

4. Interpretation

In this Act, unless the context or subject matter otherwise indicates or requires —

“**Appropriate officer**” means the officer of a Government department or public authority authorized by such department or authority in respect of any acts, matters or things in connection with which the expression is used.

“**Chief executive officer**” means chief executive officer of the Department of Agriculture.

“**Commissioner**” means the person for the time being holding or acting in the office of the Commissioner of Soil and Land Conservation under this Act.

“**Council**” means the Soil and Land Conservation Council appointed by the Governor under this Act.

“**Crown Lands**” includes any lands vested in or controlled by any public authority.

“**District**” means a Land Conservation District constituted under section 22 (1).

“**District committee**” means land conservation district committee established under section 23 (2).

“**Eutrophication**” means the deterioration of water quality resulting from the accumulation of nutrients in the water.

“**financial year**” means the period beginning on and including 1 July in any calendar year and ending on and including 30 June in the next following calendar year.

“**Land conservation district**” means land conservation district constituted under section 22 (1).

“**Land degradation**” includes —

- (a) soil erosion, salinity, eutrophication and flooding; and
- (b) the removal or deterioration of natural or introduced vegetation, that may be detrimental to the present or future use of land.

“**Occupier**”, in relation to land, means the person by whom or on whose behalf the land is actually occupied, or, if there is no such person, the person entitled to possession, and includes a person who, under a licence or concession relating to specified land vested in the Crown, has the right to take a *profit à prendre* in respect of the land.

“**Owner**” in relation to land, includes every person who jointly or severally whether at law or in equity —

- (a) is entitled to the land for an estate of freehold in possession; or
- (b) is a person to whom the Crown has lawfully contracted to transfer the fee simple under the *Land Administration Act 1997*, or any other Act relating to the alienation of lands of the Crown; or
- (c) is entitled to receive or is in receipt of, or if the land were let to a tenant would be entitled to receive the rents and profits thereof whether as beneficial owner, trustee, or mortgagee; or

- (d) is the holder of any lease granted under the *Land Administration Act 1997*, or any other Act relating to the disposition of lands of the Crown.

“Public Authority” includes —

- (a) the Ministers of the Crown charged respectively with the administration of the Acts mentioned in the Schedule to this Act;
- (b) any Minister of the Crown charged with the administration of any Act relating to water supply, sewerage or drainage;
- (c) any Minister of the Crown charged with the administration of the *Public Works Act 1902*², or responsible for any works which are by virtue of any other Act deemed to be public works for the purposes of that Act;
- (d) every board or local government established or constituted under any of the Acts mentioned in the Schedule to this Act;
- (e) the Water and Rivers Commission established by the *Water and Rivers Commission Act 1995*;
- (f) the Executive Director within the meaning of the *Conservation and Land Management Act 1984*;
- (g) the Commissioner of Main Roads; and
- (h) any other person or body declared by the Governor by Order in Council to be a public authority for the purposes of this Act.

“Registrar of Deeds and Transfers” has the meaning given to that expression by the *Registration of Deeds Act 1856*.

“Registrar of Titles” has the meaning given to that expression by the *Transfer of Land Act 1893*.

“Relevant land registration officer”, when used in Part IVA or section 34A in relation to land, means —

- (a) where the land is under the operation of the *Transfer of Land Act 1893* or *Land Administration Act 1997*, the Registrar of Titles; and
- (b) where the land is alienated from the Crown but is not under the operation of the *Transfer of Land Act 1893*, the Registrar of Deeds and Transfers.

[(c) deleted]

“Salinity” means deterioration in soil quality or water quality resulting from the accumulation of, or a variation in the amount of, any salt in soil or water.

“Soil conservation” means the application to land of cultural, vegetational and land management measures, either singly or in combination, to attain and maintain an appropriate level of land use and stability of that land in perpetuity and includes the use of measures to prevent or mitigate the effects of land degradation.

“Soil conservation reserve” means a soil conservation reserve created under this Act.

“the Trust” means the Landcare Trust established by section 40.

“the Trust Fund” means the Landcare Trust Fund established under section 41B.

“Treasurer” means the Treasurer of the State.

[Section 4 amended by No. 32 of 1955 s.3; No. 40 of 1974 s.3; No. 63 of 1981 s.4; No. 42 of 1982 s.7; No. 98 of 1985 s.3; No. 46 of 1988 s.4; No. 91 of 1990 s.4; No. 47 of 1994 s.3; No. 73 of 1995 s.188; No. 14 of 1996 s.4; No. 57 of 1997 s.111; No. 31 of 1997 ss.81(1-3) and 141.]