



ANNO VICESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1972

No. 116 of 1972

An Act to amend the Real Property Act, 1886-1969.

[Assented to 23rd November, 1972]

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

Short titles.

1. (1) This Act may be cited as the "Real Property Act Amendment Act, 1972".

(2) The Real Property Act, 1886-1969, as amended by this Act, may be cited as the "Real Property Act, 1886-1972".

(3) The Real Property Act, 1886-1969, is hereinafter referred to as "the principal Act".

Commencement.

2. (1) This Act shall come into operation on a day to be fixed by proclamation.

(2) Notwithstanding the provisions of subsection (1) of this section, the Governor may in the proclamation made for the purpose of that subsection suspend the operation of any specified provisions of this Act until a subsequent day fixed in the proclamation, or until a day to be fixed by subsequent proclamation.

**Amendment of
principal Act,
s. 2—
Division of
Act into Parts.**

3. Section 2 of the principal Act is amended by striking out the passage "241 to 276" and inserting in lieu thereof the passage "241 to 277".

4. Section 22 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of
s. 22 of
principal Act
and enactment
of section in
its place—

22. (1) The Registrar-General may demand and receive such fees, in respect of the several matters provided for in this Act, as are prescribed.

Fees, etc.

(2) Until regulations under this Act are made prescribing fees in respect of the matters referred to in subsection (1) of this section the Registrar-General may demand and receive such fees as were payable in respect of those matters immediately before the commencement of the Real Property Act Amendment Act, 1972.

5. Section 65 of the principal Act is amended by striking out the passage “, upon payment of the fee for that purpose specified in the first schedule hereto,”.

Amendment of
principal Act,
s. 65—
Search allowed.

6. Section 220 of the principal Act is amended—

Amendment of
principal Act,
s. 220—

(a) by striking out from subsection (4) the passage “two inches” and inserting in lieu thereof the passage “5 centimetres”;
and

Powers of
Registrar-
General.

(b) by striking out from subsection (4) the passage “one hundred and thirty-two feet”, twice occurring, and inserting in lieu thereof, in each case, the passage “40 metres”.

7. Section 241 of the principal Act is amended—

Amendment of
principal Act,
s. 241—
Scale of maps
or plans.

(a) by striking out the passage “one statute acre” twice occurring and inserting in lieu thereof in each case the passage “4,000 square metres”;

(b) by striking out the passage “one inch to two chains” and inserting in lieu thereof the passage “1:2,000”;

(c) by striking out the passage “five statute acres”, twice occurring, and inserting in lieu thereof, in each case, the passage “2 hectares”;

(d) by striking out the passage “one inch to five chains” and inserting in lieu thereof the passage “1:5,000”;

(e) by striking out the passage “eighty statute acres” twice occurring and inserting in lieu thereof in each case the passage “32 hectares”;

(f) by striking out the passage “one inch to ten chains” and inserting in lieu thereof the passage “1:10,000”;
and

(g) by striking out the passage "one inch to twenty chains" and inserting in lieu thereof the passage "1:20,000".

Repeal of
ss. 271 and
272 of
principal Act.

8. Section 271 and section 272 of the principal Act are repealed.

Enactment of
s. 277 of
principal Act—

9. The following section is enacted and inserted in the principal Act immediately after section 276 thereof:—

Regulations.

277. (1) The Governor may make such regulations as may be necessary or convenient for carrying into effect the provisions and objects of this Act, and without limiting the generality of the foregoing, may make regulations—

(a) providing for and prescribing the fees and charges payable for or in respect of the doing of any act or thing under this Act;

and

(b) providing for and prescribing the charges recoverable by solicitors and licensed land brokers for transacting business under the provisions of this Act.

(2) Without limiting the generality of subsection (1) of this section a regulation made under this Act may amend or revoke any regulation made under the Fees Regulation Act, 1927.

Repeal of
first schedule
of principal
Act.

10. The first schedule to the principal Act is repealed.

Amendment of
sixth schedule
of principal
Act.

11. The sixth schedule to the principal Act is amended by striking out the passage "*chains, links or feet*" and inserting in lieu thereof the word "*metres*".

Repeal of
twentieth
schedule of
principal Act.

12. The twentieth schedule to the principal Act is repealed.

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

M. L. OLIPHANT, Governor