

**AUCTIONEERS AND AGENTS (SALE OF LAND)
AMENDMENT ACT 1987 No. 193**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Act No. 28, 1941
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**AUCTIONEERS AND AGENTS (SALE OF LAND) AMENDMENT
ACT 1987 No. 193**

NEW SOUTH WALES



Act No. 193, 1987

An Act to amend the Auctioneers and Agents Act 1941 as a consequence of the enactment of the Conveyancing (Sale of Land) Amendment Act 1987.
[Assented to 4 December 1987]

Auctioneers and Agents (Sale of Land) Amendment 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Auctioneers and Agents (Sale of Land) Amendment Act 1987.

Commencement

2. This Act commences when the Conveyancing (Sale of Land) Amendment Act 1987 commences.

Amendment of Act No. 28, 1941

3. The Auctioneers and Agents Act 1941 is amended by inserting after section 84 the following section:

Sales of residential property

84AA. (1) If a licensee, expressly or by implication—

- (a) invites an offer to purchase residential property (within the meaning of Division 8 of Part IV of the Conveyancing Act 1919); or
- (b) makes an offer to sell any such residential property,

the agent is guilty of an offence unless subsection (2) is complied with or the invitation or offer is made in prescribed circumstances.

(2) This subsection is complied with only if at each place, and at all times, at which the offer to purchase may be made, there is available for inspection by a prospective purchaser—

- (a) a copy of the terms and conditions (other than particulars of the purchaser and purchase price) of the proposed contract for the sale of the property; and
- (b) the documents that would be required by section 52A of the Conveyancing Act 1919 to be attached to the contract before signature by the purchaser.

Auctioneers and Agents (Sale of Land) Amendment 1987

(3) An information for an offence under subsection (1) alleged to have been committed within 12 months after the commencement of this section may not be laid without the consent of the Minister (which shall be presumed to have been given unless the contrary is proved).



**AUCTIONEERS AND AGENTS (SALE OF LAND)
AMENDMENT BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Conveyancing (Sale of Land) Amendment Bill 1987.

The object of this Bill is to require licensees under the Auctioneers and Agents Act 1941 to have draft contracts of sale available for inspection by prospective purchasers of residential property.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Clause 3 amends the Auctioneers and Agents Act 1941 by inserting a new section 84AA requiring a licensee under the Act who offers residential property for sale to have available for inspection by a prospective purchaser a draft of the proposed contract of sale.

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**AUCTIONEERS AND AGENTS (SALE OF LAND)
AMENDMENT BILL 1987**

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Auctioneers and Agents Act 1941 as a consequence of the enactment of the Conveyancing (Sale of Land) Amendment Act 1987.

*Auctioneers and Agents (Sale of Land) Amendment 1987***The Legislature of New South Wales enacts:****Short title**

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10 section 84 the following section:

Sales of residential property

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(b) makes an offer to sell any such residential property,
the agent is guilty of an offence unless subsection (2) is complied with
or the invitation or offer is made in prescribed circumstances.

20 (2) This subsection is complied with only if at each place, and at all times, at which the offer to purchase may be made, there is available for inspection by a prospective purchaser—

(a) a copy of the terms and conditions (other than particulars of
the purchaser and purchase price) of the proposed contract for
the sale of the property; and

25 (b) the documents that would be required by section 52A of the Conveyancing Act 1919 to be attached to the contract before signature by the purchaser.

30 (3) An information for an offence under subsection (1) alleged to have been committed within 12 months after the commencement of this section may not be laid without the consent of the Minister (which shall be presumed to have been given unless the contrary is proved).



