

AUSTRALIAN CAPITAL TERRITORY.

No. 4 of 1944.

AN ORDINANCE

To amend the Protection of Lands Ordinance 1937.

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 *Seat of Government Acceptance Act 1909-1938* and the *Seat of Government (Administration) Act 1910-1940*, as follows:—

1.—(1.) This Ordinance may be cited as the *Protection of Lands Ordinance 1944*.^{* Short title and citation.}

(2.) The *Protection of Lands Ordinance 1937* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Protection of Lands Ordinance 1937-1944*.

2. After section six of the Principal Ordinance the following section is inserted:—

“6A.—(1.) The Minister may, by notice in the *Gazette*, declare any lands to be a sand and gravel pit and may by like notice revoke any such declaration. Sand and gravel pits.

“ (2.) Notwithstanding anything contained in sections three and four of this Ordinance, the Minister may, by notice published in a newspaper circulating in the Territory—

(a) declare, with respect to any sand and gravel pit, that any stone, shell, sand, gravel, clay or earth may, notwithstanding anything contained in sections three and four of this Ordinance, be taken therefrom on payment of such charges and subject to such conditions as are set out in the notice; and

(b) vary from time to time any such charge or condition, and any such substance may be taken from the sand and gravel pit on payment of the charges and subject to the conditions declared by the Minister in pursuance of this section.

“ (3.) Any person who takes any stone, shell, sand, gravel, clay or earth from any sand and gravel pit without paying the charges, and complying with the conditions set out in the last preceding sub-section shall be guilty of an offence and liable to a penalty of Twenty pounds and, in addition to any penalty that may be imposed, the Court may order the defendant to pay the charges payable under this section in respect of any such substance so taken and the like proceedings may be taken upon the order as if the order had been a judgment of the Court in favour of the Commonwealth.

* Notified in the *Commonwealth Gazette* on 3rd February, 1944.

“(4.) A certificate by the Minister, or any person authorized by the Minister on that behalf, specifying the charges owing to the Commonwealth, in respect of any such substance so taken, shall be *prima facie* evidence of the matters stated therein.”.

Dated this second day of February, 1944.

GOWRIE

Governor-General.

By His Excellency's Command,

J. S. COLLINGS

Minister of State for the Interior.