

South Australia

Crown Lands Regulations 1996

under the *Crown Lands Act 1929*

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Legislative history

1—Short title

These regulations may be cited as the *Crown Lands Regulations 1996*.

2—Commencement

These regulations will come into operation on 1 September 1996.

3—Revocation

The *Crown Lands Regulations 1941* (see *Gazette 16.10.1941 p789*), as varied, are revoked.

4—Interpretation

In these regulations, unless the contrary intention appears—
the Act means the *Crown Lands Act 1929*.

5—Forms of surrender

The forms of surrender set out in Schedule 1 must be used for the purposes specified in the Schedule.

6—Fees

The fees set out in Schedule 2 are payable to the Minister.

Schedule 1—Forms of surrender

Form A	Absolute surrender of whole of a Crown lease (section 205)
Form B	Absolute surrender of part of a Crown lease (section 205)
Form C	Conditional surrender of whole of a Crown lease (section 206)
Form D	Conditional surrender of part of a Crown lease (section 206)
Form E	Absolute surrender of whole of a Crown agreement (section 207)
Form F	Absolute surrender of part of a Crown agreement (section 207)
Form G	Conditional surrender of whole of a Crown agreement (section 208)
Form H	Conditional surrender of part of a Crown agreement (section 208)
Form I	Surrender of whole of a Crown lease/agreement (section 208A)
Form J	Surrender of part of a Crown agreement by mortgagee or encumbrancee (section 208A)
Form K	Surrender of part of a Crown lease by mortgagee or encumbrancee (section 208A)
Form L	Surrender of Crown agreement for new agreement, land grant or lease (section 49, 185, 199, 221 or 223)
Form M	Surrender of Crown lease for new lease, land grant or agreement (section 41D, 49, 130, 183, 184, 210, 212 or 223)
Form N	Surrender of Crown lease/agreement in small estate (section 222).

Form A

Crown Lands Act 1929
(section 205)

Absolute surrender of whole of a Crown lease

CROWN LEASE	The whole of the land comprised in Register Book Volume Folio No
LESSEE(S) Full name and address	
I/We surrender to the Crown all my/our estate and interest in the land comprised in the above lease.	
EXECUTION (by lessee(s))	
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.	
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)	

Form B

Crown Lands Act 1929
(section 205)

Absolute surrender of part of a Crown lease

CROWN LEASE	The whole of the land comprised in Register Book Volume Folio No.
LESSEE(S) Full name and address	
LAND Description of the portion of land to be surrendered	
I/We surrender to the Crown all my/our estate and interest in the land described above PROVIDED that the following alterations are made to the lease.	
ALTERATIONS TO LEASE Rent, area and description of land	
EXECUTION (by lessee(s))	
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.	
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)	

Form C

Crown Lands Act 1929
(section 206)

Conditional surrender of whole of a Crown lease

CROWN LEASE	The whole of the land comprised in Register Book Volume Folio No.
LESSEE(S) Full name and address	
Under section 206 of the <i>Crown Lands Act 1929</i> I/we surrender to the Crown the land described above to enable () new lease(s) of the land to be granted to: Full name and description of nominee(s), land and consideration	
EXECUTION (by current lessee(s))	
I/WE AGREE TO ACCEPT A LEASE/LEASES OF THE LAND DESCRIBED ABOVE. EXECUTION (by incoming lessee(s))	
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.	
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)	

Note: When the Surrender is a conveyance on sale, the name of the purchaser and amount of consideration must be given. This document is subject to the provisions of the *Stamp Duties Act 1923*.

Form D

Crown Lands Act 1929
(section 206)

Conditional surrender of part of a Crown lease

CROWN LEASE	The whole of the land comprised in Register Book Volume Folio No
LESSEE(S)	Full name and address
LAND	Description of the portion of land to be surrendered
Under section 206 of the <i>Crown Lands Act 1929</i> I/we surrender to the Crown all my/our estate and interest in the land described above being portion of the land described in the above lease to enable new lease(s) over the land to be granted to: Full name and description of nominee(s) and consideration	
PROVIDED that the following alterations are made to the lease.	
ALTERATIONS TO LEASE	Rent, area and description of land
EXECUTION (by current lessee(s))	
I/WE AGREE TO ACCEPT A LEASE/LEASES OF THE LAND DESCRIBED ABOVE. EXECUTION (by incoming lessee(s))	
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.	
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)	

Note: When the Surrender is a conveyance on sale, the name of the purchaser and amount of consideration must be given. This document is subject to the provisions of the *Stamp Duties Act 1923*.

Form E

Crown Lands Act 1929
(section 207)

Absolute surrender of whole of a Crown agreement

CROWN AGREEMENT	The whole of the land comprised in Register Book
	Volume Folio No
PURCHASER(S) Full name and address	
I/We surrender to the Crown all my/our estate and interest in the land comprised in the above agreement.	
EXECUTION (by purchaser(s))	
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.	
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)	

Form F

Crown Lands Act 1929
(section 207)

Absolute surrender of part of a Crown agreement

CROWN AGREEMENT	The whole of the land comprised in Register Book
	Volume Folio No
PURCHASER(S) Full name and address	
LAND Description of the portion of land to be surrendered	
I/We surrender to the Crown all my/our estate and interest in the land described above PROVIDED that the following alterations are made to the agreement.	
ALTERATIONS TO AGREEMENT Purchase money, instalments, area and description of land	
EXECUTION (by purchaser(s))	
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.	
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)	

Form G

Crown Lands Act 1929
(section 208)

Conditional surrender of whole of a Crown agreement

CROWN AGREEMENT	The whole of the land comprised in Register Book
	Volume Folio No
PURCHASER(S) Full name and address	
Under section 208 of the <i>Crown Lands Act 1929</i> I/we surrender to the Crown the land described above to enable () new agreement(s) of the land to be granted to: Full name and description of nominee(s), land and consideration	
EXECUTION (by current purchaser(s))	
I/WE AGREE TO ACCEPT AN AGREEMENT/AGREEMENTS OF THE LAND DESCRIBED ABOVE. EXECUTION (by incoming purchaser(s))	
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.	
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)	

Note: When the Surrender is a conveyance on sale, the name of the purchaser and amount of consideration must be given. This document is subject to the provisions of the *Stamp Duties Act 1923*.

Form H

Crown Lands Act 1929
(section 208)

Conditional surrender of part of a Crown agreement

CROWN AGREEMENT	The whole of the land comprised in Register Book	
	Volume	Folio No
PURCHASER(S) Full name and address		
LAND Description of the portion of land to be surrendered		
Under section 208 of the <i>Crown Lands Act 1929</i> I/we surrender to the Crown all my/our estate and interest in the land described above being portion of the land described in the agreement to enable new agreement(s) over the land to be granted to: Full name and description of nominee(s) and consideration		
PROVIDED that the following alterations are made to the agreement.		
ALTERATIONS TO AGREEMENT Purchase money, instalments, area and description of land		
EXECUTION (by current purchaser(s))		
I/WE AGREE TO ACCEPT AN AGREEMENT/AGREEMENTS OF THE LAND DESCRIBED ABOVE. EXECUTION (by incoming purchaser(s))		
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.		
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)		

Note: When the Surrender is a conveyance on sale, the name of the purchaser and amount of consideration must be given. This document is subject to the provisions of the *Stamp Duties Act 1923*.

Form I

Crown Lands Act 1929
(section 208A)

Surrender of whole of a Crown lease/agreement by Mortgagee or Encumbrancee

CROWN LEASE/AGREEMENT	The whole of the land comprised in Register Book	
	Volume	Folio No
MORTGAGEE(S)/ENCUMBRANCEE(S) Full name and address		
Under section 208A of the <i>Crown Lands Act 1929</i> I/we surrender to the Crown the land described above together with the whole of the estate and interest in the land of the mortgagor/encumbrancer as appears in memorandum of mortgage/encumbrance No. for the purpose of obtaining () new lease(s)/agreement(s) of the land to be granted to: Full name and description of nominee(s), land and consideration and certify that the mortgagor/encumbrancer is not protected by the operation of a law of the Commonwealth or the State against the exercise of the power of sale.		
EXECUTION (by mortgagee(s)/encumbrancee(s))		
I/WE AGREE TO ACCEPT A LEASE(S)/AGREEMENT(S) OF THE LAND DESCRIBED ABOVE. EXECUTION (by incoming lessee(s)/purchaser(s))		
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.		
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)		

Note: This document is subject to the provisions of the *Stamp Duties Act 1923*.

Form J

Crown Lands Act 1929
(section 208A)

Surrender of part of a Crown agreement by Mortgagee or Encumbrancee

CROWN AGREEMENT	The whole of the land comprised in Register Book	
	Volume	Folio No
MORTGAGEE(S)/ENCUMBRANCEE(S) Full name and address		
LAND Description of the portion of land to be surrendered		
Under section 208A of the <i>Crown Lands Act 1929</i> I/we surrender to the Crown the land described above being portion of the land described in the agreement together with the whole of the estate and interest in the land of the mortgagor/encumbrancer as appears in memorandum of mortgage/encumbrance No. to enable a new agreement over the surrendered land to be granted to: Full name and description of nominee(s) and consideration PROVIDED that the following alterations are made to the agreement. I/We certify that the mortgagor/encumbrancer is not protected by the operation of a law of the Commonwealth or the State against the exercise of the power of sale.		
ALTERATIONS TO AGREEMENT Purchase money, instalments, area and description of land		
EXECUTION (by mortgagee(s)/encumbrancee(s))		

I/WE AGREE TO ACCEPT AN AGREEMENT OF THE LAND DESCRIBED ABOVE. EXECUTION (by incoming purchaser(s))
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)

Note: This document is subject to the provisions of the *Stamp Duties Act 1923*.

Form K

Crown Lands Act 1929
(section 208A)

Surrender of part of a Crown lease by Mortgagee or Encumbrancee

CROWN LEASE	The whole of the land comprised in Register Book	
	Volume	Folio No
MORTGAGEE(S)/ENCUMBRANCEE(S) Full name and address		
LAND Description of the portion of land to be surrendered		
Under section 208A of the <i>Crown Lands Act 1929</i> I/we surrender to the Crown the land described above being portion of the land described in the lease together with the whole of the estate and interest in the land of the mortgagor/encumbrancer as appears in memorandum of mortgage/encumbrance No. to enable a new lease over the surrendered land to be granted to: Full name and description of nominee(s) and consideration PROVIDED that the following alterations are made to the lease. I/We certify that the mortgagor/encumbrancer is not protected by the operation of a law of the Commonwealth or the State against the exercise of the power of sale.		
ALTERATIONS TO LEASE Rent, area and description of land		
EXECUTION (by mortgagee(s)/encumbrancer(s))		
I/WE AGREE TO ACCEPT AN LEASE OF THE LAND DESCRIBED ABOVE. EXECUTION (by incoming lessee(s))		

ACCEPTANCE (by Minister)

In the name and on behalf of the Crown I accept this surrender.

CONSENTS

(all parties having a registered estate or interest or claiming an interest in the land)

Note: This document is subject to the provisions of the *Stamp Duties Act 1923*.

Form L

Crown Lands Act 1929

Surrender of Crown agreement for new agreement, land grant or lease

CROWN AGREEMENT	The whole of the land comprised in Register Book
	Volume Folio No
PURCHASER(S) Full name and Address	
I/We surrender to the Crown all my/our estate and interest in the land comprised in the above agreement to enable new agreement(s)/land grant(s)/lease(s) to be granted to me/us.	
EXECUTION (by purchaser(s))	
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.	
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)	

Form M

Crown Lands Act 1929

Surrender of Crown lease for new lease, land grant or agreement

CROWN LEASE	The whole of the land comprised in Register Book Volume Folio No
LESSEE(S) Full name and Address	
I/We surrender to the Crown all my/our estate and interest in the land comprised in the above lease to enable new lease(s)/land grant(s)/agreement(s) to be granted to me/us.	
EXECUTION (by lessee(s))	
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.	
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)	

Form N

Crown Lands Act 1929
(section 222)

Surrender of Crown lease/agreement in small estate

CROWN LEASE/AGREEMENT	The whole of the land comprised in Register Book
	Volume Folio No
EXECUTOR(S) ETC Full name and address of executor(s), widow, widower, next of kin or other person entitled to surrender	
Under section 222 of the <i>Crown Lands Act 1929</i> I/we surrender to the Crown the land described above to enable a new lease/agreement of the land to be granted to: Full name and description of nominee(s) and consideration	
EXECUTION (by executor(s) or other(s))	
I/WE AGREE TO ACCEPT A LEASE/AGREEMENT OF THE LAND DESCRIBED ABOVE. EXECUTION (by incoming lessee(s)/purchaser(s))	
ACCEPTANCE (by Minister) In the name and on behalf of the Crown I accept this surrender.	
CONSENTS (all parties having a registered estate or interest or claiming an interest in the land)	

Note: When the Surrender is a conveyance on sale, the name of the purchaser and amount of consideration must be given. This document is subject to the provisions of the *Stamp Duties Act 1923*.

Schedule 2—Fees

Note—

Lands Titles Office fees and stamp duty are not included in the fees in this Schedule but will, in appropriate circumstances, be payable.

Part 1—Application fees

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|---|--|----------|
| 1 | Application for consent— | |
| | (a) to transfer, assign, mortgage, encumber or sublet a lease, agreement or land grant (or part of a lease) | \$271.00 |
| | (b) to transfer, assign or sublet a licence where the licence is held inseparable with other Crown leasehold land being transferred | \$134.00 |
| | (c) to transfer, assign or sublet a licence in any other case | \$271.00 |
| 2 | Application to surrender a lease for other tenure | \$276.00 |
| 3 | Application to surrender absolutely a miscellaneous lease endorsed "non-acceptable" and for the issue of a new miscellaneous lease to a nominated party | \$271.00 |
| 4 | Application to convert a licence to other tenure | \$287.00 |
| 5 | Application for a duplicate or amended consent to transfer, assign, mortgage, encumber or sublet a lease, agreement or land grant | \$19.40 |
| 6 | The cost of publishing a notice in the Gazette where required under section 222 of the Act is payable in addition to the fees in clauses 1 to 5 inclusive. | |

Part 2—Document fees

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|---|---|----------|
| 7 | For preparing— | |
| | (a) a land grant | \$182.00 |
| | (b) a lease or agreement | \$356.00 |
| | (c) a surrender of a lease or agreement | \$214.00 |
| | (d) a surrender of part of a lease or agreement | \$356.00 |
| | (e) a certificate under section 66A or 66B of the Act | \$182.00 |
| | (f) a certificate where a lease or agreement is altered, renewed or revived | \$182.00 |
| | (g) a determination of a lease or agreement on completion of purchase | \$214.00 |
| | (h) a resumption of a lease or agreement | \$214.00 |
| | (i) a resumption of part of a lease or agreement | \$356.00 |
| | (j) a request by the Minister to alter or cancel a land grant or certificate of title on behalf of another party | \$182.00 |
| | (k) a grant of easement or an extinguishment of a grant of easement | \$182.00 |
| | (l) a mortgage or discharge of mortgage | \$182.00 |
| 8 | For correcting by registration an error in the name or other particulars supplied by or on behalf of a lessee, purchaser or other party | \$182.00 |

Part 3—Miscellaneous fees

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|---|--|----------|
| 9 | (1) For processing a transaction (other than a transaction in respect of which an application fee has been paid) under the Act at the request of any person for the benefit of that person or some other person nominated by that person | \$271.00 |
| | (2) Document fees are payable in addition to the fee referred to in subclause (1). | |

10	For production in the Lands Titles Office of land grants, certificates of title, leases and agreements held as security irrespective of the number of documents involved in the one transaction	\$108.00
11	For preparing or checking definitions for proclamations or notices under the Act—	
	(a) where the time spent in preparing or checking definitions exceeds two and a half hours (per hour)	\$74.00
	(b) minimum fee	\$186.00

Legislative history

Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
1996	207	<i>Gazette 29.8.1996 p1007</i>	1.9.1996: r 2
1997	110	<i>Gazette 13.5.1997 p1927</i>	1.7.1997: r 2
1998	101	<i>Gazette 28.5.1998 p2410</i>	1.7.1998: r 2
1999	102	<i>Gazette 27.5.1999 p2906</i>	1.7.1999: r 2
2000	113	<i>Gazette 25.5.2000 p2821</i>	1.7.2000: r 2
2001	54	<i>Gazette 31.5.2001 p1958</i>	1.7.2001: r 2
2002	54	<i>Gazette 20.6.2002 p2518</i>	1.7.2002: r 2
2003	111	<i>Gazette 29.5.2003 p2286</i>	1.7.2003: r 2
2004	90	<i>Gazette 27.5.2004 p1590</i>	1.7.2004: r 2

Provisions varied

New entries appear in bold.

Provision	How varied	Commencement
Sch 2	substituted by 110/1997 r 3	1.7.1997
	substituted by 101/1998 r 3	1.7.1998
	substituted by 102/1999 r 3	1.7.1999
	substituted by 113/2000 r 3	1.7.2000
	substituted by 54/2001 r 3	1.7.2001
	substituted by 54/2002 r 3	1.7.2002
	substituted by 111/2003 r 4	1.7.2003