

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 11 of 1925.

AN ORDINANCE

Relating to the Leasing of Commonwealth Land for purposes other than Business or Residential Purposes.

BE it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909* and the *Seat of Government (Administration) Act 1910*, as follows :—

1. This Ordinance may be cited as the *Leases (Special Purposes) Ordinance 1925*. Short title.
2. In this Ordinance the words "City Area" means the City Area as defined in the *City Area Leases Ordinance 1924-1925*. Definition of "City Area."
3. Subject to this Ordinance, the Federal Capital Commission may, in the name of the Commonwealth, grant leases of land within the City Area for any purposes other than business or residential purposes. Power to grant leases for purposes other than business or residential purposes.
4. Land leased under this Ordinance shall not be used for any purpose other than the purpose specified in the lease. Land to be used for purposes of lease only.
5. A lease granted under this Ordinance shall be—
 - (a) for any period not exceeding ninety-nine years ; and
 - (b) subject to such conditions as to rent and otherwise as the Federal Capital Commission determines, or as are prescribed. Terms and conditions of lease.
- 6.—(1.) The Federal Capital Commission may, by notice in writing to the lessee of land leased under this Ordinance or the *City Area Leases Ordinance 1924-1925*, require the lessee to erect a fence on the boundary or any portion of the boundary of the land leased. Fences.
(2.) Where the boundary to be fenced is a common boundary between two parcels of land leased under different leases granted under this Ordinance or the *City Area Leases Ordinance 1924-1925*, the Federal Capital Commission may, by notice in writing to each of the lessees, require them jointly to erect the fence.

C.15548.

(3.) A notice under this section shall specify the fence to be erected and the portion of the boundary upon which it is to be erected.

(4.) If a fence in compliance with the notice is not erected within one month after the date of the notice—

(a) the Federal Capital Commission may, at the cost of the lessee, cause the fence to be erected; and

(b) the lessee shall pay to the Federal Capital Commission on demand, the amount fixed by the Federal Capital Commission as the cost of erecting the fence or as to the proportion payable by the lessee of that cost.

(5.) Where a fence is erected on a boundary of land leased under this Ordinance or the *City Area Leases Ordinance 1924-1925*, which boundary at the time of the erection of the fence was not a common boundary between that land and other land leased under a different lease granted under this Ordinance or the *City Area Leases Ordinance 1924-1925*, but which subsequently becomes such a common boundary, the lessee of the firstly mentioned land may recover in any Court of competent jurisdiction from the lessee of the secondly mentioned land half the cost of the erection of the fence less depreciation (if any) to the time of the grant of the lease of the secondly mentioned land.

Land to be kept clean.

7.—(1.) Land leased under this Ordinance shall at all times be kept by the lessee clean, tidy and free from debris, dry herbage, rubbish, carcasses of animals, and other unsightly or offensive matter.

(2.) Upon a non-compliance with this section the Federal Capital Commission may at the cost of the lessee cause any matter or thing to be removed from the land and restore the land to a clean and tidy condition.

(3.) The lessee shall pay to the Federal Capital Commission, on demand, the amount fixed by the Federal Capital Commission as the cost incurred by the Federal Capital Commission by reason of the failure of the lessee to comply with sub-section (1.) of this section.

Amounts demanded under s. 6 or s. 7 deemed to be rent unpaid.

8. Any amount demanded by the Federal Capital Commission pursuant to section six or section seven of this Ordinance shall, as from the date of the demand, be deemed for all purposes under the lease to be rent payable under the lease and unpaid by the lessee.

Leases Ordinance 1918-1925 and City Area Leases Ordinance 1924-1925 not to apply. Regulations.

9. Neither the *Leases Ordinance 1918-1925* nor the *City Area Leases Ordinance 1924-1925* shall apply to any land leased pursuant to this Ordinance.

10. The Federal Capital Commission may make regulations, not inconsistent with this Ordinance, prescribing all matters which are required or permitted to be prescribed, or which are necessary

convenient to be prescribed, for carrying out or giving effect to this Ordinance, and, in particular, prescribing matters providing for and in relation to—

- (a) the conditions of leases ;
- (b) the method of recovering moneys due and unpaid under leases ;
- (c) the determination of leases for non-fulfilment of conditions ;
- (d) the method of recovering land on the determination of leases ; and
- (e) the fees payable in respect of leases.

Dated the third day of November, One thousand nine hundred and twenty-five.

STONEHAVEN,
Governor-General.

By His Excellency's Command,
THOS. W. CRAWFORD,
for Minister of State for Home and Territories.

By Authority: H. J. GREEN, Government Printer, Melbourne