

TASMANIA

**ELECTRONIC CONVEYANCING (ADOPTION OF
NATIONAL LAW) BILL 2013**

CONTENTS

PART 1 – PRELIMINARY

1. Short title
2. Commencement
3. Interpretation

**PART 2 – APPLICATION OF ELECTRONIC CONVEYANCING
NATIONAL LAW**

4. Application of Electronic Conveyancing National Law
5. Meaning of general terms in Electronic Conveyancing National Law for purposes of this jurisdiction
6. Responsible tribunal for Electronic Conveyancing National Law (Tasmania)
7. Delegation of any other person for Electronic Conveyancing National Law (Tasmania)
8. Exclusion of interpretation legislation of this jurisdiction
9. Offence to give false or misleading information

PART 3 – MISCELLANEOUS

10. Regulations
11. Administration of Act

ELECTRONIC CONVEYANCING (ADOPTION OF NATIONAL LAW) BILL 2013

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

P. R. ALCOCK, *Clerk of the House*
15 October 2013

*(Brought in by the Minister for Primary Industries and Water,
the Honourable Bryan Alexander Green)*

A BILL FOR

An Act to adopt in Tasmania a national law relating to electronic conveyancing

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:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Electronic Conveyancing (Adoption of National Law) Act 2013*.

2. Commencement

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

Electronic Conveyancing (Adoption of National Law) Act 2013
Act No. of

s. 3

Part 1 – Preliminary

3. Interpretation

(1) In this Act –

Electronic Conveyancing National Law (Tasmania) means the provisions applying in this jurisdiction because of section 4.

(2) Terms used in this Act and also in the Electronic Conveyancing National Law set out in the Appendix to the *Electronic Conveyancing (Adoption of National Law) Act 2012* of New South Wales have the same meaning in this Act as they have in that Law.

**PART 2 – APPLICATION OF ELECTRONIC
CONVEYANCING NATIONAL LAW**

4. Application of Electronic Conveyancing National Law

The Electronic Conveyancing National Law, as in force from time to time, set out in the Appendix to the *Electronic Conveyancing (Adoption of National Law) Act 2012* of New South Wales –

- (a) applies as a law of this jurisdiction; and
- (b) as so applying may be referred to as the Electronic Conveyancing National Law (Tasmania); and
- (c) applies as if it were an Act.

5. Meaning of general terms in Electronic Conveyancing National Law for purposes of this jurisdiction

In the Electronic Conveyancing National Law (Tasmania) –

land titles legislation means the *Land Titles Act 1980*;

Registrar has the same meaning as *Recorder* has in the *Land Titles Act 1980*;

Electronic Conveyancing (Adoption of National Law) Act 2013
Act No. of

s. 6

Part 2 – Application of Electronic Conveyancing National Law

registry instrument means any *dealing* or *instrument* as defined in the *Land Titles Act 1980*;

this jurisdiction means Tasmania;

titles register has the same meaning as *Register* has in the *Land Titles Act 1980*.

6. Responsible tribunal for Electronic Conveyancing National Law (Tasmania)

The Supreme Court is the responsible tribunal for this jurisdiction for the purposes of the Electronic Conveyancing National Law (Tasmania).

7. Delegation of any other person for Electronic Conveyancing National Law (Tasmania)

For the purposes of section 37 of the Electronic Conveyancing National Law (Tasmania) the reference to any other person is taken to be a reference to a State Service officer or State Service employee.

8. Exclusion of interpretation legislation of this jurisdiction

The *Acts Interpretation Act 1931* does not apply to the Electronic Conveyancing National Law (Tasmania) or to the instruments made under that Law.

9. Offence to give false or misleading information

- (1) A person must not give information or an answer to the Registrar under the Electronic Conveyancing National Law (Tasmania), or an instrument under that Law, that the person believes to be false or misleading in any material particular.

Penalty: Fine not exceeding 60 penalty units.

- (2) A person must not produce a document to the Registrar under the Electronic Conveyancing National Law (Tasmania), or an instrument under that Law, that the person knows to be false or misleading in a material particular without indicating the respect in which it is false or misleading and, if practicable, providing correct information.

Penalty: Fine not exceeding 60 penalty units.

Electronic Conveyancing (Adoption of National Law) Act 2013
Act No. of

s. 10

Part 3 – Miscellaneous

PART 3 – MISCELLANEOUS

10. Regulations

The Governor may make regulations for the purposes of this Act.

11. Administration of Act

Until provision is made in relation to this Act by order under section 4 of the *Administrative Arrangements Act 1990* –

- (a) the administration of this Act is assigned to the Minister for Primary Industries and Water; and
- (b) the department responsible to that Minister in relation to the administration of this Act is the Department of Primary Industries, Parks, Water and Environment.