

Crown Lands (Validation of Fees) Bill 2011

FACT SHEET

This Bill will ensure that any fees collected by the Crown under, or in connection with the *Crown Lands Act 1976* or its prior Acts, have been validly collected.

A review was undertaken of all application fees charged by the Crown in relation to the use, occupation or purchase of Crown land. In undertaking this review, an administrative anomaly was identified in the mechanism used to approve the application fees.

The Solicitor-General has advised that the appropriate mechanism for approving application fees is by prescribing them in regulation. The only fees currently prescribed in the *Crown Lands Regulation 2001* relate to the transfer of Crown land held under a contract of sale, the assignment of a lease, and the transfer of a temporary licence. Other application fees have been approved by Cabinet since about the early 1970s, but not prescribed in the Regulations.

The Department is arranging for current fees to be included in the Regulations and this will be finalised prior to December 2011.

The Bill will, in conjunction with the inclusion of a fee schedule in the Regulations, retrospectively validate the past collection of fees and ensure that application fees are correctly charged in the future.