



# Western Lands Amendment Regulation 2002

under the

Western Lands Act 1901

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Western Lands Act 1901*.

JOHN AQUILINA, M.P.,

Minister for Land and Water Conservation

## Explanatory note

The object of this Regulation is to amend the *Western Lands Regulation 1997* in connection with the commencement of certain provisions of the *Western Lands Amendment Act 2002*. The Regulation omits a number of obsolete provisions and enacts minor savings and transitional provisions in connection with the amendments made by that Act.

This Regulation is made under the *Western Lands Act 1901*, including section 36 (the general power to make regulations) and clause 1AAA of Schedule 3.

## **2002 No 857**

Clause 1            Western Lands Amendment Regulation 2002

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### **Western Lands Amendment Regulation 2002**

under the

Western Lands Act 1901

**1 Name of Regulation**

This Regulation is the *Western Lands Amendment Regulation 2002*.

**2 Commencement**

This Regulation commences on 1 December 2002.

**3 Amendment of Western Lands Regulation 1997**

The *Western Lands Regulation 1997* is amended as set out in Schedule 1.

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**Schedule 1 Amendments**

(Clause 3)

**[1] Clause 21**

Omit the clause. Insert instead:

**21 Minister's consent to transfer: section 18G**

- (1) An application for the Minister's consent under section 18G (1) is to be accompanied by the relevant fee specified in Schedule 1.
- (2) A consent given under the former section 18G within the period of 6 months before the substitution of that section by the *Western Lands Amendment Act 2002* is taken to be a consent under the new section 18G.
- (3) An application for a Minister's certificate under subsection (1E) of the former section 18G that had not been determined before the substitution of that section by the *Western Lands Amendment Act 2002* is to be determined in accordance with that section as if it had not been substituted.
- (4) A Minister's certificate under subsection (1E) of the former section 18G, including a certificate issued under that subsection pursuant to subclause (3), is taken to be a declaration under subsection (3) of the new section 18G.

**[2] Clauses 22, 23 and 26**

Omit the clauses.

**[3] Clause 32 Surrenders: section 33A**

Insert after clause 32 (3):

- (4) The Minister may continue to take any action under section 33A that had been begun before the amendment of that section by the *Western Lands Amendment Act 2002*, and section 33A, as in force before that amendment, continues to have effect in relation to anything arising from that action as if that it had not been so amended.

**[4] Schedule 1 Fees**

Omit items 5 and 6.