



## **Lands Acquisition Regulations 2017**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 30 November 2017

Peter Cosgrove  
Governor-General

By His Excellency's Command

Mathias Cormann  
Minister for Finance

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## 1 Name

This instrument is the *Lands Acquisition Regulations 2017*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	2 December 2017

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Lands Acquisition Act 1989*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## 5 Definitions

In this instrument:

*Act* means the *Lands Acquisition Act 1989*.

## 6 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 the following table is declared to be an exempt authority.

Exempt authorities	
Item	Name of authority
1	Australian Broadcasting Corporation

## Section 7

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### Exempt authorities

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Item	Name of authority
2	Australian Grape and Wine Authority
3	Australian Maritime Safety Authority
4	Australian National University
5	Australian Postal Corporation
6	Australian Securities and Investment Commission
7	Indigenous Business Australia
8	Indigenous Land Corporation
9	Reserve Bank of Australia
10	Special Broadcasting Service Corporation

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## 7 Act does not apply to acquisitions of certain interests in land by the Commonwealth from Defence Housing Australia

For the purposes of paragraph 21(1)(b) of the Act, the Act does not apply in relation to the acquisition by the Commonwealth of an interest in land, other than a freehold interest, in circumstances where the acquisition:

- (a) is from Defence Housing Australia; and
- (b) is for the purpose of providing housing to meet the operational needs of the Australian Defence Force.

## 8 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 set out in the table *Capital Market Yields—Government Bonds—Monthly—F2.1*, published by the Reserve Bank of Australia, 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.

Note: The table could in 2017 be viewed on the Reserve Bank of Australia website (<http://www.rba.gov.au/statistics/tables/#interest-rates>).

## 9 Interest payable on compensation payable under Part VIII of the Act

For the purposes of subsection 115(2) of the Act, the rate of interest payable on compensation is the rate set out in the table *Capital Market Yields—Government Bonds—Monthly—F2.1*, published by the Reserve Bank of Australia, 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.

Note: The table could in 2017 be viewed on the Reserve Bank of Australia website (<http://www.rba.gov.au/statistics/tables/#interest-rates>).

**10 Act does not apply to disposal of certain interests in land by the Commonwealth for defence housing**

For the purposes of paragraph 117(1)(b) of the Act, the Act does not apply in relation to the disposal by the Commonwealth of an interest in land, other than a freehold interest, in circumstances in which the disposal is for the purpose of providing housing to meet the operational needs of the Australian Defence Force.

**11 Prescribed address for giving documents to Minister**

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

Department of Finance

1 Canberra Avenue

FORREST ACT 2603

## **Schedule 1—Repeals**

### ***Lands Acquisition Regulations 1989***

#### **1 The whole of the instrument**

Repeal the instrument.