

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 33 of 1937.

AN ORDINANCE

To provide for the Protection of Commonwealth Lands.

BE it ordained by the Governor-General in and over 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 1910-1933*, as follows:—

1. This Ordinance may be cited as the *Protection of Lands Ordinance 1937*. Short title.

2. In this Ordinance, unless the contrary intention appears— Definitions.

“authorized officer,” in relation to any act, matter or thing,
means an officer thereto authorized in writing by the
Minister;

“lands” means lands vested in the Commonwealth; and

“permit” means a permit issued under this Ordinance.

3.—(1.) A person shall not, without a permit in that behalf
issued under this Ordinance, take from any lands any stone, shell,
sand, gravel, clay or earth. Sand, gravel,
&c., not to be
taken without
permit.

Penalty: Ten pounds.

(2.) The Minister may, for such period as he thinks fit, by notice published in the *Gazette*, suspend the operation of this section in respect of any substance or in respect of any lands, and this section shall thereupon cease to apply in respect of that substance or those lands, as the case may be, until the expiration of the period of suspension, or until the suspension is sooner revoked, whichever first happens.

(3.) The Minister may, at any time, by notice published in the *Gazette*, revoke any such suspension.

6880.—PRICE 3D.

Power to
grant permits.

4.—(1.) The Minister or an authorized officer may issue permits to go upon any lands and to take therefrom any substance referred to in the last preceding section.

(2.) A permit may be limited to any particular substance, and to any particular lands, district or locality.

(3.) A permit shall continue in force for the period specified therein and no longer, and shall not be issued for any period exceeding twelve months.

(4.) A permit shall only be granted over lands included in a lease in cases where the substances are reserved to, or are the property of, the Crown.

(5.) A permit issued under this section shall not extend to authorize the taking from any lands any substance which is, or appears to be, metalliferous.

Terms and
conditions of
permits.

5.—(1.) The terms and conditions on which a permit may be issued shall be as determined by the Minister, and any permit may be cancelled by the Minister or an authorized officer for non-compliance by the holder of the permit with any term or condition of the permit.

(2.) Where the Minister or an authorized officer cancels any permit, the Minister or the authorized officer shall forward by post to the person whose permit has been cancelled, at his address as stated in that permit, notice of the cancellation of the permit and the cancellation shall be deemed to take effect at the time the notice would have been delivered in the ordinary course of post.

Fees for
permits.

6. The fee payable for a permit shall be at the rate of Five shillings per month or portion of a month for each vehicle to be used for taking any substance in pursuance of the permit.

Substances or
materials not
to be placed
on lands.

7. A person shall not, without the authority of the Minister or an authorized officer (proof whereof shall lie upon the person accused), deposit, or cause to be deposited, on any unleased lands, any substance or materials.

Penalty: Twenty pounds, and, if the substance or materials continue on the land for more than one day, a further penalty not exceeding Five pounds for each day or portion of a day during which they so continue.

Excavations or
obstructions on
lands to be
lighted.

8. Where any excavation or obstruction is made, or any substance or material is placed, on any unleased lands with the authority of the Minister or an authorized officer, or any work is being carried on on any unleased lands entailing the opening up or breaking of the surface thereof, the person making, or permitting or causing to be made, the excavation or obstruction, or placing the substance or material, or permitting or causing the substance or material to be placed, on the lands, or carrying out

the works, shall cause sufficient lights to be affixed in a proper place to indicate clearly the excavation, obstruction, substance, material or works, and continue those lights every night from sunset to sunrise while the excavation, obstruction, substance, material or works continue, and shall during all that time at his own expense cause the place on which they are continued to be sufficiently fenced or enclosed to prevent any danger or inconvenience to any person.

Penalty: Twenty pounds.

Dated this twenty-first day of December, 1937.

GOWRIE

Governor-General.

By His Excellency's Command,

J. McEWEN

Minister of State for the Interior.