

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

NEW SOUTH WALES



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

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**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*

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**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*

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(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).