

## **TECHNICAL AND FURTHER EDUCATION (REAL PROPERTY COMPUTER REGISTER) AMENDMENT BILL, 1979**

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### **EXPLANATORY NOTE**

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

This Bill is cognate with the Real Property (Computer Register) Amendment Bill, 1979.

The objects of this Bill are to amend section 29 of the Technical and Further Education Act, 1974 ("the Principal Act")—

- (a) to facilitate the keeping in a computer of the whole or any part of the Register maintained under the Real Property Act, 1900 (Clause 3 (b));
- (b) to provide that, where an application has been made to bring certain resumed land under the provisions of the Real Property Act, 1900, the notification of the resumption, in so far as it relates to that land, may not be rescinded under the Principal Act, so that any rescission of the notification, being a rescission under the Principal Act, will not have the effect of preventing that land from being brought under those provisions pursuant to that application (Clause 3 (b)); and
- (c) to make other provisions of a minor or ancillary nature.

(c) to make other provisions of a minor or ancillary nature:

in relation to that provision (Clause 3 (d)); and  
effect of providing that that (non-binding) provision shall not have the  
force of law, and that the Minister may, in relation to that (non-binding)  
provision, do anything that he may lawfully do in relation to that (non-binding)  
provision, and that the provisions of the Education Act 1944 shall

(d) to provide that, where an order has been made to give effect

to provisions of the Education Act 1944 (Clause 3 (b)):

(e) to determine the meaning of a reference in any provision of the

Education Act 1944 (the Education Act).—

The object of this Bill is to amend section 21 of the Education Act 1944

and 1945.

This Bill is commensurate with the Government's (Commonwealth) commitment

(the Government's) to the Bill as introduced into Parliament.

EXPLANATORY NOTE

COMMONWEALTH GOVERNMENT AMENDMENT BILL 1955  
TECHNICAL AND VOCATIONAL EDUCATION (BILL) (PROVISIONS)

**TECHNICAL AND FURTHER EDUCATION (REAL  
PROPERTY COMPUTER REGISTER) AMEND-  
MENT BILL, 1979**

No. , 1979.

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**A BILL FOR**

An Act to amend section 29 of the Technical and Further Education Act, 1974, so as to facilitate the keeping of the Register maintained under the Real Property Act, 1900, in a computer and to vary certain provisions relating to the rescission of notifications of resumptions.

[MR CRABTREE—25 October, 1979.]

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*Technical and Further Education (Real Property Computer Register)  
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 "Technical and Further Education (Real Property Computer Register) Amendment Act, 1979". Short title.

**2.** (1) This section and section 1 shall commence on the date of assent to this Act. Commence-  
ment.

10 (2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified pursuant to section 2 (2) of the Real Property (Computer Register) Amendment Act, 1979.

15 **3.** The Technical and Further Education Act, 1974, is amended— Amendment  
of Act No.  
72, 1974.

(a) (i) by omitting from section 29 (1) the words "The Governor" and by inserting instead the words "Subject to subsection (2A), the Governor";

20 (ii) by omitting from section 29 (1) the word "under" and by inserting instead the words "in pursuance of"; Sec. 29.  
(Power to  
rescind re-  
sumptions.)

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*Technical and Further Education (Real Property Computer Register)  
Amendment.*

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(b) by omitting section 29 (3) and (4) and by inserting instead the following subsections :—

5 (2A) Where a resumption application relating to land described or referred to in a notification of resumption made in pursuance of section 28 has been lodged under section 31A (2) of the Real Property Act, 1900, with the Registrar-General—

10 (a) a notification under subsection (1) published in the Gazette after the commencement of this subsection may not rescind so much of the notification of resumption as relates to that land; and

15 (b) any transfer of that land, after it has been brought under the provisions of the Real Property Act, 1900, to the person who was entitled thereto immediately before the resumption shall, for the purposes of subsection (5), be deemed, upon its registration under that Act—

20 (i) to revert that land under this section in the transferee; and

(ii) to rescind the resumption in so far as it relates to that land.

25 (3) On the lodgment with the Registrar-General of a copy of a notification published in the Gazette under subsection (1) that rescinds a notification of resumption of land under the provisions of the Real Property Act, 1900, the Registrar-General shall—

30 (a) make, in the Register kept under that Act, such recordings with respect to the rescission; and

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*Technical and Further Education (Real Property Computer Register)  
Amendment.*

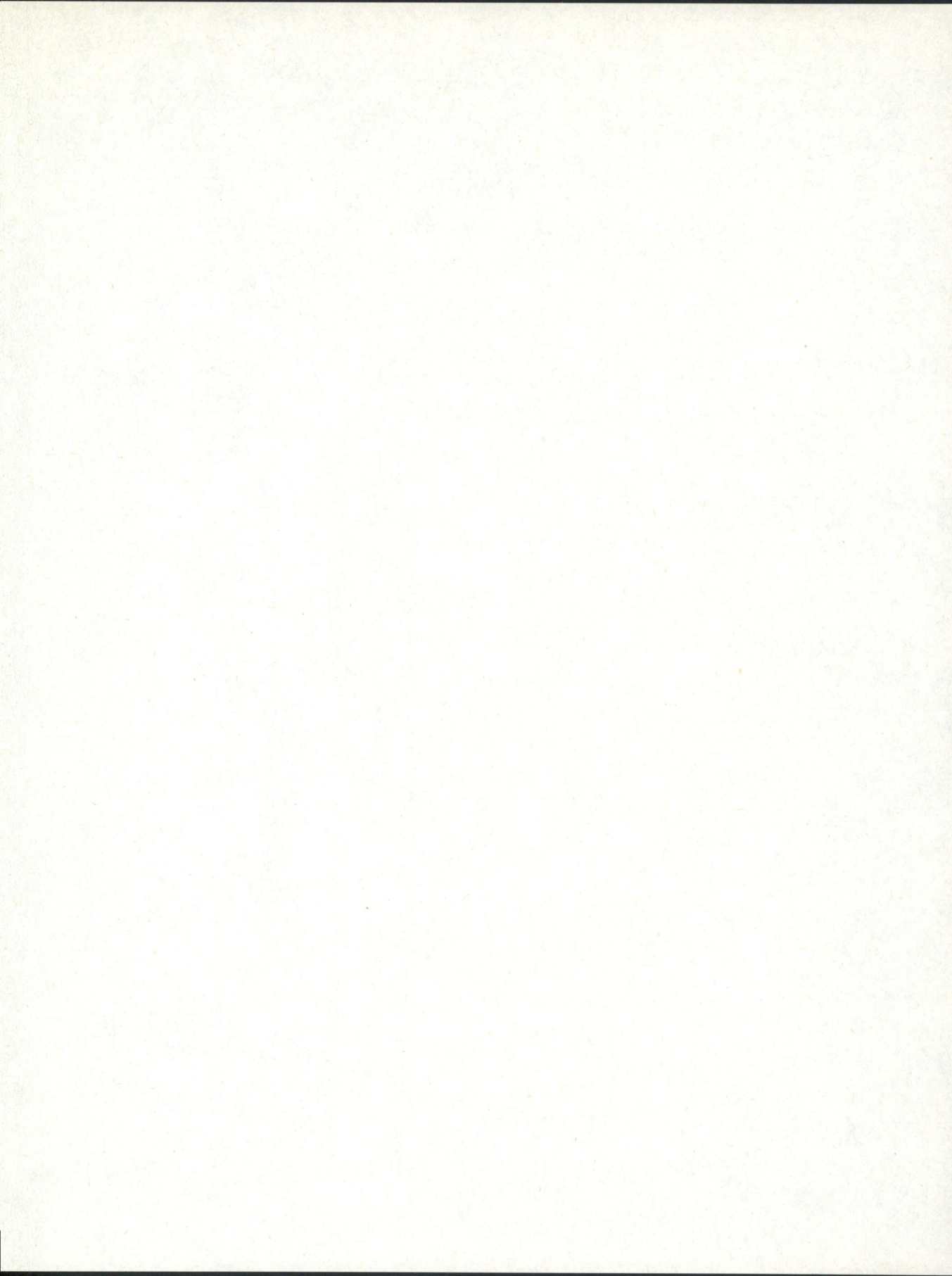
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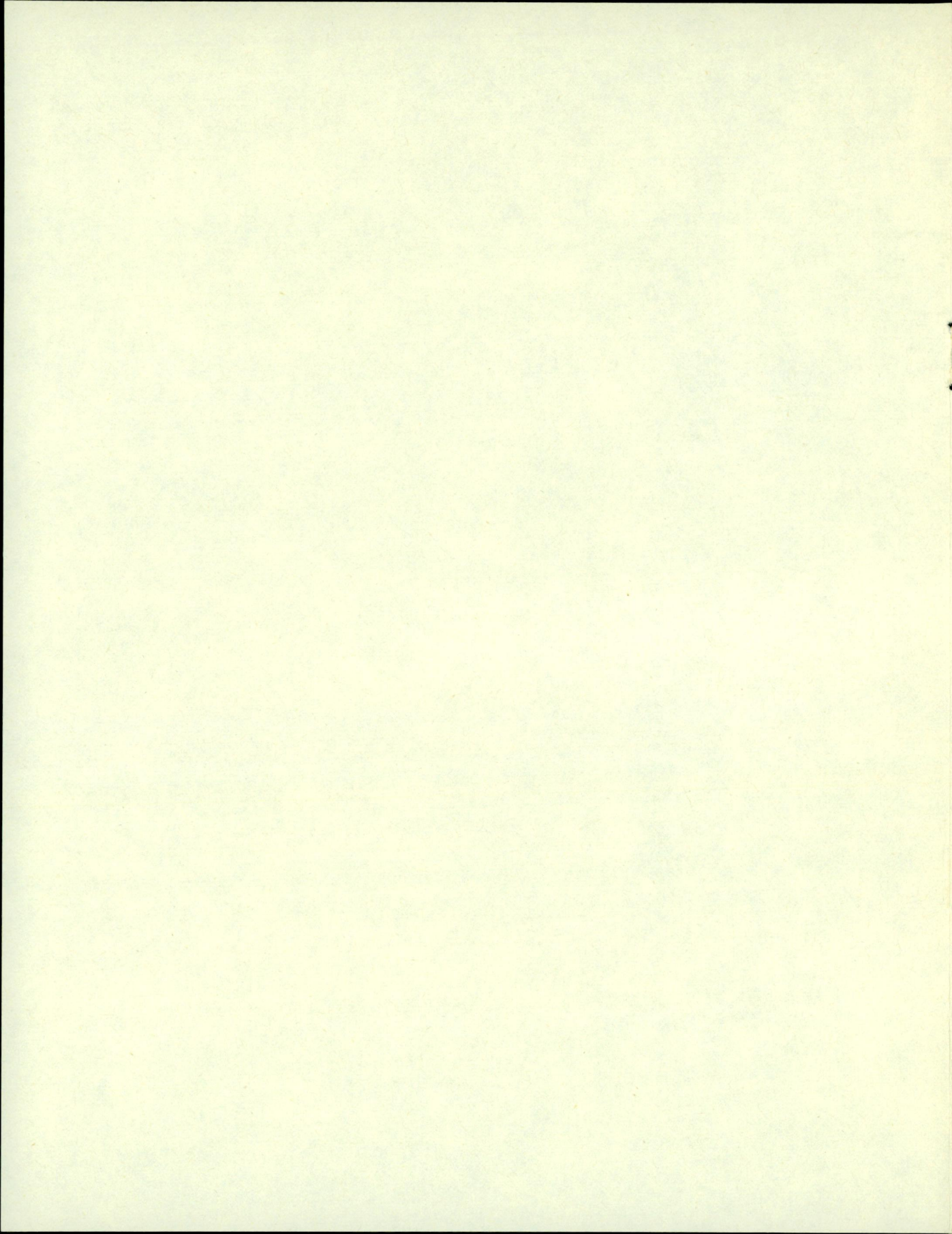
(b) create or cancel such folios of the Register,  
as he considers appropriate.

**BY AUTHORITY**

**D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES, 1979**

[8c]







**TECHNICAL AND FURTHER EDUCATION (REAL  
PROPERTY COMPUTER REGISTER) AMEND-  
MENT ACT, 1979, No. 175**

**New South Wales**



ANNO VICESIMO OCTAVO

**ELIZABETHÆ II REGINÆ**

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**Act No. 175, 1979.**

An Act to amend section 29 of the Technical and Further Education Act, 1974, so as to facilitate the keeping of the Register maintained under the Real Property Act, 1900, in a computer and to vary certain provisions relating to the rescission of notifications of resumptions. [Assented to, 14th December, 1979.]

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*Technical and Further Education (Real Property Computer Register)  
Amendment.*

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**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 :—

Short title.      **1.** This Act may be cited as the "Technical and Further Education (Real Property Computer Register) Amendment Act, 1979".

Commence-      **2.** (1) This section and section 1 shall commence on the date  
ment.            of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified pursuant to section 2 (2) of the Real Property (Computer Register) Amendment Act, 1979.

Amendment      **3.** The Technical and Further Education Act, 1974, is  
of Act No.      amended—  
72, 1974.

Sec. 29.  
(Power to  
rescind re-  
sumptions.)

- (a) (i) by omitting from section 29 (1) the words "The Governor" and by inserting instead the words "Subject to subsection (2A), the Governor";
- (ii) by omitting from section 29 (1) the word "under" and by inserting instead the words "in pursuance of";

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*Technical and Further Education (Real Property Computer Register)  
Amendment.*

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- (b) by omitting section 29 (3) and (4) and by inserting instead the following subsections :—

(2A) Where a resumption application relating to land described or referred to in a notification of resumption made in pursuance of section 28 has been lodged under section 31A (2) of the Real Property Act, 1900, with the Registrar-General—

- (a) a notification under subsection (1) published in the Gazette after the commencement of this subsection may not rescind so much of the notification of resumption as relates to that land; and
- (b) any transfer of that land, after it has been brought under the provisions of the Real Property Act, 1900, to the person who was entitled thereto immediately before the resumption shall, for the purposes of subsection (5), be deemed, upon its registration under that Act—
- (i) to revest that land under this section in the transferee; and
- (ii) to rescind the resumption in so far as it relates to that land.

(3) On the lodgment with the Registrar-General of a copy of a notification published in the Gazette under subsection (1) that rescinds a notification of resumption of land under the provisions of the Real Property Act, 1900, the Registrar-General shall—

- (a) make, in the Register kept under that Act, such recordings with respect to the rescission; and

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*Technical and Further Education (Real Property Computer Register)  
Amendment.*

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(b) create or cancel such folios of the Register,  
as he considers appropriate.

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

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 14th December, 1979.*