TASMANIA

PROPERTY AGENTS AND LAND TRANSACTIONS AMENDMENT BILL 2008

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PROPERTY AGENTS AND LAND TRANSACTIONS
AMENDMENT BILL 2008

(Brought in by the Minister for Corrections and Consumer
Protection, the Honourable David Edward Llewellyn)

A BILL FOR

An Act to amend the Property Agents and Land
Transactions Act 2005

Be it enacted by His Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the Property Agents

2. Commencement

This Act commences on the day on which this
Act receives the Royal Assent.

3. Principal Act

In this Act, the Property Agents and Land
Transactions Act 2005* is referred to as the
Principal Act.

*No. 75 of 2005
4. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended by inserting after the definition of “scheme of arrangement” the following definition:

“statutory authority” means a body or authority, whether incorporated or not, that is established or constituted under a written law or under the royal prerogative, being a body or authority which, or of which the governing authority, wholly or partly comprises a person or persons appointed by the Governor, a Minister or another statutory authority, but does not include an Agency within the meaning of the State Service Act 2000;

5. Section 212 amended (Regulations)

Section 212 of the Principal Act is amended as follows:

(a) by omitting paragraph (b) from subsection (2) and substituting the following paragraphs:

(b) exempt a person or class of persons from the application of this Act or a provision of this Act, either conditionally or unconditionally; and
(c) exempt specified residential property or residential property of a prescribed class or description from the application of Division 3 of Part 10, either conditionally or unconditionally.

(b) by omitting from subsection (3)(b) “specified.” and substituting “specified; and”;

(c) by inserting the following paragraph after paragraph (b) in subsection (3):

(c) so as to apply differently according to such factors as are specified in the regulations.

(d) by inserting the following subsection after subsection (5):

(6) In this section –

“person” includes –

(a) an Agency within the meaning of the State Service Act 2000; and

(b) a statutory authority; and

(c) any other body of persons, whether incorporated or not and whether
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an emanation of the Crown or otherwise.