

NORTHERN TERRITORY OF AUSTRALIA
REAL PROPERTY AMENDMENT ACT 1991

No. 32 of 1991

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NORTHERN TERRITORY OF AUSTRALIA

No. 32 of 1991

AN ACT

to amend the *Real Property Act* to facilitate the automation of the Land Titles Register, to simplify the processing of dealings with land titles, to make consequential amendments, and for related purposes

[Assented to 25 June 1991]

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 *Real Property Amendment Act 1991*.

2. COMMENCEMENT

The various provisions of this Act shall come into operation on such date or dates as is or are respectively fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Real Property Act* is in this Act referred to as the Principal Act.

4. DEFINITIONS

Section 3 of the Principal Act is amended -

- (a) by omitting the definition of "Certificate" and substituting the following:

"'Certificate as to title' means a certificate as to title referred to in section 49;

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'Computer' means a device for storing or processing information;

'Computer print-out' means a document that -

(a) is -

- (i) a record of;
 - (ii) an extract from; or
 - (iii) derived from,
information stored in, or processed by, a computer; or
- (b) is produced by a computer, or a series or combination of computers, directly or (with or without human intervention) with the aid of other equipment;"

(b) by omitting the definition of "Document of title" and substituting the following:

"'Document' means paper or other material containing writing, words, figures, drawings or symbols;"

(c) by inserting after the definition of "Encumbrancer" the following:

"'Folio of the Register' means a folio of the Register referred to in section 47;"

(d) by omitting the definition of "Instrument" and substituting the following:

"'Instrument' means a document capable of registration under this Act or in respect of which an entry is by or under this Act directed, required or permitted to be made in the Register, and includes an entry which is by this or any other Act required or permitted to be made in the Register;"

(e) by inserting after the definition of "Lessor" the following:

"'Lodge', in relation to a document, includes, in addition to the physical lodgement of the document, such other methods of lodgement permitted by the Registrar-General under section 59A;" and

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(f) by omitting the definition of "Proprietor" and substituting the following:

"'Record of administrative interests and information' means the record of administrative interests and information referred to in section 191E;

'Record of dealings' means the record of dealings referred to in section 51;

'Register' means the Register referred to in section 47;".

5. REPEAL AND SUBSTITUTION

Section 10 of the Principal Act is repealed and the following substituted:

"10. OBJECTS

"The objects of the Act are -

- (a) to simplify the title to land;
- (b) to facilitate dealings with land;
- (c) to secure indefeasibility of title to registered proprietors except in certain cases specified in this Act;
- (d) to facilitate access to information about administrative interests and other information in respect of land; and
- (e) to facilitate the collection and disposal of information in relation to land or to the buying or selling of land."

6. SEAL OF OFFICE, &c., TO BE RECEIVED IN EVIDENCE

Section 21 of the Principal Act is amended by adding at the end the following:

"(2) A reference in subsection (1) to the seal of office or to the signature of the Registrar-General or of one of his deputies or the Acting Registrar-General includes a reference to a production by electronic means of the seal or of the signature, as the case may be."

7. FEES

Section 22 of the Principal Act is amended by adding at the end the following:

"(2) The Registrar-General may provide credit facilities for the payment of fees referred to in subsection (1) at such intervals as he thinks fit."

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8. REPEAL AND SUBSTITUTION

Sections 47 to 53 inclusive of the Principal Act are repealed and the following substituted:

"47. REGISTER

"(1) The Registrar-General shall keep a Register relating to land.

"(2) Subject to this section and the Regulations, the Registrar-General may -

(a) keep the Register -

(i) in such form or combination of forms;

(ii) on such medium or combination of mediums;
and

(iii) in such manner,

as he thinks fit; and

(b) at any time, vary the form, medium or manner in which the Register or part of the Register is kept.

"(3) A reference to a medium in subsection (2) or (6)(d) includes, but is not limited to -

(a) a computer;

(b) micro film; or

(c) paper.

"(4) The Register consists of folios of the Register and registered documents.

"(5) The Minister may, by notice in the *Gazette*, determine a day on and after which a folio of the Register shall be a division of the Register comprising particulars relating to -

(a) one parcel of land; or

(b) one unit of land that is subject to title issued in accordance with the *Unit Titles Act*,

being one parcel or unit of land for which approval under the *Planning Act* for the transfer of the parcel or unit of land separate from other land is not required.

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"(6) A folio of the Register -

- (a) shall contain the entries that are required or authorized to be made in the Register by or under this Act or any other law in force in the Territory and that affect the land for which the folio is created;
- (b) shall include a distinctive identifying reference for the folio;
- (c) may contain records of such other information as the Registrar-General thinks appropriate to record; and
- (d) shall describe the parcel of land by reference to a diagram of the land held in a medium.

"(7) The Registrar-General creates a folio of the Register by making an entry -

- (a) describing the land for which it is created;
- (b) identifying the proprietor for the time being of the land for which it is created;
- (c) specifying the time and date of registration of an entry; and
- (d) recording such other particulars as the Registrar-General thinks fit of -
 - (i) other estates or interests, if any, affecting the land;
 - (ii) other information, if any, that relates to the land and is required to be entered on the folio by or under this Act or any other law in force in the Territory; and
 - (iii) a reservation or restrictive covenant in favour of the Crown or of the Territory, that was noted in the original grant in relation to the land,

and by allocating a distinctive identifying reference to those entries..

"(8) On -

- (a) the grant of an estate in fee simple or a lease of Crown land;
- (b) the approval of a plan of subdivision in accordance with a law for the time being in force relating to the subdivision of land; or

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- (c) being required by or under any other law in force in the Territory to do so,

the Registrar-General shall create a folio or folios of the Register for the land.

"(9) Subject to subsection (8), the Registrar-General may create or amend a folio of the Register where the Registrar-General thinks it appropriate to do so.

"(10) The Registrar-General may, when creating a folio of the Register, determine the information to be entered on the folio of the Register by reference to any other records or documents kept by, or available to, the Registrar-General or in any other manner the Registrar-General thinks fit.

"(11) If the Registrar-General creates or amends a folio of the Register, the Registrar-General may -

- (a) make such other amendments in the Register that he considers necessary because of the creation or amendment of the folio; and
- (b) call in and cancel a certificate as to title produced for the folio so created or amended.

"48. ENTRIES IN REGISTER

"(1) An instrument capable of registration under this Act is registered by making or altering entries in the Register to the extent necessary to give effect to the instrument and to this Act.

"(2) The Registrar-General shall note the time of making or altering an entry in the Register.

"(3) Other information required or authorized by or under this Act or any other law in force in the Territory to be recorded in the Register is recorded in the Register by -

- (a) recording that information in an appropriate part of the Register; or
- (b) altering an existing record so as to comprise or include that information.

"(4) Subject to the Regulations, the Registrar-General may -

- (a) make entries in the Register -
 - (i) in such form or combination of forms; or

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- (ii) in such manner,
as he thinks fit; and

- (b) at any time, vary the manner and form in which entries are made.

"(5) The Registrar-General shall, where necessary, make deletions from, or alterations in, records in the Register so that each folio of the Register contains only records of information concerning subsisting estates or interests in the land to which the folio relates.

"(6) The Registrar-General may make an entry in the Register as a substitute for an existing entry if satisfied that the existing record has been lost or destroyed or has become illegible or unavailable.

"(7) The Registrar-General may, under subsection (6), determine the information to be recorded by reference to other records or documents kept by or available to the Registrar-General or in such other manner as he thinks fit.

"(8) If the Registrar-General makes an entry in the Register, the Registrar-General may make such amendments in the Register as he considers necessary because of the making of the entry.

"49. CERTIFICATE AS TO TITLE

"(1) A certificate as to title is a document containing the information, or an extract of the information, on a folio of the Register as at the date of production of the certificate as to title.

"(2) A certificate as to title shall -

- (a) indicate that it is registered by authority of the Registrar-General, whether by being initialled, signed or sealed by the Registrar-General, or by bearing a facsimile of those initials or the signature or seal, or in such other manner as the Registrar-General thinks fit;
- (b) set out all reservations or restrictive covenants, if any, in favour of the Crown;
- (c) state -
 - (i) the distinctive identifying reference of the folio of the Register to which it relates;

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- (ii) the distinctive identifying reference allocated for the certificate as to title; and
- (iii) the date on which it was registered; and
- (d) contain, subject to -
 - (i) a direction from the Minister; or
 - (ii) another Act,

a diagram describing the parcel of land to which the folio relates.

"(3) Subject to the Regulations, a certificate as to title may -

- (a) include information that the Registrar-General considers appropriate, whether in diagrammatic form or otherwise;
- (b) include information contained in the folio of the Register to which it relates in a form that the Registrar-General considers appropriate, whether or not in the form in which the information is recorded on the folio; and
- (c) be in such form and produced in such manner as the Registrar-General considers appropriate.

"(4) Without limiting subsection (3), a certificate as to title may be produced -

- (a) on paper by manual or mechanical means;
- (b) as a computer print-out; or
- (c) as a reproduction of a document.

"(5) The Registrar-General shall deliver the relevant certificate as to title produced under this section to the person entitled to it.

"(6) Subject to subsections (7) and (8), on -

- (a) the creation of a folio of the Register;
- (b) the registration under this Act of an instrument, other than an instrument not required to be recorded on the certificate as to title; or
- (c) being required by or under this Act or any other law in force in the Territory to do so,

the Registrar-General shall produce a new certificate as to title for the folio.

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"(7) The Registrar-General is not required to produce a new certificate as to title where the folio of the Register, including the diagram for the parcel of land, is not held in the computer medium.

"(8) The Registrar-General may record the details of a dealing on a duplicate of an instrument that has been registered or may issue a certificate as to the registration of the dealing.

"(9) If the Registrar-General considers it necessary or convenient to do so, the Registrar-General may at any time produce a certificate as to title for a folio of the Register.

"(10) For the purpose of producing a new certificate as to title for a folio of the Register, the Registrar-General may call in and cancel a subsisting certificate as to title for the folio.

"(11) A person is not required to submit a certificate as to title to the Registrar-General under subsection (10) if the person satisfies the Registrar-General that the certificate has been destroyed or lost.

"(12) On -

(a) the production of a new certificate as to title for a folio of the Register; or

(b) the deletion of a folio from the Register,

a certificate as to title subsisting for the folio ceases to have effect and, on its being submitted to the Registrar-General, the Registrar-General shall cancel it.

"(13) The Registrar-General may, in the same document, include a certificate as to title and such other information as the Registrar-General considers appropriate, but the other information is not part of the certificate as to title.

"50. TIME OF REGISTRATION

The time of -

(a) creation of a folio in the Register; or

(b) registration of an instrument,

is the time when the Registrar-General makes the entry of the creation or the registration in the Register.

"51. RECORD OF NON-CURRENT OR HISTORICAL DEALINGS

"(1) The Registrar-General shall keep a record of all dealings, including non-current or historical dealings, recorded in, or action taken in respect of, a

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folio of the Register, and such other non-current or historical information in relation to folios of the Register, as the Registrar-General thinks fit.

"(2) The record of dealings referred to in subsection (1) is not part of the Register.

"(3) The Registrar-General may provide access to the record of dealings referred to in subsection (1) on payment of the prescribed fee, if any, by the person requesting access.

"52. EVIDENCE

"(1) In any proceedings, a document certified in writing by the Registrar-General to be a record, as at a particular date, of any information recorded on a folio of the Register or any other record, is conclusive proof without production of the folio of the Register that, at the date, the records to which the document applies were as stated in the document.

"(2) A document referred to in subsection (1) may relate to entries on a folio of the Register or to entries of non-current or historical dealings.

"(3) Where a document referred to in subsection (1) relates to records other than the entries on a folio of the Register, the records may be based on information derived from other records or documents kept by or available to the Registrar-General.

"(4) The Registrar-General shall not be obliged to provide other evidence of title to land otherwise than as referred to in subsection (1).

"(5) This section does not affect or limit -

- (a) Part IV of the *Evidence Act*; or
- (b) any other mode of proof of facts and documents permitted by law.

"53. SUBMISSION OF DOCUMENTS TO FACILITATE REGISTRATION

"The Registrar-General shall not register an instrument under this Act unless there is submitted to the Registrar-General -

- (a) in the case of a dealing for which the consent of the person in possession of the certificate as to title is required - the relevant certificate as to title for the land concerned; and
- (b) such other document affecting the land concerned as the Registrar-General requires to be submitted."

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9. INSTRUMENT ENTITLED TO PRIORITY ACCORDING TO TIME OF REGISTRATION

Section 56 of the Principal Act is amended -

- (a) by omitting "Every" and substituting "(1) Subject to subsection (2), every";
- (b) by omitting all words after and including "file" first occurring and substituting "record the registration of the instrument and, subject to the Regulations, deal with such instruments or copies of such instruments in such manner as the Registrar-General thinks fit."; and
- (c) by adding at the end the following:

"(2) If 2 or more instruments which affect the same land are awaiting registration, the Registrar-General may register those instruments in the order which will give effect to the intentions of all the parties, as expressed in, or apparent to the Registrar-General from, those instruments.".

10. NEW SECTION

The Principal Act is amended by inserting after section 58 the following:

"58A. PROVISION FOR SINGLE RECORDING OF MORE THAN ONE INSTRUMENT

"Where 2 or more instruments affecting the same land are lodged and are awaiting registration, the Registrar-General may, despite anything to the contrary in this Act, register the instruments by making one or more recordings in one or more parts of the Register as the Registrar-General considers appropriate instead of recording each instrument separately in the Register.".

11. NEW SECTION

The Principal Act is amended by inserting after section 59 the following:

"59A. LODGEMENT OF DOCUMENTS

"(1) For the purposes of the lodgement of documents under this Act or for the purposes of any other law in force in the Territory, the Registrar-General may, in his discretion, allow the lodgement of documents by such means, including electronic means, as he thinks fit.

"(2) In subsection (1) 'lodgement of a document' includes depositing of a document pursuant to section 101.".

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12. REPEAL AND SUBSTITUTION

Section 65 of the Principal Act is repealed and the following substituted:

"65. SEARCHES OF REGISTER

"(1) The Registrar-General shall, on receipt of the prescribed fee, if any, or in such other circumstances that may include the provision of credit facilities for payment at specified intervals as the Registrar-General thinks fit, provide adequate access to the Register and documents, or copies of them, registered for the purposes of this Act.

"(2) The access referred to in subsection (1) may, in the Registrar-General's discretion, be provided by way of certificate, statement, visual display unit, computer print-out, microfiche reader or any other means."

13. REPEAL AND SUBSTITUTION

Section 93 of the Principal Act is repealed and the following substituted:

"93. ISSUE OF CERTIFICATE AS TO TITLE IN RELATION TO ESTATE IN FEE SIMPLE, &c., UNDER OTHER ACTS

"(1) The Registrar-General shall issue a certificate as to title in the prescribed form in accordance with a grant of an estate in fee simple, or a lease of Crown land, under a law of the Territory relating to the alienation of land if requested to do so by the Minister responsible for the administration of that law.

"(2) A person who is entitled to an estate in fee simple or a lease from the Crown is entitled to receive a certificate as to title as referred to in subsection (1)."

14. REPEAL AND SUBSTITUTION

Section 103 of the Principal Act is repealed and the following substituted:

"103. REGISTRATION OF TRANSFER UNDER ORDER

"On the production to the Registrar-General of a transfer of land duly executed in pursuance of an order under section 102, the Registrar-General shall, without requiring production of the certificate as to title, register the transfer and amend the Register so that the folio of the Register for the land shall be freed from all encumbrances, charges, exceptions, qualifications and conditions whatsoever, other than those mentioned in the transfer."

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15. REPEAL AND SUBSTITUTION

Section 177 of the Principal Act is repealed and the following substituted:

"177. REGISTRAR-GENERAL SHALL RECORD DETAILS OF TRANSMISSION

"The Registrar-General shall record in the Register details of an application under section 176.".

16. REPEAL AND SUBSTITUTION

Section 184 of the Principal Act is repealed and the following substituted:

"184. ORDER OF COURT VESTING LAND

"Where the registered proprietor of land holds land on trust and a court, by order, vests the land in another person, the Registrar-General shall, on being served with a sealed copy of the order and on production of the certificate as to title for the land, record details of the order in the Register.".

17. VESTING ORDERS UNDER *ENCROACHMENT OF BUILDINGS ACT*

Section 185A of the Principal Act is amended by omitting "an office copy of such order, enter in the Register Book and on the duplicate certificate, or other instrument of title to the land," and substituting "a sealed copy of such order, enter in the Register".

18. NEW PART

The Principal Act is amended by inserting after Part XVIA the following:

"PART XVIB - RECORD OF ADMINISTRATIVE
INTERESTS AND INFORMATION

"191E. RECORD OF ADMINISTRATIVE INTERESTS AND INFORMATION

"(1) The Registrar-General may keep a record of administrative interests and information, as the Registrar-General thinks fit, in relation to land.

"(2) For the purposes of subsection (1), 'administrative interests and information' means particulars and information in relation to land -

- (a) required under an Act in force in the Territory that may presently or prospectively affect the title to or possession or enjoyment of the land; and

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- (b) such matters as the Minister determines or as are prescribed.

"(3) The record of administrative interests and information referred to in subsection (1) is not part of the Register.

"(4) The Registrar-General may allow a person such access as the Registrar-General thinks fit to the record of administrative interests and information referred to in subsection (1), subject to and in accordance with the Regulations or by agreement with the person, and on payment of the prescribed fee, if any.

"(5) The Registrar-General may provide the information referred to in subsection (4) by means of a certificate or by a statement.

"(6) The Registrar-General may, in relation to access by a person, provide access in a way to limit the liability of -

- (a) the Registrar-General or the Territory;
- (b) the Commonwealth;
- (c) a statutory authority of the Territory or the Commonwealth, a local government body or a prescribed organization; or
- (d) an employee of the Territory or the Commonwealth or of a statutory authority, local government body or prescribed organization referred to in paragraph (c),

for an omission from, or misstatement or inaccuracy in, information obtained by provision by the Registrar-General of access referred to in subsection (4) or of a certificate or statement referred to in subsection (5)."

19. MISCELLANEOUS SPECIAL POWERS

Section 220 of the Principal Act is amended by inserting after paragraph (4A) the following:

- "(4B) He may, if he considers it appropriate to do so, register a document lodged for and awaiting registration notwithstanding a patent error in the document but shall not erase or make illegible the error."

20. CERTAIN FRAUDULENT ACTS TO BE MISDEMEANOURS

Section 233 of the Principal Act is amended -

- (a) by repealing paragraph (IV) and substituting the following:

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- "(IV) Without lawful authority and knowing that no such authority exists, intentionally alters or causes to be altered -
- (a) a folio in the Register or a certificate as to title;
 - (b) an entry made by the Registrar-General;
 - (c) an instrument comprising part of the Register;
 - (d) an instrument, certificate, statement or form issued by the Registrar-General;
 - (e) information contained in the record of administrative interests and information (if any) kept under section 191E; or
 - (f) information contained in the record of dealings kept under section 51."; and
- (b) by omitting "\$1,000 or imprisonment for 3 years" and substituting "\$40,000 or imprisonment for 10 years".

21. REPEAL AND SUBSTITUTION

Section 248 of the Principal Act is repealed and the following substituted:

"248. PROTECTION OF RIGHTS UNDER PREVIOUSLY REGISTERED INSTRUMENTS

"The Registrar-General shall not register a document in accordance with section 246 or 247 if the registration would interfere with the right of a person under an instrument previously registered.".

22. REGULATIONS

Section 277 of the Principal Act is amended by adding at the end the following:

"(2) Without limiting the generality of subsection (1), the Regulations may prescribe the form or medium, or combinations of them, for, and the manner of -

- (a) keeping the Register; or
- (b) making entries in the Register.".

23. FURTHER AMENDMENTS

The Principal Act is further amended as provided in the Schedule.

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SCHEDULE

Section 23

Provision	Amendment	
	omit	substitute
Section 3		
definition of - "Caveatee"	"any person against whose application for any purpose a caveat has been lodged, and shall include"	
"Instrument of title"	the whole definition	
"Lunatic"	the whole definition	
"Person of unsound mind"	the whole definition	
"Registered Proprietor"	"Book, or by any registered instrument of title"	
"The Real Property Acts"	the whole definition	
"this Act"	the whole definition	
Sections 4, 5, 6 and 7	the whole sections	
Section 22	"in respect of the several matters provided for in this Act"	
Heading to Part V	"BOOK"	
Section 55	the whole section	
Section 58	"and indorse"	
	"duplicate certificate"	"certificate as to title"
Section 60	"certificate" (wherever occurring)	"certificate as to title"
Section 61	"certificate"	"certificate as to title"

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SCHEDULE - continued

Provision	Amendment	
	omit	substitute
Section 62	"certificate" (twice occurring)	"certificate as to title"
Section 63	"certificate" (twice occurring)	"certificate as to title"
	"entry or memorial"	"record"
Section 64	"to cancel, correct, record, substitute, issue, or make any certificate, or any memorial or entry in the Register Book, or otherwise to do such Acts and make such entries"	"to take such action"
Section 66	all words after and including "or the entries"	"the Register and any certificate as to title the Register shall prevail."
Section 68	"or appearing by any certificate or other registered instrument as seized of"	"the Register as the owner"
Section 69	"be notified on the original certificate of"	"be recorded in the Register or which were notified on the original grant of title from the Crown for"
Section 69 II	all words before "forgery"	"In the case of a recording in the Register made as the result of fraud or forgery, or a certi- ficate as to title or other instrument of title obtained by"
	"the certificate"	"the recording in the Register or the certificate as to title,"

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SCHEDULE - continued

Provision	Amendment	
	omit	substitute
	"a certificate" (last occurring)	"a certificate as to title"
Section 69 IV	"certificate"	"folio of the Register or certificate as to title"
Section 69 V	"certificates shall be registered"	"folios have been created"
Section 69 VII	the whole section	
Section 71A	subsection (2)	
Heading to Part VII	"OF TITLE"	"AS TO TITLE"
Section 73	"of freehold"	
	"certificate" (wherever occurring)	"certificate as to title"
Section 74	"certificate" (twice occurring)	"certificate as to title"
Sections 75, 76, 77, 78 and 80	the whole sections	
Section 81	"Any certificate here- after issued"	"The Register"
Section 82	all words after "creating the same be"	"recorded in the Register, may refer to such instrument."
Section 83	"certificate of such land"	"Register"
	"such certificate"	"the folio of the Register"
Section 84	all words after "shall be entered"	"in the Register."
Section 85	"upon the original certificate"	"in the Register"

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SCHEDULE - continued

Provision	Amendment	
	omit	substitute
Section 88	"original certificate"	"folios of the Register"
	"duplicates of such certificates"	"certificates as to title"
Section 90	"his certificate"	"the Register"
Heading to Part IX	"LEASES"	"GRANTS"
Section 94	"of Crown Leases"	
Sections 98, 99 and 100	the whole sections	
Section 101(1)(a)(ii)	"duplicate certificate or certificates of title"	"certificate or certificates as to title"
Section 101(1)(b)(ii)	"of title" (twice occurring)	"as to title"
Section 102	"mark thereon the time of such service, and shall enter a memorial thereof in the Register Book, which shall operate"	"record in the Register the fact of such service and such details as the Registrar-General thinks fit, and the record shall operate"
Section 105	"enter a memorial"	"record in the Register details"
	"on the original certificate"	
Section 107	"on the original certificate"	"in the Register"
Section 108	"duplicate certificate, or other instrument of title"	"certificate as to title"
Section 112	the whole section	
Section 113(2)	"duplicate certificate of title"	"certificate as to title"

Real Property Amendment

SCHEDULE - continued

Provision	Amendment	
	omit	substitute
Section 120	all words after "the lessee and the lessor"	"and upon any such instrument being presented for registration, the Registrar-General shall make an entry in the Register recording the date of the surrender."
Section 121	all words after "Register" (first occurring)	"of the surrender."
Section 122	"production of the lease or duplicate bearing such indorsement or memorandum"	"evidence of such an entry in the Register"
Section 125	"province"	"Territory"
Section 129	the whole section	
Section 143	"any duplicate mortgage or encumbrance, together with"	
	"duplicate certificate or other instrument"	"certificate as to title"
	all words after "noted in such entry as discharged,"	"as the case may be."
Section 145	"duplicate certificate"	"certificate as to title"
	all words after "for such annuity"	"or sum of money."
Section 150	all words after "prescribed form"	
Section 151A (2)(a)	"registered title"	"Register"

Real Property Amendment

SCHEDULE - continued

Provision	Amendment	
	omit	substitute
Section 153(2)	"and of the duplicate mortgage, encumbrance or lease" all words after and including "enter a memorial"	"of variation" "record details of the variation in the Register."
Section 161	"certificate"	"certificate as to title"
Section 163	all words after "in such case"	"record such words in the Register and on the certificate as to title for the land."
Section 164	all words after "'no survivorship'"	"in the Register and on the certificate as to title for the land."
Section 165	"and signed by the Registrar-General"	
Section 169	"certificate" (twice occurring)	"certificate as to title"
Section 171	"in writing"	"in the prescribed form"
Section 176	"duplicate certificate"	"certificate as to title"
Section 178	"Upon such entry being made in the Register Book,"	"When the details of the application under section 176 are recorded under section 177 in the Register,"
Section 191 II	"make a memorandum thereon of the date and hour of the receipt thereof, and shall enter a memorandum"	"enter details"

Real Property Amendment

SCHEDULE - continued

Provision	Amendment	
	omit	substitute
Section 220(1)	<p>"document of title,"</p> <p>"the proprietor or other person making application to have any land brought under the provisions of this Act, or"</p> <p>"with the bringing of such land under the provisions of this Act, or"</p> <p>", as the case may be"</p>	<p>"document of title, certificate as to title,"</p>
Section 220(3)	<p>"any duplicate certificate, or other instrument of title"</p> <p>"on the same any memorial or"</p> <p>"a sum of 2 dollars"</p>	<p>"a certificate as to title"</p> <p>"on it an"</p> <p>"the prescribed fee"</p>
Section 220(4)	<p>"correct errors in certificates, or in the Register Book, or in entries made therein respectively"</p> <p>"not erase or render illegible the original words, and shall affix the date on which such correction was made or entry supplied, and his initials. Every Certificate"</p>	<p>"make corrections of errors and other matters to the Register and to certificates as to title"</p> <p>"ensure that a record is kept of both the material corrected and such other identifying information as the Registrar-General considers necessary with effect so that the Register or any certificate as to title is so corrected. Every certificate as to title"</p>
Section 220(7)	"in the Schedules hereto"	

Real Property Amendment

SCHEDULE - continued

Provision	Amendment	
	omit	substitute
Section 220(8)	"any person applying to bring land under the provisions of this Act, or any registered proprietor desiring transfer"	"any registered proprietor desiring to transfer"
	"with the bringing of such land under the provisions of this Act, :"	
Section 220A(1)	"duplicate certificate of title" (twice occurring)	"certificate as to title"
	"certificate of title"	"certificate as to title"
Section 220A (2)(a)	"of Crown Leases"	
Section 220A (3)(a)	"certificate of title"	"certificate as to title"
Section 232	"100 dollars"	"\$2,000"
Section 233(1)	"in any application to bring land under the provisions of this Act, or"	
Section 234	"certificate"	"certificate as to title, folio of the Register"
Section 260	"certificate"	"folio of the Register"
Section 266	"certificate"	"certificate as to title"
Section 271	the whole section	
Section 273	"any application for bringing land under the provisions of this Act, or"	
THE TWENTY- THIRD SCHEDULE	the whole Schedule	

Real Property Amendment

SCHEDULE - continued

Provision	Amendment	
	omit	substitute
THE TWENTY- FOURTH SCHEDULE	the whole Schedule .	
Sections 57, 63,	"Book"	
101, 107, 109,	(wherever occurring)	
113, 122, 126,		
140, 142, 143,		
145, 162, 165,		
169, 171, 172,		
173, 185A, 188,		
191, 220, 220A,		
246, 249, 265A		
and 276		