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REAL PROPERTY (CROWN GRANTS) AMENDMENT BILL, 1978

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

THE object of this Bill is to provide that, notwithstanding the provisions of any Act, the reservations, conditions or other provisions to which a Crown grant of land is subject may be adopted by reference to reservations, conditions or other provisions set out in a specified public document, including a memorandum filed in the office of the Registrar-General.

CONCURRENCE COPY

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**REAL PROPERTY (CROWN GRANTS)
AMENDMENT BILL, 1978**

No. , 1978.

A BILL FOR

An Act to amend section 13 of the Real Property Act, 1900, in relation to the manner in which the reservations, conditions or other provisions to which a Crown grant of land is subject are set out in the Crown grant.

[MR CRABTREE—8 *February*, 1978.]

Real Property (Crown Grants) Amendment.

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 :—

5 **1.** This Act may be cited as the "Real Property (Crown Short title. Grants) Amendment Act, 1978".

2. The Real Property Act, 1900, is amended by inserting after section 13 (5) the following subsections :—

Amendment
of Act No.
25, 1900.

Sec. 13.

10 (6) Notwithstanding that under a provision of any Act the reservations, conditions or other provisions to which a Crown grant of land is subject are required to be set out in the Crown grant, it shall be and be deemed always to have been a sufficient compliance with that provision if the reservations, conditions or other provisions are set out in a public document and the Crown grant specifies that it is subject to the reservations, conditions or other provisions set out in that document.

(Regis-
tration
of Crown
grants.)

15 (7) In subsection (6), "public document" includes a memorandum which has been distinctively numbered and filed in the office of the Registrar-General.

20 (8) A memorandum referred to in subsection (7) shall, for the purposes only of section 116, be deemed to be part of the Register.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

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BILL, 1978**

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PROOF

REAL PROPERTY (CROWN GRANTS) AMENDMENT
BILL, 1972

EXPLANATORY NOTE

This Bill amends the Real Property Act, 1909, in relation to the following matters:

1. It provides for the issue of a certificate of title to a person who is entitled to a fee simple estate in land, where the land is not already registered. It also provides for the issue of a certificate of title to a person who is entitled to a fee simple estate in land, where the land is already registered, but the certificate of title has not been issued. It also provides for the issue of a certificate of title to a person who is entitled to a fee simple estate in land, where the land is already registered, but the certificate of title has not been issued, and the person is not the registered proprietor.

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PROOF

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(Regis-
tration
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