

**LOCAL GOVERNMENT (COVENANTS) AMENDMENT
BILL 1986**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Conveyancing (Covenants) Amendment Bill 1986.

The object of this Bill is to amend section 604 of the Local Government Act 1919 so as to ensure that, when land is sold under that section because of a failure to pay rates levied with respect to the land, any positive covenant imposed on the land under proposed section 88D or 88E of the Conveyancing Act 1919 is not affected.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will, with minor exceptions, commence when certain amendments to the Conveyancing Act 1919 commence.

Clause 3 is a formal provision which gives effect to the Schedule of amendments.

Schedule 1 amends section 604 of the Principal Act so as to effect the object referred to above.

**LOCAL GOVERNMENT (COVENANTS) AMENDMENT
BILL 1986**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 41, 1919

SCHEDULE 1—AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919

**LOCAL GOVERNMENT (COVENANTS) AMENDMENT
BILL 1986**

NEW SOUTH WALES



No. , 1986

A BILL FOR

An Act to amend the Local Government Act 1919 so as to make provisions relating to certain covenants affecting the use of land.

Local Government (Covenants) Amendment 1986

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 Short title

1. This Act may be cited as the "Local Government (Covenants) Amendment Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this
10 Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Conveyancing (Covenants) Amendment Act 1986.

Amendment of Act No. 41, 1919

15 3. The Local Government Act 1919 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919

20 Section 604 (**Consequence of transfer of the land**)—

(1) Section 604 (2), (3)—

Omit "restrictive covenants" wherever occurring, insert instead "restrictive or positive covenants".

Local Government (Covenants) Amendment 1986

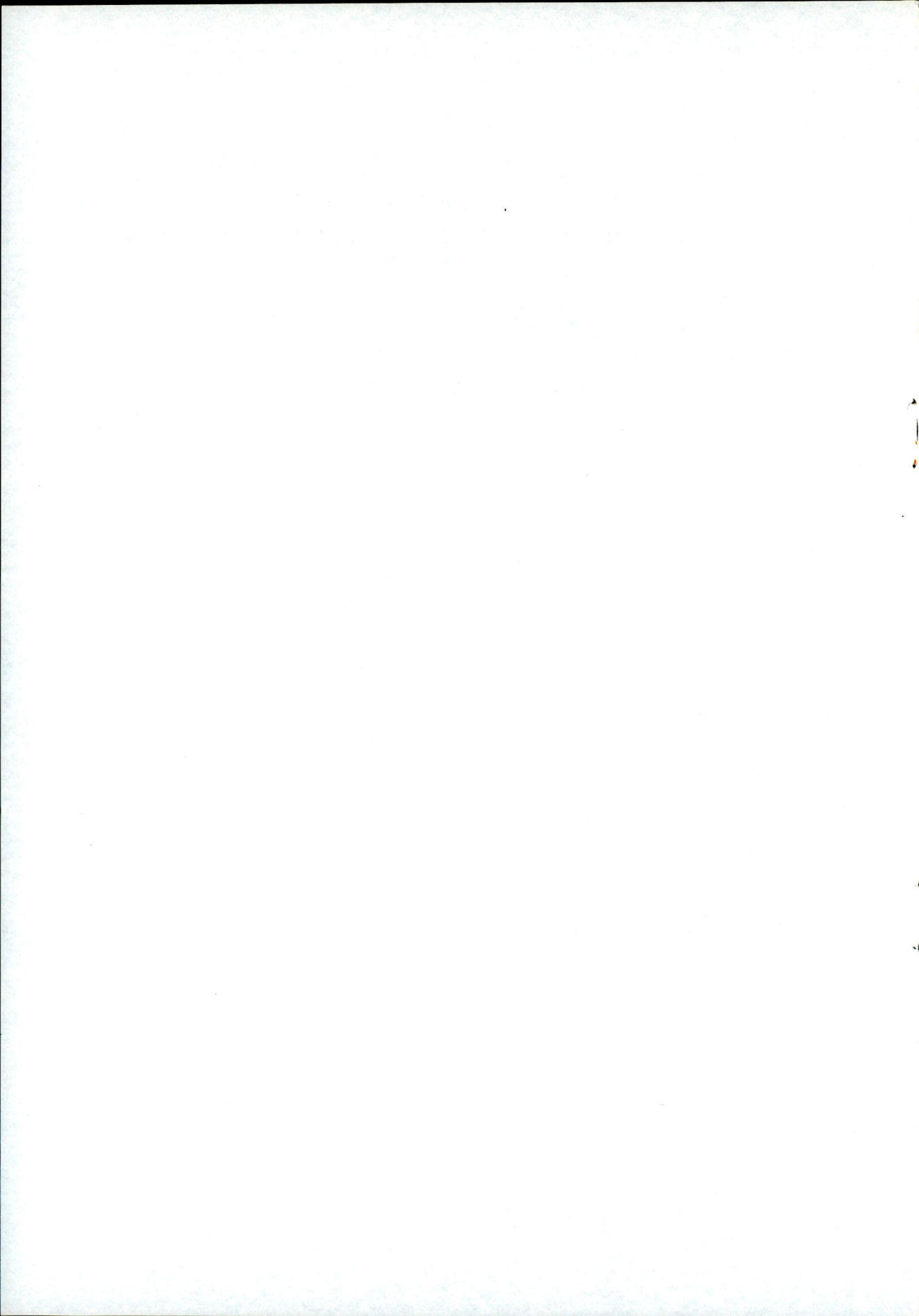
SCHEDULE 1—*continued*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919—
continued

(2) Section 604 (6)—

After section 604 (5), insert:

5 (6) In this section, references to positive covenants are
references to positive covenants created in accordance with
section 88D or 88E of the Conveyancing Act 1919.



**LOCAL GOVERNMENT (COVENANTS) AMENDMENT
ACT 1986 No. 73**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 41, 1919

SCHEDULE 1—AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919

LOCAL GOVERNMENT (COVENANTS) AMENDMENT ACT 1986
No. 73

NEW SOUTH WALES



Act No. 73, 1986

An Act to amend the Local Government Act 1919 so as to make provisions relating to certain covenants affecting the use of land. [Assented to, 21 May 1986]

Local Government (Covenants) Amendment 1986

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 "Local Government (Covenants) Amendment Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Conveyancing (Covenants) Amendment Act 1986.

Amendment of Act No. 41, 1919

3. The Local Government Act 1919 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919

Section 604 (Consequence of transfer of the land)—

(1) Section 604 (2), (3)—

Omit "restrictive covenants" wherever occurring, insert instead "restrictive or positive covenants".

Local Government (Covenants) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919—
continued

(2) Section 604 (6)—

After section 604 (5), insert:

(6) In this section, references to positive covenants are references to positive covenants created in accordance with section 88D or 88E of the Conveyancing Act 1919.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1986



