



Serial 58
Registration
(Consequential
Amendments)
Mr Manzie

NORTHERN TERRITORY OF AUSTRALIA

A BILL for AN ACT

to amend various Acts consequential on the passing
of the *Registration Amendment Act 1991*
and for related purposes

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 *Registration (Consequential Amendments) Act 1991*.

2. COMMENCEMENT

This Act shall come into operation on the commencement of the *Registration Amendment Act 1991*.

3. AMENDMENT OF *INSTRUMENTS ACT*

The *Instruments Act* is amended -

(a) by inserting in section 5 before the definition of "Registry" the following:

"'prescribed', in relation to fees, means prescribed under the *Registration Act*"; and

(b) by omitting section 39 and substituting the following:

"39. REGULATIONS

"The Administrator may make regulations not inconsistent with this Act, prescribing matters -

(a) required or permitted by this Act to be prescribed; or

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- (b) necessary or convenient to be prescribed for the carrying out or giving effect to this Act."

4. AMENDMENT OF *POWERS OF ATTORNEY ACT*

The *Powers of Attorney Act* is amended -

- (a) by inserting in section 5 after the definition of "power" the following:

"'prescribed', in relation to fees, means prescribed under the *Registration Act*";

- (b) by adding at the end of section 7 the following:

"(2) The fee for registration under subsection (1) is the prescribed fee."; and

- (c) by adding at the end of section 8 the following:

"(4) The fee for registration of a dealing in relation to land is the prescribed fee."

5. AMENDMENT OF *REAL PROPERTY ACT*

The *Real Property Act* is amended by inserting in section 3 before the definition of "Proprietor" the following:

"'prescribed' in relation to fees, means prescribed under the *Registration Act*";

6. AMENDMENT OF *REAL PROPERTY (UNIT TITLES) ACT*

The *Real Property (Unit Titles) Act* is amended by adding at the end of section 3 the following:

"(4) In this Act, 'prescribed', in relation to fees, means prescribed under the *Registration Act*."

7. AMENDMENT OF THE WORKMEN'S LIENS ACT

The *Workmen's Liens Act, 1893*, is amended by inserting after the definition of "Prescribed" the following:

"'Prescribed fee' means the fee prescribed under the *Registration Act*";

8. CONSEQUENTIAL AND OTHER AMENDMENTS

The provisions of the Acts specified in the Schedule are amended as provided for in the Schedule.

SCHEDULE

Section 8

AMENDMENTS OF ACTS

Provision	Amendment	
	omit	substitute
<i>Instruments Act</i>		
Section 9(1)(a)	"thereof;"	"thereof; and (b) the prescribed fee."
Section 9A(2)(b)	the whole paragraph	"(b) paying the prescribed fee."
Section 13(2)	"required so to do, shall"	"required to do so shall, on payments of the prescribed fee,"
Section 14(4)	", shall register"	"shall, on payment of the prescribed fee, register"
Section 21(2)	"shall register"	"shall, on payment of the prescribed fee, register"
Section 26	"statutory declaration"	"statutory declaration and accompanied by the prescribed fee"
Section 28	"Schedule 5"	"Schedule 5 and accompanied by the prescribed fee"
Section 30	"shall register"	"shall, on payment of the prescribed fee, register"
Section 33	"receipt relates"	"receipt relates together with the prescribed fee"
<i>Real Property (Unit Titles) Act</i>		
Sections 7, 9J and 9K	"on the lodgement with him"	"after payment of the prescribed fee and lodgement with the Registrar-General"

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SCHEDULE - continued

Provision	Amendment	
	omit	substitute
Sections 9, 9C and 9D	"on lodgement with him"	"after payment of the prescribed fee and lodgement with the Registrar-General"
Section 10	"units plan"	"units plan, together with the prescribed fee"
Section 13	"with the order"	"with the order, together with the prescribed fee"
Section 16(1)	"prescribed form"	"prescribed form, together with the prescribed fee"
Section 17	"of the corporation" (second occurring)	"of the corporation, together with the prescribed fee"
Section 18	"a corporation"	"a corporation, together with the prescribed fee"
<i>Unit Titles Act</i>		
Section 95A(3)	"prescribed fee"	"fee prescribed under the <i>Registration Act</i> "
Section 109	"(other than applications to the Court)"	"(other than applications to the Court or applications under section 95A)"
<i>The Workmen's Liens Act, 1893</i>		
Long title	the whole	"Be it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the <i>Northern Territory (Self-Government) Act 1978</i> of the Commonwealth, as follows:"

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SCHEDULE - continued

Provision	Amendment	
	omit	substitute
Section 1	"Governor by Proclamation in the <i>Government Gazette</i> "	"Administrator by notice in the <i>Gazette</i> "
Section 2		
- definition of "Court"	the whole definition	"'Court' means the Supreme Court, or the Local Court if the matter is within its jurisdictional limit;"
- definition of "The Real Property Act"	"'The Real Property Act, 1886,'" "	"the <i>Real Property Act</i> "
Section 4(3)	"Twelve Pounds"	"\$3,000"
Section 7(3)	"twenty-eight days"	"28 days"
Section 7(4)	"Twelve Pounds"	"\$3,000"
Section 10(2)(a)	"seven days"	"7 days"
	"in South Australia"	
Section 10(2)(b)	"an act of insolvency, or executed a deed of assignment within the meaning of 'The Insolvent Act, 1886,' or any other Insolvency Act or attempted to take the benefit of any law relating to insolvent debtors"	"an act of bankruptcy, or executed a deed of assignment within the meaning of the <i>Bankruptcy Act 1966</i> of the Commonwealth, or shall have taken or attempted to take the benefit of any law relating to bankrupts or insolvent debtors"
Section 10(3)	"in the General Registry Office"	"with the Registrar-General"
	"and attested"	"and attested, together with the prescribed fee"
Sections 13 and 14	the whole sections	

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SCHEDULE - continued

Provision	Amendment	
	omit	substitute
Section 16	"fourteen days"	"14 days"
	"so deposited"	"so deposited, together with the prescribed fee"
	"shall make on the proper folium of the Register Book"	"shall record in the Register"
Section 17	"a Judge of the Supreme Court or a Special Magistrate in a summary manner"	"a Court"
	"two clear days"	"2 days"
Section 18	"Judge or Special Magistrate" (twice occurring)	"the Court"
Section 19(1)	"section 4 sub- section (2) hereof"	"section 4(2)
Section 19(2)	"fourteen days"	"14 days"
Section 20	"eight per centum"	"12%"
Section 22	"fourteen days"	"14 days"
Section 28	the whole section	
Section 33	all words after "this Act"	"Penalty: \$2,000."
Section 34	"not exceeding Ten Pounds, a Court on a summary application may fix and determine"	"as the Court may determine will compensate the person prejudicially affected"
Sections 35, 36, 37 and 38	the whole sections	
Section 39	"The Governor"	"The Administrator"

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SCHEDULE - continued

Provision	Amendment	
	omit	substitute
Section 39(a)	"and fees not exceeding Five Shillings for any registration or process to be paid"	
Section 39(b)	the whole paragraph	
Section 40	the whole section	
Section 41	"in South Australia fourteen days"	"14 days"
Section 42	"the clerk"	"the Registrar"
	"Special Magistrate"	"the Local Court"
Section 45	"Fifty Pounds"	"\$2,000"
Sections 46 and 49	the whole sections	
Act No. 658 of 1896 (an Act to amend the Workmen's Liens Act, 1893)		
Section 2	the whole section	

