



Australian Capital Territory National Land Amendment (Diplomatic Leases) Ordinance 2015

Ordinance No. 8, 2015

I, the Honourable Paul de Jersey AC QC, Administrator of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Ordinance.

Dated 29 October 2015

Paul de Jersey
Administrator

By His Excellency's Command

Paul Fletcher
Minister for Territories, Local Government and Major Projects

OPC61565 - C

Contents

1	Name	1
2	Commencement	1
3	Authority	1
4	Schedules.....	1
Schedule 1—Amendments		2
Part 1—Main amendments		2
<i>National Land Ordinance 1989</i>		2
Part 2—Application and transitional provisions		3
<i>National Land Ordinance 1989</i>		3

No. 8, 2015 *Australian Capital Territory National Land Amendment (Diplomatic Leases) Ordinance 2015* i
OPC61565 - C

1 Name

This is the *Australian Capital Territory National Land Amendment (Diplomatic Leases) Ordinance 2015*.

2 Commencement

- (1) Each provision of this Ordinance specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Ordinance	The day after this Ordinance is registered.	

Note: This table relates only to the provisions of this Ordinance as originally made. It will not be amended to deal with any later amendments of this Ordinance.

- (2) Any information in column 3 of the table is not part of this Ordinance. Information may be inserted in this column, or information in it may be edited, in any published version of this Ordinance.

3 Authority

This Ordinance is made under the *Seat of Government (Administration) Act 1910*.

4 Schedules

Each instrument that is specified in a Schedule to this Ordinance is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Ordinance has effect according to its terms.

Schedule 1—Amendments

Part 1—Main amendments

National Land Ordinance 1989

1 Schedule (after modification of section 2 of the *Leases (Special Purposes) Ordinance 1925*)

Insert:

Subsection 3(2)—

Repeal the subsection, substitute:

- (2) Subject to this Ordinance, the Minister may grant to the Government of a foreign country, or to an accredited agent of that Government, a lease of land that is National Land for any or all of the following purposes:
- (a) a diplomatic, consular or official purpose of that Government or of the Government of another foreign country;
 - (b) the purpose of an official residence for an accredited agent of that Government or of the Government of another foreign country.
- (2A) A lease of land granted under subsection (2) may, but need not, include terms relating to the following:
- (a) sub-leasing the whole or a part of the land for a purpose mentioned in subsection (2);
 - (b) entering into other arrangements with respect to the whole or a part of the land for a purpose mentioned in subsection (2);
 - (c) sub-dividing the land for a purpose mentioned in subsection (2).
- (2B) A lease of land granted under subsection (2) may, but need not, relate to the whole or a part of premises that would otherwise be used for business or residential purposes.

Part 2—Application and transitional provisions

National Land Ordinance 1989

2 After section 8

Insert:

9 Effect of amendments made by the *Australian Capital Territory National Land Amendment (Diplomatic Leases) Ordinance 2015*

- (1) This section applies to a lease of land that was:
 - (a) granted to the Government of a foreign country, or to an accredited agent of that Government, under the *Leases (Special Purposes) Ordinance 1925* (as applied by this Ordinance) before the commencement day; and
 - (b) in force immediately before the commencement day.
- (2) To avoid doubt, the amendment of this Ordinance made by item 1 of Schedule 1 to the *Australian Capital Territory National Land Amendment (Diplomatic Leases) Ordinance 2015* does not affect either of the following:
 - (a) the validity of the lease on and after the commencement day;
 - (b) the ability of the leased land to be used for a diplomatic, consular or official purpose of the Government of another foreign country, if such use falls within the purpose specified in the lease.
- (3) In this section:

commencement day means the day item 1 of Schedule 1 to the *Australian Capital Territory National Land Amendment (Diplomatic Leases) Ordinance 2015* commences.