

# AUSTRALIAN CAPITAL TERRITORY

---

## National Land (Amendment) Ordinance 1998

### No. 1 of 1998

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 12 November 1998.

WILLIAM DEANE  
Governor-General

By His Excellency's Command,

JOHN FAHEY  
Minister for Finance and Administration

---

### **An Ordinance to amend the *National Land Ordinance 1989***

#### **Short title**

1. This Ordinance may be cited as the *National Land (Amendment) Ordinance 1998*.<sup>1</sup>

#### **Commencement**

2. (1) Subject to subsection (2), this Ordinance commences on the day on which it is notified in the *Gazette*.

(2) Section 4 shall be taken to have commenced on the repeal of the *City Areas Leases Act 1936* of the Territory.

#### **Principal Ordinance**

3. In this Ordinance, "Principal Ordinance" means the *National Land Ordinance 1989*.<sup>2</sup>

#### **Interpretation**

4. Section 3 of the Principal Ordinance is amended by inserting in subsection (1) the following definition:

“ ‘City Area’ means the City Area within the meaning of the *City Area Leases Act 1936* of the Territory as in force immediately before its repeal;”.

#### **Management of National Land**

5. Section 4 of the Principal Ordinance is amended-

- (a) by omitting from subsection (1) “Planning”; and
- (b) by omitting from subsection (2) “Administrative Services” and substituting “Finance and Administration”.

**Insertion**

6. After section 5 of the Principal Ordinance the following section is inserted:

**Occupancy of buildings**

“5A. (1) Where, under an applied provision, the Commonwealth grants a lease of land with improvements, a person may occupy or use, or permit another person to occupy or use, the improvements whether or not a certificate or other instrument permitting occupancy or use of the improvements has been issued under the Building Act or any of the laws repealed by that Act.

“(2) Nothing in subsection (1) prevents the application of the Building Act to-

- (a) the alteration, after the grant of the lease, of the improvements which were on the land at the time of the grant of the lease; or
- (b) the construction, after the grant of the lease, of other improvements on the land.

“(3) In this section-

‘Building Act’ means the *Building Act 1972* of the Territory.”.

---

**NOTES**

<sup>1</sup> Notified in the *Commonwealth of Australia Gazette* on 19 November 1998.

<sup>2</sup> Reprinted as at 31 August 1996. See also Nos. 1 and 3, 1997.