

**REAL PROPERTY (PLAN REGISTRATION)
AMENDMENT ACT 1986 No. 152**

NEW SOUTH WALES



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**REAL PROPERTY (PLAN REGISTRATION)
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Act No. 152, 1986

An Act to amend the Real Property Act 1900 in relation to the registration of plans. [Assented to, 17 December 1986]

Real Property (Plan Registration) Amendment 1986

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:

Short title

1. This Act may be cited as the "Real Property (Plan Registration) Amendment Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the commencement of the Conveyancing (Plan Registration) Amendment Act 1986.

Amendment of Act No. 25, 1900

3. The Real Property Act 1900 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE REAL PROPERTY ACT 1900 RELATING
TO THE REGISTRATION OF PLANS

(1) Section 28c (**Qualified folio may be created on subdivision**)—

Section 28c (1)—

Omit "section 196", insert instead "Division 3 of Part XXIII".

SCHEDULE 1—*continued*AMENDMENTS TO THE REAL PROPERTY ACT 1900 RELATING
TO THE REGISTRATION OF PLANS—*continued*

(2) Section 43B (Statutory restrictions on alienation, etc.)—

Section 43B (5)—

Omit “section 196”, insert instead “Division 3 of Part XXIII”.

(3) Section 114—

Omit the section, insert instead:

Registrar-General may require plan to be deposited

114. The Registrar-General may—

- (a) where a person is applying to have land brought under the provisions of this Act, refuse to accept lodgment of or reject the application;
- (b) where a person is seeking to obtain registration of a dealing or to lodge a caveat, refuse to register the dealing or to accept lodgment of the caveat or reject the dealing or caveat; and
- (c) where a person is seeking to obtain the creation of a folio of the Register or the issue of a certificate of title for the land comprised in a folio of the Register, refuse to create the folio or issue the certificate of title,

if the person has refused or neglected to comply with a requirement of the Registrar-General—

- (d) to deposit in the office of the Registrar-General a plan (being, where the Registrar-General so specifies, a plan of survey within the meaning of the Survey Practice Regulations 1933) of the relevant land, together with such number of copies of the plan, if any, as the Registrar-General may specify; or

Real Property (Plan Registration) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE REAL PROPERTY ACT 1900 RELATING
TO THE REGISTRATION OF PLANS—*continued*

- (e) to obtain registration or recording, under Division 3 of Part XXIII of the Conveyancing Act 1919, of such a plan.
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