

EXPLANATORY MEMORANDUM

DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF
SUBSECTION 167(1)(b)

LAND (PLANNING AND ENVIRONMENT) ACT 1991

DETERMINATION NO. (19) OF 1992

This disallowable instrument made under paragraph 167(1)(b) of the Land (Planning and Environment) Act 1991 establishes criteria in accordance with subsection 167(3) to enable the Executive to declare leases granted under the provisions of the Leases Act 1918 to be a class of leases to which section 167 shall apply and to specify criteria to determine whether a person is eligible to hold such a lease .

The disallowable instrument provides that the proposed transferee or sublessee must:

- . satisfy the Minister that he or she can comply with the existing lease conditions; and
- . satisfy the Minister that he or she meets the criteria for the direct grant of a lease for the same purpose under subsections 161(5) or 163(4) of the Act.