

PETROLEUM PROSPECTING (No. 2).

No. 31 of 1926.

An Act to amend the *Petroleum Prospecting Act* 1926.

[Assented to 29th July, 1926.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title and citation.

1.—(1.) This Act may be cited as the *Petroleum Prospecting Act* (No. 2) 1926.

(2.) The *Petroleum Prospecting Act* 1926*, as amended by this Act, may be cited as the *Petroleum Prospecting Acts* 1926.

Application of Trust Account.

2. Section four of the *Petroleum Prospecting Act* 1926 is amended by adding at the end thereof the following sub-section :—

“(3.) Out of the moneys standing to the credit of the Trust Account there shall be paid such expenditure incurred in the administration of this Act as the Minister approves.”.

• Act No. 5, 1926.

SEAT OF GOVERNMENT (ADMINISTRATION).

No. 32 of 1926.

An Act to amend the *Seat of Government (Administration) Act* 1924.

[Assented to 29th July, 1926.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title and citation.

1.—(1.) This Act may be cited as the *Seat of Government (Administration) Act* 1926.

(2.) The *Seat of Government (Administration) Act 1924** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Seat of Government (Administration) Act 1924-1926*.

2. This Act shall commence on a date to be fixed by Proclamation. Commencement.

3.—(1.) Section six of the Principal Act is amended—

Chief
Commissioner.

(a) by inserting in sub-section (2.) after the words “to be” the words “Chief Commissioner and he shall be *ex officio*”; and

(b) by omitting from sub-section (3.) the words “Chairman of the Commission” and inserting in their stead the words “Chief Commissioner”.

(2.) The appointment, to the office of Chairman of the Commission, of the person who, immediately prior to the commencement of this section, held that office shall, upon that commencement, be deemed to have been to the office of Chief Commissioner.

4. After section six of the Principal Act the following section is inserted:—

“6A.—(1.) Subject to this section all meetings of the Commission shall be convened by the Chief Commissioner by notice in writing to the other members of the Commission.

Meetings of
the Commission.

“(2.) The Minister may, by notice in writing to each member of the Commission, direct that a meeting be held at the time and place specified in the notice.”.

5. Section seven of the Principal Act is amended by omitting the words “Chairman of the Commission” and inserting in their stead the words “Chief Commissioner”.

Remuneration of
Commissioners.

6. Section twelve of the Principal Act is amended—

(a) by omitting from sub-section (2.) the words “Chairman of the Commission” and inserting in their stead the words “Chief Commissioner”; and

(b) by omitting from sub-section (2.) the word “Chairman” (second occurring) and inserting in its stead the words “Chief Commissioner”.

Commissioners
not subject to
*Commonwealth
Public Service
Act 1922-1924*.

7. Section thirteen of the Principal Act is amended—

(a) by omitting from sub-section (2.) thereof the words “Chairman of the Commission” and inserting in their stead the words “Chief Commissioner”; and

(b) by inserting in sub-section (2.) thereof after the word “powers” the words “and functions”.

Appointment of
officers.

Powers of the
Commission.

8.—(1.) Section fourteen of the Principal Act is amended by inserting in sub-section (1.) thereof, after paragraph (k), the following paragraphs :—

“(ka) the construction of buildings for use as, or in connexion with, residences in the Territory ;

“(kb) the disposal, upon such conditions as the Commission determines, to lessees of land in the Territory, of residences and other improvements erected or made by the Commission on that land ;

“(kc) the advancing, upon such conditions as the Commission determines, to lessees of land in the Territory, of money for the purpose of building or other developmental work on that land ;”.

(2.) This section shall be deemed to have commenced upon the date of the commencement of the Principal Act.

9. After section fourteen of the Principal Act the following section is inserted :—

Powers of
Commission
in relation to
leases.

“14A. In relation to any lease granted by the Commonwealth of land in the Territory, the Commission shall have, and may, in its own name, exercise, all the powers and functions of the lessor under the lease, and any rent or other moneys paid to or recovered by the Commission under or by virtue of the lease, including damages recovered in respect of a breach of a covenant of the lease, shall be deemed to be revenue of the Commission for the purpose of section seventeen of this Act.”.

10. Section fifteen of the Principal Act is repealed and the following section inserted in its stead :—

Transfer to
and vesting in
Commission of
land.

“15.—(1.) The Governor-General may, from time to time, by notification published in the *Gazette*, declare that any land the property of the Commonwealth within the Territory (other than the sites allotted for Parliament House and the residence of the Governor-General) or any land the property of the Commonwealth situated in the State of New South Wales and contiguous to the Territory, is vested in the Commission.

“(2.) Upon the publication in the *Gazette* of a notification under the last preceding sub-section, the land described therein shall become vested in the Commission for an estate in fee simple, subject to the same estates, interests and liabilities (if any) as those subject to which the land was held by the Commonwealth.

“(3.) Where in any Act, Ordinance, or other law in force in the Territory, register, contract or other document which relates to land vested in the Commission under this section or which, prior to that vesting, related to that land, any reference is made to the Commonwealth, or to the Governor-General, or to a Minister of State, or to any other prescribed authority, the reference shall, unless otherwise prescribed, be read as a reference to the Commission, or to such other authority or person as is prescribed.

“(4.) The Commission shall not dispose of the freehold title to any land except in pursuance of some contract entered into before the commencement of the *Seat of Government (Administration) Act 1910*.

“(5.) Subject to the last preceding sub-section and to any Act and to any Ordinance made under the *Seat of Government (Administration) Act 1910*, the Commission shall have full powers of managing, leasing and otherwise dealing with any land vested in it in pursuance of this section.

“(6.) The Commission may charge the Commonwealth, or any authority or person occupying any land vested in the Commission, rent for the use of land vested in the Commission under this section, and a reasonable sum for any services rendered to the Commonwealth, authority or person by the Commission.

“(7.) The maximum rent which may be charged in respect of the use of any land shall be fixed in the prescribed manner.

“(8.) In this section ‘land’ includes any improvements thereon.”.

11. Section sixteen of the Principal Act is amended—

By-law

(a) by inserting, after sub-section (1.), the following sub-section:—

“(1A.) Where the Commission certifies that on account of urgency or any special reason any by-laws should have immediate operation, the by-laws in respect of which the Commission so certifies shall, notwithstanding that the approval of the Governor-General has not been given, take effect from the date specified in paragraph (b) of sub-section (2.) of this section.

“(1B.) Any by-laws to which the last preceding sub-section applies shall, at the expiration of sixty days from the date of their commencement, cease to have effect unless, prior to the expiration of that period, the Governor-General has given his approval to those by-laws.”; and

(b) by omitting from sub-section (2.) the words “such by-laws” and inserting in their stead the words “by-laws made under this section”.

12. Section seventeen of the Principal Act is amended—

Accounts of the Commission.

(a) by omitting from paragraph (c) of sub-section (1.) the words “received from” and inserting in their stead the words “and other moneys received under any lease of”;

(b) by omitting from paragraph (f) of sub-section (1.) the word “and”;

(c) by inserting in sub-section (1.), after paragraph (f), the following paragraphs:—

“(fa) moneys received as repayments of or interest upon advances made by the Commission under this Act;

“(fb) moneys received in respect of residences or other improvements erected or made by the Commission on lands leased by the Commission; and”;

- (d) by inserting in paragraph (g) of sub-section (1.), after the word "Commission", the words "except moneys received and held by the Commission upon some condition as to use";
- (e) by inserting after sub-section (3.) the following sub-section:—
 "(3A.) Any expenditure incurred, either before or after the commencement of this sub-section, in connexion with the construction of Parliament House and the residence of the Governor-General, which has been or is charged to the Seat of Government Fund, shall be repaid to the Fund out of moneys from time to time appropriated by the Parliament for those purposes."; and
- (f) by inserting in sub-section (4.), after the word "reduction", the words "or redemption".

Borrowing of
moneys.

13.—(1.) Section twenty of the Principal Act is amended by inserting after sub-section (1.) the following sub-sections:—

"(1A.) The Commission may, from time to time, in lieu of exercising the power conferred on it by the last preceding sub-section, request the Treasurer to borrow moneys on its behalf, and the Treasurer may thereupon, under the provisions of the *Commonwealth Inscribed Stock Act* 1911–1918 or under the provisions of any Act authorizing the issue of Treasury Bills, borrow, on behalf of the Commission, moneys not exceeding the amounts authorized, by any Act or in pursuance of any resolution passed by both Houses of the Parliament, to be borrowed for the purpose of the exercise of any of the powers of the Commission.

"(1B.) The indebtedness of the Commission to the Commonwealth in respect of moneys borrowed by the Treasurer on its behalf shall include such amounts as the Treasurer certifies are necessary to cover all costs and charges (including exchange) incurred in connexion with the relative loans and all discounts on the flotation of such loans.

"(1C.) Interest shall be payable by the Commission to the Commonwealth, on such dates as the Treasurer determines, on the indebtedness of the Commission as determined in the last preceding sub-section at a rate sufficient to recoup the Commonwealth the interest paid by it in respect of that indebtedness, and the terms and conditions of the repayment of the indebtedness of the Commission to the Commonwealth shall be as determined by the Treasurer.

"(1D.) The Commission shall in each year during which interest is payable to the Commonwealth pay to the Treasurer such amounts as the Treasurer certifies are necessary to cover the cost of exchange on interest payments, commission for paying interest, stamp duty on loan transfers and charges (other than those referred to in sub-section (1B.) of this section) payable by the Commonwealth in respect of the relative loans.

"(1E.) In addition to any interest payable by the Commission on its indebtedness to the Commonwealth, the Commission shall, in each year during which interest is payable, and on the same dates on which

interest is payable, pay to the Treasurer a sinking fund contribution at the rate of Ten shillings per annum for every One hundred pounds or portion of One hundred pounds of its indebtedness until those moneys are repaid to the Commonwealth.

“(1f.) Each contribution received by the Treasurer under the last preceding sub-section shall be paid into the National Debt Sinking Fund established under the *National Debt Sinking Fund Act* 1923-1925.

“(1g.) There may be issued and applied out of the proceeds of any loan raised by the Treasurer under the authority of any Act, including this Act, any sum not exceeding the amounts authorized by the Act to be borrowed for the purpose of the exercise of any of the powers of the Commission and for the expenses of borrowing.”; and

(2.) Section twenty of the Principal Act is amended by omitting from sub-section (5.) the words “the Commission after the moneys have been advanced” and inserting in their stead the words “, or on behalf of, the Commission after the moneys have been advanced, not being a loan obtained by the Commission from a banking institution for the purpose of the construction of residences or a loan obtained by way of overdraft”.

14. Section twenty-one of the Principal Act is amended—

(a) by inserting after sub-section (1.) the following proviso:—

“Provided that this sub-section shall not apply to expenditure incurred by the Commonwealth in connexion with the construction of Parliament House.”;

(b) by inserting at the end of sub-section (4.) the words “or which were entered into prior to that date but did not come into force until after that date”; and

(c) by adding at the end thereof the following sub-section:—

“(6.) Subject to this Act the Commission shall be responsible for, and liable for the expenditure incurred in, the construction, supply and maintenance of all buildings, works and services required or undertaken by the Commonwealth in the Territory.”.

Liability of
Commission in
respect of
Territory.

15. Section twenty-seven of the Principal Act is amended by omitting the word “Chairman” (wherever occurring) and inserting in its stead the words “Chief Commissioner”.

Appearance of
Commission.

16. Section twenty-nine of the Principal Act is amended by omitting the words “control and management of the affairs of the”.

Regulations.