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ELIZABETHAE II REGINAE

A.D. 1960

No. 44 of 1960

An Act to amend the Real Property Act, 1886-1945.

[Assented to 10th November, 1960.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Real Property Act Amendment Act, 1960". Short titles.

(2) The Real Property Act, 1886-1945, as amended by this Act, may be cited as the "Real Property Act, 1886-1960".

(3) The Real Property Act, 1886-1945, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Section 51 of the principal Act is amended by striking out the words "the names of the parties thereto" and inserting in lieu thereof the words "such other particulars as the Registrar-General directs". Amendment of principal Act, s. 51.

4. Section 100 of the principal Act is amended by inserting at the end thereof the following proviso :— Amendment of principal Act, s. 100.

Provided that the Registrar-General may in his discretion at any time without being so required by the said proprietor, issue to the said proprietor a certificate or certificates for the said portion or balance or any part or parts thereof.

Amendment
of principal
Act, s. 220.

5. Section 220 of the principal Act is amended—

- (a) by inserting at the end of paragraph 4 thereof the following sentence :—

In exercising his powers under this paragraph the Registrar-General may disregard any difference between the dimensions of boundaries as stated in any certificate or in the register book or in entries made therein respectively and the actual dimensions of such boundaries as found by admeasurement on the ground when such difference does not exceed the following limits, that is to say a limit of two inches for any one boundary line irrespective of its length where the length does not exceed one hundred and thirty-two feet but where it exceeds one hundred and thirty-two feet a limit equivalent to one in five hundred computed upon the total length of such boundary line.

- (b) By adding at the end thereof the following paragraph:—

10. He may, notwithstanding any other provision of this Act, with the approval of the Attorney-General, and subject to section 31 of the Libraries and Institutes Act, 1939-1950, destroy any record, document, instrument, plan, diagram, book or paper or any other paper writing, whether of the same kind as those before enumerated or not, that is deposited with or registered at the Lands Titles Registration Office the retention of which in the opinion of the Registrar-General serves no useful purpose.

Amendment of
principal Act,
s. 272—
Bond to be
given and
declaration
made.

6. Section 272 of the principal Act is amended—

- (a) by striking out the words “five hundred pounds” and the words “two hundred and fifty pounds” therein and inserting in lieu thereof the words “one thousand pounds” and “five hundred pounds” respectively ;

- (b) by adding at the end thereof the following subsection (the preceding part of the section being designated as subsection (1) thereof) :—

(2) In the event of the death, whether before or after the commencement of the Real Property

Act Amendment Act, 1960, of any surety mentioned in subsection (1) of this section the licensed land broker concerned shall within thirty days of the date of such death (or where the death occurred before the commencement of the Real Property Act Amendment Act, 1960 within thirty days of such commencement) give to the Registrar-General a further bond with two sureties in the respective amounts and conditioned as in that subsection mentioned. The licence of any land broker who fails to comply with this subsection shall be deemed to be revoked.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. M. NAPIER, Lieutenant-Governor.