

Queensland



# **LANDS LEGISLATION AMENDMENT ACT 1992**

**Act No. 64 of 1992**

Queensland



**LANDS LEGISLATION AMENDMENT  
ACT 1992**

**TABLE OF PROVISIONS**

Section		Page
<b>CHAPTER 1—PRELIMINARY</b>		
1	Short title .....	6
2	Commencement .....	6
3	Amended Acts .....	6
4	Repeals .....	6
5	Consequential repeals .....	6
<b>CHAPTER 2—STATUTORY OFFICES</b>		
<b>PART 1—AMENDMENT OF BRIGALOW AND OTHER LANDS DEVELOPMENT ACT 1962</b>		
6	Amended Act .....	7
7	Replacement of ss.4 and 5 .....	7
4	Corporation .....	7
5	Corporation represents the Crown .....	8
5A	Functions and powers .....	8
5B	Delegation .....	8
<b>PART 2—AMENDMENT OF LAND ACT 1962</b>		
8	Amended Act .....	8
9	Replacement of Division 2 of Part 2 .....	8
<i>Division 2—Administration</i>		
19	Administration of this Act .....	8
20	References in Acts .....	9
<b>PART 3—AMENDMENT OF REAL PROPERTY ACT 1861</b>		
10	Amended Act .....	9

---

11	Replacement of ss.4–8 . . . . .	9
4	Registrar of Titles . . . . .	9
5	Land registry . . . . .	10
6	References to office of Registrar of Titles . . . . .	11
7	Delegation . . . . .	11
	<b>PART 4—AMENDMENT OF SURVEYORS ACT 1977</b>	
12	Amended Act . . . . .	11
13	Replacement of s.8 (Members of Board) . . . . .	11
8	Members of board . . . . .	11
14	Replacement of s.10 (Appointment of members) . . . . .	12
10	Appointment of members . . . . .	12
15	Insertion of new s.10A . . . . .	12
10A	President . . . . .	12
	<b>PART 5—AMENDMENT OF VALUATION OF LAND ACT 1944</b>	
16	Amended Act . . . . .	13
17	Replacement of ss.6–7A . . . . .	13
6	References to Valuer-General . . . . .	13
	<b>CHAPTER 3—TREE CLEARING—AMENDMENT OF LAND ACT 1962</b>	
18	Amended Act . . . . .	13
19	Replacement of s.250 . . . . .	13
250	Tree clearing permit . . . . .	13
	<b>CHAPTER 4—MISCELLANEOUS</b>	
	<b>PART 1—AMENDMENT OF FORESTRY ACT 1959</b>	
20	Amended Act . . . . .	19
21	Amendment of s.5 (Meaning of terms) . . . . .	19
	<b>PART 2—AMENDMENT OF THE LAND ACT 1962</b>	
22	Amended Act . . . . .	20
23	Amendment of s.6 (Grants and leases) . . . . .	20
24	Amendment of s.188 (Auction perpetual lease) . . . . .	21
25	Amendment of s.194 (Terms and conditions of lease for term of years) . . . . .	22
26	Insertion of new s.201 . . . . .	23
201	Rental periods of certain special leases . . . . .	23

27	Amendment of s.204B (Rent of special lease) . . . . .	24
28	Insertion of new s.204D . . . . .	24
	204D Reduction in rent . . . . .	24
29	Amendment of s.212 (Nature and conditions of leases under this Division) . . . . .	25

**SCHEDULE 1** . . . . . 27

**CONSEQUENTIAL AND MINOR AMENDMENTS**

ABORIGINAL LAND ACT 1991 . . . . .	27
ACQUISITION OF LAND ACT 1967 . . . . .	27
ACTS INTERPRETATION ACT 1954 . . . . .	29
BRIGALOW AND OTHER LANDS DEVELOPMENT ACT 1962 . . . . .	29
BUILDING UNITS AND GROUP TITLES ACT 1980 . . . . .	31
CITY OF BRISBANE ACT 1924 . . . . .	33
FOREIGN OWNERSHIP OF LAND REGISTER ACT 1988 . . . . .	33
FORESTRY ACT 1959 . . . . .	34
LAND ACT 1962 . . . . .	38
LAND SALES ACT 1984 . . . . .	49
LANDS LEGISLATION AMENDMENT ACT 1991 . . . . .	49
LOCAL GOVERNMENT ACT 1936 . . . . .	50
MINERS' HOMESTEAD LEASES ACT 1913 . . . . .	51
MINING TITLES FREEHOLDING ACT 1980 . . . . .	53
PROPERTY LAW ACT 1974 . . . . .	55
QUEENSLAND PLACE NAMES ACT 1988 . . . . .	58
REAL PROPERTY ACT 1861 . . . . .	59
REAL PROPERTY ACT 1877 . . . . .	63
REAL PROPERTY ACTS AMENDMENT ACT 1952 . . . . .	65
REAL PROPERTY ACTS AMENDMENT ACT 1956 . . . . .	65
RURAL LANDS PROTECTION ACT 1985 . . . . .	66
STATE HOUSING ACT 1945 . . . . .	70
STATE HOUSING (FREEHOLDING OF LAND) ACT 1957 . . . . .	71
SURVEY CO-ORDINATION ACT 1952 . . . . .	72
SURVEYORS ACT 1977 . . . . .	73
TORRES STRAIT ISLANDER LAND ACT 1991 . . . . .	82

VALUATION OF LAND ACT 1944 .....	82
VALUERS REGISTRATION ACT 1992 .....	97
<b>SCHEDULE 2</b> .....	98
<b>REPEALS</b>	
<b>SCHEDULE 3</b> .....	102
<b>CONSEQUENTIAL REPEALS</b>	

Queensland



## **Lands Legislation Amendment Act 1992**

**Act No. 64 of 1992**

---

**An Act to amend certain Acts in relation to the administration of  
land, and for other purposes**

*[Assented to 7 December 1992]*

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows.

## **CHAPTER 1—PRELIMINARY**

### **Short title**

1. This Act may be cited as the *Lands Legislation Amendment Act 1992*.

### **Commencement**

2. This Act (other than section 4) commences on a day to be fixed by proclamation.

### **Amended Acts**

3. Each Act mentioned in Schedule 1 is amended as set out in the Schedule.

### **Repeals**

4. The Acts mentioned in Schedule 2 are repealed.

### **Consequential repeals**

5. The Acts mentioned in Schedule 3 are repealed.

## CHAPTER 2—STATUTORY OFFICES

### PART 1—AMENDMENT OF BRIGALOW AND OTHER LANDS DEVELOPMENT ACT 1962

#### Amended Act

6. The *Brigalow and Other Lands Development Act 1962* is amended as set out in this Part.

#### Replacement of ss.4 and 5

7. Sections 4 and 5—

*omit, insert—*

#### ‘Corporation

‘4.(1) The Corporation of the Land Administration Commission is continued in existence, as a corporation sole, under the name of the Brigalow Corporation.

‘(2) The Brigalow Corporation—

- (a) is a body corporate; and
- (b) has a seal; and
- (c) may sue and be sued in its corporate name.

‘(3) The chief executive constitutes the Brigalow Corporation.

‘(4) A reference to the Corporation of the Land Administration Commission in any Act or in any document is taken to be a reference to the Brigalow Corporation.

‘(5) Judicial notice must be taken of the imprint of the Brigalow Corporation’s seal appearing on a document and the document must be presumed to have been properly sealed until the contrary is proved.



**‘Corporation represents the Crown**

**‘5.(1)** The Corporation represents the Crown.

**‘(2)** Without limiting subsection (1), the Corporation has all the privileges and immunities of the Crown.

**‘(3)** Without limiting subsection (1), the Corporation is an exempt public authority for the purposes of the Corporations Law.

**‘Functions and powers**

**‘5A.** The Corporation has the functions and powers conferred on it by this Act.

**‘Delegation**

**‘5B.** The chief executive may delegate the chief executive’s powers under this Act to an officer or employee of the department.’.

**PART 2—AMENDMENT OF LAND ACT 1962****Amended Act**

**8.** The *Land Act 1962* is amended as set out in this Part.

**Replacement of Division 2 of Part 2**

**9.** Part 2, Division 2—

*omit, insert—*

***‘Division 2—Administration*****‘Administration of this Act**

**‘19.(1)** This Act is to be administered by the Minister, and subject to the Minister, by the chief executive.

‘(2) The Minister may delegate the Minister’s powers under this Act to the chief executive or to an officer or employee of the department.

‘(3) The chief executive may delegate the chief executive’s powers under—

- (a) this Act (including any powers delegated to the chief executive by the Minister); or
- (b) another Act with respect to the allocation, management and use of Crown land;

to an officer or employee of the department.

### ‘References in Acts

‘20. A reference in any Act or document to the Land Administration Commission, the Chief Commissioner of Lands or the Secretary, Land Administration Commission is taken to be a reference to the chief executive.’.

## **PART 3—AMENDMENT OF REAL PROPERTY ACT 1861**

### **Amended Act**

**10.** The *Real Property Act 1861* is amended as set out in this Part.

### **Replacement of ss.4–8**

**11.** Sections 4 to 8—

*omit, insert—*

### **‘Registrar of Titles**

‘4.(1) There is a Registrar of Titles.

‘(2) The Registrar of Titles has a seal of office.

‘(3) The Registrar of Titles is appointed and holds office under the *Public Service Management and Employment Act 1988*.

‘(4) The Registrar of Titles may delegate the powers of the Registrar of Titles under any Act to an officer or employee of the department.

‘(5) A reference to the Registrar-General in a provision of an Act relating to the registration of instruments under the *Real Property Act 1861*, or any Act required to be read as one with the *Real Property Act 1861*, is taken to be a reference to the Registrar of Titles.

‘(6) Judicial notice must be taken of the signature and imprint of the seal of the Registrar of Titles appearing on a document and the document must be presumed to have been properly signed or sealed until the contrary is proved.

‘(7) In acting under this Act or another Act, the Registrar of Titles is subject to the chief executive.

### ‘Land registry

‘5.(1) The chief executive is to establish and maintain a land registry.

‘(2) The land registry comprises—

- (a) all registers maintained by the Registrar of Titles under an Act; and
- (b) prescribed registers in which, for the purposes of an Act, particulars of interests in land are recorded; and
- (c) other prescribed compilations in which information concerning land is recorded; and
- (d) any other register or compilation concerning land that is required or permitted by an Act to be located in the land registry.

‘(3) The Governor in Council may, by regulation, determine—

- (a) the locations of offices of the land registry at which documents may be lodged; and
- (b) the particular documents that may, or may not, be lodged at any particular office of the land registry for registration or recording in the appropriate register or compilation by the Registrar of Titles or other appropriate person.

**‘References to office of Registrar of Titles**

‘6. A reference in any Act or document to the office of the Registrar of Titles (either in those words or in words to the same effect) is a reference to the land registry.

**‘Delegation**

‘7. The chief executive may delegate the chief executive’s powers under this Act to an officer or employee of the department.’.

**PART 4—AMENDMENT OF SURVEYORS ACT 1977****Amended Act**

12. The *Surveyors Act 1977* is amended as set out in this Part.

**Replacement of s.8 (Members of Board)**

13. Section 8—

*omit, insert—*

**‘Members of board**

‘8. The board consists of the following 8 members—

- (a) 2 persons (at least 1 of whom must be a licensed surveyor) nominated by the chief executive;
- (b) 3 surveyors (at least 1 of whom must be a licensed surveyor) chosen from a panel of 5 surveyors nominated by the Queensland Division;
- (c) 2 surveyors (at least 1 of whom must be a licensed surveyor) chosen from a panel of 4 surveyors nominated by the Association of Consulting Surveyors Queensland;

- (d) 1 surveyor chosen from a panel of 3 surveyors who are engaged in the teaching of surveying at an institution of tertiary education in Queensland and nominated by the Queensland Division.’.

### **Replacement of s.10 (Appointment of members)**

**14.** Section 10—

*omit, insert—*

#### **‘Appointment of members**

**‘10.(1)** The members of the board must be appointed by the Governor in Council.

**‘(2)** A person may hold office as a member of the board in conjunction with any other office in the public service.’.

### **Insertion of new s.10A**

**15.** After section 10—

*insert—*

#### **‘President**

**‘10A.(1)** The Governor in Council may appoint a member of the board who is a licensed surveyor to be president of the board.

**‘(2)** The person who is president ceases to be president if—

- (a) the person ceases to be a member of the board; or
- (b) resigns as president by signed notice given to the Minister.

**‘(3)** The president may resign as president and remain a member of the board.

**‘(4)** If otherwise qualified, the president is eligible for reappointment.’.

## **PART 5—AMENDMENT OF VALUATION OF LAND ACT 1944**

### **Amended Act**

**16.** The *Valuation of Land Act 1944* is amended as set out in this Part.

### **Replacement of ss.6–7A**

**17.** Sections 6 to 7A—

*omit, insert—*

### **‘References to Valuer-General**

**‘6.** A reference in any Act or document to the Valuer-General is a reference to the chief executive.’.

## **CHAPTER 3—TREE CLEARING—AMENDMENT OF LAND ACT 1962**

### **Amended Act**

**18.** The *Land Act 1962* is amended as set out in this Chapter.

### **Replacement of s.250**

**19.** Section 250—

*omit, insert—*

### **‘Tree clearing permit**

**‘250.(1)** In this section—

**“critical area”** means—

- (a) land that is prescribed as being highly vulnerable to land degradation; or

- (b) land that is prescribed as being of high nature conservation value; or
- (c) a critical habitat, or an area of major interest, identified in a conservation plan under the *Nature Conservation Act 1992*; or
- (d) land that is the subject of a proposal under section 40 of the *Nature Conservation Act 1992* for the declaration of a protected area;

**“lease”** means the relevant lease, licence, occupancy, deed of grant in trust or reserve mentioned in the definition of “lessee”;

**“lessee”** means a lessee of—

- (a) a pastoral lease; or
- (b) a stud holding; or
- (c) a grazing homestead perpetual lease; or
- (d) a perpetual town lease (non-competitive lease), perpetual suburban lease (non-competitive lease) or perpetual country lease (non-competitive lease)—
  - (i) that issued under this Act over Crown land on or after 31 December 1991; or
  - (ii) that issued on or after 31 December 1991 on an application under section 207 of this Act that was received—
    - (A) on or after 5 February 1990; or
    - (B) in respect of a lease issued under this Act and under an arrangement under section 24 of the *Industrial Development Act 1963*, or issued before the commencement of the *Industrial Development Act 1963* under a recommendation of the Minister administering industrial development—on or after 3 October 1991; or
- (e) a special lease; or
- (f) a development lease;

and includes—

- (g) a licensee under an occupation licence or road licence; and

- (h) an occupier under a permissive occupancy; and
- (i) the trustees of land granted in trust (other than trustees of land granted in trust for the benefit of Aboriginal or Islander inhabitants); and
- (j) the trustees of a reserve;

**“tree clearing permit”** means a tree clearing permit under this section;

**“tree management plan”** means a plan of the lease that identifies—

- (a) the main features of the land, including natural features and improvements; and
- (b) major vegetation types; and
- (c) critical areas; and
- (d) stands of prescribed trees; and
- (e) the area proposed to be cleared;

and includes all prescribed information, and information that in the chief executive’s opinion is necessary for the proper consideration of an application for a tree clearing permit.

**(2)** A lessee must not—

- (a) clear a tree, or permit a tree to be cleared, on the lease otherwise than under a tree clearing permit; or
- (b) contravene a condition of a tree clearing permit.

Maximum penalty—

- (a) in the case of an individual—400 penalty units; or
- (b) in the case of a corporation—800 penalty units.

**(3)** An application for a tree clearing permit must be—

- (a) made in the prescribed form; and
- (b) accompanied by the prescribed documents; and
- (c) lodged at an office of the department for the district in which the lease is situated; and
- (d) if requested by the chief executive—accompanied by—



- (i) a tree management plan; or
- (ii) a map that clearly delineates the area to be cleared.

**‘(4)** The chief executive may—

- (a) issue the tree clearing permit; or
- (b) issue the tree clearing permit, but impose conditions; or
- (c) refuse to issue the tree clearing permit.

**‘(5)** A condition may limit the area to be cleared to a smaller area than the area proposed in the application.

**‘(6)** If the chief executive refuses to issue the tree clearing permit, the chief executive must give written notice to the applicant of the refusal.

**‘(7)** In deciding whether to issue the tree clearing permit, and in deciding on any conditions to be imposed, the chief executive must consider—

- (a) the species or types of trees proposed to be cleared; and
- (b) the existence and extent of prescribed trees on the area proposed to be cleared; and
- (c) the effect of the proposed tree clearing on the nature conservation value of the land; and
- (d) the extent of the proposed tree clearing, and the extent to which trees are to be retained; and
- (e) the vulnerability to land degradation of the area proposed to be cleared; and
- (f) the way in which the trees are to be cleared; and
- (g) the information contained in any tree management plan lodged; and
- (h) any other matters that the chief executive considers to be relevant.

**‘(8)** The tree clearing permit—

- (a) must not be for a term longer than 5 years; and
- (b) must state the purpose for which the trees are to be cleared; and

- (c) if a tree management plan accompanied the application—must include the final form of that plan, as approved by the chief executive; and
- (d) may state the way in which the trees must be cleared.

**‘(9)** If the term of a tree clearing permit is less than 5 years, the chief executive may extend the term, but the total term of the permit must not be longer than 5 years.

**‘(10)** A permit granted to a lessee to clear trees for use in the improvement of the lease from which the trees were cleared may not be subject to a condition requiring the lessee to pay any amount by way of royalty.

**‘(11)** Subsection (10) does not apply to a lease that consists of the whole or a part of a State Forest or Timber Reserve.

**‘(12)** A tree clearing permit is subject to the following conditions—

- (a) that the lessee must not cause or allow a tree on the lease (other than a tree to which the permit applies) to be destroyed, damaged or otherwise interfered with;
- (b) if the permit sets out the way in which trees are to be cleared—that the lessee must not cause or allow them to be cleared in another way;
- (c) if the permit included a tree management plan—that the lessee must comply with that plan;
- (d) the conditions prescribed by regulation;
- (e) the conditions imposed by the chief executive.

**‘(13)** A tree clearing permit continues in force for the benefit of a transferee of a lease if—

- (a) a tree management plan was approved for the purposes of the permit; and
- (b) before the transfer is registered, the transferee gives written notice to the chief executive that the transferee is aware of, and agrees to, the conditions of the permit.

**‘(14)** The chief executive may cancel a tree clearing permit if the chief executive is satisfied that—

- (a) the permit was granted on the basis of false or misleading material contained in or accompanying the application; or
- (b) the lessee has contravened a condition of the permit; or
- (c) the clearing of trees is being carried out in a way—
  - (i) that is not likely to be effective or complete; or
  - (ii) that is likely to be harmful or injurious to the land or adjoining land; or
- (d) there has been a substantial change in circumstances since the grant of the permit and the permit would not now be granted.

**‘(15)** A tree clearing permit may be cancelled whether or not legal proceedings have been started for an offence against this section.

**‘(16)** Despite a condition of a lease requiring the clearing or destruction of trees, the lessee must obtain a tree clearing permit before complying with the condition.

**‘(17)** On the conviction of a lessee, the court may order the lessee to pay to the State, in addition to any penalty imposed—

- (a) the cost of any remedial work or rehabilitation necessary or desirable because of the commission of the offence; and
- (b) the value of every tree cleared or destroyed, which is to be the price that is ordinarily obtainable on the sale of such a tree.

**‘(18)** Despite subsection (2), if—

- (a) a lessee complies with the requirements of subsection (19); and
- (b) the lease—
  - (i) is used for agricultural or grazing purposes; and
  - (ii) is not a lease over a State Forest or a Timber Reserve, or a protected area within the meaning of the *Nature Conservation Act 1992*;

the lessee may clear trees for prescribed routine management purposes without obtaining a tree clearing permit under this section.

**‘(19)** A lessee mentioned in subsection (18)—

- (a) must not remove from the lease trees cleared from the lease; and

- (b) must not clear prescribed trees; and
- (c) must not clear trees in a critical area.

‘(20) Despite subsection (2), prescribed trustees of land granted in trust, or prescribed trustees of reserves, may clear trees on the land granted in trust or on the reserves without obtaining a tree clearing permit.’.

## CHAPTER 4—MISCELLANEOUS

### PART 1—AMENDMENT OF FORESTRY ACT 1959

#### Amended Act

20. The *Forestry Act 1959* is amended as set out in this Part.

#### Amendment of s.5 (Meaning of terms)

21.(1) Section 5 (definitions “**Crown holding**”, “**Land Administration Commission**” and “**Land Commissioner**”)—

*omit.*

(2) Section 5—

*insert—*

‘ “**chief executive (lands)**” means the chief executive within the meaning of the *Land Act 1962*;

“**Crown holding**” means land—

- (a) held under the *Land Act 1962* as a pastoral lease, stud holding, grazing homestead perpetual lease, special lease, development lease (issued on or after 31 December 1991), occupation licence, permissive occupancy or road licence; or
- (b) held as a perpetual town lease (non-competitive lease), perpetual suburban lease (non-competitive lease) or perpetual country lease (non-competitive lease)—

- 
- (i) that issued under the *Land Act 1962* over Crown land on or after 31 December 1991; or
  - (ii) that issued on or after 31 December 1991 on an application under section 207 of the *Land Act 1962* that was received—
    - (A) on or after 5 February 1990; or
    - (B) in respect of a lease issued under this Act and under an arrangement under section 24 of the *Industrial Development Act 1963* or issued before the commencement of the *Industrial Development Act 1963* under a recommendation of the Minister administering industrial development—on or after 3 October 1991; or
  - (c) held under a prescribed lease or licence granted by the State;
- “**freeholding lease**” means a lease under the *Land Act 1962* that has a covenant entitling the lessee to a deed of grant in fee simple, if the grant in fee simple will be required by section 6(2A) of that Act to contain the reservation provided for in that provision;’.

## PART 2—AMENDMENT OF THE LAND ACT 1962

### Amended Act

22. The *Land Act 1962* is amended as set out in this Part.

### Amendment of s.6 (Grants and leases)

23. After section 6(2C)—

*insert—*

‘(2D) At the time of payment of—

- (a) the full amount of the purchasing price; or
- (b) if the purchasing price is not paid in 1 amount—the final payment to complete the purchase;

of a sale for an estate in fee simple or a lease containing a freeholding covenant, the prescribed deed fee under this Act and the prescribed assurance fee under the *Real Property Act 1861* must be paid.’.

### **Amendment of s.188 (Auction perpetual lease)**

**24.(1)** Section 188(11)—

*omit* ‘subsection (10)’, *insert* ‘subsection (10) or (14)’.

**(2)** Section 188(12) and (13)—

*omit, insert*—

‘**(12)** The lessee of a lease under this section used exclusively for the lessee’s own residential use may apply to the Minister on the ground of hardship for a reduction in the annual instalment required to be paid.

‘**(13)** The application must be in the prescribed form.

‘**(14)** The Minister must approve or refuse the application in accordance with prescribed guidelines.

‘**(15)** Despite subsection (4), the amount of an instalment, as reduced under subsection (14), may be less than the prescribed amount.

‘**(16)** A reduction granted under subsection (14) may be—

(a) amended, if the Minister considers that the financial circumstances of the lessee have changed so that a different amount of reduction should now apply, having regard to the prescribed guidelines; or

(b) cancelled, if—

(i) the Minister considers that the financial circumstances of the lessee have changed so that no reduction should now apply, having regard to the prescribed guidelines; or

(ii) the lease has been transferred; or

(iii) the lessee has died.

‘**(17)** A reduction granted under subsection (14) does not reduce the purchasing price.

‘(18) If a reduction granted under subsection (14) is cancelled, the remaining instalments are to be adjusted, and if necessary the term of the lease may be extended, so that the purchasing price is paid in full within a reasonable time.

‘(19) An application for subdivision under section 271 must not be granted if it is received on or after 31 December 1991.’.

### **Amendment of s.194 (Terms and conditions of lease for term of years)**

**25.** After section 194(14)—

*insert—*

‘(15) A lessee of a lease—

- (a) that was granted before 31 December 1991; and
- (b) that is used exclusively for the lessee’s own residential use;

may apply to the Minister on the ground of hardship for a reduction in the annual instalment required to be paid.

‘(16) The application must be in the prescribed form.

‘(17) The Minister must approve or refuse the application in accordance with prescribed guidelines.

‘(18) Despite subsection (7), the amount of an instalment, as reduced under subsection (17), may be less than the prescribed amount.

‘(19) A reduction granted under subsection (17) may be—

- (a) amended, if the Minister considers that the financial circumstances of the lessee have changed so that a different amount of reduction should now apply, having regard to the prescribed guidelines; or
- (b) cancelled, if—
  - (i) the Minister considers that the financial circumstances of the lessee have changed so that no reduction should now apply, having regard to the prescribed guidelines; or
  - (ii) the lease has been transferred; or
  - (iii) the lessee has died.

‘(20) A reduction granted under subsection (17) does not reduce the purchasing price.

‘(21) If a reduction granted under subsection (17) is cancelled, the remaining instalments are to be adjusted, and if necessary the term of the lease may be extended, so that the purchasing price is paid in full within a reasonable time.’.

### **Insertion of new s.201**

26. After section 200A—

*insert—*

#### **‘Rental periods of certain special leases**

‘201.(1) This section applies to a special lease that started before the commencement of this section and in relation to which the following happened—

- (a) before the issue of the lease, the proposed lessee was advised of the proposed term of the lease and of the rental periods into which the term was to be divided;
- (b) payment was made of the first year’s rent;
- (c) the instrument of lease that was issued—
  - (i) did not indicate that the term of the lease was to be divided into rental periods; or
  - (ii) did make reference to rental periods, but did not specify the length of each rental period.

‘(2) To remove any doubt—

- (a) the term of the lease is taken to have been, at all times since the lease started, divided into the rental periods as advised to the proposed lessee; and
- (b) those rental periods are to apply until section 204B affects the lease.’.



**Amendment of s.204B (Rent of special lease)****27. Section 204B(12)—**

*omit.*

**Insertion of new s.204D****28. After section 204C—**

*insert—*

**‘Reduction in rent**

**‘204D.(1)** A lessee of a special lease used exclusively for the lessee’s own residential use may apply to the Minister on the ground of hardship for a reduction in the annual rent required to be paid.

**‘(2)** The application must be in the prescribed form.

**‘(3)** The Minister must approve or refuse the application in accordance with prescribed guidelines.

**‘(4)** If a reduction is granted, the reduced rent is payable—

- (a) if the application resulted from an increase in the rent—from the day of the increase; or
- (b) if the application resulted from a change in the circumstances of the lessee—from the commencement of the period of 1 year in respect of which rent is payable as at the time of the application.

**‘(5)** Despite section 204B(6), the amount of the annual rent, as reduced under subsection (3), may be less than the prescribed amount.

**‘(6)** A reduction granted under subsection (3) may be—

- (a) amended, if the Minister considers that the financial circumstances of the lessee have changed so that a different amount of reduction should now apply, having regard to the prescribed guidelines; or
- (b) cancelled, if—
  - (i) the Minister considers that the financial circumstances of the lessee have changed so that no reduction should now apply, having regard to the prescribed guidelines; or

- (ii) the lease has been transferred; or
- (iii) the lessee has died.’.

**Amendment of s.212 (Nature and conditions of leases under this Division)**

**29.** After section 212(14)—

*insert—*

‘**(15)** If the lessee is—

- (a) a charitable organisation; or
- (b) an organisation whose constitution does not permit its profits to be distributed to its members; or
- (c) a sporting or recreational organisation;

the Minister may set a rent for any rental period that is less than the rent that would apply under subsection (5), but is not less than the prescribed amount.

‘**(16)** A lessee of a lease under this section used exclusively for the lessee’s own residential use may apply to the Minister on the ground of hardship for a reduction in the annual rent required to be paid.

‘**(17)** The application must be in the prescribed form.

‘**(18)** The Minister must approve or refuse an application in accordance with prescribed guidelines.

‘**(19)** If a reduction is granted, the reduced rent is payable—

- (a) if the application resulted from an increase in the rent—from the day of the increase; or
- (b) if the application resulted from a change in the circumstances of the lessee—from the commencement of the period of 1 year in respect of which rent is payable as at the time of the application.

‘**(20)** Despite subsection (10), the amount of the annual rent, as reduced under subsection (18), may be less than the prescribed amount.

‘**(21)** A reduction granted under subsection (18) may be—

- (a) amended, if the Minister considers that the financial circumstances of the lessee have changed so that a different amount of reduction should now apply, having regard to the prescribed guidelines; or
- (b) cancelled, if—
  - (i) the Minister considers that the financial circumstances of the lessee have changed so that no reduction should now apply, having regard to the prescribed guidelines; or
  - (ii) the lease has been transferred; or
  - (iii) the lessee has died.’.

## SCHEDULE 1

### CONSEQUENTIAL AND MINOR AMENDMENTS

section 3

#### ABORIGINAL LAND ACT 1991

**1. Section 3.07(1)(a)—**

*omit.*

**2. Section 3.07(2)(a)—**

*omit, insert—*

‘(a) the instruments—

- (i) given to the registrar under subsection (1); or
  - (ii) created or registered under the *Land Act 1962* and held by the registrar;
- before the issue of the deed; and’.

#### ACQUISITION OF LAND ACT 1967

**1. Sections 2 to 4—**

*omit, insert—*

**‘Definitions**

**‘2. In this Act—**

‘**“chief executive”** means the chief executive of the department;

**“chief executive (surveys)”** means the chief executive within the meaning of the *Surveyors Act 1977*;

## SCHEDULE 1 (continued)

**“constructing authority”** means—

- (a) the State; or
- (b) a local authority or other person authorised by an Act to take land for any purpose;

**“land”** means land, or any estate or interest in land, that is held in fee simple, but does not include land being purchased under Part 7 of the *Land Act 1962*.

**2. ‘him’ to ‘the land registry’**

Sections 6(2) and 14(1)—

*omit* ‘him’ (wherever occurring), *insert* ‘the land registry’.

**3. Section 7(3)(b)(i)—**

*omit* ‘office of the Registrar of Titles or deposited in the office of the Surveyor-General’,

*insert* ‘land registry or deposited in the office of the chief executive (surveys)’.

**4. ‘Registrar of Titles’ to ‘land registry’**

Sections 7(4)(a) and (b) and 14(2)—

*omit* ‘Registrar of Titles’ (wherever occurring), *insert* ‘land registry’.

**5. Section 17(2)(c)—**

*omit* ‘Registrar of Titles who shall’,

*insert* ‘land registry, and the Registrar of Titles must’.

**6. ‘Office of the Registrar of Titles’ to ‘land registry’**

Sections 18(4) and 19(2)—

## SCHEDULE 1 (continued)

*omit* ‘office of the Registrar of Titles’ (wherever occurring),  
*insert* ‘land registry’.

**ACTS INTERPRETATION ACT 1954****Section 36—**

*insert—*

‘**land registry**’ means the land registry established under the *Real Property Act 1861*;’.

**BRIGALOW AND OTHER LANDS DEVELOPMENT  
ACT 1962****1. ‘Commission’ to ‘chief executive’**

Sections 3, 9(1) and (4), 14, and 29(3)—

*omit* ‘Commission’ (wherever occurring), *insert* ‘chief executive’.

**2. Section 2(1) (definitions “Commission”, “Corporation” and “Minister”)—**

*omit.*

**3. Section 2(1)—**

*insert—*

‘**chief executive**’ means the chief executive of the department;

‘**Corporation**’ means the Brigalow Corporation;’.

## SCHEDULE 1 (continued)

**4. Section 3—**

(1) *omit* ‘and the Corporation’ (wherever occurring).

(2) *omit* ‘or the Corporation’.

**5. Section 6—**

*omit.*

**6. Section 7(3) to (8)—**

*omit.*

**7. Section 8(2) to (5)—**

*omit.*

**8. Section 9(2) and (3)—**

*omit.*

**9. Section 10—**

*omit.*

**10. Section 15 (2nd sentence)—**

*omit.*

**11. Section 16—**

*omit, insert—*

**‘Transfer**

**‘16.(1)** Section 286 of the *Land Act 1962* applies to the transfer of—

(a) a purchase lease; or

## SCHEDULE 1 (continued)

(b) an interest in a purchase lease.

‘(2) The Minister may approve the transfer subject to conditions, including a condition that a specified amount of any amount outstanding be paid before the transfer is registered.’.

**12. Section 16A—**

*omit.*

**13. Section 19—**

*omit.*

**14. Section 22—**

*omit.*

**15. Section 29(3)—**

*omit* ‘its’, *insert* ‘the chief executive’s’.

**BUILDING UNITS AND GROUP TITLES ACT 1980****1. ‘office of the Registrar of Titles’ to ‘land registry’**

Sections 5(6), 13, 21(2) and (2A), 34(2) and (3), 112(1)(a) and 134(1)(b), (c) and (d)—

*omit* ‘office of the Registrar of Titles’ (wherever occurring),  
*insert* ‘land registry’.

**2. ‘Registrar of Titles’ to ‘land registry’**

Sections 12(1), 22(8), 23(5), 26(1) and (9)(a) and 120(1)—

*omit* ‘Registrar of Titles’ (wherever occurring), *insert* ‘land registry’.



## SCHEDULE 1 (continued)

**3. ‘Registrar of Titles’ to ‘land registry’ (1st occurring)**

Section 120(3) and (6)—

*omit* ‘Registrar of Titles’ (1st occurring), *insert* ‘land registry’.

**4. ‘Valuer-General’ to ‘chief executive (valuations)’**

Sections 14 and 62(1), (2), (3) and (4)—

*omit* ‘Valuer-General’ (wherever occurring),

*insert* ‘chief executive (valuations)’.

**5. Omission of references to Acts**

Section 6—

*omit* ‘, *The Registrar of Titles Act of 1884, The Real Property (Local Registries) Act of 1887 and The Central and Northern District Boundaries Act of 1900*’.

**6. ‘his office’ to ‘the land registry’**

Section 30(3) and (7B) (3rd sentence)—

*omit* ‘his office’ (wherever occurring), *insert* ‘the land registry’.

**7 Section 7(1)—**

*insert*—

‘ **“chief executive (valuations)”** means the chief executive within the meaning of the *Valuation of Land Act 1944*;’.

## SCHEDULE 1 (continued)

**CITY OF BRISBANE ACT 1924****1. Section 3(1) (definition “valuation authority”)—**

*omit.*

**2. Section 3(1)—**

*insert—*

- ‘ **“chief executive (valuations)”** means the chief executive within the meaning of the *Valuation of Land Act 1944*;’.

**3. ‘Valuation authority’ to ‘chief executive (valuations)’**

Sections 82, 84(1) and 85(c)(i)—

*omit* ‘valuation authority’ (wherever occurring),

*insert* ‘chief executive (valuations)’.

**FOREIGN OWNERSHIP OF LAND REGISTER ACT  
1988****1. Section 4 (definition “registering authority”, paragraphs (a) and (b))—**

*omit, insert—*

- ‘(a) the Registrar of Titles;’.

**2. Section 4 (definition “Registrar”)—**

*omit.*

## SCHEDULE 1 (continued)

**3. Section 4—***insert—***“registrar”** means the Registrar of Titles;’.**4. Section 15—***omit, insert—***‘Delegation****‘15.** The registrar may delegate the registrar’s powers under this Act to an officer or employee of the department.’.**5. Section 24(5)—***omit ‘85’, insert ‘100’.***6. Section 38(7)—***omit ‘the Registrar of Titles, Registrar of Dealings and any other’,**insert ‘a’.***FORESTRY ACT 1959****1. Section 5 (definition “owner”, at the end)—***insert—***‘(c)** a freeholding lease—the lessee;’.**2. Section 5 (definition “quarry material”, at the end)—***insert—***‘(e)** topsoil on a freeholding lease;’.

## SCHEDULE 1 (continued)

**3. Section 11(1)(iii)—**

*omit* ‘Land Administration Commission’,  
*insert* ‘chief executive (lands)’.

**4. Section 45(1)(iii)—**

*omit, insert—*

‘(iii) all forest products on miner’s homestead perpetual leases granted, under the *Miners’ Homestead Leases Act 1913* but only during the first 2 years of the term of the lease;’.

**5. Section 45(1)(iv)—**

*omit* ‘other than those specified in paragraph (iii) of this section’.

**6. After section 45(1)(v)—**

*insert—*

‘(vi) commercial species of timber on a lease subject to an agreement between the Minister and a lessee under section 140(5A)(a), 191(5)(a) or 207B(5)(a) of the *Land Act 1962*.’.

**7. Section 45(3)—**

*omit.*

**8. After section 47(c)—**

*insert—*

‘(d) quarry material in a freeholding lease; or

(e) commercial species of timber subject to an agreement between the Minister and a lessee under section 140(5A)(a), 191(5)(a) or 207B(5)(a) of the *Land Act 1962*.’.

## SCHEDULE 1 (continued)

**9. Section 53—**

*insert* (as a heading)—

**‘Interference with forest products on Crown holdings and mining leases’.**

**10. Section 53(1)—**

*omit, insert*—

**‘53.(1)** A person must not—

- (a) destroy a tree, or get other forest products, on a miner’s homestead perpetual lease granted under the *Miners’ Homestead Leases Act 1913*, during the first 2 years of the term of the lease; or
- (b) destroy a tree, or get other forest products or quarry material, on a Crown holding; or
- (c) destroy a tree, or get other forest products or quarry material, on any lands, the property of the Crown, that are included in a lease or other entitlement granted under the Mining Acts; or
- (d) destroy commercial species of timber on a lease subject to an agreement between the Minister and a lessee under section 140(5A)(a), 191(5)(a) or 207B(5)(a) of the *Land Act 1962*;

otherwise than in accordance with a permit, lease, licence, agreement or contract granted or made under this Act, the *Land Act 1962*, the Mining Acts or another Act.

Maximum penalty—

- (a) for a first offence—100 penalty units; and
- (b) for a subsequent offence—200 penalty units.’.

**11. Section 53(2) (heading)—**

*omit.*

## SCHEDULE 1 (continued)

**12. Section 54(aa)—**

*omit.*

**13. Section 54A—**

*omit, insert—*

**‘Interfering with quarry material in deeds of grant or freeholding leases**

**‘54A.(1)** A person must not, without lawful authority, interfere with quarry material in the land contained in—

- (a) a deed of grant that contains a reservation under section 6(2A) of the *Land Act 1962*; or
- (b) a freeholding lease.

**‘(2)** However an owner may use quarry material taken from a deed of grant or a freeholding lease for use on the grant or lease.’.

**14. Section 55(1B)—**

*omit, insert—*

**‘(1B)** The Corporation may grant licences for the purpose of getting quarry material from—

- (a) deeds of grant that contain a reservation under section 6(2A) of the *Land Act 1962*; or
- (b) freeholding leases.’.

**15. Heading to Part 6A—**

*omit, insert—*

**‘PART 6A—QUARRY MATERIAL IN DEED OF GRANT OR FREEHOLDING LEASE’.**

## SCHEDULE 1 (continued)

**16. Section 61B(a)—**

*omit* ‘grant’, *insert* ‘grant or freeholding lease’.

**17. Section 61B(b)—**

*omit* ‘grant’, *insert* ‘grant or freeholding lease’.

**LAND ACT 1962****1. ‘register maintained by him’ to ‘land registry’**

Section 9(3)—

*omit* ‘register maintained by him’, *insert* ‘land registry’.

**2. ‘office of the Registrar of Titles’ to ‘land registry’**

Sections 10(4) and 354A(5)—

*omit* ‘office of the Registrar of Titles’ (wherever occurring),  
*insert* ‘land registry’.

**3. ‘appropriate register’ to ‘land registry’**

Sections 14(2C), 230(1)(b) and (2)(b), 291(1A), 293(3) and 364—

*omit* ‘appropriate register’ wherever occurring,  
*insert* ‘land registry’.

**4. Section 5(1) (definitions “authorised officer”, “Commission”, “destroy”, and “Registrar of Titles”)—**

*omit*.

## SCHEDULE 1 (continued)

**5. Section 5(1)—**

*insert—*

“**authorised officer**” means an officer of the department nominated by the chief executive as an authorised officer for the purposes of the provision in which the term is used;

“**chief executive**” means the chief executive of the department;

“**chief executive (surveys)**” means the chief executive within the meaning of the *Surveyors Act 1977*;

“**chief executive (valuations)**” means the chief executive within the meaning of the *Valuation of Land Act 1944*;

“**clear**”, in relation to a tree, includes to clear by blading, burning, cutting, dozing, felling, poisoning, pulling, ringbarking and sawing, but does not include lopping or the destruction of standing vegetation by stock;

“**lopping**” means cutting or pruning of branches of trees, but not so severely that the trunk of the tree is removed or that the death of the tree is likely to result;

“**tree**” means a tree within the meaning of the *Forestry Act 1959*, but does not include a noxious plant or a prescribed plant;’.

**6. Division heading before section 24—**

*omit ‘Secretary and Other’.*

**7. Section 24(1)—**

*omit.*

**8. Section 24(3)—**

*omit ‘the Chief Commissioner of Lands, any other member of the Commission or any officer of the department’,*

*insert ‘or the chief executive or any other officer of the department’.*



## SCHEDULE 1 (continued)

**9. Section 24(4)—**

- (1) *omit* ‘any member of the Commission’, *insert* ‘the chief executive’.
- (2) *omit* ‘or the Commission’, *insert* ‘or the chief executive’.

**10. Section 24(6)—**

- (1) *omit* ‘Commission’, *insert* ‘chief executive’.
- (2) *omit* ‘Chief Commissioner of Lands’, *insert* ‘chief executive’.

**11. Section 24(8)—**

- (1) *omit* ‘Commission, or any member or the secretary thereof’,  
*insert* ‘chief executive’.
- (2) *omit* ‘him’, *insert* ‘the Minister or the chief executive’.
- (3) *omit* ‘his or its’, *insert* ‘the Minister’s or the chief executive’s’.

**12. Section 24(8A)—**

- (1) *omit* ‘Secretary’ (wherever occurring), *insert* ‘chief executive’.
- (2) *omit* ‘, as the case may be,’.

**13. Section 24(10)—**

- (1) *omit* ‘Commission or any member or the secretary thereof’  
(wherever occurring),  
*insert* ‘chief executive’.
- (2) *omit* ‘his’ (wherever occurring),  
*insert* ‘the Minister’s or the chief executive’s’.

**14. Section 25—**

*omit.*

## SCHEDULE 1 (continued)

**15. ‘a member of the Commission’ to ‘the chief executive’**

Sections 26(1)(a) and (b)(i) and 279(4)—

*omit* ‘a member of the Commission’ (wherever occurring),

*insert* ‘the chief executive’.

**16. Section 29B—**

*omit*.

**17. Section 37(2) (1st sentence)—**

(1) *omit* ‘any member of the Commission’, *insert* ‘the chief executive’.

(2) *omit* ‘a member of the Commission, as the case may be,’,

*insert* ‘the chief executive’.

**18. Section 37(2) (2nd sentence)—**

*omit*.

**19. Section 44(11)(c)—**

*omit* ‘Secretary of the Commission’, *insert* ‘chief executive’.

**20. ‘Commission’ to ‘chief executive’**

Sections 68(a), 69(4) and (5), 70(1), (2) and (3), 71(2)(b), 73(4), 74(2), 96(8)(a) and (d)(i), 119(1) and (2), 141(3)(b), 169, 235(4A)(d), 237(1), 269(1), (4)(b)(i) and (iv), (6) to (9), 279(3), 299(2), 323(8), 373(1)(b), (3), (7)(b) and (9)(b), 373A(1) and (2), 377(1) and 379—

*omit* ‘Commission’ (wherever occurring), *insert* ‘chief executive’.

## SCHEDULE 1 (continued)

**21. Section 70 (heading)—**

*omit* ‘Land Administration Commission’, *insert* ‘chief executive’.

**22. ‘its’ to ‘the chief executive’s’**

Sections 70(2), 141(3)(b) and 190(13)—

*omit* ‘its’ (wherever occurring), *insert* ‘the chief executive’s’.

**23. ‘it’ to ‘the chief executive’**

Sections 70(1) and (2), 119(2) and 269(6)—

*omit* ‘it’ (wherever occurring), *insert* ‘the chief executive’.

**24. ‘Valuer-General’ to ‘chief executive (valuations)’**

Sections 61B(3), 131(6), 147A(3)(b), 204B(3) and 212(7)—

*omit* ‘Valuer-General’ (wherever occurring),

*insert* ‘chief executive (valuations)’.

**25. After section 147(5)—**

*insert*—

‘(5A) Subsection (5) does not apply to grazing homestead freeholding leases that existed before 1 January 1992.’.

**26. Section 147A(6)—**

(1) *omit* ‘Secretary of the Commission shall’,

*insert* ‘chief executive must’.

(2) *omit* ‘his’, *insert* ‘the chief executive’s’.

## SCHEDULE 1 (continued)

**27. Section 147A(7)—**

*omit, insert—*

‘(7) If consent to a transfer or assignment is required under this section, the consent must be given before registration takes place.’.

**28. Section 147A(10)—**

*omit.*

**29. Section 147A(11)(a)—**

*omit, insert—*

‘(a) on publication of the order in council under subsection (9); and’.

**30. Section 147B(2)—**

*omit* ‘Surveyor-General’ (wherever occurring),

*insert* ‘chief executive (surveys)’.

**31. Section 159A(2)(b)—**

*omit* ‘him’, *insert* ‘the land registry’.

**32. Section 190—**

*omit.*

**33. Section 191(4)—**

*omit* ‘194(5)’ *insert* ‘194(6)’.

**34. Section 205(3)(a)—**

*omit, insert—*

## SCHEDULE 1 (continued)

- ‘(a) the purchasing price or method of determining or calculating the purchasing price, to be paid to the State for an estate in fee simple of the whole or part of the land; and
- (aa) the method of payment of the purchasing price; and’.

**35. ‘Surveyor-General’ to ‘chief executive (surveys)’**

Section 216(5)(c)(i), (6) and (7)—

*omit* ‘Surveyor-General’ (wherever occurring),

*insert* ‘chief executive (surveys)’.

**36. ‘Registrar’ to ‘land registry’**

Sections 227(9)(c), 228(2)(a)(ii) and 229(3)(a)(ii)—

*omit* ‘Registrar’ (wherever occurring), *insert* ‘land registry’.

**37. ‘to the Registrar’ to ‘to the land registry’**

Section 227(4)—

*omit* ‘to the Registrar’, *insert* ‘to the land registry’.

**38. Part 10, Division 4 (Divisional heading before s.250)**

*omit* ‘*Destruction of Trees on Holdings*’, *insert* ‘*Clearing of trees*’.

**39. Section 300—**

*omit* ‘one hundred dollars.’, *insert* ‘5 penalty units.’.

**40. Section 310(2)(c)—**

*omit*.

## SCHEDULE 1 (continued)

**41. ‘register maintained by him’ to ‘land registry’**

Sections 337(6) and 348(4)—

*omit* ‘register maintained by him’ (wherever occurring),  
*insert* ‘land registry’.

**42. Section 341(6)—**

*omit* ‘offence and liable to a penalty not exceeding one hundred dollars’,  
*insert* ‘offence against this Act.

Maximum penalty—5 penalty units’.

**43. Section 352(4)—**

(1) *omit* ‘to the Registrar of Titles’, *insert* ‘to the land registry’.

(2) *omit* ‘register maintained by him’, *insert* ‘land registry’.

**44. Section 352(5)—**

*omit* ‘up to him such’, *insert* ‘to the land registry the’.

**45. ‘register maintained by him’ to ‘land registry’**

Sections 353(2), 353A(2) and 354A(8)—

*omit* ‘register maintained by him’, *insert* ‘land registry’.

**46. Section 355—**

*omit* ‘the Commission, any member thereof’,

*insert* ‘the chief executive’.

## SCHEDULE 1 (continued)

**47. Section 358(3)(b)—**

*omit* ‘Registrar of Titles’ (1st occurring), *insert* ‘land registry’.

**48. Section 358(3)(c)—**

*omit* ‘him such’, *insert* ‘the land registry the’.

**49. Section 362(2)—**

*omit* ‘Office of the Surveyor-General’,  
*insert* ‘office of the chief executive (surveys)’.

**50. Section 365(3)(c)—**

*omit* ‘on the recommendation of the Commission’.

**51. Section 365(4)—**

*omit* ‘, on the recommendation of the Commission,’.

**52. Section 365(7)—**

*omit, insert—*

‘(7) On the permanent closure of a road, an appropriate recording, entry or endorsement is to be made in the land registry.’.

**53. Section 372(6)—**

*omit, insert—*

‘(6) A person must comply with an order under subsection 3(b) within the time specified in the order.

Maximum penalty—50 penalty units.’.

## SCHEDULE 1 (continued)

**54. ‘Penalty: \$500.’ to ‘Maximum penalty—10 penalty units.’**

Sections 373(14) and (15) and 373A(5) and (6)—

*omit* ‘Penalty: \$500.’ (wherever occurring),

*insert*—

‘Maximum penalty—10 penalty units.’.

**55. Section 377(2)—**

*omit*.

**56. Section 377(5)—**

*omit* ‘\$200’, *insert* ‘5 penalty units’.

**57. Section 378—**

(1) *omit* ‘any member of the Commission’, *insert* ‘the chief executive’.

(2) *omit* ‘or Commission’, *insert* ‘or the chief executive’.

(3) *omit* ‘member of the Commission or such’,

*insert* ‘the chief executive or the’.

(4) *omit* ‘Act and liable to a penalty of not less than twenty dollars or more than two hundred dollars’,

*insert* ‘Act.

Maximum penalty—5 penalty units’.

**58. Section 381—**

*omit*.



## SCHEDULE 1 (continued)

**59. Section 382(1)(d)—**

*omit, insert—*

‘(d) prescribing the duties of the chief executive; and’.

**60. Section 382(3)—**

*omit ‘one hundred dollars’, insert ‘10 penalty units’.*

**61. After section 385—**

*insert—*

**‘PART 14—TRANSITIONAL PROVISIONS****‘References concerning protected areas**

**‘386.(1)** Until section 40 of the *Nature Conservation Act 1992* commences, the reference, in paragraph (d) of the definition of “critical area” in section 250 of this Act, to a proposal under section 40 of the *Nature Conservation Act 1992* for the declaration of a protected area is a reference to—

- (a) a proposal under section 334A of this Act for reservation and setting apart of an environmental park; or
- (b) a recommendation under section 19 of the *National Parks and Wildlife Act 1975* for setting apart under and for the purposes of that Act.

**‘(2)** Until the day on which Part 13 of the *Nature Conservation Act 1992* commences, the reference, in section 250(18)(b)(ii) of this Act, to a protected area within the meaning of the *Nature Conservation Act 1992* includes a reference to a National Park under the *National Parks and Wildlife Act 1975*.’.

## SCHEDULE 1 (continued)

**LAND SALES ACT 1984****1. Section 6(1) (definition “land registration authority”)—**

*omit.*

**2. ‘By the land registration authority’ to ‘in the land registry’**

Sections 6(1) (definitions “**registrable instrument of transfer**” and “**relevant freehold land**”) and 10(1)(a)—

*omit* ‘by the land registration authority’ (wherever occurring),

*insert* ‘in the land registry’.

**3. Sections 6(1) (definition “relevant leasehold land”) and 10(1)(b)—**

*omit* ‘by the land registration authority’,

*insert* ‘in the department administered by the Minister administering the *Land Act 1962*.’.

**4. Section 6(1) (definition “registrable instrument of transfer” paragraph (b))—**

*omit* ‘appropriate register or book in the office of the person charged with registering or noting such transfers’,

*insert* ‘land registry’.

**LANDS LEGISLATION AMENDMENT ACT 1991****1. Section 109(2)—**

*omit* ‘continue to apply up to and including 30 June 1993’,

*insert* ‘for rent assessment due up to and including 30 June 1993, continue to apply until the rent determinations have been completed’.

## SCHEDULE 1 (continued)

**2. Section 112(1)—**

*omit, insert—*

**‘112.(1)** This section applies only to—

- (a) leases to which sections 123, 127, 144A, 176, 188, 194 and 207 of the *Land Act 1962* (as they existed before the commencement of sections 18, 20, 24, 32, 35, 40 and 45 of this Act) applied; and
- (b) a grazing homestead freeholding lease, if the application for conversion under section 139 of the *Land Act 1962* was received before 5 February 1990.’.

**3. Section 112(4)—**

*omit ‘if’.*

**4. Section 112(5)—**

*omit ‘if’.*

**LOCAL GOVERNMENT ACT 1936****1. Section 3(1) (definitions “land registration authority” and “valuation authority”)—**

*omit.*

**2. Section 3(1)—**

*insert—*

- ‘ **“chief executive (valuations)”** means the chief executive within the meaning of the *Valuation of Land Act 1944*.’.

## SCHEDULE 1 (continued)

**3. ‘Valuation authority’ to ‘chief executive (valuations)’**

Sections 21(15)(b), (16), (17), (18) and (22) and 27(1A)(c)(i)—  
*omit* ‘valuation authority’ (wherever occurring),  
*insert* ‘chief executive (valuations)’.

**4. Section 26A(1)—**

*omit* ‘land registration authority’, *insert* ‘land registry’.

**MINERS’ HOMESTEAD LEASES ACT 1913****1. Section 2—**

*omit*.

**2. Section 3 (definitions “Commissioner”, “Local Authority”, “Minister”, “Registrar of Dealings” and “Registrar of Titles”)—**

*omit*.

**3. Section 3—**

*insert—*

‘**“chief executive”** means the chief executive of the department;’.

**4. Section 4—**

*omit*.

**5. ‘Commissioner’ to ‘chief executive’**

Sections 21(2), 23B(1) and (2) and 37(7) and (8)—  
*omit* ‘Commissioner’ (wherever occurring), *insert* ‘chief executive’.

## SCHEDULE 1 (continued)

**6. Section 29A(2)(a)—**

*omit* ‘Director-General, Department of Lands’, *insert* ‘chief executive’.

**7. Section 29B(1)(a)—**

*omit* ‘Registrar of Titles or the Registrar of Dealings’,  
*insert* ‘land registry’.

**8. Section 29B(1) (5th sentence)—**

*omit*.

**9. Section 29C(1)—**

*omit* ‘or the Registrar of Dealings, as the case may be,’.

**10. Section 29C(2)—**

*omit* ‘or, as the case may be, the Registrar of Dealings’.

**11. Section 29C(3)—**

*omit, insert—*

‘(3) Every instrument creating an easement under subsection (1) must be lodged in triplicate.

‘(3A) The prescribed registration fee under the *Real Property Act 1861* or the *Land Act 1962* must be paid in addition to the prescribed registration fee under this Act at the time of lodging the instrument.’.

**12. Section 42—**

*omit, insert—*

## SCHEDULE 1 (continued)

**‘Delegation**

**‘42.(1)** The Minister may delegate the Minister’s powers under this Act to an officer or employee of the department.

**‘(2)** The chief executive may delegate the chief executive’s powers under this Act to an officer or employee of the department.’.

**13. Section 44(1)—**

*omit.*

**MINING TITLES FREEHOLDING ACT 1980****1. Section 4 (definitions “Commissioner”, “Minister”, “Registrar of Dealings” and “Registrar of Titles”)—**

*omit.*

**2. Section 4—**

*insert—*

**‘“chief executive”** means the chief executive of the department;

**“chief executive (valuations)”** means the chief executive within the meaning of the *Valuation of Land Act 1944*;’.

**3. Omission of ‘by the Valuer-General’**

Section 8A(a)(i) and (ii) and (b)—

*omit* ‘by the Valuer-General’ (wherever occurring).

**4. Section 8A(a)—**

*omit* ‘the business of primary production as defined in section 11(1)’,

*insert* ‘farming as defined in section 11(10)’.

## SCHEDULE 1 (continued)

**5. Section 8B(1)—**

*omit* ‘the Valuer-General shall make a valuation’,

*insert* ‘a valuation is to be made under the *Valuation of Land Act 1944*’.

**6. Section 8C(1)—**

*omit* ‘the Valuer-General is to make a valuation’,

*insert* ‘a valuation is to be made under the *Valuation of Land Act 1944*’.

**7. Section 8C(3)—**

*omit* ‘by the Valuer-General under this section’,

*insert* ‘under subsection (1)’.

**8. Section 8C(4)—**

*omit* ‘of the Valuer-General’, *insert* ‘made under subsection (1)’.

**9. Section 9(3)—**

*omit*.

**10. ‘Valuer-General’ to ‘chief executive (valuations)’**

Sections 10(2), 11 and 12(2)—

*omit* ‘Valuer-General’, *insert* ‘chief executive (valuations)’.

**11. At the end of section 20—**

*insert*—

‘(2) At the time of payment of the amounts under subsection (1)(a), a lessee must pay the fees under subsection (1)(b).’.

## SCHEDULE 1 (continued)

**12. Section 28(2)—**

*omit.*

**13. Section 33—**

*omit* ‘Commissioner’ (wherever occurring), *insert* ‘chief executive’.

**14. Section 34(1)—**

*omit.*

**15. Section 34(2)—**

*omit* ‘transmitted to him’, *insert* ‘in the former lease or area’.

**16. Section 37—**

*omit, insert—*

**‘Delegation**

**‘37.(1)** The Minister may delegate the Minister’s powers under this Act to an officer or employee of the department.

**‘(2)** The chief executive may delegate the chief executive’s powers under this Act to an officer or employee of the department.’.

**PROPERTY LAW ACT 1974****1. ‘at the office of the Registrar’ to ‘in the land registry’**

Section 61(1)(c)—

*omit* ‘at the office of the Registrar’, *insert* ‘in the land registry’.



## SCHEDULE 1 (continued)

**2. ‘office of the Registrar’ to ‘land registry’**

Sections 187(1), 241(1) and 244(1)—

*omit* ‘office of the Registrar’ (wherever occurring), *insert* ‘land registry’.

**3. ‘office of the Registrar at Brisbane’ to ‘land registry’**

Sections 242(1)—

*omit* ‘office of the Registrar at Brisbane’, *insert* ‘land registry’.

**4. ‘to the Registrar’ to ‘to the land registry’**

Section 251(2A)—

*omit* ‘to the Registrar’, *insert* ‘to the land registry’.

**5. Omission of ‘or the Registrar’s deputy’**

Sections 244(1) and (4) and 249(1)—

*omit* ‘or the Registrar’s deputy’ (wherever occurring).

**6. Section 4 (definitions “Real Property Acts”, “Registrar”, and “Registrar of Dealings”)—**

*omit*.

**7. Section 4—**

*insert*—

‘**“Real Property Acts”**’ means the *Real Property Act 1861*, *Real Property Act 1877*, *Real Property Acts Amendment Act 1952*, *Real Property Acts Amendment Act 1956*, *Real Property (Commonwealth Defence Notification) Act 1929* and *Real Property (Commonwealth Titles) Act 1924*;

‘**“Registrar”**’ means the Registrar of Titles;’.

## SCHEDULE 1 (continued)

**8. Section 61(2)(c)—**

*omit, insert—*

‘(c) unless otherwise agreed by the parties, their solicitors or conveyancers, settlement of the contract must take place at the office of the land registry at which the document relating to the conveyance may be lodged or, if there are 2 or more such offices, the office that is nearest to the land.’.

**9. Section 80(2)—**

*omit* ‘at the office of the Registrar or the office of the Registrar of Dealings or in the warden’s office, as the case may be,’.

*insert* ‘in the land registry’.

**10. Section 80(2C)(b)—**

*omit* ‘Registrar of Dealings or warden, as the case may be,’.

*insert* ‘Registrar of Miners’ Homesteads or warden’.

**11. Section 168(3)—**

*omit* ‘appropriate register kept by the Registrar’, *insert* ‘land registry’.

**12. Section 248—**

(1) *omit* ‘office of the Registrar who’,

*insert* ‘land registry and the Registrar’.

(2) *omit* ‘Registrar’s office’, *insert* ‘land registry’.

**13. Section 249(2)—**

*omit* ‘or the Registrar’s deputy or any clerk in the office of the Registrar

## SCHEDULE 1 (continued)

appointed by the Registrar for that purpose’,

*insert* ‘or any officer appointed by the Registrar for the purpose’.

**QUEENSLAND PLACE NAMES ACT 1988****1. Sections 2 to 5—**

*omit.*

**2. ‘Surveyor-General’ to ‘chief executive’**

Sections 7(1), (2) and (3), 8, 10(1), 12(1), (2), (3) and (4), 13, 14,(1) and (2), 16 and 18(2) and (5)—

*omit* ‘Surveyor-General’ (wherever occurring), *insert* ‘chief executive’.

**3. Section 6 (definition “Minister”)—**

*omit.*

**4. Section 6—**

*insert—*

‘**“chief executive”** means the chief executive of the department;’.

**5. After section 8—**

*insert—*

**‘Delegation**

**‘8A.** The chief executive may delegate the chief executive’s powers under this Act to an officer or employee of the department.’.

## SCHEDULE 1 (continued)

**REAL PROPERTY ACT 1861****1. ‘Registrar-General’ to ‘Registrar of Titles’**

Sections 14, 18, 21, 22, 24, 25, 26, 28, 29, 30, 50, 99, 102, 127, 128, 131, 133, 134, 137, 138, 141 and 143—

*omit* ‘Registrar-General’ (wherever occurring),

*insert* ‘Registrar of Titles’.

**2. ‘Registrar-General’ to ‘land registry’**

Sections 17, 100 and 103—

*omit* ‘Registrar-General’ (wherever occurring), *insert* ‘land registry’.

**3. ‘office of’ to ‘land registry’**

Section 10(1) and (2)—

*omit* ‘office of’ (wherever occurring), *insert* ‘land registry’.

**4. ‘office of the Registrar of Titles’ to ‘land registry’**

Sections 10(3), 32A, 34(2), 46A, 98, 113, 120 and 121—

*omit* ‘office of the Registrar of Titles’ (wherever occurring),

*insert* ‘land registry’.

**5. ‘office of the Registrar’ to ‘land registry’**

Sections 112(6) and 113—

*omit* ‘office of the Registrar’ (wherever occurring), *insert* ‘land registry’.

## SCHEDULE 1 (continued)

**6. ‘office of the said Registrar’ to ‘land registry’**

Section 112(3)—

*omit* ‘office of the said Registrar’, *insert* ‘land registry’.

**7. ‘Registrar of Titles’ to ‘land registry’**

Sections 3 (definition “**Instrument**”), 78 and 119(1) and (5)—

*omit* ‘Registrar of Titles’ (wherever occurring), *insert* ‘land registry’.

**8. ‘to the Registrar of Titles’ to ‘to the land registry’**

Sections 36(4), 41, 43 and 56(3)—

*omit* ‘to the Registrar of Titles’ (wherever occurring),  
*insert* ‘to the land registry’.

**9. ‘with the Registrar of Titles’ to ‘in the land registry’**

Section 23—

*omit* ‘with the Registrar of Titles’, *insert* ‘in the land registry’.

**10. ‘to the Registrar’ to ‘to the land registry’**

Section 112(7) and (8)—

*omit* ‘to the Registrar’ (wherever occurring), *insert* ‘to the land registry’.

**11. ‘with the Registrar’ to ‘in the land registry’**

Section 86—

*omit* ‘with the Registrar’, *insert* ‘in the land registry’.

## SCHEDULE 1 (continued)

**12. ‘he’ to ‘the Registrar of Titles’**

Section 43—

*omit ‘he’, insert ‘the Registrar of Titles’.***13. ‘his office’ to ‘the land registry’**

Sections 45(1) and 112(1), (1A), (3) and (5)—

*omit ‘his office’ (wherever occurring), insert ‘the land registry’.***14. ‘to him’ to ‘to the land registry’**

Sections 11(1) and (4) (2nd proviso), 43, 51(2), 72, 76A(2)(a) and 112(1)—

*omit ‘to him’ (wherever occurring), insert ‘to the land registry’.***15. ‘with him’ to ‘in the land registry’**

Section 119(5)—

*omit ‘with him’, insert ‘in the land registry’.***16. Section 3 (definition “Minister”)—***omit.***17. Section 3—***insert—***‘ “chief executive” means the chief executive of the department;’.****18. Section 10(7)—***omit ‘Penalty: \$100’,*

## SCHEDULE 1 (continued)

*insert—*

‘Maximum penalty—10 penalty units’.

**19. Section 11(2)—**

*omit* ‘\$200’, *insert* ‘10 penalty units’.

**20. Section 11(6)—**

*omit.*

**21. Section 49—**

*omit* ‘delivered up to the Registrar of Titles who upon registration of that instrument’,

*insert* ‘lodged in the land registry and on registration of that instrument the Registrar of Titles’.

**22. Section 94(1A)—**

*omit* ‘held by the Registrar of Titles’, *insert* ‘held in the land registry’.

**23. Section 112(3) (last sentence)—**

*omit* ‘offence and liable to a penalty not exceeding \$200.00’,

*insert* ‘offence against this Act.

Maximum penalty—10 penalty units.’.

**24. Section 139—**

*omit* ‘\$100’, *insert* ‘10 penalty units’.

---

 SCHEDULE 1 (continued)
**25. Section 140—***omit.***26. After section 143—***insert—***‘Regulations**

**‘143A.(1)** The Governor in Council may make regulations for the purposes of this Act.

**‘(2)** A regulation may make provision with respect to—

- (a) the matters for which fees, costs and charges (“**charges**”) are payable—
  - (i) for the purposes of this Act; and
  - (ii) in relation to anything required or permitted to be done under any other Act; and
  - (iii) in relation to any service provided by the land registry; and
- (b) the amounts of charges, the persons who are liable to pay charges, when charges are payable, the waiver of charges and the recovery of unpaid amounts of charges.’.

## **REAL PROPERTY ACT 1877**

**1. ‘Registrar-General’ to ‘Registrar of Titles’**

Sections 3, 6, 7, 8, 10 and 47—

*omit* ‘Registrar-General’ (wherever occurring),

*insert* ‘Registrar of Titles’.

**2. ‘to the Registrar-General’ to ‘to the land registry’**

Sections 14, 15 and 39(1)—



## SCHEDULE 1 (continued)

*omit* ‘to the Registrar-General’ (wherever occurring),  
*insert* ‘to the land registry’.

**3. ‘with the Registrar-General’ to ‘in the land registry’**

Sections 36 and 39(1)—

*omit* ‘with the Registrar-General’ (wherever occurring),  
*insert* ‘in the land registry’.

**4. ‘by the Registrar-General’ to ‘by the Registrar of Titles’**

Section 36—

*omit* ‘by the Registrar-General’, *insert* ‘by the Registrar of Titles’.

**5. ‘to the Registrar of Titles’ to ‘to the land registry’**

Section 12—

*omit* ‘to the Registrar of Titles’ (wherever occurring),  
*insert* ‘to the land registry’.

**6. ‘with the Registrar of Titles’ to ‘in the land registry’**

Section 30A—

*omit* ‘with the Registrar of Titles’, *insert* ‘in the land registry’.

**7. ‘to the Registrar’ to ‘to the land registry’**

Section 30A—

*omit* ‘to the Registrar’, *insert* ‘to the land registry’.

## SCHEDULE 1 (continued)

**8. ‘he’ to ‘the Registrar of Titles’**

Section 12—

*omit ‘he’, insert ‘the Registrar of Titles’.***9. ‘to him’ to ‘to the land registry’**

Sections 12 and 46 —

*omit ‘to him’ (wherever occurring), insert ‘to the land registry’.***10. ‘office of the Registrar of Titles’ to ‘land registry’**

Section 12—

*omit ‘office of the Registrar of Titles’ (wherever occurring),**insert ‘land registry’.***REAL PROPERTY ACTS AMENDMENT ACT 1952****1. Section 1(2)(a)—***omit ‘ “The Registrar of Titles Act of 1884,” “The Real Property (Local Registries) Act of 1887,” ’.***2. Section 51—***omit.***REAL PROPERTY ACTS AMENDMENT ACT 1956****Section 2(11) (2nd sentence)—***omit.*

## SCHEDULE 1 (continued)

**RURAL LANDS PROTECTION ACT 1985****1. Section 6(1) (definitions “Government department”, “Local Authority” and “Minister”)—***omit.***2. Section 6(1)—***insert—*

‘**“chief executive (lands)”** means the chief executive within the meaning of the *Land Act 1962*;’.

**3. Section 14—***omit, insert—***‘Delegation**

**‘14.(1)** The Minister may delegate the Minister’s powers under this Act to the Protection Board or to any person.

**‘(2)** The executive director may delegate the executive director’s powers under this Act to any person.’.

**4. Section 19(2)(j)—***omit, insert—*

**‘(j)** the chief executive (lands), who is a member ex officio, or the nominee of the chief executive (lands);’.

**5. Section 60(4)—***omit* ‘Penalty: \$100’,*insert—*

‘Maximum penalty—5 penalty units’.

## SCHEDULE 1 (continued)

**6. Section 62(1)(at the end)—**

*insert—*

‘Maximum penalty—10 penalty units.’.

**7. Section 62(2)—**

*omit.*

**8. Section 80—**

*omit* ‘Penalty: For a first offence \$100; for any subsequent offence \$500.’,

*insert—*

‘Maximum penalty—

- (a) for a first offence—5 penalty units; and
- (b) for a subsequent offence—20 penalty units.’.

**9. Section 82(1)—**

*omit* ‘Penalty: For a first offence \$500; for any subsequent offence \$1 000.’,

*insert—*

‘Maximum penalty—

- (a) for a first offence—20 penalty units; and
- (b) for a subsequent offence—50 penalty units.’.

**10. Section 88(2)—**

*omit* ‘Penalty: \$200’,

*insert—*

‘Maximum penalty—5 penalty units’.

## SCHEDULE 1 (continued)

**11. ‘Penalty: \$2 000’ to ‘Maximum penalty—100 penalty units’**

Sections 89(1), 94(1), 95(2) and 114—

*omit* ‘Penalty: \$2 000’ (wherever occurring),

*insert*—

‘Maximum penalty—100 penalty units’.

**12. ‘Penalty: \$1 000’ to ‘Maximum penalty—50 penalty units’**

Sections 96(3) and 218—

*omit* ‘Penalty: \$1 000’ (wherever occurring),

*insert*—

‘Maximum penalty—50 penalty units’.

**13. ‘Penalty: \$2 000’ to ‘Maximum penalty—50 penalty units’**

Sections 97(1), 98(3), 102(3), 118(3) and 188(3)—

*omit* ‘Penalty: \$2 000’ (wherever occurring),

*insert*—

‘Maximum penalty—50 penalty units’.

**14. Section 100(1)—**

*omit* ‘Penalty: \$1 000’,

*insert*—

‘Maximum penalty—100 penalty units’.

**15. Section 105—**

*omit* ‘Penalty: For the first offence \$500; for any subsequent offence \$1 000.’,

## SCHEDULE 1 (continued)

*insert—*

‘Maximum penalty—

- (a) for a first offence—10 penalty units; and
- (b) for a subsequent offence—20 penalty units.’.

**16. Section 107(1)—**

*omit* ‘Penalty: For a first offence \$1 000; for any subsequent offence \$2 000.’,

*insert—*

‘Maximum penalty—

- (a) for a first offence—20 penalty units; and
- (b) for a subsequent offence—50 penalty units.’.

**17. ‘Penalty \$100’ to Maximum penalty—5 penalty units’**

Sections 113(3), 176(3), 185(4), 204(3) and 255(6)—

*omit* ‘Penalty: \$100’ (wherever occurring),

*insert—*

‘Maximum penalty—5 penalty units’.

**18. Section 149—**

*omit* ‘Penalty: For a first offence \$100; for any subsequent offence \$500.’,

*insert—*

‘Maximum penalty—

- (a) for a first offence—5 penalty units; and
- (b) for a subsequent offence—20 penalty units.’.

## SCHEDULE 1 (continued)

**19. Section 151(1)—**

*omit* ‘Penalty: For a first offence \$500; for any subsequent offence \$1 000.’,

*insert—*

‘Maximum penalty—

- (a) for a first offence—20 penalty units; and
- (b) for a subsequent offence—50 penalty units.’.

**20. Section 203(2)—**

*omit* ‘Penalty: \$1 500’,

*insert—*

‘Maximum penalty—30 penalty units’.

**21. Section 225—**

*omit* ‘penalty of \$500’, *insert* ‘maximum penalty of 20 penalty units’.

**22. Section 227(1)(f)—**

*omit* ‘\$20’, *insert* ‘5 penalty units’.

**23. Section 235(1)—**

*omit* ‘\$500’, *insert* ‘20 penalty units’.

**STATE HOUSING ACT 1945****1. Section 4—**

*insert—*

## SCHEDULE 1 (continued)

‘ **“chief executive (valuations)”** means the chief executive within the meaning of the *Valuation of Land Act 1944*;’.

**2. ‘Valuer-General’ to ‘chief executive (valuations)’**

Sections 22B(4)(d)(ii) and (e) and 24C(7) and (8)—  
*omit* ‘Valuer-General’ (wherever occurring),  
*insert* ‘chief executive (valuations)’.

**3. ‘with the Registrar of Titles’ to ‘in the land registry’**

Section 23B(8)(a)(ii)—  
*omit* ‘with the Registrar of Titles’, *insert* ‘in the land registry’.

**4. Section 24(6)(iiid)—**

*omit, insert—*

Section 285 of the *Land Act 1962* applies to a deed of grant issued under this Part.’.

**STATE HOUSING (FREEHOLDING OF LAND) ACT  
 1957**

**1. ‘Valuer-General’ to ‘chief executive (valuations)’**

Sections 5(2), (3) and (5) and 10C(2), (3) and (4)—  
*omit* ‘Valuer-General’ (wherever occurring),  
*insert* ‘chief executive (valuations)’.

**2. ‘Registrar of Dealings’ to ‘Registrar of Titles’**

Section 10(4)—



## SCHEDULE 1 (continued)

*omit* ‘Registrar of Dealings’, *insert* ‘Registrar of Titles’.

**3. Section 10I(4)—**

*omit, insert—*

‘(4) Section 285 of the *Land Act 1962* applies to a deed of grant issued under this Division.’.

**SURVEY CO-ORDINATION ACT 1952****1. ‘Surveyor-General’ to ‘chief executive’**

Sections 3(1) (definitions “**Permanent mark**”, “**Permanent mark sketch plan**” and “**State control survey**”), 4 to 10 and 12 to 21A—

*omit* ‘Surveyor-General’ (wherever occurring), *insert* ‘chief executive’.

**2. Section 3(1) (definitions “Department”, “Local Authority”, “Minister”, and “Surveyor-General”)—**

*omit.*

**3. Section 3(1)—**

*insert—*

“**chief executive**” means the chief executive of the department.’.

**4. Section 16(2)—**

*omit* ‘office of the Registrar of Titles’, *insert* ‘land registry’.

**5. Section 22(3)—**

*omit* ‘20’, *insert* ‘50’.

## SCHEDULE 1 (continued)

**6. After section 23—**

*insert—*

**‘Delegation**

**‘24.** The chief executive may delegate the chief executive’s powers under this Act to an officer or employee of the department.’.

**SURVEYORS ACT 1977****1. Omission of ‘, other than the member ex officio and his nominee under section 8(a)(ii),’**

Sections 11(1), 12(1), 14(1), (2) and (3) and 15(1)—

*omit ‘, other than the member ex officio and his nominee under section 8(a)(ii),’.*

**2. ‘Surveyor-General’ to ‘chief executive’**

Sections 12(1), 13(1) and (2), 52(1), (2), (3)(a) and (b), (4), (5)(a) and (b), (6) and (7), 54(1)(f), 68(3), (5)(b), (6) and (8) and 77(2)(b)—

*omit ‘Surveyor-General’ (wherever occurring), insert ‘chief executive’.*

**3. Long title—**

*omit ‘the qualifications and appointment of The Surveyor-General and Deputy Surveyors-General and’.*

**4. Section 5 (definition “Surveyor-General”)—**

*omit.*

**5. Section 5—**

*insert—*

## SCHEDULE 1 (continued)

‘**“chief executive”**’ means the chief executive of the department.’.

**6. After section 6—**

*insert—*

**‘Delegation**

‘**6A.** The chief executive may delegate the chief executive’s powers under this Act, or the chief executive’s powers under another Act with respect to surveys of land, to an officer or employee of the department.’.

**7. Section 9(a)—**

*omit* ‘shall’,

*insert* ‘if under section 8 the nominee is required to be a surveyor, must’.

**8. Section 13 (heading)—**

*omit* ‘Surveyor-General’, *insert* ‘Chief executive’.

**9. Section 13(1)—**

*omit* ‘two surveyors’,

*insert* ‘2 persons, at least 1 of whom is to be a licensed surveyor,’.

**10. Section 16(2)(b)—**

*omit* ‘on the recommendation of the Minister’.

**11. Section 19(3)—**

*omit* ‘Surveyor-General may, with the approval of the chief executive,’,

*insert* ‘chief executive may’.

## SCHEDULE 1 (continued)

**12. Section 20A(1)(d)—**

*omit, insert—*

‘(d) prescribed securities;’.

**13. Section 20A(2)(b)—**

*omit, insert—*

‘(b) is a prescribed person.’.

**14. Section 31—**

*omit* ‘of the Board who’, *insert* ‘who’.

**15. Section 34—**

(1) *omit* ‘or Colony within Her Majesty’s Dominions’,

*insert* ‘, Territory or member country of the Commonwealth of Nations’.

(2) *omit* ‘such State or Colony’,

*insert* ‘that State, Territory or member country’.

**16. Section 36—**

*omit.*

**17. Sections 37 to 38A—**

*omit, insert—*

**‘Qualifications of surveyors**

**‘37.(1)** A person is qualified to be registered as a surveyor if—

- (a) the person satisfies the Board that the person is of good fame and character and is a fit and proper person to be registered; and
- (b) either of the following subparagraphs apply to the person—

## SCHEDULE 1 (continued)

- (i) the person—
  - (A) possesses the prescribed academic qualifications; and
  - (B) has gained over a period of 2 years practical experience in surveying sufficient to satisfy the Board of the person's capacity to maintain a high level of performance in all aspects (ethical, administrative and technical) of the practice of surveying;
- (ii) the person is otherwise qualified as prescribed.

‘(2) The Board may, in a particular case, increase or reduce the period mentioned in subsection (1).

**‘Qualifications of surveying graduates**

‘38. A person is qualified to be registered as a surveying graduate if—

- (a) the person satisfies the Board that the person is of good fame and character and is a fit and proper person to be registered; and
- (b) the person—
  - (i) has completed a course of study acceptable to the Board; and
  - (ii) is the holder of a degree or diploma conferred after due examination by a prescribed educational institution or is the holder of a prescribed certificate issued after due examination by the Board.

**‘Qualifications of surveying associates**

‘38A. A person is qualified to be registered as a surveying associate if—

- (a) the person satisfies the Board that the person is of good fame and character and is a fit and proper person to be registered; and
- (b) either of the following paragraphs apply to the person—
  - (i) the person—
    - (A) has completed a course of study acceptable to the Board; and

## SCHEDULE 1 (continued)

- (B) is the holder of a diploma, certificate or other qualification conferred after due examination by a prescribed educational institution; and
- (C) has gained, over a period of 4 years, practical experience in surveying sufficient to satisfy the Board of the person's capacity to maintain a high level of performance in all technical aspects of the practice of surveying;

(ii) the person is otherwise qualified as prescribed.’.

**18. Section 39(3)(b)—**

*omit* ‘declaration under *The Oaths Acts, 1867 to 1960* (the taking of which being hereby authorized),

*insert* ‘statutory declaration’.

**19. Section 40(4)—**

*omit* ‘The Governor in Council may make regulations not inconsistent with this Act providing with respect to—’,

*insert* ‘A regulation may be made with respect to any of the following matters—’.

**20. Section 40(4)(f)—**

*omit*.

**21. Section 40(5)—**

*omit, insert—*

‘(5) The regulation does not limit the operation of Parts 4 and 5 in their application to bodies corporate as surveyors, licensed surveyors or consulting surveyors.’.

## SCHEDULE 1 (continued)

**22. Section 42A(4)—**

*omit* ‘Penalty: 40 penalty units’,

*insert—*

‘Maximum penalty—100 penalty units’.

**23. Section 47(1)—**

*omit* ‘Act and is liable to a penalty not exceeding \$2 000.’,

*insert* ‘Act.

Maximum penalty—100 penalty units.’.

**24. Section 47(3)—**

*omit* ‘Penalty: \$2 000.’,

*insert—*

‘Maximum penalty—100 penalty units.’.

**25. Section 47A(1)—**

*omit* ‘Penalty: \$400’,

*insert—*

‘Maximum penalty—50 penalty units.’.

**26. Section 47A(2)—**

*omit, insert—*

‘(2) A regulation may make provision with respect to the carrying on of the practice of surveying by individuals under business names that are required by the *Business Names Act 1962* to be registered under that Act.’.

## SCHEDULE 1 (continued)

**27. Section 48(1)—**

*omit* ‘Act and is liable to a penalty not exceeding \$2 000.’,

*insert* ‘Act.

Maximum penalty—100 penalty units.’.

**28. Section 49 (2nd sentence)—**

*omit, insert—*

‘(2) A person who contravenes subsection (1) commits an offence against this Act.

Maximum penalty—50 penalty units.’.

**29. Section 51—**

*omit* ‘Act and is liable to a penalty not exceeding \$2 000.’,

*insert* ‘Act.

Maximum penalty—50 penalty units.’.

**30. Section 53—**

*omit, insert—*

**‘Surveyor not to hold interest**

‘53. A surveyor who has been or is concerned in the survey of a claim, permit, licence or lease under the *Mineral Resources Act 1989* must not acquire, directly or indirectly, an interest in that claim, permit, licence or lease.

Maximum penalty—100 penalty units.’.

**31. Section 55(3)(c)—**

*omit* ‘Minister’, *insert* ‘Governor in Council’.



## SCHEDULE 1 (continued)

**32. Section 56—**

*omit, insert—*

**‘Appointment of committee members**

‘56. The Governor in Council is to appoint the persons to constitute a committee under section 55.’.

**33. Section 57(2)—**

*omit ‘Minister may’, insert ‘Governor in Council may’.*

**34. Section 57(3)—**

*omit ‘Minister’, insert ‘Governor in Council’.*

**35. Section 59D(1)—**

*omit ‘Penalty: 8 penalty units.’,*

*insert—*

‘Maximum penalty—20 penalty units.’.

**36. Section 59D(2)—**

*omit ‘Penalty: 8 penalty units.’,*

*insert—*

‘Maximum penalty—20 penalty units.’.

**37. Section 61(1)(b)—**

*omit ‘\$2 000’, insert ‘50 penalty units’.*

**38. Section 65(2)—**

(1) *omit ‘Supreme Court sitting as a Full Court’,*

## SCHEDULE 1 (continued)

*insert* ‘Court of Appeal’.

(2) *omit* ‘Supreme Court may’, *insert* ‘Court of Appeal may’.

**39. Section 65(3)—**

*omit*.

**40. Section 65A(1)(a)—**

*omit* ‘10’, *insert* ‘20’.

**41. Section 67(4)—**

*omit* ‘Act and is liable to a penalty of \$100.’,

*insert* ‘Act.

Maximum penalty—5 penalty units.’.

**42. Section 72(1)—**

*omit* ‘, in the case of a body corporate, \$2 000 or, in any other case, \$400.’,

*insert* ‘100 penalty units.’

**43. ‘Registrar of Titles, registrar of dealings’ to ‘land registry’**

Sections 76(1)(b) and 76A(1)(a)—

*omit* ‘Registrar of Titles, registrar of dealings’ (wherever occurring),

*insert* ‘land registry’.

**44. Omission of ‘, registrar of dealings’**

Section 76A(1)(c), (3) and (4)(b)—

*omit* ‘, registrar of dealings’ (wherever occurring).

## SCHEDULE 1 (continued)

**45. Section 77(1)(n)—***omit, insert—*

‘(n) creating offences and prescribing penalties of not more than 100 penalty units for the offences; and’.

**46. Sections 79 to 80—***omit, insert—***‘References to Surveyor-General**

‘79. A reference in any Act or document to the Surveyor-General is a reference to the chief executive.’.

**TORRES STRAIT ISLANDER LAND ACT 1991****Section 3.07(1)—***omit* ‘Secretary of the Land Administration Commission’,*insert* ‘chief executive of the department’.**VALUATION OF LAND ACT 1944****1. ‘Valuer-General’ to ‘chief executive’**

Sections 5 (definitions “**Owner**”, “**Parcel of land**”, “**prescribed form**” and “**Return**”), 8, 11 (heading), 11(4) (heading), 11A (heading), 11B (heading), 11B(1), 11C(4), 13(2)(c), (d), (g), (h), (i)(iii) and (k), (3), (4) and (7), 15(1) and (2), 16(2) (1st sentence), 16A, 16B, 16E(1), 16F(1) and (2), 16G(1) and (2), 16H, 16I, 16J(1), (2) and (3), 16K(1), 17(1) and (2)(b), 18(d), 19A(1), 20(1), (2), (2A), (3), (4) and (5), 21 (heading), 21(1), (2), (3), (3A)(c), (3B)(d), (3D), (3E), (3F) and (5), 21A, 21B, 22, 24A(1), (2), (3), (4) and (5), 26, 27 (heading), 27(1), (4) and (5), 27A, 28(1), (2), (2A), (3) and (4), 28A(1) and (2), 30(1) and (2), 31(1), (2), (3) and (4), 32(1), (2), (3), (4), (5), (6) and (7), 34, 35, 36, 38, 39, 40, 41, 43, 44, 45

## SCHEDULE 1 (continued)

and 46(1), (2), (3), (4), (5), (6), (7), (8), (9) and (10)—

*omit* ‘Valuer-General’ (wherever occurring), *insert* ‘chief executive’.

**2. Section 5 (definitions “land registration authority” and “Local Authority”)—**

*omit*.

**3. Section 5—**

*insert—*

‘“**chief executive**” means the chief executive of the department.’.

**4. Section 8 (last sentence)—**

*omit* ‘penalty of not less than \$10 or more than \$100’,

*insert* ‘maximum penalty of 10 penalty units’.

**5. Section 9—**

*omit, insert—*

**‘Delegation**

‘**9.** The chief executive may delegate the chief executive’s powers under this Act, or the chief executive’s powers under another Act with respect to the valuation or categorisation of land, to an officer or employee of the department.’.

**6. Section 11(1)(i)—**

(1) *renumber* as subsection (1).

(2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

## SCHEDULE 1 (continued)

**7. Section 11(1)(ii)—**

(1) *renumber* as subsection (2).

(2) *omit* ‘pursuant to the foregoing provisions of this subsection’,  
*insert* ‘under subsection (1)’.

**8. Section 11(1)(iii)—**

*renumber* as subsection (3).

**9. Section 11(1)(iv)—**

(1) *renumber* as subsection (4).

(2) *omit* ‘pursuant to this subsection’,  
*insert* ‘under subsections (1) to (10)’.

**10. Section 11(1)(v)—**

(1) *renumber* as subsection (5).

(2) *omit* ‘pursuant to this subsection’,  
*insert* ‘under subsections (1) to (10)’.

**11. Section 11(1)(va)—**

(1) *renumber* as subsection (6).

(2) *omit* ‘paragraph (vb)’, *insert* ‘subsection (7)’.

**12. Section 11(1)(vb)—**

(1) *renumber* as subsection (7).

(2) *omit* ‘paragraph (vii)’ (wherever occurring), *insert* ‘subsection (10)’.

(3) *omit* ‘12(1A)’, *insert* ‘12(1A)(a)’.

## SCHEDULE 1 (continued)

**13. Section 11(1)(vi)—**

*renumber* as subsection (8).

**14. Section 11(1)(vii) (1st sentence)—**

(1) *renumber* as subsection (9).

(2) *omit* ‘pursuant to this subsection’,  
*insert* ‘under this section (except subsection (7))’.

**15. Section 11(1)(vii) (2nd sentence)—**

(1) *renumber* as subsection (10).

(2) *omit* ‘In this paragraph’, *insert* ‘In subsection (9)’.

**16. Section 11(2) (heading)—**

*omit*.

**17. Section 11(2)(i) (1st sentence)—**

(1) *renumber* as subsection (11).

(2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

**18. Section 11(2)(i) (2nd sentence)—**

*renumber* as subsection (12).

**19. Section 11(2)(i) (3rd sentence)—**

(1) *renumber* as subsection (13).

(2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

(3) *omit* ‘he’, *insert* ‘the chief executive’.

(4) *omit* ‘by him under this paragraph’, *insert* ‘under subsection (11)’.

## SCHEDULE 1 (continued)

**20. Section 11(2)(i) (4th sentence)—**

- (1) *renumber* as subsection (14).
- (2) *omit* ‘Valuer-General under this paragraph’,  
*insert* ‘chief executive under subsection (11) or (13)’.

**21. Section 11(2)(ii)—**

- (1) *renumber* as subsection (15).
- (2) *omit* ‘by the Valuer-General’.

**22. Section 11(2)(iii)—**

- (1) *renumber* as subsection (16).
- (2) *omit* ‘pursuant to paragraph (ii) of this subsection’,  
*insert* ‘under subsection (15)’.

**23. Section 11(2)(iv) (1st sentence)—**

- (1) *renumber* as subsection (17).
- (2) *omit* ‘Notwithstanding the provisions of paragraph (ii) of this subsection’,  
*insert* ‘Despite subsection (15)’.
- (3) *omit* ‘pursuant to the said of paragraph (ii)’ (where twice occurring),  
*insert* ‘under subsection (15)’.
- (4) *omit* ‘paragraph (v) of this subsection’, *insert* ‘subsection (19)’.
- (5) *omit* ‘that paragraph’, *insert* ‘subsection (19)’.

**24. Section 11(2)(iv) (2nd sentence)—**

- (1) *renumber* as subsection (18).
- (2) *omit* ‘this paragraph (iv)’, *insert* ‘subsection (17)’.

## SCHEDULE 1 (continued)

**25. Section 11(2)(v) (1st sentence)—**

(1) *renumber* as subsection (19).

(2) *omit* ‘Notwithstanding the provisions of paragraph (ii) of this subsection’,

*insert* ‘Despite subsection (15)’.

(3) *omit* ‘pursuant to the provisions of paragraph (ii) of this subsection’,

*insert* ‘under subsection (15)’.

(4) *omit* ‘paragraph (iv) of this subsection’,

*insert* ‘subsections (17) and (18)’.

(5) *omit* ‘pursuant to paragraph (ii) of this subsection’,

*insert* ‘under subsection (15)’.

**26. Section 11(2)(v) (2nd sentence)—**

*renumber* as subsection (20).

**27. Section 11(2)(v) (proviso to 2nd sentence)—**

(1) *renumber* as subsection (21).

(2) *omit* ‘Provided that a valuation as aforesaid’,

*insert* ‘A valuation under subsections (19) and (20)’.

**28. Section 11(2)(va) (1st sentence)—**

(1) *renumber* as subsection (22).

(2) *omit* ‘paragraph (v)’ (wherever occurring),

*insert* ‘subsection (19)’.

(3) *omit* ‘pursuant to paragraph (ii)’, *insert* ‘under subsection (15)’.



## SCHEDULE 1 (continued)

**29. Section 11(2)(va) (2nd sentence)—**

- (1) *renumber* as subsection (23).
- (2) *omit* ‘pursuant to paragraph (ii)’, *insert* ‘under subsection (15)’.

**30. Section 11(2)(vi)—**

- (1) *renumber* as subsection (24).
- (2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.
- (3) *omit* ‘him’, *insert* ‘the chief executive’.

**31. Section 11(2A)(i)—**

- (1) *renumber* as subsection (25).
- (2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.
- (3) *omit* ‘he’ (wherever occurring), *insert* ‘the chief executive’.

**32. Section 11(2A)(ii)—**

- (1) *renumber* as subsection (26).
- (2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.
- (3) *omit* ‘he’ (wherever occurring), *insert* ‘the chief executive’.
- (4) *omit* ‘as aforesaid’, *insert* ‘under subsection (25)’.
- (5) *omit* ‘pursuant to subsection (2)’,  
*insert* ‘under subsections (11) to (24)’.

**33. Section 11(2A)(iii)—**

- (1) *renumber* as subsection (27).
- (2) *omit* ‘Valuer-General pursuant to paragraph (vi) of subsection (2) of this section’,  
*insert* ‘chief executive under subsection (24)’.

## SCHEDULE 1 (continued)

**34. Section 11(3)—**

- (1) *renumber* as subsection (28).
- (2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

**35. Section 11(4)—**

- (1) *renumber* as subsection (29).
- (2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

**36. Section 11A—**

- (1) *omit* ‘11(1)(i) of this Act’, *insert* ‘11(1)’.
- (2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

**37. Section 11D(2)—**

*omit* ‘11(1)(vii)’, *insert* ‘11(9) and (10)’.

**38. Section 13(1)—**

(1) *omit* ‘paragraph (ii) of subsection two of section eleven of this Act’ (wherever occurring),

*insert* ‘section 11(15)’.

(2) *omit* ‘under the said paragraph (ii)’ (wherever occurring),

*insert* ‘under section 11(15)’.

(3) *omit* ‘pursuant to the said paragraph (ii)’ (wherever occurring),

*insert* ‘under section 11(15)’.

(4) *omit* ‘paragraph (iv) or paragraph (v) of the said subsection (2), as the case requires’,

*insert* ‘section 11(17) to (18) or (19) to (21)’.

## SCHEDULE 1 (continued)

**39. Section 13(1A)—**

(1) *omit* ‘in accordance with the provisions of paragraph (ii) of subsection (2) of section 11 of this Act is postponed pursuant to the provisions of paragraph (iv) or paragraph (v) of that subsection’,

*insert* ‘under section 11(15) is postponed under section 11(17) to (18) or (19) to (21)’.

(2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

**40. Section 13(1B)—**

(1) *omit* ‘paragraph (iv) or paragraph (v) of subsection (2) of section 11 of this Act’,

*insert* ‘section 11(17) and (18) or (19) to (21)’.

(2) *omit* ‘paragraph (ii) of the said subsection (2)’,

*insert* ‘section 11(15)’.

(3) *omit* ‘the said paragraph (iv) or paragraph (v) as aforesaid’,

*insert* ‘section 11(17) and (18) or (19) to (21)’.

**41. Section 13(2)(f) (1st sentence)—**

(1) *omit* ‘the business of primary production’ (1st occurring),

*insert* ‘farming’.

(2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

(3) *omit* ‘paragraph (vii) of subsection (1) of section 11 of this Act’,

*insert* ‘section 11(9) and (10)’.

**42. Section 13(2)(f) (2nd sentence)—**

*omit*.

## SCHEDULE 1 (continued)

**43. Section 13(2)(j)—**

(1) *omit* ‘the business of primary production’ (wherever occurring),  
*insert* ‘farming’.

(2) *omit* ‘the provisions of paragraph (vii) of subsection (1) of section 11 of this Act’,

*insert* ‘section 11(9) and (10)’.

(3) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

**44. Section 13(2)(k) (3rd sentence)—**

*omit, insert—*

‘(2A) In subsection (2)—

“**farming**” has the same meaning as in section 11(10);

“**single dwelling house**” has the same meaning as in section 11(10).’.

**45. Section 13(2) (3rd last sentence)—**

(1) *renumber* as subsection (2B).

(2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

(3) *omit* ‘pursuant to this subsection’, *insert* ‘under subsection (2)’.

**46. Section 13(2) (2nd last sentence)—**

(1) *renumber* as subsection (2C).

(2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.

(3) *omit* ‘paragraph (k) of this subsection’,

*insert* ‘under subsection (2)(k)’.

## SCHEDULE 1 (continued)

**47. Section 13(2) (last sentence)—**

- (1) *renumber* as subsection (2D).
- (2) *omit* ‘pursuant to this subsection shall be deemed’,  
*insert* ‘under this section must be taken’.

**48. Section 13(5)—**

- (1) *omit* ‘Valuer-General’ (wherever occurring), *insert* ‘chief executive’.
- (2) *omit* ‘him pursuant to section 11(2)(i) or, as the case may be, to’,  
*insert* ‘the chief executive under section 11(11) or (13) or’.

**49. Section 14—**

- (1) *omit* ‘Valuer-General’, *insert* ‘chief executive’.
- (2) *omit* ‘a single business of primary production’, *insert* ‘farming’.

**50. Section 16(1)—**

- (1) *omit* ‘the Registrar-General’.
- (2) *omit* ‘every Local Deputy Registrar of Titles,’.
- (3) *omit* ‘Valuer-General’, *insert* ‘chief executive’.
- (4) *omit* ‘him’, *insert* ‘the chief executive’.

**51. Section 16(2) (2nd sentence)—**

- (1) *renumber* as subsection (2A).
- (2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.
- (3) *omit* ‘him’, *insert* ‘the chief executive’.
- (4) *omit* ‘he’, *insert* ‘the chief executive’.

## SCHEDULE 1 (continued)

**52. Section 16(2) (3rd sentence)—**

- (1) *renumber* as subsection (2B).
- (2) *omit* ‘Valuer-General’ (wherever occurring), *insert* ‘chief executive’.
- (3) *omit* ‘him’ (wherever occurring), *insert* ‘the chief executive’.

**53. Section 16(3) (1st sentence)—**

- (1) *omit* ‘Valuer-General’, *insert* ‘chief executive’.
- (2) *omit* ‘him’, *insert* ‘the chief executive’.

**54. Section 16(3) (2nd sentence)—**

- (1) *renumber* as subsection (4).
- (2) *omit* ‘Valuer-General’, *insert* ‘chief executive’.
- (3) *omit* ‘him’ (2nd occurring), *insert* ‘the chief executive’.

**55. Section 16A(1)(c)—**

- (1) *omit* ‘11(2)(ii)’, *insert* ‘11(15)’.
- (2) *omit* ‘11(2)(iv) or (v)’, *insert* ‘11(17) and (18) or (19) to (21)’.

**56. Section 17(1)(e)—**

*omit* ‘pursuant to paragraph (ii) of section 11(2)’,  
*insert* ‘under section 11(15)’.

**57. Section 17(1A)—**

*omit, insert—*

‘(1A) The day referred to in subsection (1)(e) must not include a postponed day under section 11(17) and (18) or (19) to (21).’.

## SCHEDULE 1 (continued)

**58. Section 19(3)—**

- (1) *omit* ‘Valuer-General’, *insert* ‘chief executive’.
- (2) *omit* ‘paragraph (ii) of subsection (2) of section 11 of this Act’,  
*insert* ‘section 11(15)’.
- (3) *omit* ‘pursuant to the said paragraph (ii)’,  
*insert* ‘under section 11(15)’.

**59. Section 20(3)(a)—**

- omit* ‘pursuant to the provisions of paragraph (iv) and (v) of subsection (2) of section 11’,  
*insert* ‘under section 11(17) to (21)’.

**60. Section 20(4)(c)—**

- omit* ‘13(2)’, *insert* ‘13(2) to (2C)’.

**61. Section 21(6)—**

- (1) *omit* ‘Valuer-General’, *insert* ‘chief executive’.
- (2) *omit* ‘Full Court of the Queensland Supreme Court’,  
*insert* ‘Court of Appeal’.

**62. Section 21(8)—**

- (1) *omit* ‘Supreme Court of Queensland shall’,  
*insert* ‘Court of Appeal must’.
- (2) *omit* ‘Full Court of the Supreme Court of Queensland’,  
*insert* ‘Court of Appeal’.

## SCHEDULE 1 (continued)

**63. Section 21(9)—**

(1) *omit* ‘A Judge of the Supreme Court’,  
*insert* ‘The President or a Judge of the Court of Appeal’.

(2) *omit* ‘him’, *insert* ‘that person’.

(3) *omit* ‘he’, *insert* ‘that person’.

**64. Section 26(1)(ba)—**

*omit* ‘pursuant to section 11(2)(ii)’, *insert* ‘under section 11(15)’.

**65. Section 31A(10)—**

*omit* ‘land registration authority’, *insert* ‘land registry’.

**66. Section 33—**

*omit*.

**67. Section 38—**

*omit* ‘offence and liable on conviction to a penalty of not less than \$4 or more than \$40.’,

*insert* ‘offence against this Act.

Maximum penalty—5 penalty units.’.

**68. Section 39—**

*omit* ‘offence and liable on a conviction to a penalty of not less than \$4 or more than \$40.’,

*insert* ‘offence against this Act.

Maximum penalty—5 penalty units.’.



## SCHEDULE 1 (continued)

**69. Section 40—**

*omit* ‘offence and be liable on conviction to a penalty of not less than \$4 or more than \$40.’,

*insert* ‘offence against this Act.

Maximum penalty—5 penalty units.’.

**70. Section 41—**

*omit* ‘offence, and liable to a penalty of not less than \$4 or more than \$40.’,

*insert* ‘offence against this Act.

Maximum penalty—5 penalty units.’.

**71. Section 42—**

*omit* ‘offence, and liable to a penalty of not less than \$10 or more than \$100.’,

*insert* ‘offence against this Act.

Maximum penalty—5 penalty units.’.

**72. Section 43—**

*omit* ‘offence, and liable to a penalty of not less than \$10 or more than \$40.’,

*insert* ‘offence against this Act.

Maximum penalty—5 penalty units.’.

## SCHEDULE 1 (continued)

**VALUERS REGISTRATION ACT 1992****1. Section 35(3)—**

*omit '2', insert '20'.*

**2. Section 41—**

*omit '35', insert '50'.*

**3. Section 45(4)—**

*omit '10', insert '20'.*

**4. Section 47(2)—**

*omit '10', insert '20'.*

**5. Section 57(1)—**

*omit '8', insert '20'.*

**6. Section 57(2)—**

*omit '8', insert '20'.*

**7. Section 62—**

*omit '10', insert '50'.*

**SCHEDULE 2****REPEALS**

section 4

*Anzac Cottages and T.B.Homes Act 1960*

*Babinda Township (Lands) Act 1962*

*Brisbane City Council (Lands Purchase) Act 1962*

*Brisbane City Square Act 1966*

*Building Units and Group Titles Act Amendment Act 1983*

*Building Units and Group Titles Act Amendment Act 1988*

*Building Units and Group Titles Act Amendment Act 1990*

*City of Townsville (Lands Purchase) Act 1965*

*Ipswich Trades Hall (Validation) Act 1989*

*Land Act (Aboriginal and Islander Land Grants) Amendment Act 1984*

*Land Act Amendment Act 1970*

*Land Act Amendment Act 1974*

*Land Act Amendment Act 1978*

*Land Act Amendment Act 1983*

*Land Act Amendment Act 1985*

*Land Act Amendment Act 1986*

*Land Act Amendment Act 1986 (No. 2)*

*Land Act Amendment Act 1990*

*Land Act Amendment and Pastoralists' Assistance Act 1974*

*Land Act Amendment and Primary Producers' Assistance Act 1971*

*Land Act and Another Act Amendment Act 1975*

## SCHEDULE 2 (continued)

*Land Act and Another Act Amendment Act 1981*

*Land Act and Another Act Amendment Act 1990*

*Land Act and Other Acts Amendment Act 1973*

*Land Acts Amendment Act 1964*

*Land Acts Amendment Act 1965 (No. 2)*

*Land Acts Amendment Act 1967*

*Land Acts Amendment Act 1968*

*Land Acts Amendment Act 1968 (No. 2)*

*Land Acts and Other Acts Amendment Act 1958*

*Miners' Homestead Leases Act Amendment Act 1913*

*Miners' Homestead Leases Act Amendment Act 1975*

*Miners' Homestead Leases Act Amendment Act 1976*

*Miners' Homestead Leases Act Amendment Act 1978*

*Miners' Homestead Leases Act Amendment Act 1979*

*Miners' Homestead Leases Act and Another Act Amendment Act 1990*

*Miners' Homestead Leases Act and Mining Titles Freeholding Act Amendment Act 1986*

*Miners' Homestead Leases Acts Amendment Act 1947*

*Miners' Homestead Leases Acts Amendment Act 1951*

*Miners' Homestead Leases Acts Amendment Act 1957*

*Miners' Homestead Leases Acts Amendment Act 1964*

*Miners' Homestead Leases Acts Amendment Act 1965*

*Miners' Homestead Perpetual Leases Act Amendment Act 1921*

*Mining Titles Freeholding Act Amendment Act 1983*

*Mining Titles Freeholding Act Amendment Act 1989*

*Queensland Government (Land Holding) Amendment Act 1992*

## SCHEDULE 2 (continued)

*Scartwater Station Trust Extension Act Amendment Act 1960  
Amendment Act 1981*

*Scartwater Station Trust Extension Act Amendment Act 1986*

*Scartwater Station Trust Extension Act Amendment Act 1988*

*Scartwater Station Trust Extension Act Amendment Act 1989*

*Stock Routes and Rural Lands Protection Board Validation Act 1986*

*Survey Co-ordination Act Amendment Act 1981*

*Survey Co-ordination Act Amendment Act 1987*

*Surveyors Act Amendment Act 1978*

*Surveyors Act Amendment Act 1978 (No. 2)*

*Surveyors Act Amendment Act 1980*

*Surveyors Act Amendment Act 1983*

*Surveyors Act Amendment Act 1987*

*Surveyors Act Amendment Act 1989*

*Surveyors Amendment Act 1991*

*Valuation of Land Act Amendment Act 1974*

*Valuation of Land Act Amendment Act 1975*

*Valuation of Land Act Amendment Act 1977*

*Valuation of Land Act Amendment Act 1977 (No. 2)*

*Valuation of Land Act Amendment Act 1984*

*Valuation of Land Act Amendment Act 1987*

*Valuation of Land Act and Another Act Amendment Act 1971*

*Valuation of Land Acts Amendment Act 1947*

*Valuation of Land Acts Amendment Act 1949*

*Valuation of Land Acts Amendment Act 1950*

*Valuation of Land Acts Amendment Act 1951*

## SCHEDULE 2 (continued)

*Valuation of Land Acts Amendment Act 1953*

*Valuation of Land Acts Amendment Act 1958*

*Valuation of Land Acts Amendment Act 1959*

*Valuation of Land Amendment Act 1992*

**SCHEDULE 3****CONSEQUENTIAL REPEALS**

section 5

*Real Property Act (Local Registries) Act 1887**Registrar of Titles Act 1884*