

**REAL PROPERTY (QUALIFIED TITLES) AMENDMENT ACT
1990 No. 57**

NEW SOUTH WALES



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SCHEDULE 1—AMENDMENTS

**REAL PROPERTY (QUALIFIED TITLES) AMENDMENT ACT
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NEW SOUTH WALES



Act No. 57,1990

An Act to amend the Real Property Act 1900 with respect to qualified folios of the Register. [Assented to 26 September 1990]

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Real Property (Qualified Titles) Amendment Act 1990.

Commencement

2. This Act commences on the date of assent.

Amendment of Real Property Act 1900 No. 25

3. The Real Property Act 1900 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

Section 28M (Lapsing of caution):

(a) After section 28M (4A), insert:

(4B) The registered proprietor of land comprised in a qualified folio may apply to the Registrar-General in the approved form for cancellation of the caution recorded in that folio and the Registrar-General may cancel the caution if:

- (a) the application is accompanied by an office copy of a certificate of the results of a search relating to the land under section 197 of the Conveyancing Act 1919 and such other evidence as the Registrar-General may request; and
- (b) the Registrar-General is satisfied that all estates and interests in the land are held free from any subsisting interests, other than those referred to in subsection (6).

(4C) For the purposes only of enabling a search to be carried out under section 197 of the Conveyancing Act 1919 in relation to an application under subsection (4B), land comprised in a qualified folio is not to be considered to be land subject to the provisions of this Act.

(b) From section 28M (6), omit "or (8)", insert instead “, (4B) or (8)”.

*[Minister's second reading speech made in—
Legislative Assembly on 9 May 1990
Legislative Council on 13 September 1990]*

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