

NORTHERN TERRITORY OF AUSTRALIA

LAND TITLE AMENDMENT REGULATIONS 2009

Subordinate Legislation No. 17 of 2009

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Subordinate Legislation No. 17 of 2009*

Land Title Amendment Regulations 2009

I, Thomas Ian Pauling, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Land Title Act*.

Dated 24 June 2009

T. I. PAULING
Administrator

By His Honour's Command

D. P. Lawrie
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 26 June 2009.

1 Citation

These Regulations may be cited as the *Land Title Amendment Regulations 2009*.

2 Commencement

These Regulations commence on the commencement of Chapter 4, Part 4.4, Division 7 of the *Unit Title Schemes Act 2009*.

3 Regulations amended

These Regulations amend the *Land Title Regulations*.

4 New regulation 4

After regulation 3

insert

4 Prescribed matters for registration of unit title scheme statement

- (1) For section 54B(1)(b)(iii) of the Act, the written consent of each of the following persons is required to the registration of a scheme statement:

- (a) the registered owner;
- (b) a registered mortgagee;
- (c) a person who has rights under a registered writ of execution against the lot comprising the proposed scheme land;
- (d) a caveator under a registered caveat affecting any estate in the lot;
- (e) a person whose rights under law (other than rights under a registered easement or restrictive covenant) would be adversely affected by registering the scheme statement.

Note for subregulation (1)

The scheme statement must also be endorsed for the registration in accordance with section 18(3)(c) of the Unit Title Schemes Act.

- (2) For section 54B(1)(b)(vi) of the Act, a new scheme statement of another member scheme is required only if there is a change to a boundary of a lot.

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- (3) For section 54B(3) of the Act, the indefeasible title for the common property of a unit title scheme is subject to the following interests that previously existed in the lot constituting the property:
- (a) a registered covenant;
 - (b) a registered easement.