

FIRST PRINT

REAL PROPERTY (AMENDMENT) BILL 1987

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend the Real Property Act 1900 so as—

- (a) to enable the Registrar-General to bring Crown land under the provisions of that Act even though the boundaries of the land are inexactly defined; and
- (b) to make it clear that access to information kept in the Register maintained under that Act may be gained through the use of computer facilities situated outside the Land Titles Office.

Clause 1 specifies the short title of the proposed Act.

Clause 2 is a formal provision that gives effect to the Schedules of amendments.

Schedule 1 (1) and (2) are consequential amendments which enable provisions of Part III of the Principal Act to be applied (under section 28T of that Act) to folios of the Register created under that section as proposed to be amended.

Schedule 1 (3) inserts proposed section 13N (Restriction on creation of folios) into the Principal Act which will prevent the issue under Part III of that Act of ordinary folios of the Register for Crown land if a survey is needed. In practice, this requirement is already observed.

Schedule 1 (4) omits a redundant definition from the Principal Act.

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Schedule 1 (5) amends section 28T of the Principal Act to enable limited folios of the Register to be created for land purchased or held under lease from the Crown or other land for which a folio could be created under Part III of that Act if its boundaries had been adequately defined. The certification of title provided by the Principal Act is not conclusive as regards the definition of the boundaries of land comprised in a limited folio so created, but in other respects that Act is applied to any such limited folio in the same way as it applies to ordinary folios.

Schedule 2 inserts proposed section 96B (2) and (3) into the Principal Act. Section 96B presently requires information in the Register to be available at such times, in such manner and upon payment of such fees as are set out in Regulations made under the Principal Act. The proposed subsections make it clear that the Registrar-General may provide limited or general access to that information at any other time in accordance with conditions (including requirements for the payment of fees) imposed by the Attorney General or the Registrar-General. The amendments will facilitate the making of arrangements for the use of computer hardware situated outside but linked to the Land Titles Office to display or reproduce that information.

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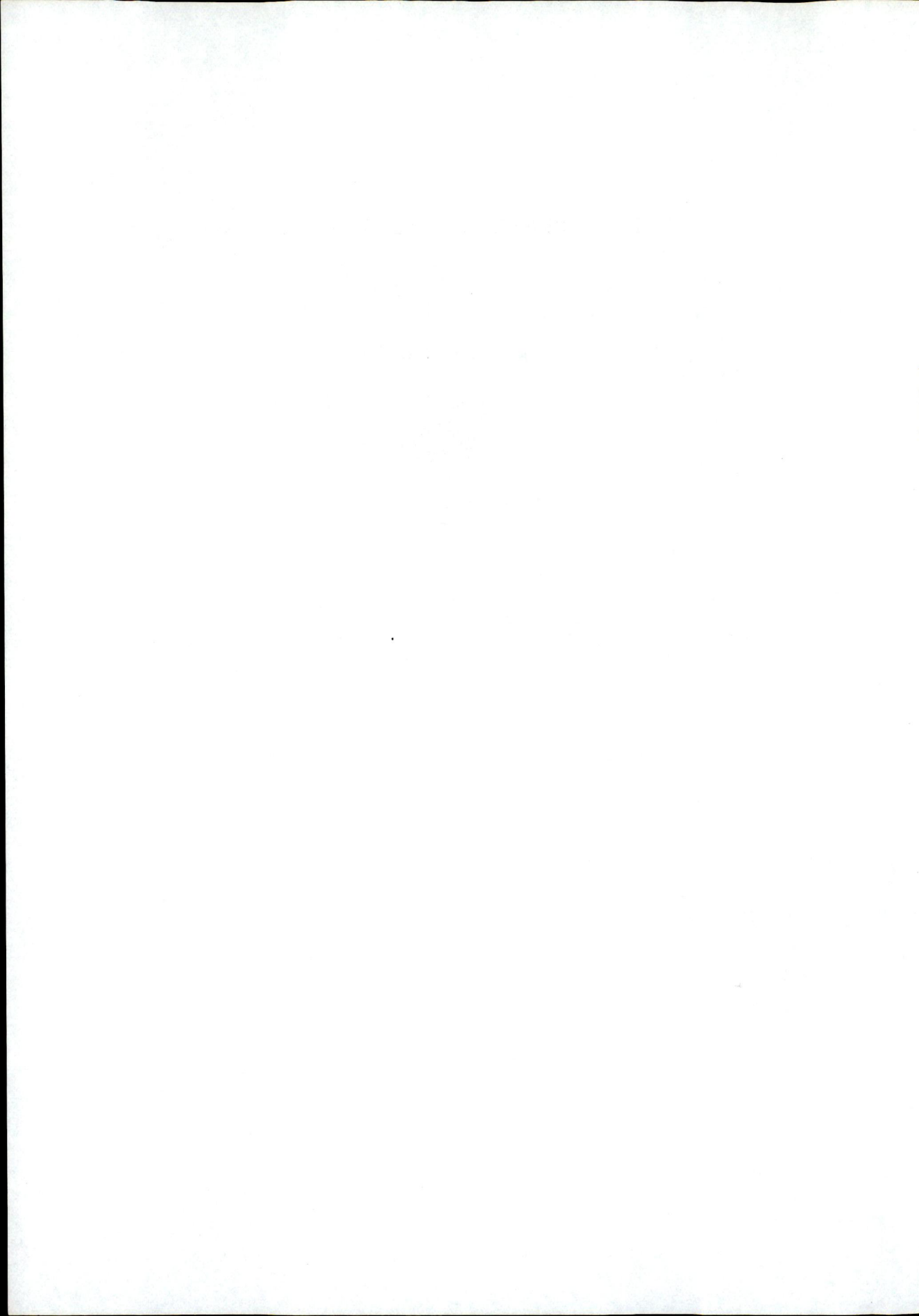


TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 25, 1900

SCHEDULE 1—AMENDMENTS TO THE REAL PROPERTY ACT 1900 ENABLING
THE CREATION OF LIMITED FOLIOS FOR CROWN LAND

SCHEDULE 2—AMENDMENT TO THE REAL PROPERTY ACT 1900 RELATING
TO ACCESSING THE COMPUTER REGISTER



REAL PROPERTY (AMENDMENT) BILL 1987

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Real Property Act 1900 so as to enable the creation of limited folios for Crown land and to facilitate access to the Register kept under that Act.

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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:

5 Short title

1. This Act may be cited as the "Real Property (Amendment) Act 1987".

Amendment of Act No. 25, 1900

2. The Real Property Act 1900 is amended in the manner set forth in Schedules 1 and 2.

10

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE REAL PROPERTY ACT 1900 ENABLING
THE CREATION OF LIMITED FOLIOS FOR CROWN LAND

- (1) Section 13D (**Bringing of other Crown land under Act**)—

15 Section 13D (2)—

Omit "under subsection (1)", insert instead "in respect of land to which subsection (1) applies".

- (2) Section 13J (**Estate in land where the State is recorded as proprietor**)—

Omit "Part", insert instead "Act".

20 (3) Section 13N—

After section 13M, insert:

Restriction on creation of folios

25

13N. The Registrar-General shall not create a folio of the Register under this Part if, in the opinion of the Registrar-General, further survey definition is necessary adequately to define the boundaries of the land.

*Real Property (Amendment) 1987*SCHEDULE 1—*continued*AMENDMENTS TO THE REAL PROPERTY ACT 1900 ENABLING
THE CREATION OF LIMITED FOLIOS FOR CROWN LAND—
continued(4) Section 28s (**Interpretation**)—

Section 28s (1), definition of “limitation caveat”—

Omit the definition.

(5) Section 28T (**Creation of limited folio**)—

5 (a) Section 28T (1A)—

Before section 28T (1), insert:

10 (1A) Where the boundaries of land to which Part III applies are not sufficiently defined to enable the Registrar-General to create an ordinary folio of the Register under that Part, the Registrar-General may, subject to subsection (4), create a folio of the Register—

15 (a) in the case of land to which section 13A or 13B applies, being a folio for the estate or interest in any of that land of the person for whose estate or interest the Registrar-General could otherwise have created an ordinary folio of the Register under that section;

(b) in the case of land to which section 13D (1) applies, being a folio in which “The State of New South Wales” is recorded as the proprietor of that land; or

20 (c) in the case of a lease described in section 13D (3) of land to which section 13D (1) applies, being a folio in the name of the person who, in the Registrar-General’s opinion, is entitled to be registered proprietor of the lease.

(b) Section 28T (4)—

25 After “subsection”, insert “(1A),”.

*Real Property (Amendment) 1987*SCHEDULE 1—*continued*AMENDMENTS TO THE REAL PROPERTY ACT 1900 ENABLING
THE CREATION OF LIMITED FOLIOS FOR CROWN LAND—
continued

(c) Section 28T (5)—

After section 28T (4), insert:

(5) Part III (sections 13A, 13B, 13D (1) and (3) and 13N excepted) applies to and in respect of a folio of the Register created under subsection (1A) (whether or not it ceases to be a limited folio of the Register) in the same way as it applies to and in respect of a folio of the Register created under Part III.

(d) Section 28T (7)—

Omit “and 28EA”, insert instead “, 28EA and 28QA”.

(e) Section 28T (7)—

Omit “this Part”, insert instead “subsection (1) or (2)”.

SCHEDULE 2

(Sec. 2)

AMENDMENT TO THE REAL PROPERTY ACT 1900 RELATING TO
ACCESSING THE COMPUTER REGISTERSection 96B (**Access to the Register**)—

Section 96B (2), (3)—

At the end of section 96B, insert:

(2) Without affecting any duty imposed by or under this Act, information in the Register—

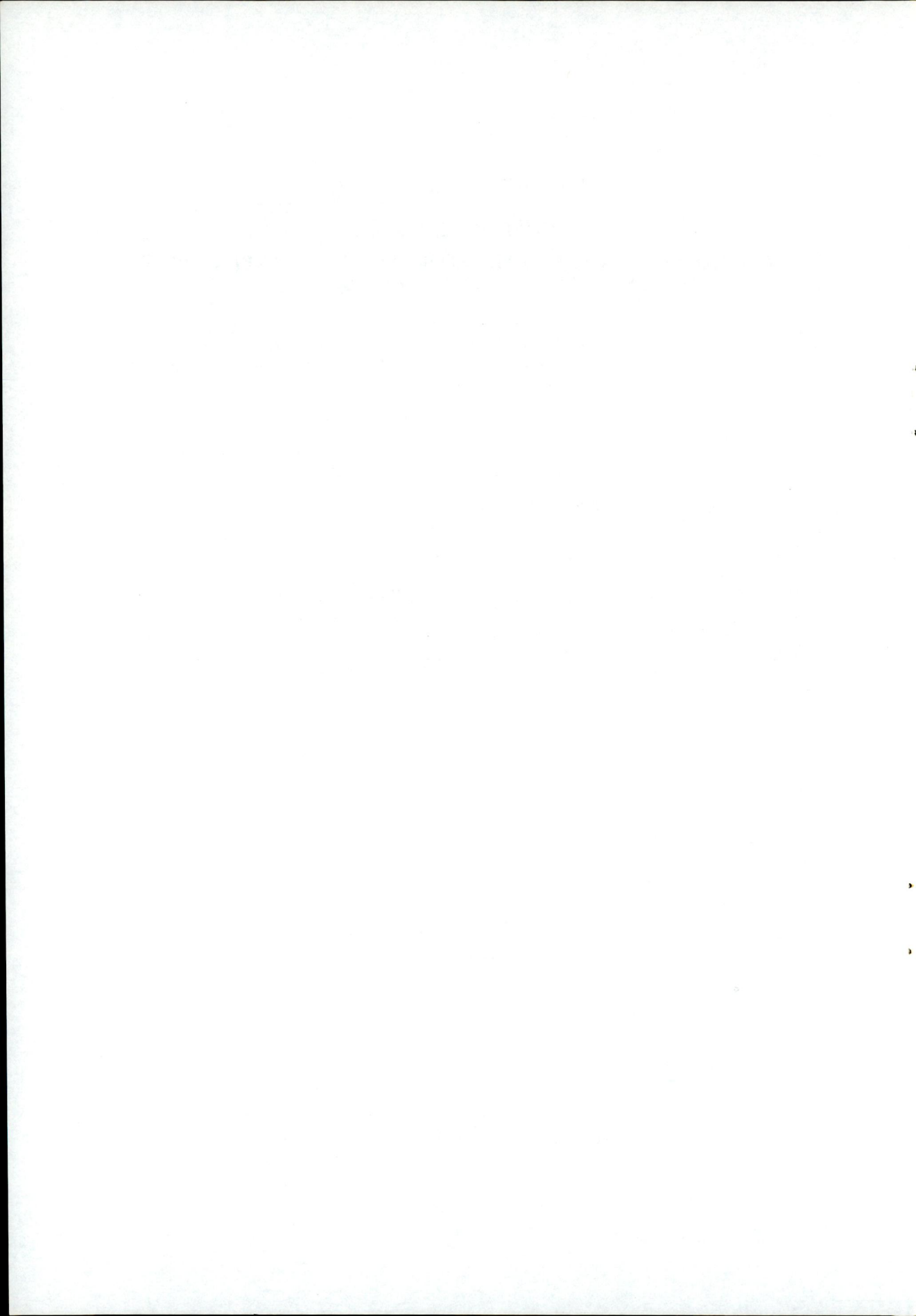
(a) in such cases as the Minister directs, shall be made available in such manner and in accordance with such conditions as the Minister considers appropriate; and

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SCHEDULE 2—*continued*

AMENDMENT TO THE REAL PROPERTY ACT 1900 RELATING TO
ACCESSING THE COMPUTER REGISTER—*continued*

- (b) in any other case, may be made available in such manner and in accordance with such conditions as the Registrar-General considers appropriate.
- (3) Conditions imposed under subsection (2) may—
 - 5 (a) require the payment, whether on a periodic or any other basis, of fees and other charges which are—
 - (i) agreed to by the Minister; or
 - (ii) fixed by the Registrar-General with the approval of the Minister; and
 - 10 (b) restrict access to the information or any part of it.



1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It highlights the importance of using reliable sources and ensuring the accuracy of the information gathered.

3. The third part of the document focuses on the interpretation and analysis of the collected data. It discusses the various statistical and analytical tools used to draw meaningful conclusions from the information.

4. The fourth part of the document addresses the challenges and limitations of the data collection and analysis process. It identifies common pitfalls and provides strategies to overcome them, ensuring the integrity and reliability of the results.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It emphasizes the importance of ongoing monitoring and evaluation to ensure the continued effectiveness and relevance of the data collection and analysis process.

6. The sixth part of the document provides a detailed overview of the data collection and analysis process, including the various steps and stages involved. It serves as a comprehensive guide for anyone looking to implement a similar process.

7. The seventh part of the document discusses the importance of data security and privacy. It outlines the various measures and protocols used to protect sensitive information and ensure compliance with relevant regulations.

8. The eighth part of the document provides a detailed overview of the data collection and analysis process, including the various steps and stages involved. It serves as a comprehensive guide for anyone looking to implement a similar process.

9. The ninth part of the document discusses the importance of data security and privacy. It outlines the various measures and protocols used to protect sensitive information and ensure compliance with relevant regulations.

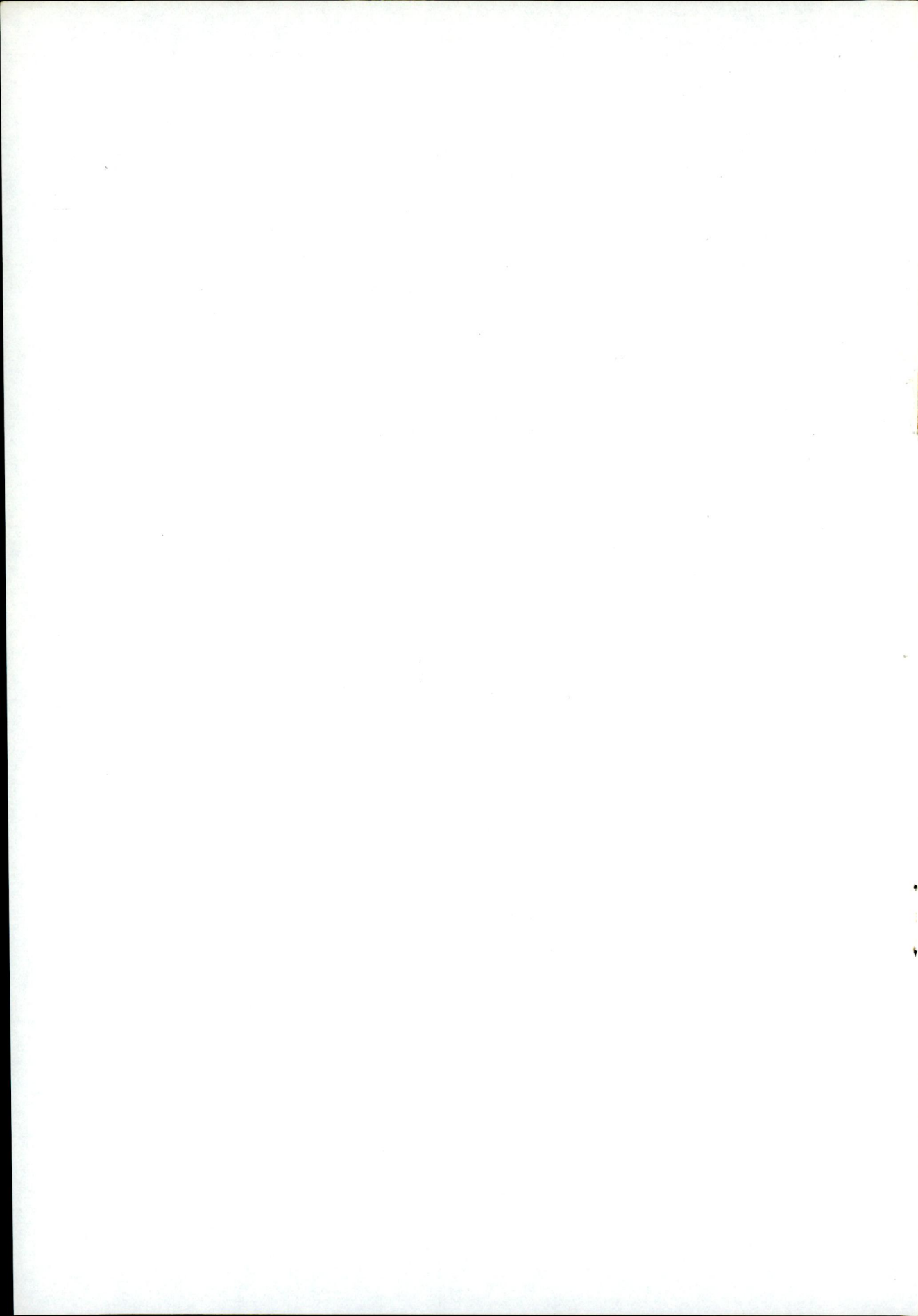
10. The tenth part of the document concludes by summarizing the key findings and recommendations. It emphasizes the importance of ongoing monitoring and evaluation to ensure the continued effectiveness and relevance of the data collection and analysis process.

11. The eleventh part of the document provides a detailed overview of the data collection and analysis process, including the various steps and stages involved. It serves as a comprehensive guide for anyone looking to implement a similar process.

12. The twelfth part of the document discusses the importance of data security and privacy. It outlines the various measures and protocols used to protect sensitive information and ensure compliance with relevant regulations.

13. The thirteenth part of the document concludes by summarizing the key findings and recommendations. It emphasizes the importance of ongoing monitoring and evaluation to ensure the continued effectiveness and relevance of the data collection and analysis process.

14. The fourteenth part of the document provides a detailed overview of the data collection and analysis process, including the various steps and stages involved. It serves as a comprehensive guide for anyone looking to implement a similar process.



REAL PROPERTY (AMENDMENT) ACT 1987 No. 37

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 25, 1900

SCHEDULE 1—AMENDMENTS TO THE REAL PROPERTY ACT 1900 ENABLING
THE CREATION OF LIMITED FOLIOS FOR CROWN LAND

SCHEDULE 2—AMENDMENT TO THE REAL PROPERTY ACT 1900 RELATING
TO ACCESSING THE COMPUTER REGISTER

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

CHICAGO, ILLINOIS

RECEIVED



REAL PROPERTY (AMENDMENT) ACT 1987 No. 37

NEW SOUTH WALES



Act No. 37, 1987

An Act to amend the Real Property Act 1900 so as to enable the creation of limited folios for Crown land and to facilitate access to the Register kept under that Act. [Assented to 15 May 1987]

Real Property (Amendment) 1987

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 "Real Property (Amendment) Act 1987".

Amendment of Act No. 25, 1900

2. The Real Property Act 1900 is amended in the manner set forth in Schedules 1 and 2.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE REAL PROPERTY ACT 1900 ENABLING
THE CREATION OF LIMITED FOLIOS FOR CROWN LAND

- (1) Section 13D (**Bringing of other Crown land under Act**)—

Section 13D (2)—

Omit "under subsection (1)", insert instead "in respect of land to which subsection (1) applies".

- (2) Section 13J (**Estate in land where the State is recorded as proprietor**)—

Omit "Part", insert instead "Act".

- (3) Section 13N—

After section 13M, insert:

Restriction on creation of folios

13N. The Registrar-General shall not create a folio of the Register under this Part if, in the opinion of the Registrar-General, further survey definition is necessary adequately to define the boundaries of the land.

Real Property (Amendment) 1987

SCHEDULE 1—*continued*

AMENDMENTS TO THE REAL PROPERTY ACT 1900 ENABLING
THE CREATION OF LIMITED FOLIOS FOR CROWN LAND—
continued

(4) Section 28s (**Interpretation**)—

Section 28s (1), definition of “limitation caveat”—

Omit the definition.

(5) Section 28T (**Creation of limited folio**)—

(a) Section 28T (1A)—

Before section 28T (1), insert:

(1A) Where the boundaries of land to which Part III applies are not sufficiently defined to enable the Registrar-General to create an ordinary folio of the Register under that Part, the Registrar-General may, subject to subsection (4), create a folio of the Register—

- (a) in the case of land to which section 13A or 13B applies, being a folio for the estate or interest in any of that land of the person for whose estate or interest the Registrar-General could otherwise have created an ordinary folio of the Register under that section;
- (b) in the case of land to which section 13D (1) applies, being a folio in which “The State of New South Wales” is recorded as the proprietor of that land; or
- (c) in the case of a lease described in section 13D (3) of land to which section 13D (1) applies, being a folio in the name of the person who, in the Registrar-General’s opinion, is entitled to be registered proprietor of the lease.

(b) Section 28T (4)—

After “subsection”, insert “(1A),”.

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SCHEDULE 1—*continued*

AMENDMENTS TO THE REAL PROPERTY ACT 1900 ENABLING
THE CREATION OF LIMITED FOLIOS FOR CROWN LAND—
continued

(c) Section 28T (5)—

After section 28T (4), insert:

(5) Part III (sections 13A, 13B, 13D (1) and (3) and 13N excepted) applies to and in respect of a folio of the Register created under subsection (1A) (whether or not it ceases to be a limited folio of the Register) in the same way as it applies to and in respect of a folio of the Register created under Part III.

(d) Section 28T (7)—

Omit “and 28EA”, insert instead “, 28EA and 28QA”.

(e) Section 28T (7)—

Omit “this Part”, insert instead “subsection (1) or (2)”.

SCHEDULE 2

(Sec. 2)

AMENDMENT TO THE REAL PROPERTY ACT 1900 RELATING TO
ACCESSING THE COMPUTER REGISTER

Section 96B (**Access to the Register**)—

Section 96B (2), (3)—

At the end of section 96B, insert:

(2) Without affecting any duty imposed by or under this Act, information in the Register—

- (a) in such cases as the Minister directs, shall be made available in such manner and in accordance with such conditions as the Minister considers appropriate; and

Real Property (Amendment) 1987

SCHEDULE 2—*continued*

AMENDMENT TO THE REAL PROPERTY ACT 1900 RELATING TO
ACCESSING THE COMPUTER REGISTER—*continued*

- (b) in any other case, may be made available in such manner and in accordance with such conditions as the Registrar-General considers appropriate.
- (3) Conditions imposed under subsection (2) may—
 - (a) require the payment, whether on a periodic or any other basis, of fees and other charges which are—
 - (i) agreed to by the Minister; or
 - (ii) fixed by the Registrar-General with the approval of the Minister; and
 - (b) restrict access to the information or any part of it.

