

AUSTRALIAN CAPITAL TERRITORY
CITY AREA LEASES ORDINANCE 1974
EXPLANATORY MEMORANDUM

No. 13 of 1974

The existing provisions of the City Area Leases Ordinance 1936-1973 fix the rent payable under leases at five cents per annum if and when demanded. The proposed City Area Leases Ordinance 1974 will amend the City Area Leases Ordinance to the effect that in respect of leases granted after the date of making of the proposed Ordinance, the Minister will be able to levy rents at other than nominal levels.

The amendment to be made to section 12A by clause 2 of the proposed Ordinance will enable the Minister to determine the terms and conditions as to rent to be included in leases henceforth to be granted.

The amendment to be made to section 18 by clause 3 of the proposed Ordinance will ensure that the rent payable on leases granted before the making of the proposed Ordinance will continue to be five cents per annum if and when demanded.

Proposed new section 18A will require the Minister, where rent is subject to periodic variation on the basis of a formula contained in the rent covenant, to give notice of the variation to the lessee. Proposed new section 18B will provide that a lessee who is dissatisfied with a variation may appeal to the Valuation Review Board (established under the Rates Ordinance) and from that tribunal to the Supreme Court (proposed new section 18C).

Clause 5 of the proposed Ordinance will amend section 28 to correct an anomaly which has developed following the making of the City Area Leases Ordinance (No. 2) 1973. This amendment will be of a purely consequential character.

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Minister's Initials