

REGISTRATION OF DEEDS.

No. 17 of 1974.

AN ACT to amend the Registration of Deeds Ordinance, 1856 and to repeal 9 Edward VII 32 Act No. 36 of 1909.

[Assented to 16th October, 1974.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Registration of Deeds Ordinance Amendment Act, 1974.* Short title.

(2) In this Act the Registration of Deeds Ordinance, 1856, as amended by Acts 1 and 2 Edward VII No. 14, No. 36 of 1909, No. 23 of 1923 and No. 81 of 1966, is referred to as the principal Act.

Citation. (3) The principal Act as amended by this Act may be cited as the Registration of Deeds Act, 1856-1974.

Commence- 2. (1) Subject to subsection (2) of this section, ment. this Act shall come into operation on the day on which it receives the Royal Assent.

(2) Section 6 of this Act shall come into operation on a date to be fixed by proclamation.

Section 2 3. Section 2 of the principal Act is amended, amended. substituting for the passage commencing with the word "and", in line nine, and ending with the word "Colony", in line twelve, the passage, "and that every person appointed to the office of Registrar of Titles under the Transfer of Land Act, 1893, shall, by virtue of his office, be the Registrar of Deeds and Transfers".

Act No. 36 4. The Act 9 Edward VII 32, No. 36 of 1909, is of 1909 repealed and re-enacted as a section of the principal repealed and Act as follows— re-enacted.

Assistant 2A. That all such persons as are or have been Registrar of appointed to be an assistant registrar under the Deeds and Transfer of Land Act, 1893, shall be, by virtue Transfers. of that office, an assistant registrar of deeds and transfers for the purpose of this Act, and anything which is by this Act appointed or authorised or required to be done or signed by the person holding the appointment of Registrar of Deeds and Transfers may be lawfully done or signed by an assistant registrar of deeds and transfers. .

5. Section 21 of the principal Act is repealed. Section 21
repealed.

6. Section 22 of the principal Act is repealed and re-enacted as follows— Section 22
repealed and
re-enacted.

22. That it shall be lawful for the Commissioner of Titles, appointed under the Transfer of Land Act, 1893, with the approval of the Governor, to make regulations for or with respect to—

- (a) the medium in which judgments, deeds, wills, conveyances or instruments presented for registration shall be written and executed and the size and quality of the paper to be used;
- (b) the fees which may be charged by the Registrar of Deeds and Transfers; and
- (c) all matters and things authorised to be prescribed or necessary or expedient to be prescribed to give effect to this Act.

7. The principal Act is amended by adding after section 22 the following section— Section 22A
added.

22A. That any act, matter or thing under this Act done by a person who has held or holds the office of Registrar of Titles under the Transfer of Land Act, 1893, before the coming into operation of the Registration of Deeds Ordinance Amendment Act, 1974, shall be deemed to have been done by the Registrar of Deeds and Transfers. Validation.

8. Section 23 of the principal Act is repealed. Section 23
repealed.

Miscellaneous
amendments.

9. The principal Act is amended as set out in the Schedule to this Act.

THE SCHEDULE.

Provision Amended	Amendment
Long Title	Delete "Ordinance" in line 1, substitute "Act".
Section 2	Delete "Ordinance" in line 6, line 8 and line 9, substitute "Act" in each case.
Section 3	Delete "Ordinance" in line 2 and line 6, substitute "Act" in each case.
Section 4	Delete "Ordinance" in the last line, substitute "Act".
Section 6	Delete "Ordinance" in line 1, substitute "Act".
Section 10	Delete "Ordinance" in line 15, substitute "Act".
Section 11	Delete "Ordinance" in line 2, substitute "Act".
Section 16	Delete "Ordinance" in line 2, line 4 and the last line, substitute "Act" in each case.
Section 20	Delete "Ordinance" in line 3, substitute "Act".
Section 25	Delete "Ordinance" wherever occurring, substitute "Act" in each case.
