

# Supplementary Order Paper

## HOUSE OF REPRESENTATIVES

Thursday, the 6th Day of December 1951

### PROPERTY LAW AMENDMENT

Hon. Mr. WEBB, in Committee, to move the following amendments:—

Clause 1, subclause (2): To omit the words “thirty-first day of December, nineteen hundred and fifty-two” in lines 10 and 11, and substitute the words “first day of January, nineteen hundred and fifty-three.”

Clause 3: To omit the words “under the provisions of” in line 33; to omit the words “such provisions” in lines 34 and 35, and substitute the words “that provision”.

Clause 4, subclause (1): To omit the words “the provisions of” in lines 12 and 13; to omit the words “the provisions of” in line 16; to omit the words “the provisions of” in lines 21 and 22; to omit the words “the provisions of” in line 27.

Clause 5, subclause (1): To insert in paragraph (a), before the words “Shelley’s case” in line 2 (page 4), the words “the rule in”; to insert in paragraph (b), before the word “preceding” in line 10, the word “last”.

Clause 6: To omit the words “on or after the first day of January, nineteen hundred and fifty-three” in lines 14 and 15 (page 5), and substitute the words “after the commencement of this section”; to omit the words “on or after the first day of January, nineteen hundred and fifty-three” in lines 21 to 23, and substitute the words “after the commencement of this section”; to omit the words “on or after the first day of January, nineteen hundred and fifty-three” in lines 25 and 26, and substitute the words “after the commencement of this section”; to omit the words “on or after the first day of January, nineteen hundred and fifty-three” in lines 2 and 3 (page 6), and substitute the words “after the commencement of this section”.

Clause 7, subclause (1): To insert, before the word “interest” in line 14 (page 7), the word “any”.

Clause 8: To omit the words “the provisions of” in lines 41 and 42.

Clause 9: To omit the words “the provisions of” in lines 4 and 5.

Clause 10: To insert, after the word “inserting” in line 34, the words “in subsection one the words”; to omit the word “word” in line 35, and substitute the word “words”; to insert the word “A” before the word “covenant” in line 36.

Clause 11: To omit the word “Act” in line 9 (page 9), and substitute the word “section”.

Clause 13: To omit the words “the provisions of” in lines 25 and 26.

Clause 14: To omit the words “the provisions of” in line 33.

Clause 15, subclause (1): To omit the word "cost" in line 36, and substitute the word "costs".

Clause 19, subclause (1): To insert in paragraph (a), after the word "adding" in line 5, the words "to subsection one"; to omit the words "the last three paragraphs thereof, being those paragraphs under the heading 'Covenants, Conditions, and Powers implied in Mortgages that are subject to a prior Mortgage'" in lines 5 to 9, and substitute the words "paragraphs (14), (15), and (16) of the Fourth Schedule hereto".

Clause 20, Subclause (1): To insert in paragraph (a), before the word "preceding" in line 23, the word "last".

Clause 21: To omit the words "the provisions of" in lines 40 and 41.

Clause 22: To omit the words "the provisions of" in lines 3 and 4.

Clause 26: To insert, after the words "section sixty-seven" in line 7 (page 13), the words "of this Act".

Clause 27: To omit the words "the provisions of" in line 11.

Clause 28: To omit the word "lands" in line 24, and substitute the word "land"; to omit the words "the provisions of" in line 24.

Clause 30: To insert "(1)" after "30" in line 9; to add the following subclause:—

(2) Section thirteen of the Finance Act 1926 is hereby consequentially repealed.

Clause 32: To omit the words "the provisions of" in line 40 (page 15); to omit the word "Act" in line 2 (page 16), and substitute the word "section"; to omit the words "on or after the first day of January, nineteen hundred and fifty-three" in lines 20 to 22 (page 17), and substitute the words "after the commencement of this section".

Clause 34, subclause (1): To insert, after the word "he" in line 36, the words "or they".

Clause 35: To insert, after the word "inserting" in line 32, the words "in paragraph (a)".

Clause 36, subclause (2): To omit the words "first day of January, nineteen hundred and fifty-three" in lines 20 and 21 (page 19), and substitute the words "commencement of this Act"; to omit the words "that date" in lines 22 and 23, and substitute the words "the commencement of this Act".

Clause 37: To omit subsections (1) and (2) of the new section 96A in lines 27 (page 19) to 15 (page 20); to omit the words "(3) This section applies to land under the provisions of the Land Transfer Act 1915, and in respect thereof" in lines 16 to 18 (page 20), and substitute the following words:—

"96A. Where a restriction arising under covenant or otherwise as to the user of any land under the Land Transfer Act 1915 the benefit of which is intended to be annexed to other land is contained in an instrument coming into operation after the commencement of this section,—"

Registration of restrictions of user of land.  
See Reprint of Statutes, Vol. VII, p. 1162

Clause 37, subclause (1): To omit the word "a" before the word "restriction" in line 22 (page 20), and substitute the word "the"; to omit the word "note" in line 25, and substitute the word "notification"; to omit subsection (4) in lines 37 to 41 (page 20); to insert, before the word "change" in line 7 (page 21), the word "any"; to omit the words "having the benefit of the easement or restriction" in lines 8 and 9, and substitute the words "to which the easement or the benefit of the restriction is annexed"; to omit the word "Act" in line 21 (page 22), and substitute the word "section"; to omit the words "the provisions of" in lines 23 and 24.

Clause 38: To omit the word "Act" in line 13 (page 23), and substitute the word "section"; to omit the word "Act" in line 35 (page 24), and substitute the word "section"; to omit the word "Act" in line 11 (page 25), and substitute the word "section".

Clause 41: To omit the words "the provisions of" in lines 1 and 2 (page 26).

Clause 42: To omit the words "on or after the first day of January, nineteen hundred and fifty-three" in lines 7 and 8, and substitute the words "after the commencement of this section"; to insert, after the word "estates" in line 13, the words "or interests"; to omit the expression "(a)" in line 16; to omit the words "before the first day of January, nineteen hundred and fifty-three" in lines 16 and 17, and substitute the words "at the commencement of this section"; to omit subclauses (b) and (c) in lines 26 to 36; to omit the expression "(d)" in line 37, and substitute the expression "(3)"; to omit the words "this subsection" in line 37, and substitute the words "subsection two of this section"; to omit the expression "(3)" in line 1 (page 27), and substitute the expression "(4)"; to omit the words "the provisions of" in lines 1 and 2.

Clause 43, subclause (1): To omit the word "section" in line 8, and substitute the word "sections"; to omit the word "aliened" in line 16, and substitute the word "alienated".

Schedule, paragraph (a): To insert, after the expression "(2A)", the word "That".

Schedule, paragraph (c): To omit the word "or" before the words "any insurance as aforesaid".