

TASMANIA

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**PROPERTY AGENTS AND LAND TRANSACTIONS  
AMENDMENT BILL 2008**

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**CONTENTS**

1. Short title
2. Commencement
3. Principal Act
4. Section 3 amended (Interpretation)
5. Section 212 amended (Regulations)



# **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  
and Land Transactions Amendment Act 2008*.

### **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.

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\*No. 75 of 2005

*Property Agents and Land Transactions Amendment Act 2008*  
*Act No. of*

s. 4

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**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

*Property Agents and Land Transactions Amendment Act 2008*  
*Act No. of*

s. 5

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- (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

*Property Agents and Land Transactions Amendment Act 2008*  
*Act No. of*

**s. 5**

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an emanation of  
the Crown or  
otherwise.