

WESTERN AUSTRALIA

**SETTLEMENT AGENTS
AMENDMENT ACT 1996**

No. 62 of 1996

AN ACT to amend the *Settlement Agents Act 1981*.

[Assented to 11 November 1996.]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Settlement Agents Amendment Act 1996*.

Commencement

2. This Act comes into operation on such day as is fixed by proclamation.

Principal Act

3. In this Act the *Settlement Agents Act 1981** is referred to as the principal Act.

[* *Act No. 33 of 1981.*

For subsequent amendments see 1995 Index to Legislation of Western Australia, Table 1, p. 201 and Acts Nos. 56, 58 and 59 of 1995 and 14 of 1996.]

Section 31 amended

4. After section 31 (2) of the principal Act the following subsection is inserted —

“

(2a) The Board may refuse to renew a triennial certificate if the licensee has not met prescribed educational requirements.

”.

Schedule 2 amended

5. (1) Schedule 2 to the principal Act is amended by deleting clause 1 (2) and substituting the following subclause —

“

(2) A licensee who holds a real estate settlement agent's licence and a current triennial certificate may draw or prepare the following documents —

(a) an offer and acceptance form in such form and subject to such conditions as are prescribed;

- (b) requisitions on title in such form and subject to such conditions as are prescribed;
- (c) such documents that are to be registered or lodged under or for the purposes of the —
 - (i) *Land Act 1933*;
 - (ii) *Registration of Deeds Act 1856*;
 - (iii) *Strata Titles Act 1985*; or
 - (iv) *Transfer of Land Act 1893*,as are prescribed and subject to such conditions as are prescribed;
- (d) a statutory declaration to support any of the documents that are referred to in paragraphs (a) and (b) or that are prescribed under paragraph (c);
- (e) a declaration to confirm that a power of attorney remains unrevoked.

”.

(2) Schedule 2 to the principal Act is amended by inserting after clause 2 (f) the following paragraph —

“

- (fa) drawing or preparing such documents that are to be registered or lodged under the *Bills of Sale Act 1899* as are prescribed and subject to such conditions as are prescribed;

”.