

EXPLANATORY MEMORANDUM

**DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF
SUBSECTION 167(1)(B)**

LAND PLANNING AND ENVIRONMENT ACT 1991

NO (62) OF 1992

This disallowable instrument made under subsection 167(1)(c) of the Land (Planning and Environment) Act 1991 establishes criteria in accordance with subsection 167(3) to enable the Executive to declare 'leases that nominate that the lessee cannot transfer or assign, sublet or part with possession of all or part of the land comprised in the lease without the previous written consent of the Minister' 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 revokes Determination No 16 of 22 February 1992. The only amendment to that disallowable instrument is that the reference to subsections 164(2) has been changed to subsection 164(3).

The incorrect reference was noted in Report No 1 of 1992 of the Scrutiny of Bills Committee.