

**STAMP DUTIES (REAL PROPERTY COMPUTER
REGISTER) AMENDMENT ACT, 1979, No. 173**

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 173, 1979.

An Act to amend the Stamp Duties Act, 1920, as a consequence
of the enactment of the Real Property (Computer Register)
Amendment Act, 1979, and for other purposes. [Assented to,
14th December, 1979.]

Stamp Duties (Real Property Computer Register) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the “Stamp Duties (Real Property Computer Register) Amendment Act, 1979”. Short title.

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commence-
ment.

(2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified pursuant to section 2 (2) of the Real Property (Computer Register) Amendment Act, 1979.

3. The Stamp Duties Act, 1920, is referred to in this Act as the Principal Act. Principal
Act.

4. The Principal Act is amended in the manner set forth in Schedule 1. Amendment
of Act No.
47, 1920.

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE PRINCIPAL ACT.

(1) (a) Section 117 (6A)—

Omit “encumbrance”, insert instead “charge”.

(b) Section 117 (7)—

Omit “encumbrance” wherever occurring, insert instead “charge”.

Stamp Duties (Real Property Computer Register) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

- (2) (a) Second Schedule, item (2) of the matter appearing under the heading “REAL PROPERTY ACT, 1900, as amended”—

Omit “to whom the certificate is to issue”, insert instead “for whose estate or interest a folio of the Register is to be created”.

- (b) Second Schedule, item (3) of the matter appearing under the heading “REAL PROPERTY ACT, 1900, as amended”—

Omit “Memorandum”, insert instead “Instrument”.

- (c) Second Schedule, item (3) of the matter appearing under the heading “REAL PROPERTY ACT, 1900, as amended”—

Omit “memorandum”, insert instead “instrument”.

- (d) Second Schedule, item (5) of the matter appearing under the heading “REAL PROPERTY ACT, 1900, as amended”—

Omit “Memorandum”, insert instead “Instrument”.

- (e) Second Schedule, item (7) of the matter appearing under the heading “REAL PROPERTY ACT, 1900, as amended”—

Omit “an encumbrance”, insert instead “a charge”.

- (f) Second Schedule, matter relating to exemptions appearing after item (14) and before item (15) of the matter appearing under the heading “REAL PROPERTY ACT, 1900, as amended”—

Omit the matter relating to exemptions and the heading thereto.

Stamp Duties (Real Property Computer Register) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

- (g) Second Schedule, item (15) of the matter appearing under the heading “REAL PROPERTY ACT, 1900, as amended—”—

Omit “a memorandum”, insert instead “an instrument”.

- (h) Second Schedule, matter relating to exemptions—

After item (15) of the matter appearing under the heading “REAL PROPERTY ACT, 1900, as amended—”, insert :—

Exemptions.—

- (a) The same as in the case of conveyances and agreements relating to land not under the provisions of the Real Property Act, 1900.
- (b) Any application for transmission other than an application for transmission to a devisee who is also the sole executor or administrator.
- (c) Any instrument of transfer of land brought under the provisions of the Real Property Act, 1900, pursuant to section 31A of that Act, being a transfer by the person in whom the resumed land is vested by or under an Act or Act of the Parliament of the Commonwealth to the person entitled thereto immediately before it was so vested, but only if no compensation has been paid in respect of the resumption.

Stamp Duties (Real Property Computer Register) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

- (3) Second Schedule, item 20 (b) of the matter appearing under the heading "GENERAL EXEMPTIONS FROM STAMP DUTY UNDER PART III."—

Omit "14 of the Real Property (Amendment) Act, 1921",
insert instead "46c of the Real Property Act, 1900".
