



Lands Acquisition Regulations 1989

Statutory Rules 1989 No. 111 as amended

made under the

Lands Acquisition Act 1989

This compilation was prepared on 30 April 2004
taking into account amendments up to SR 2004 No. 82

Prepared by the Office of Legislative Drafting
Attorney-General's Department, Canberra

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1 Name of Regulations [see Note 1]

These Regulations are the *Lands Acquisition Regulations 1989*.

2 Interpretation

In these Regulations, unless the contrary intention appears:
the Act means the *Lands Acquisition Act 1989*.

3 Exempt authorities

For the purposes of paragraph (b) of the definition of *Commonwealth authority* in section 6 of the Act, each of the authorities specified in Column 2 in Schedule 1 is declared to be an exempt authority.

4 Specified circumstance — paragraph 21 (1) (b) of the Act

The Act does not apply in relation to the acquisition by the Aboriginal and Torres Strait Islander Commission of an interest in land under section 14 of the *Aboriginal and Torres Strait Islander Commission Act 1989* for the benefit of, or assistance to, Aboriginal and Torres Strait Islander corporations.

4A Specified circumstances — paragraph 21 (1) (b) of the Act (Pipeline Authority and its subsidiaries)

The Act does not apply in relation to an acquisition by the Pipeline Authority, or a subsidiary company of the Authority, of an interest in land (including land in a public park) by agreement, under the *Pipeline Authority Act 1973*.

4B Specified circumstances — paragraph 21 (1) (b) of the Act (defence housing)

The Act does not apply in relation to the acquisition by the Commonwealth from the Defence Housing Authority of an

interest in land, other than a freehold interest, for the purpose of providing housing to meet the operational needs of the Defence Force.

5 Interest payable on compensation — interests other than mortgage interests

For the purposes of subsection 91 (2) of the Act, the rate of interest payable on compensation is the rate that is the assessed secondary market yield, in respect of 5-year non-rebate Treasury bonds, published by the Reserve Bank in respect of a month in respect of which the Commonwealth is liable to pay compensation to the relevant claimant under Part VII of the Act.

6 Interest payable in compensation

For the purposes of subsection 115 (2) of the Act, the rate of interest payable on compensation is the rate that is the assessed secondary market yield, in respect of 5-year non-rebate Treasury bonds, published by the Reserve Bank in respect of a month in respect of which the Commonwealth is liable to pay compensation to the relevant claimant under Part VIII of the Act.

7A Specified circumstances — paragraph 117 (1) (b) of the Act (Pipeline Authority and its subsidiaries)

The Act does not apply in relation to a disposal by the Pipeline Authority, or a subsidiary company of the Authority, of an interest in land (including land in a public park) by agreement, under the *Pipeline Authority Act 1973*.

7B Specified circumstances — paragraph 117 (1) (b) of the Act (defence housing)

The Act does not apply in relation to the disposal by the Commonwealth of an interest in land, other than a freehold interest, for the purpose of providing housing to meet the operational needs of the Defence Force.

7C Specified circumstances — paragraph 117 (1) (b) of the Act (Albury-Wodonga Development Corporation)

The Act does not apply in relation to the disposal by the Albury-Wodonga Development Corporation of an interest in land for the purpose of managing or disposing of assets under the *Albury-Wodonga Development Act 1973*.

8 Prescribed address (Act s 137)

For subsection 137 (1) of the Act, the following address is prescribed:

Secretary
Department of Finance and Administration
GPO Box 1920
CANBERRA ACT 2601.

Schedule 1 Exempt authorities

(regulation 3)

Column 1 Item No.	Column 2 Authority
1	Australian Broadcasting Corporation
1A	Australian Dairy Corporation
2	Australian Dried Fruits Corporation
3	Australian Honey Board
3A	Australian Horticultural Corporation
3B	Australian Horticultural Research and Development Corporation
4	Australian Industry Development Corporation
4A	Australian Maritime Safety Authority
5	Australian Meat and Livestock Corporation
5A	Australian Meat and Livestock Research and Development Corporation
5B	Australian National Railways Commission
5C	Australian Postal Corporation
5D	Australian Securities Commission
5E	Australian Shipping Commission
5F	Australian Telecommunications Corporation
6	Australian Tobacco Board
7	Australian Wheat Board
8	Australian Wine and Brandy Corporation
9	Australian Wool Corporation
10	Commonwealth Banking Corporation
11	Commonwealth Development Bank
12	Commonwealth Savings Bank
13	Commonwealth Trading Bank

Column 1 Item No.	Column 2 Authority
13A	Health Insurance Commission
13B	Indigenous Land Corporation
14	Joint Coal Board
15	Reserve Bank of Australia
17	Snowy Mountains Hydro-electric Authority
18	Special Broadcasting Service

Table of Statutory Rules

Notes to the *Lands Acquisition Regulations 1989***Note 1**

The *Lands Acquisition Regulations 1989* (in force under the *Lands Acquisition Act 1989*) as shown in this compilation comprise Statutory Rules 1989 No. 111 amended as indicated in the Tables below.

Table of Statutory Rules

Year and number	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
1989 No. 111	7 June 1989	9 June 1989 (see <i>Gazette</i> 1989, No. S185)	
1989 No. 274	19 Oct 1989	19 Oct 1989	—
1990 No. 291	21 Sept 1990	21 Sept 1990	—
1993 No. 56	4 May 1993	4 May 1993	—
1993 No. 325	10 Dec 1993	9 Nov 1993 (see r. 1)	R. 3
1994 No. 389	25 Nov 1994	25 Nov 1994	—
1995 No. 110	31 May 1995	1 June 1995	—
1995 No. 112	6 June 1995	6 June 1995	—
2000 No. 304	16 Nov 2000	16 Nov 2000	—
2004 No. 20	26 Feb 2004	26 Feb 2004	—
2004 No. 82	30 Apr 2004	30 Apr 2004	—

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 1	rs. 2000 No. 304
R. 4	rs. 1990 No. 291
R. 4A.....	ad. 1994 No. 389
R. 4B.....	ad. 1995 No. 112
R. 7	rs. 1990 No. 291 rep. 2004 No. 82
R. 7A.....	ad. 1994 No. 389
R. 7B.....	ad. 1995 No. 112
R. 7C.....	ad. 2004 No. 20
R. 8	rs. 2000 No. 304
Schedule 1	
Schedule 1.....	am. 1989 No. 274; 1990 No. 291; 1993 Nos. 56 and 325; 1995 No. 110
Schedule 2	
Schedule 2.....	rep. 2000 No. 304