

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 375.

*Housing Commission (Grant of Leases).*

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was not specifically vested in any Minister at the date of its preparation for inclusion, but as the *Housing Commission Act* was vested in the Minister for Urban Development it would appear that the responsibility for this Chapter would also be vested in the same Minister.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

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THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 375.

*Housing Commission (Grant of Leases) Act.*

ARRANGEMENT OF SECTIONS.

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"the Commission".
2. Declaration of land by Minister.
3. Certain provisions of Land Act not to apply.
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7. Remission or postponement of rent.
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THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 375.

***Housing Commission (Grant of Leases) Act.***

Being an Act to provide for the grant of leases to the Housing Commission in respect of certain Government improved lands and for other purposes.

**1. Interpretation.**

In this Act unless the contrary intention appears—

“the Commission” means the Housing Commission established by the *Housing Commission Act*.

**2. Declaration of land by Minister.**

For the purposes of this Act, the Minister may, by notice in the National Gazette, declare Government improved land to be land to which this Act applies.

**3. Certain provisions of Land Act not to apply.**

Sections 32, 33, 34, 35, 42 and 57 of the *Land Act* do not apply to land the subject of a declaration under Section 2.

**4. Minister may grant lease.**

Subject to this Act, the Minister may, in respect of land to which this Act applies, grant a lease to the Commission on such conditions as he thinks proper.

**5. Notification of grant.**

The Minister shall—

- (a) by notice in the National Gazette notify the grant of a lease under this Act; and
- (b) as soon as practicable after the notification under Paragraph (a), by written notice, advise the Commission of—
  - (i) the grant of the lease and of the date of publication of the notice under that paragraph; and
  - (ii) the terms, conditions, restrictions and covenants on which the lease is granted including the amount payable under Section 8.

**6. Effective date of grant.**

A grant of a lease under this Act takes effect from the date of publication of the notice referred to in Section 5(a) and the Commission shall be deemed to have accepted and executed the lease on that date.

**7. Remission or postponement of rent.**

During the period of five years next following the date of grant of a lease under this Act, the Minister—

- (a) may, in respect of that lease, exercise his powers under Section 41(5) of the *Land Act* notwithstanding that an application has not been made to him by the lessee; and

(b) shall not, in the exercise of those powers, consider a report of the Land Board.

**8. Improvements.**

(1) The Minister may, in addition to any other conditions that he may impose under Section 4, require the Commission to pay such amount in respect of the improvements on the land as he determines.

(2) Interest is not payable on the amount determined under Subsection (1).

**9. Period of lease.**

A lease under Section 4 shall be granted for a period of 99 years.

**10. Prescribed form.**

The reference to the prescribed form in Section 116 of the *Land Act* shall be read as a reference to the form approved by the Minister under this section for the purposes of this Act.

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APPENDIX.

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SOURCE OF THE HOUSING COMMISSION (GRANT OF LEASES) ACT.

Part A.—Previous Legislation.

*Housing Commission (Grant of Leases) Act 1979 (No. 29 of 1979).*

Part B.—Cross References.

Section etc., Revised Edition.	Previous Reference <sup>1</sup> .
1	1
2	2
3	3
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<sup>1</sup>Unless otherwise indicated references are to the Act as set out in Part A.

