

PUBLIC INSTRUCTION (REAL PROPERTY COMPUTER REGISTER) AMENDMENT ACT, 1979, No. 165

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 165, 1979.

An Act to amend section 4A of the Public Instruction Act of 1880 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.]

Public Instruction (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 :—

Short
title.

1. This Act may be cited as the "Public Instruction (Real Property Computer Register) Amendment Act, 1979".

Commence-
ment.

2. (1) This section and section 1 shall commence on the date 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
of Act 43
Vic. No. 23.
Sec. 4A.
(Power to
rescind re-
sumptions.)

3. The Public Instruction Act of 1880 is amended—

- (a) (i) by omitting from section 4A (1) the words "The Governor" and by inserting instead the words "Subject to subsection (2A), the Governor";
- (ii) by omitting from section 4A (1) the words "as amended by subsequent Acts,";

(b) by omitting section 4A (3) 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 the Public Works Act, 1912, 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

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- (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 (4), be deemed, upon its registration under that Act—
 - (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.

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

 - (c) by omitting from section 4A (5) the words “as amended by subsequent Acts,” wherever occurring.
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