

# Centenary Park Sale (Conveyancing) Act 1905 No 6

[1905-6]



New South Wales

## Status Information

### Currency of version

Repealed version for 2 August 1905 to 5 January 2012 (accessed 19 November 2024 at 18:30)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Act was repealed by Sch 5 to the [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2011 No 62](#) with effect from 6.1.2012.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 6 January 2012

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# Centenary Park Sale (Conveyancing) Act 1905 No 6



New South Wales

An Act to make better provision for the conveyance to purchasers of lands sold or to be sold under the [Centenary Park Sale Act 1904](#) and for the issue of certificates of title for the same; to amend the said Act and the *Centenary Celebration Act*; and for other purposes.

## 1 Name of Act

This Act may be cited as the [Centenary Park Sale \(Conveyancing\) Act 1905](#).

## 2 Crown grant may issue to Chief Minister of land in Schedule to Act of 1904

Notwithstanding anything in the [Centenary Park Sale Act 1904](#) or the *Centenary Celebration Act*, the Governor may issue to the Chief Minister a Crown grant of the lands described in the Schedule to the first-mentioned Act. The said lands shall by virtue of such grant, and notwithstanding any sale or grant under the said Act, vest in the Chief Minister for the purposes of this Act, and be subject to the provisions of the [Real Property Act 1900](#): Provided that such of the said lands as have before the commencement of this Act been sold and conveyed under the [Centenary Park Sale Act 1904](#) shall not so vest unless and until they are surrendered as hereinafter in this Act provided.

## 3 Carrying out sales, made or to be made, in respect of which conveyances have not been executed

Notwithstanding anything in the [Centenary Park Sale Act 1904](#):

- (a) any sale of land made before the commencement of this Act but not carried out by conveyance thereunder, and
- (b) any sale of land which may be so made after such commencement,

shall be carried out by the execution by the Chief Minister of a memorandum of transfer under the [Real Property Act 1900](#) and the issue of a certificate of title thereunder to the person entitled to such land.

## 4 Land sold and conveyed may be surrendered

- (1) Any land sold and conveyed before the commencement of this Act, under the

*Centenary Park Sale Act 1904*, may be surrendered to the Chief Minister by the owner of an estate in fee simple in the same by endorsement by him in the form of the Schedule to this Act on the conveyance executed by the Chief Minister, and by delivering up to the Registrar-General the said conveyance and all other deeds (if any) affecting the said land.

- (2) On such surrender being made, the Chief Minister shall execute a memorandum of transfer under the *Real Property Act 1900* of such land to such owner. Thereupon, and upon the payment by such owner of the fees for Transfer and issue of a new certificate, the Registrar-General shall cause a certificate of title under the said Act for the said lands to be issued to such owner subject to any encumbrances then subsisting.

### **5 Certificate of title to be issued subject to conditions of sale**

Every certificate of title issued in pursuance of this Act shall be subject to the conditions upon which the land mentioned therein was sold under the *Centenary Park Sale Act 1904*, or, if a conveyance of such land has been executed by the Chief Minister, subject to the covenants therein contained. Such conditions or covenants shall be set out in or noted upon such certificate of title.

### **6 Saving**

Nothing in this Act shall prejudice the rights of property or affect the obligations of any purchaser under the *Centenary Park Sale Act 1904* or any person claiming under him.

### **Schedule**

I, \_\_\_\_\_, the owner in fee-simple of the land within described hereby surrender the same to the Chief Minister and his successors, to the intent that a certificate of title under the *Real Property Act 1900* may be issued in respect of the said land, in pursuance of the provisions of the *Centenary Park Sale (Conveyancing) Act 1905*.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 190 \_\_\_\_\_.

Witness—

J.P.