

**NEW SOUTH WALES**

**DRAFT GOVERNMENT BILL**

**Real Property Amendment (Certificates of Title) Bill 2020**

**Explanatory note**

**Overview of Bill**

The object of this Bill (TO BE COMPLETED)

**Outline of provisions**

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

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**NEW SOUTH WALES**  
**DRAFT GOVERNMENT BILL**

**Real Property Amendment (Certificates of  
Title) Bill 2020**

No           , 2020

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**A Bill for**

*An Act to amend the *Real Property Act 1900*; and for related purposes.*

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# public consultation draft

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Real Property Amendment (Certificates of Title) Bill 2020 [NSW]

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**The Legislature of New South Wales enacts—**

**1 Name of Act**

This Act is the *Real Property Amendment (Certificates of Title) Act 2020*.

**2 Commencement**

- (1) This Act commences on a day or days to be appointed by proclamation, except as provided by subsection (2).
- (2) Schedule 1.2[5]–[7] commence on the day of assent to this Act.

## **Schedule 1      Amendment of Real Property Act 1900 No 25**

### **1.1 Amendments concerning certificates of title and duplicate registered dealings**

**[1] Section 3 Definitions**

Omit the definition of *Duplicate registered dealing* from section 3(1)(a).

**[2] Section 3(1)(a) definition of “Instrument”**

Omit “certificate of title,”.

**[3] Section 3(1)(a)**

Insert in alphabetical order—

*Uplift* means to temporarily remove a dealing that has been lodged for registration from its priority position, so that it can be corrected or amended, without withdrawing the dealing.

**[4] Section 3(1)(c)**

Omit the paragraph.

**[5] Section 3A Application of Act to electronic form plans and other documents**

Omit “certificates of title and office copies of court order” from section 3A(1)(b).

Insert instead “office copies of court orders”.

**[6] Section 3A(3)(a)**

Omit “certificates of title and”.

**[7] Section 13G Recordings in Register**

Omit “, and upon any certificate of title issued in respect of the land comprised in the folio,” from section 13G(1).

**[8] Section 13G(3)**

Omit “, or upon a certificate of title issued,”.

**[9] Section 13G(3)(b)**

Omit “or the certificate of title, as the case may be,”.

**[10] Section 13G(4)**

Omit “or a certificate of title” and “or certificate”.

**[11] Section 13H Land that becomes Crown land**

Omit “and may cancel, or make such recordings as the Registrar-General considers appropriate upon, any relevant certificate of title or duplicate registered dealing when it becomes available to the Registrar-General” from section 13H(1).

**[12] Section 13H(3) and (4)**

Omit the subsections.

**[13] Section 14 Application to bring land under the Act**

Omit “and may make any such recordings upon any relevant certificate of title when it becomes available to the Registrar-General” from section 14(6).

**[14] Section 28MH Cancellation of caution on resumption or sale under Local Government Act 1993**

Omit section 28MH(2). Insert instead—

- (2) On making a recording under this section, the Registrar-General must cancel the caution recorded in the qualified folio that relates to the land resumed or transferred.

**[15] Section 31A Creation of folio for resumed land**

Omit “and may make like recordings upon the relevant certificate of title when it becomes available to the Registrar-General” from section 31A(2A).

**[16] Section 31A(3)(b) and (d)**

Omit “and” from the end of section 31A(3)(b) and omit section 31A(3)(d).

**[17] Section 32 Folios of the Register**

Omit “and may, for the purposes of this subsection, require the production to the Registrar-General of any certificate of title” from section 32(5).

**[18] Section 33**

Omit the section. Insert instead—

**33 Information notice**

- (1) On the registration of a dealing the Registrar-General may issue to the person who lodged the dealing a notice, in the form approved by the Registrar-General, recording the registration of the dealing.
- (2) A notice issued under this section is an information notice only.
- (3) A notice issued under this section—
  - (a) does not serve to confer or affect any interest, however described, in the land the subject of the dealing, and
  - (b) cannot be used as, or in substitute for—
    - (i) an official search, as defined in section 96A, or
    - (ii) a document under the *Conveyancing Act 1919*.

**[19] Sections 33AAA—33AB**

Omit the sections.

**[20] Section 33A**

Omit the section. Insert instead—

**33A Assumption as to authority**

The Registrar-General may assume, and is deemed always to have been entitled to assume, that a person who lodges with the Registrar-General any dealing or other document has authority from all persons claiming under, or having an interest in, the dealing or other document to—

- (a) lodge it with the Registrar-General, and

- (b) uplift it and have it amended before it is registered, and
- (c) withdraw it from registration, and
- (d) substitute it with another dealing or document to the same effect, and
- (e) receive requisitions, communications and notices about it, and
- (f) take any other administrative steps that are required to ensure the dealing or document is in registrable form.

**[21] Section 36 Lodgment and registration of documents**

Omit section 36(6). Insert instead—

- (6) A dealing that has been presented to the Registrar-General is lodged in registrable form only if it—
  - (a) is in the approved form, and
  - (b) does not require correction or amendment, other than a correction made by the Registrar-General under section 39(3).

**[22] Section 36(10)**

Omit the subsection.

**[23] Section 36(12)**

Omit “the Registrar-General may require the relevant instruments to be executed and lodged for registration in paper form”.

Insert instead “the parties are to lodge the dealing in a form determined by the Registrar-General”.

**[24] Section 37 Transactions effecting the subdivision of land**

Omit “, and may refuse to issue a certificate of title for any land,” from section 37(2).

**[25] Sections 38 and 46B**

Omit the sections.

**[26] Section 46C Registrar-General may register as proprietor person who is entitled to land by operation of statute**

Omit section 46C(3) and (4).

**[27] Section 47 Recording, variation and release of easements**

Omit “, and, when it becomes available to the Registrar-General, upon any certificate of title” from section 47(6A).

**[28] Section 74F Lodgment of caveats against dealings, possessory applications, plans and applications for cancellation of easements or extinguishment of restrictive covenants**

Omit “, because of the loss of a relevant certificate of title or some other instrument relating to the estate or interest or for some other reason,” from section 74F(2).

**[29] Section 74H Effect of caveat lodged under section 74F**

Omit section 74H(5)(u). Insert instead—

- (u) an application for the issue of—
  - (i) a consolidated folio of the register, or

- (ii) separate folios of the register where there is more than one registered proprietor for land or for an estate or interest in land,

**[30] Section 74H(5)(v)**

Omit the paragraph.

**[31] Section 100 Registered co-tenants**

Omit “Subject to subsection (3), where” from section 100(2). Insert instead “Where”.

**[32] Section 100(2)**

Omit “the shares:” from section 100(2). Insert instead “the shares, create separate folios of the Register.”.

**[33] Section 100(2)(a)–(c)**

Omit the paragraphs.

**[34] Section 100(3)**

Omit the subsection.

**[35] Section 105B Registration of transfer pursuant to sale under writ**

Omit “and the Registrar-General may make a like recording on the relevant certificate of title or duplicate registered dealing when it becomes available to the Registrar-General” from section 105B(1).

**[36] Section 111 Lost etc certificate of title**

Omit the section.

**[37] Section 114 Registrar-General may require plan to be lodged**

Omit “or the issue of a certificate of title for the land comprised in a folio of the Register, refuse to create the folio or issue the certificate of title,” from section 114(c).

Insert instead “, refuse to create the folio,”.

**[38] Sections 136 and 137**

Omit the sections.

**[39] Section 138 Court may direct cancellation of folios and other actions related to folios**

Omit section 138(2). Insert instead—

- (2) A court may, in proceedings in which the court makes a determination as to an estate or interest in land, make ancillary orders of the kind set out in subsection (3) if the court is of the opinion that the order is needed to give effect to the court’s determination.

**[40] Section 138(3)(d)**

Omit the paragraph.

**[41] Section 138(5)**

Omit “a certificate of title or other”. Insert instead “an”.

**[42] Section 138A Registrar-General may take steps to rectify Register in case of fraud**

Omit section 138A(2)(e).



**[43] Section 138A(3) and (4)**

Omit the subsections.

**[44] Section 141 Certain fraudulent acts to be deemed indictable offences**

Omit section 141(1)(a)(ii).

**[45] Section 141(2)**

Omit the subsection. Insert instead—

- (2) Any folio of the Register, recording or alteration the creation or making of which has been procured by fraud shall be void as between all parties or privies to the fraud.

## **1.2 Amendments concerning electronic lodgment of documents**

**[1] Section 3 Definitions**

Omit the definition of *Lodge* from section 3(1)(a). Insert instead—

*Lodge*—Includes lodge electronically—

- (a) in accordance with the Electronic Conveyancing National Law (NSW),  
or
- (b) in a way approved by the Registrar-General.

**[2] Section 12 Powers of Registrar-General**

Omit section 12(7). Insert instead—

- (7) A power to correct errors and omissions conferred by subsection (1) includes a power to correct errors and omissions resulting from a malfunction of—
  - (a) an Electronic Lodgment Network or of an electronic system in which information is communicated between the Electronic Lodgment Network and the Registrar-General, or
  - (b) any other system, approved by the Registrar-General, that enables the lodging of dealings, caveats, priority notices and other documents in electronic form.

**[3] Section 12E Conveyancing rules**

Omit section 12E(1)(e). Insert instead—

- (e) the classes of conveyancing transactions that must be lodged electronically,

**[4] Section 12E(1)(g1)**

Insert after section 12E(1)(g)—

- (g1) the way that consent may be given to the registration of caveats, dealings and documents,

**[5] Section 46A Creation of easements etc over own land by a dealing**

Omit section 46A(5). Insert instead—

- (5) The instrument creating the easement, profit à prendre or restriction on the use of land must be executed by the registered proprietor of the land benefited and the land burdened.

**[6] Section 47 Recording, variation and release of easements**

Omit “executed:” from section 47(5B). Insert instead “executed in the way approved by the Registrar-General—”.

**[7] Sections 61(4)(b), 74B(2)(c), 74C(1)(b)(ii), 74F(5)(c), 105(2)(c), 105D(1)(a)(ii) and 115A(1)**

Omit “by means of an Electronic Lodgment Network” wherever occurring.  
Insert instead “electronically”.

**[8] Section 90 Transmission on bankruptcy**

Insert after section 90(2)—

- (2A) An application under subsection (2) must include evidence, in the form approved by the Registrar-General, that identifies the bankrupt as the registered proprietor of the land comprised in that folio or registered dealing.

**[9] Section 117**

Omit the section. Insert instead—

**117 Certificate of correctness**

- (1) The Registrar-General may reject, or may refuse to accept or to take any action in relation to, any primary application, dealing, caveat or priority notice unless it is certified as required by the conveyancing rules.
- (2) The Registrar-General may reject, or may refuse to accept or to take any action in relation to, any dealing accompanied by a notice under section 39(1B) unless it is certified as required by the conveyancing rules.
- (3) A person must not falsely or negligently certify to the correctness of any application, dealing, caveat or notice referred to in this section.  
Maximum penalty—10 penalty units.
- (4) The conviction of a person under subsection (3) does not prevent a person who may have sustained any damage or loss in consequence of an error or mistake in any such certified application, dealing or caveat from recovering damages against the person certifying.

## **1.3 Miscellaneous**

### **Section 3 Definitions**

Omit “Finance, Services and Innovation” from the definition of *Department* in section 3(1)(a).

Insert instead “Customer Service”.

## **1.4 Savings and transitional provisions**

**[1] Schedule 3 Savings and transitional provisions**

Insert at the end of the Schedule—

## Part 12 Real Property Amendment (Certificates of Title) Act 2020

### 30 Definitions

In this Part—

**amending Act** means the *Real Property Amendment (Certificates of Title) Act 2020*.

**cessation day** has the meaning given by clause 31(1).

### 31 Cessation of issue of certificates of title

- (1) The Registrar-General may, by order published in the Gazette, declare that the Registrar-General will cease to issue certificates of title under this Act on a specified day, the **cessation day**.
- (2) The day specified as the cessation day under subclause (1) must be no earlier than the first day after the end of the period of 3 months beginning with the day on which the notice is published in the Gazette under that subclause.
- (3) On and from the cessation day—
  - (a) the Registrar-General is no longer required to issue certificates of title under this or any other Act, and
  - (b) a certificate of title previously issued has no force or effect for the purposes of a requirement, whether made under this or any other Act, for the lodgment or production of a certificate of title that is imposed in connection with the registration of a matter.

### 32 Dealings underway on cessation day

- (1) This clause applies to a dealing that—
  - (a) was lodged with the Registrar-General before the cessation day, and
  - (b) has not been registered by the cessation day, and
  - (c) at the time it was lodged required a certificate of title for registration.
- (2) A dealing to which this clause applies is to be completed under the requirements that applied when the dealing was lodged with the Registrar-General.
- (3) Subclause (2) does not apply to a dealing that is withdrawn and relodged and any such transaction is to be dealt with under the requirements that apply when it is relodged.

### 33 Disposal of documents

- (1) Subject to the *State Records Act 1998*, the Registrar-General may—
  - (a) destroy a paper document that the Registrar-General is not under a duty to deliver or issue to a person, whether or not it is part of the Register, or
  - (b) deliver to a person who, in the Registrar-General's opinion, intends to preserve it for historical purposes a paper document that, by paragraph (a), the Registrar-General is empowered to destroy.
- (2) Before destroying a document under subclause (1)(a) the Registrar-General must make a reproducible copy of that document if—
  - (a) where the document is part of the Register, it evidences a subsisting interest, or

- (b) where the document is not part of the Register, the Registrar-General would, but for subclause (1)(a), have a duty to preserve it.
- (3) The Registrar-General must preserve a reproducible copy of a document referred to in subclause (2)(a) or (b) for as long as the interest evidenced by the document subsists or for as long as the Registrar-General would, but for subclause (1)(a), have had a duty to preserve the document, as the case may be.
- (4) Where a reproducible copy of a document is preserved under subclause (3) and that document would, if it had not been destroyed under subclause (1)(a), be part of the Register, whether for all purposes or for the purpose only of section 96B, the reproducible copy shall be part of the Register for all purposes or for that purpose, as the case may be.
- (5) In this clause—  
*reproducible copy* means a copy of a document that is captured and retained in a manner that enables the document to be reproduced.

**34 Effect of the repeal of section 46B**

The repeal of section 46B of this Act by the amending Act has no effect on any title to land that had previously been validated by that section.

**35 Effect of repeal of section 46C(4)**

The repeal of section 46C(4) of this Act by the amending Act has no effect on—

- (a) the validity of any recording in the register that was deemed by that section to have been authorised, or
- (b) the validity of the issue of any certificate of title that was deemed by that section to have been validly issued.

## **Schedule 2      Amendment of Real Property Regulation 2019**

**[1]    Clause 5 Lodgement of dealings, caveats and priority notices**

Insert “by way of an Electronic Lodgement Network” after “electronically” in clause 5(2).

**[2]    Schedule 1 Fees**

Omit “certificate of title” from items 2 and 3 in the table in Part 1.

**[3]    Schedule 1, Part 1, item 9**

Omit “, Crown grant or certificate of title”. Insert instead “or Crown grant”.

**[4]    Schedule 1, Part 1, item 12**

Omit item 12.

**[5]    Schedule 1, Part 1, item 22**

Omit item 22 and the heading to item 22.

## **Schedule 3 Amendment of other legislation**

### **3.1 Anglican Church of Australia Trust Property Act 1917 No 21**

#### **Section 34 Trusteeship**

Omit “, and to have a certificate of title issued to them without any formal transfer”.

### **3.2 Australian Oil Refining Agreements Act 1954 No 34**

#### **Whole Act**

Omit “or certificate of title” and “or Certificate of Title” wherever occurring.

### **3.3 Coal Acquisition Act 1981 No 109**

#### **Section 4 Effect of other Acts etc**

Omit “certificate of title,” from section 4(b).

### **3.4 Coal Mine Subsidence Compensation Act 2017 No 37**

#### **Section 4 Definitions**

Omit “, or” from the end of paragraph (b) of the definition of *subdivide* and *subdivision* in section 4(1) and omit paragraph (c).

### **3.5 Community Land Development Act 1989 No 201**

#### **[1] Section 3A Application of Act to electronic form plans and other documents**

Omit “certificates of title and” wherever occurring.

#### **[2] Section 40 Recording of certain orders**

Omit section 40(3) and (4).

#### **[3] Section 72 Termination of certain neighbourhood schemes by the Registrar-General**

Omit section 72(5)(b).

#### **[4] Schedule 9 Additions to association property by lease or transfer**

Omit “certificate of title or” from clause 1(a).

#### **[5] Schedule 9, clause 1(b)**

Omit the paragraph.

#### **[6] Schedule 12 Transitional provisions**

Omit clauses 2(2)(c), 3(1)(e) and (f), 4(2)(d) and 5(1)(d).

### **3.6 Community Land Management Act 1989 No 202**

#### **[1] Section 9 Meeting to be held by original proprietor**

Omit section 9(3)(e).

#### **[2] Section 9(4)**

Omit the subsection. Insert instead—

- (4) Subsection (3) does not apply to documents that exclusively evidence rights or obligations of the original proprietor and are not capable of being used for the benefit of the association, a subsidiary body or the proprietor (other than the original proprietor) of a development lot, neighbourhood lot or strata lot.

**[3] Schedule 4 Inspection of records and provision of certificates**

Omit clause 1(1)(e).

**3.7 Conveyancing Act 1919 No 6**

**[1] Section 6A Application of Act to electronic form plans and other documents**

Omit “certificates of title and” wherever occurring.

**[2] Section 57 Conditions of sale of land under the provisions of the Real Property Act 1900**

Omit “the relevant certificate of title or other” from section 57(1)(c). Insert “a”.

**[3] Section 88E Regulation of use of land not held by a prescribed authority**

Omit section 88E(3)(b). Insert instead—

- (b) is executed by the registered proprietor, and
- (b1) is supported by the written consents required by the Registrar-General, and

**[4] Section 88J Production of title documents where sale, lease or foreclosure**

Omit “, certificate of title” from section 88J(1).

**[5] Section 88J(3)**

Omit “or, if appropriate, take action under section 111(3) of that Act”.

**[6] Section 89 Power of Court to modify or extinguish easements, profits à prendre and certain covenants**

Omit “For the purposes of this subsection, a grant, certificate of title or duplicate registered dealing that is not in the possession of the Registrar-General shall be deemed to be wrongfully retained within the meaning of section 136 of the *Real Property Act 1900*.” from section 89(8).

**[7] Section 96 Power for mortgagor to inspect title deeds**

Omit “the relevant certificate of title, or other” from section 96(2). Insert instead “a”.

**[8] Section 98 Facilitation of redemption in case of deceased, absent or unknown mortgagees**

Omit section 98(4A). Insert instead—

- (4A) The Registrar-General is to make recordings in the Register kept under that Act as the Registrar-General considers appropriate to give effect to the discharge of the mortgage if—
  - (a) an application was made to the Registrar-General in the form approved under the *Real Property Act 1900*, and
  - (b) a certificate under subsection (1F) relating to a mortgage under that Act was produced to the Registrar-General, and
  - (c) the fee prescribed under that Act was paid.

**[9] Section 195G Registration of plans**

Omit section 195G(2).

**3.8 Conveyancing (General) Regulation 2018**

**[1] Clause 14 Electronic lodgment of documents—excluded documents**

Omit “certificates of title,” from clause 14(a).

**[2] Schedule 1 Fees**

Omit “, a certificate of title” from item 26 of the table to Part 1.

**[3] Schedule 1, Part 1, table, item 26**

Omit “, certificate” wherever occurring.

**3.9 Conveyancing (Sale of Land) Regulation 2017**

**Clause 3 Definitions**

Omit “but does not include a certificate of title” from the definition of *property certificate* in clause 3(1).

**3.10 Crimes Act 1900 No 40**

**Section 4 Definitions**

Omit “certificate of title,” from the definition of *Document of title to land* in section 4(1).

**3.11 Criminal Procedure Act 1986 No 209**

**Schedule 3 Provisions relating to offences**

Omit “certificate of title,” from the definition of *document of title to land* in clause 11(2).

**3.12 Crown Land Management Act 2016 No 58**

**[1] Sections 4.9 and 4.14**

Omit “or certificate of title” wherever occurring.

**[2] Section 13.1 Limitation on acquisition of title by possession against Crown**

Omit section 13.1(3)(a).

**3.13 Crown Land Management Regulation 2018**

**Clause 41 Surrender of lands and leases**

Omit “or certificate of title” from clause 41(2)(b).

**3.14 Environmental Planning and Assessment Regulation 2000**

**[1] Schedule 1 Forms**

Omit “the certificate of title” from clause 4(1)(m)(i). Insert instead “an official search”.

**[2] Schedule 1, clause 4(8)**

Insert after clause 4(7)—



- (8) In subclause (1)(m), *official search* has the same meaning as in Part 11A of the *Real Property Act 1900*.

### 3.15 Forestry Act 2012 No 96

#### Schedule 1 Special provisions relating to purchase-tenure land

Omit “and is to make a corresponding recording on the grant or certificate of title upon its being produced” from clause 8(2)(b).

### 3.16 Land Sales Act 1964 No 12

#### [1] Section 4 Requirements as to subdivisions

Omit section 4(a)(ii).

#### [2] Section 4(a)(iii)

Omit “and no primary application has been lodged in the office of the Registrar-General for the issue to the vendor of a certificate of title for such land”.

#### [3] Section 16 Implied undertakings in instalment contracts for sale of lots comprised in primary applications

Omit “and the issue of a certificate of title for the land comprised in such application” from section 16(1)(c).

### 3.17 Law Courts Limited Act 1977 No 10

#### Section 3 Vesting of land described in Schedule 1

Omit section 3(3).

### 3.18 National Parks and Wildlife Act 1974 No 80

#### [1] Section 71AG Registrar-General to enter particulars of vesting and lease in register

Omit section 71AG(1). Insert instead—

- (1) On publication of a proclamation under Division 3 or 4, the lease, completed with the date of execution and commencement of the term, must be lodged at the Land Titles Office.

#### [2] Section 71AG(3)

Omit the subsection.

#### [3] Section 71AJ Dating and registration of re-negotiated lease

Omit section 71AJ(2) and (3).

### 3.19 Pipelines Act 1967 No 90

#### Section 21 Vesting of lands or easements in licensee

Omit “certificate of title or” from section 21(4).

### 3.20 Retirement Villages Act 1999 No 81

#### Section 36 Consequences of resident’s rescission of residence contract

Omit “or certificate of title” from section 36(2)(b)(ii).

### **3.21 Strata Schemes Development Act 2015 No 51**

**[1] Section 21 Requirement for certificate of title for common property**

Omit the section.

**[2] Section 26 Registration and effect of dealings**

Omit section 26(2). Insert instead—

- (2) The dealing must be accompanied by a certificate, in the form approved by the Registrar-General, under the seal of the owners corporation certifying that it authorised the dealing by special resolution.

**[3] Section 30 References to folios and certificates of title**

Omit section 30(2) and (3). Insert instead—

- (2) To the extent a provision of the *Real Property Act 1900* can apply to a folio referred to in subsection (1), a reference in the provision to a folio includes a reference to a folio referred to in subsection (1) during any period for which it does not contain common property.

**[4] Section 80 Registering strata development contract and amendments**

Omit section 80(2). Insert instead—

- (2) The Registrar-General may refuse to register an amendment of a strata development contract if the contract does not include a revised concept plan that will comply with section 77 after the amendment is registered.

**[5] Section 142 Application to Registrar-General for termination of strata scheme**

Omit section 142(5)(a).

**[6] Section 142(5)(b)**

Omit “the other”. Insert instead “any”.

**[7] Section 186 Ancillary orders**

Omit section 186(2)(c).

**[8] Section 197 Application of Act to electronic form plans and other documents**

Omit “a certificate of title or” wherever occurring.

### **3.22 Strata Schemes Development Regulation 2016**

**[1] Schedule 7 Fees**

Omit item 1(c) of the table to Part 1.

**[2] Schedule 7, Part 1, table, item 5(b)**

Omit “certificate of title or”.

**[3] Schedule 7, Part 1, table, item 5(b)(i) and (ii)**

Omit “certificate or” wherever occurring.

### **3.23 Strata Schemes Management Act 2015 No 50**

**[1] Section 16 Documents and records to be provided to owners corporation at first AGM**

Omit “(other than certificates of title for lots)” from section 16(1)(a).

**[2] Section 16(1)(c)**

Omit “the certificate of title for the common property,”.

**[3] Section 182 Requests for inspection of records of owners corporation**

Omit section 182(3)(d).

**[4] Section 246 Recording in Register of effect of certain orders**

Omit section 246(1)(b) and (2).

### **3.24 The Great Synagogue, Sydney, Act 1931 (Private Act)**

**[1] Section 4 Vesting of property on which present Synagogue is erected**

Omit “or certificate of title” from section 4(b).

**[2] Section 4(b)**

Omit “on the said certificates of title and”.

**[3] Section 4(b)**

Omit “and to issue in the name of the body corporate any such Crown grants or certificates of title and the said certificates of title or new certificates of title to such lands hereditaments and premises for an estate in fee simple free from any trust caveat or other notification without any request so to do as required by section fourteen of the *Real Property (Amendment) Act 1921*”.

### **3.25 Uniform Civil Procedure Rules 2005**

**Rule 14.15 Pleadings concerning possession of land**

Omit “certificate of title,” from rule 14.15(2)(a).

### **3.26 Walker Trusts Act 1938 No 31**

**Section 7 Entries in the register book**

Omit “, certificates of title”.