

**CONVEYANCING LEGISLATION (NOTICE OF SALE)
AMENDMENT ACT 1992 No. 92**

NEW SOUTH WALES



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**CONVEYANCING LEGISLATION (NOTICE OF SALE)
AMENDMENT ACT 1992 No. 92**

NEW SOUTH WALES



Act No. 92, 1992

An Act to amend the Conveyancing Act 1919 and the Real Property Act 1900 in relation to notices of the sale or transfer of land; to make related amendments to other Acts and to regulations; and for other purposes.
[Assented to 2 December 1992]

Conveyancing Legislation (Notice of Sale) Amendment Act 1992 No. 92

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Conveyancing Legislation (Notice of Sale) Amendment Act 1992.

Commencement

2. This Act commences on a day to be appointed by proclamation.

Amendment of Conveyancing Act 1919 No. 6 and Real Property Act 1900 No. 25

3. The Conveyancing Act 1919 and the Real Property Act 1900 are amended as set out in Schedule 1.

Amendment of other Acts

4. Each Act specified in Schedule 2 is amended as set out in that Schedule.

Amendment of regulations

5. Each regulation specified in Schedule 3 is amended as set out in that Schedule.

Savings and transitional provisions

6. (1) An amendment made by Schedule 1 to the Conveyancing Act 1919 and the Real Property Act 1900 applies to instruments lodged with the Registrar-General for registration after the commencement of the amendment.

(2) The amendments made by Schedule 3 to the regulations specified in that Schedule do not affect the future amendment or repeal of those regulations.

**SCHEDULE 1—AMENDMENT OF CONVEYANCING ACT
1919 AND REAL PROPERTY ACT 1900**

(Sec. 3)

Conveyancing Act 1919 No. 6**Section 184E (Method of registration):**

After section 184E (4), insert:

(4A) If an instrument purports to vest an estate or interest in land, or to effect a change in the name of a person in whom an estate or interest in land is vested, the Registrar-General may:

- (a) refuse to accept the instrument for registration in the General Register of Deeds; or
- (b) refuse to register the instrument in the General Register of Deeds; or
- (c) reject the instrument if it is lodged for registration in the General Register of Deeds,

if the instrument is not accompanied by a fully completed notice in the approved form.

Real Property Act 1900 No. 25**Section 39 (Dealings not to be registered unless in accordance with approved forms):**

After section 39 (1A), insert:

(1B) The Registrar-General may:

- (a) refuse to accept for registration:
 - (i) a dealing purporting to transfer or otherwise to deal with or affect any estate or interest in land under the provisions of this Act; or
 - (ii) an application to effect a change in the name of a registered proprietor, or
- (b) refuse to register such a dealing or application; or
- (c) reject such a dealing or application,

if it is not accompanied by a fully completed notice in the approved form.

SCHEDULE 2—AMENDMENT OF OTHER ACTS

(Sec. 4)

Local Government Act 1919 No. 41

Section 163 (Notice of transfer):

- (a) From section 163 (1) (a), omit “the ratable person and”.
- (b) After section 163 (2), insert:

(3) The requirements of this section are taken to have been satisfied in relation to an event if notice of the event is lodged with the Registrar-General with a dealing, application or instrument as referred to in section 39 of the Real Property Act 1900 or section 184E of the Conveyancing Act 1919 within 1 month after the occurrence of the event.

Rural Lands Protection Act 1989 No. 197

Section 65 (Notice to be given of changes in occupancy or ownership of ratable land):

After section 65 (1), insert:

(1 A) The requirements of subsection (1) are taken to have been satisfied in relation to a change of ownership if notice of the change is lodged with the Registrar-General with a dealing, application or instrument as referred to in section 39 of the Real Property Act 1900 or section 184E of the Conveyancing Act 1919 within 1 month after the change of ownership.

Valuation of Land Act 1916 No. 2

Section 71 (Changes of ownership):

At the end of the section, insert:

(2) The requirements of this section in relation to the giving of notice are taken to have been satisfied in relation to an event if notice of the event is lodged with the Registrar-General with a dealing, application or instrument as referred to in section 39 of the Real Property Act 1900 or section 184E of the Conveyancing Act 1919 within 1 month after the occurrence of the event.

SCHEDULE 3—AMENDMENT OF REGULATIONS

(Sec. 5)

Water Board (Finance) Regulation 1988

Clause 35 (Liability on disposing of land):

After clause 35 (3), insert:

(4) A notice lodged with the Registrar-General under section 39 of the Real Property Act 1900 or section 184E of the Conveyancing Act 1919 is to be treated as an approved notice for the purposes of this clause.

Water Supply Authorities (Finance) Regulation 1987

Clause 41 (Liability on disposing of land):

After clause 41 (3), insert:

(4) A notice lodged with the Registrar-General under section 39 of the Real Property Act 1900 or section 184E of the Conveyancing Act 1919 is to be treated as an approved notice for the purposes of this clause.

*[Minister's second reading speech made in—
Legislative Assembly on 18 November 1992
Legislative Council on 25 November 1992]*