

1996—No. 309

**PROPERTY LEGISLATION AMENDMENT (EASEMENTS)
ACT 1995 No. 71—PROCLAMATION**

NEW SOUTH WALES



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(L.S.) G. SAMUELS, Governor.

I, the Honourable Gordon Samuels AC., Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the Property Legislation Amendment (Easements) Act 1995, do, by this my Proclamation, appoint 1 August 1996 as the day on which the following provisions of that Act commence:

- (a) Schedule 1 [5], [6] (but only in so far as it would insert section 88BB into the Conveyancing Act 1919), [7], [11], [16], [17] and [19]–[22] to that Act; and
- (b) Schedule 2 [4] and [6] to that Act.

Signed and sealed at Sydney, this 3rd day of July 1996.

By His Excellency's Command,

KIM YEADON
Minister for Land and Water Conservation.

GOD SAVE THE QUEEN!

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EXPLANATORY NOTE

The object of this Proclamation is to commence the uncommenced provisions of the Property Legislation Amendment (Easements) Act 1995.

Those provisions amend the Conveyancing Act 1919 so as to make the following changes:

- to add new short forms of words that, when used to create easements in gross (such as those in favour of public utilities), are taken to have expanded meanings set out in Schedule 4A (to which the new expanded meanings are added);
- to add new short forms of words that, when used to create easements for the benefit of other land, are taken to have expanded meanings set out in Schedule 8 (to which the new expanded meanings are also added);
- to simplify the method of creating cross-easements for the support of party walls;
- to allow for the release of easements on registration or recording of a plan under Division 3 of Part 23 of the Act.

The uncommenced provisions also amend the Real Property Act 1900 so as to make the following changes:

- to provide a simple procedure for the variation, by registration of a memorandum of variation, of an easement registered under the Act;
- to provide for the recording of cross-easements for party walls on application to the Registrar-General.
