

AUSTRALIAN CAPITAL TERRITORY
LAND (PLANNING AND ENVIRONMENT) ACT 1991
LAND (PLANNING AND ENVIRONMENT) SECTION 167 LEASES
DETERMINATION 2007
DISALLOWABLE INSTRUMENT DI 2007- 34
EXPLANATORY STATEMENT

Legislative Context

Section 161 of the *Land (Planning and Environment) Act 1991*, provides the granting of leases by way of auction, tender, ballot or direct grant. In accordance with section 161(6), a lease must not be granted by way of a direct grant unless the grant is in accordance with the criteria set out in section 161(7).

Disallowable Instrument 2003-193 made under the *Land (Planning and Environment) Act 1991* determines that section 167 applies to the class of leases granted for the payment of an amount that is less than the market value of the lease and that the proposed transferee or sub-lessee must meet the same criteria for the initial grant of that lease.

This disallowable instrument revokes the above determination pursuant to section 167(1)(c).

Determination

This determination excludes leases granted to the Australian Capital Territory or Territory Budget Funded Authorities from application of section 167 of the *Land (Planning and Environment) Act 1991*.