

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. L. S. COOPER,
Clerk of the Parliaments.

Legislative Council Chamber,
Sydney, 19th October, 1923.

New South Wales.



ANNO QUARTO DECIMO

GEORGI V REGIS.

Act No. 15, 1923.

An Act to amend the law with regard to easements of air; and for that purpose to amend the Conveyancing Act, 1919. [Assented to, 25th October, 1923.]

BE it enacted by the King'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 "Conveyancing (Amendment) Act, 1923." Short title.

2. The Conveyancing Act, 1919, is amended by the insertion in section one hundred and seventy-nine after the word "light" of the words "or air." Amendment of Act No. 6 of 1919, s. 179.

In the name and on behalf of His Majesty I assent to this Act.

Government House,
Sydney, 25th October, 1923.

W. P. CULLEN,
Lieutenant-Governor.

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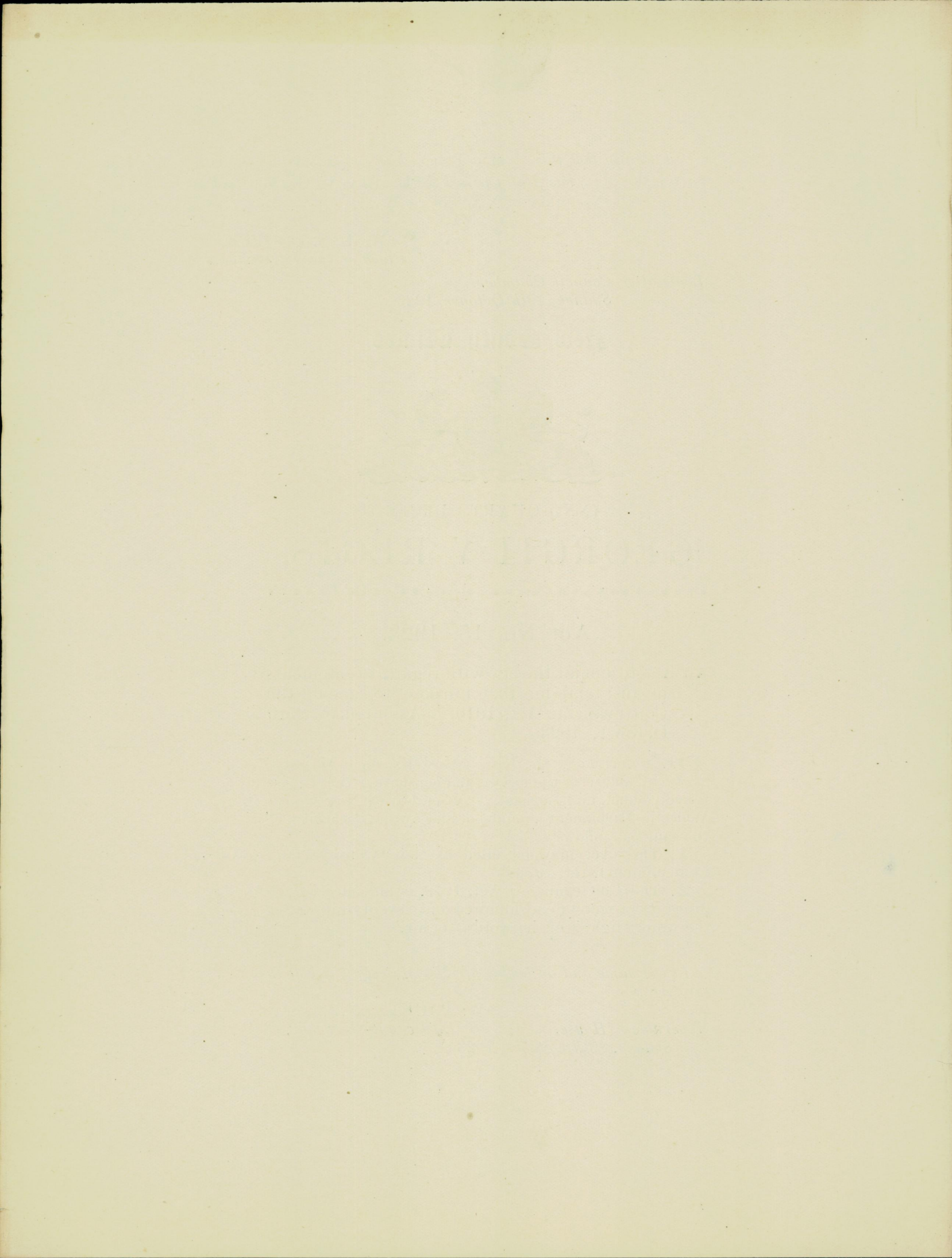
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In the name and on behalf of His Majesty I assent to this Act.

W. P. CULLEN,
Lieutenant-Governor.
Government House,
Sydney, 25th October, 1923.



Conveyancing (Amendment) Bill, 1923.

EXPLANATORY NOTE.

THIS is a Bill to amend the Conveyancing Act, 1919, and in effect to place easements of air upon the same footing as easements of light. These two easements have been closely associated in many of the cases which have been decided in the Courts, and the same considerations as to the undesirability of allowing these easements to be acquired by prescription apply with equal force to both.

In 1904 the Legislature passed the Ancient Lights Declaratory Act, 1904, a provision now contained in section 179 of the Conveyancing Act, 1919, whereby it is enacted :—

“From and after the 1st day of December, 1904 (being the day of the commencement of the Ancient Lights Declaratory Act, 1904), no right to the access or use of light to or for any building shall be deemed to exist or to be capable of coming into existence by reason only of the enjoyment of such access or use for any period or of any presumption of a lost grant based upon such enjoyment.”

The amendment proposed will prevent the acquisition of an easement of air as from the date mentioned in the section quoted.

THE UNIVERSITY OF CHICAGO

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 13th September, 1923.*

New South Wales.



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Act No. , 1923.

An Act to amend the law with regard to easements of air; and for that purpose to amend the Conveyancing Act, 1919.

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Sydney: Alfred James Kent, Government Printer—1923.

[4d.]

1923.

Legislative Council.

Conveyancing (Amendment) Bill, 1923.

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The amendment proposed will prevent the acquisition of an easement of air as from the date mentioned in the section quoted.

Legislative Council.

No. , 1923.

A BILL

To amend the law with regard to easements of air; and for that purpose to amend the Conveyancing Act, 1919.

[SIR JOSEPH CARRUTHERS;—6 *September*, 1923.]

BE it enacted by the King'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:—

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2. The Conveyancing Act, 1919, is amended by the insertion in section one hundred and seventy-nine after the word "light" of the words "or air." Amendment of Act No. 6 of 1919, s. 179.

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