

Land (Amendment) Bill

NOTES ON CLAUSES

Clause 1 is the usual clause providing for the short title and commencement of the Act. The Principal Act is the *Land Act 1958*.

Clause 2 amends the Principal Act as follows:

Paragraph *(a)* amends section 130 of the Principal Act to provide authority for persons duly authorized by the Secretary for Lands to fix annual fees in respect of grazing licences. Paragraph *(b)* inserts a new provision in section 130 of the Principal Act to provide that no grazing fee shall be less than the minimum fee as determined from time to time by the Minister of Lands.

Paragraph *(c)* amends section 138 of the Principal Act which provides for the issue of licences for sundry purposes other than for agriculture. Provision is made for the Secretary for Lands or any person duly authorized by him to fix such licence fees. Paragraph *(d)* inserts a new provision in that section that no fee for such a licence shall be less than the minimum fee as determined from time to time by the Minister.

Paragraphs *(e)*, *(f)* and *(g)* amend sections 140D, 140E and 140H of the Principal Act which relate to licences issued for jetties moorings or landing stages in the Gippsland Lakes locality. The amendments provide for fixing of licence fees by a person duly authorized by the Secretary for Lands, for such fees to be not less than the minimum fee determined by the Minister from time to time and for the substitution of the words "licence fee" for the word "rental".

Paragraph *(h)* repeals the maximum fee which may be charged in respect of temporary apiary rights issued under section 149 of the Principal Act.

Paragraph *(i)* replaces sub-section (2) of section 405 of the Principal Act with respect to unused road licences and water frontage licences. Provision is made for the Secretary for Lands or any person authorized by him to fix the licence fees, for such fees to be not less than the minimum fee determined by the Minister from time to time and for the Minister to remit or waive all or any part of a licence fee where the income of a licensee has been seriously diminished by drought or other adversity.

Clause 3 amends section 91 of the Principal Act which deals with sales of Crown land by public auction. The amendment removes the present method of determining the rate of interest to be charged in respect of the residue of purchase money and the method of calculating such interest by substituting for those provisions power for the Minister to determine the rate of interest. The terms of payment of the residue of purchase money have also been amended to provide for a ninety-day sale.

Clause 4 amends section 228 of the Principal Act with respect to interest charges on rents and fees in arrears. The amendment replaces the present rate of interest of 5% per annum as stipulated in the Principal Act with such rate as the Minister may from time to time determine.

The tenures to which the interest charge is applicable have been updated and are expressly set out.

Clause 5 amends section 352 (1) of the Principal Act which contains power for the addition of interest charges on instalments of purchase money in respect of purchase leases. The amendment removes the reference to licences and licence fees which is no longer applicable and replaces the stipulated rate of interest of 4½% per annum with such rate as the Minister may determine from time to time.