
No. 25 of 1998

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NORTHERN TERRITORY OF AUSTRALIA

No. 25 of 1998

AN ACT

to amend the *Unit Titles Act*

[Assented to 30 March 1998]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Unit Titles Amendment Act 1998*.

2. COMMENCEMENT

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. COMMON PROPERTY TO BE HELD IN TRUST

Section 24(2) of the *Unit Titles Act* is amended by omitting all words after "held by the corporation" and substituting "is not capable, either at law or in equity, of being transferred, assigned or mortgaged".

Unit Titles Amendment

4. NEW SECTION

The *Unit Titles Act* is amended by inserting after section 42A the following:

"42B. LEASING OF COMMON PROPERTY

"(1) A corporation may, if authorized by a unanimous resolution of the corporation, grant a lease of the common property.

"(2) An estate management corporation may, if authorized by a special resolution of the corporation, grant a lease of the common property."

5. SPECIAL PRIVILEGES RELATING TO COMMON PROPERTY

Section 44 of the *Unit Titles Act* is amended -

- (a) by omitting from subsection (1) "except in the case of an estate development,"; and
- (b) by omitting from subsection (2) "Except in the case of a lease granted in respect of common property in an estate development, a grant" and substituting "A grant".

6. DUTIES OF PROPRIETORS AND OTHER OCCUPIERS OF UNITS

Section 79A(c) of the *Unit Titles Act* is amended by inserting "subject to sections 42B and 44," before "use or enjoy the common property".

7. SCHEDULE 1

Schedule 1 to the *Unit Titles Act* is amended -

- (a) by omitting from article 1 the definitions of "authorized agent" and "Ordinance" and substituting the following:

"'Act' means the *Unit Titles Act*;

"'authorized agent' means a person authorized by the corporation.";

- (b) by omitting from article 2(1)(a), (b) and (c) "Ordinance" and substituting "Act"; and
- (c) by inserting "subject to sections 42B and 44," in article 2(4)(a) before "use the common property".