No. 19, 1964, s 3; No. 36, 1965, s 3; No. 75, 1968, s 2; No. 32, 1970; No. 87, 1970, s 3; No. 54, 1978, s 4; No. 108, 1978, s 4; No. 33, 1991, s 7; No. 39, 1992, s 3; No. 84, 1993, s 6; No. 45, 2000, s 11; No. 18, 2004, s 3; No. 6, 2008, s 3; No. 13, 2015, s 26; No. 39, 2019, s 370; No. 25, 2025, s 37
s 4	amd No. 3, 1955, s 3; No. 35, 1956, s 4; No. 45, 1963, s 2; No. 19, 1969, s 7; No. 32, 1970, s 4; No. 87, 1970, s 4; No. 25, 1971, s 3; No. 38, 1971, s 3; No. 28, 1973, s 3; No. 87, 1973, s 12; No. 54, 1978, s 4; No. 95, 1978, s 4; No. 50, 1979, s 4; No. 156, 1979, s 4; No. 86, 1993, s 3; No. 56, 1999, s 3
s 4A	ins No. 32, 1970, s 5 amd No. 54, 1978, s 4 rep No. 108, 1978, s 5
ss 4B – 4C	ins No. 32, 1970, s 5 rep No. 108, 1978, s 5
s 4D	ins No. 32, 1970, s 5 amd No. 54, 1978, s 4 rep No. 108, 1978, s 5
s 5AA	ins No. 33, 1991, s 4 amd No. 45, 2000, s 11; No. 25, 2025, s 38
s 5	amd No. 54, 1978, s 4
s 5A	ins No. 48, 1968, s 2 amd No. 75, 1968, s 3 sub No. 87, 1970, s 5 amd No. 25, 1971, s 4; No. 38, 1971, s 4; No. 54, 1978, s 4; No. 25, 2025, s 39

s 5AB	ins No. 75, 1968, s 4 amd No. 87, 1970, s 6; No. 25, 1971, s 5; No. 38, 1971, s 5; No. 24, 1978, s 3; No. 54, 1978, s 4; No. 25, 2025, s 40
s 5B	ins No. 48, 1968, s 2 amd No. 75, 1968, s 5
s 5BA	ins No. 87, 1970, s 7 amd No. 38, 1971, s 6; No. 28, 1973, s 4; No. 54, 1978, ss 3 and 4; No. 156, 1979, s 3
s 5BB	ins No. 87, 1970, s 7 amd No. 38, 1971, s 7 sub No. 24, 1978, s 4 amd No. 54, 1978, s 4 sub No. 156, 1979, s 5
s 5BC	ins No. 87, 1970, s 7 amd No. 156, 1979, s 6
s 5C	ins No. 75, 1968, s 6 amd No. 87, 1970, s 8; No. 54, 1978, s 4; No. 44, 2005, s 30
s 6	sub No. 3, 1955, s 4 amd No. 32, 1970, s 6; No. 54, 1978, s 4; No. 108, 1978, s 6; No. 25, 2025, s 46
s 6A	ins No. 32, 1970, s 7 amd No. 54, 1978, s 4; No. 108, 1978, s 7; No. 25, 2025, s 46
s 6B	ins No. 32, 1970, s 7 amd No. 54, 1978, s 4; No. 25, 2025, s 46
s 7	amd No. 35, 1956, s 5; No. 23, 1961, s 4; No. 81, 1974, s 3; No. 54, 1978, s 4
s 8	amd No. 35, 1956, s 6; No. 23, 1961, s 5 sub No. 36, 1965, s 4 amd No. 54, 1978, s 4; No. 156, 1979, s 7
s 8A	ins No. 36, 1965, s 4 amd No. 87, 1970, s 9; No. 28, 1973, s 5; No. 54, 1978, ss 3 and 4; No. 19, 1979, s 25; No. 25, 2025, s 41
s 9	amd No. 35, 1956, s 7
s 9A	ins No. 50, 1979, s 5 amd No. 86, 1993, s 3; No. 56, 1999, s 3
s 10	sub No. 3, 1955, s 6; No. 35, 1956, s 8 amd No. 23, 1961, s 6; No. 36, 1965, s 5; No. 54, 1978, s 4; No. 25, 2025, s 46
s 10A	ins No. 36, 1965, s 6 amd No. 87, 1970, s 10; No. 25, 1971, s 6; No. 54, 1978, s 4; No. 156, 1979, s 8; No. 77, 1991, s 8; No. 44, 2005, s 30
s 10B	ins No. 87, 1970, s 11 amd No. 25, 1971, s 7; No. 54, 1978, s 4; No. 25, 2025, s 42
s 11	amd No. 3, 1955, s 7; No. 45, 1977, s 3
s 11A	ins No. 36, 1965, s 7 amd No. 87, 1970, s 12; No. 25, 1971, s 8; No. 54, 1978, s 4; No. 156, 1979, s 9; No. 77, 1991, s 8
s 12	sub No. 19, 1964, s 4 amd No. 54, 1978, s 4 sub No. 25, 2025, s 43
s 13	amd No. 3, 1955, s 8 sub No. 19, 1964, s 4 amd No. 54, 1978, s 4 sub No. 25, 2025, s 43
s 14	sub No. 19, 1964, s 4 amd No. 54, 1978, s 4
s 15	sub No. 19, 1964, s 4 amd No. 38, 1971, s 8; No. 54, 1978, s 4
s 16	sub No. 19, 1964, s 4

s 17	sub No. 19, 1964, s 4 amd No. 54, 1978, s 4
s 18	rep No. 19, 1964, s 4
s 19	sub No. 3, 1955, s 9; No. 35, 1956, s 9 amd No. 23, 1961, s 7 sub No. 36, 1963, s 6 amd No. 19, 1964, s 5; No. 75, 1968, s 7; No. 87, 1970, s 13; No. 54, 1978, s 4
s 20	rep No. 3, 1955, s 10 ins No. 36, 1963, s 3 amd No. 54, 1978, s 4
20A	ins No. 36, 1963, s 3 amd No. 19, 1964, s 6; No. 54, 1978, s 4
s 21	amd No. 36, 1963, s 4; No. 19, 1964, s 7; No. 54, 1978, s 4
s 22	rep No. 3, 1955, s 11
s 23	amd No. 3, 1955, s 12; No. 35, 1956, s 10; No. 19, 1964, s 8; No. 87, 1970, s 14; No. 87, 1974, s 4; No. 54, 1978, s 4; No. 19, 1979, s 25; No. 33, 1991, s 7; No. 25, 2025, s 44
s 24	sub No. 19, 1964, s 9 amd No. 75, 1968, s 8; No. 54, 1978, s 4
s 25	amd No. 19, 1964, s 10; No. 54, 1978, s 4; No. 33, 1991, s 7
s 26	rep No. 3, 1955, s 13 ins No. 36, 1963, s 5 amd No. 54, 1978, s 4; No. 18, 2002, s 6
ss 27 – 28	amd No. 54, 1978, s 4
s 29	amd No. 54, 1978, s 4; No. 25, 2025, s 46
s 30	amd No. 3, 1955, s 14; No. 54, 1978, s 4
s 32	amd No. 19, 1964, s 11; No. 54, 1978, s 4
s 32A	ins No. 25, 2025, s 45
s 33	amd No. 75, 1968, s 9; No. 54, 1978, s 4