



Electronic Conveyancing National Law (Queensland) Act 2013

Current as at 18 June 2021

Reprint note

The 2021 Act No. 12 amendments commenced 18 June 2021 at 11.59pm.

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Queensland

Electronic Conveyancing National Law (Queensland) Act 2013

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Electronic Conveyancing National Law (Queensland) Act 2013

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

Part 1 Preliminary

1 Short title

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

2 Commencement

- (1) This Act, other than sections 38 and 39, commences on a day or days to be fixed by proclamation.
- (2) Different days may be appointed under subsection (1) for the commencement of different provisions of the Electronic Conveyancing National Law set out in the appendix to the *Electronic Conveyancing (Adoption of National Law) Act 2012* of New South Wales.
- (3) The *Acts Interpretation Act 1954*, section 15DA does not apply to this Act.

3 Definitions

- (1) For the purposes of this Act, the ***local application provisions of this Act*** are the provisions of this Act other than the Electronic Conveyancing National Law (Queensland).
- (2) In the local application provisions of this Act—

- (3) Failure to comply with subsection (2) does not affect the application of the amendment under section 4.

6 **Meaning of generic terms in Electronic Conveyancing National Law for the purposes of this jurisdiction**

In the Electronic Conveyancing National Law (Queensland)—

land titles legislation means any of the following—

- (a) the *Body Corporate and Community Management Act 1997*;
- (b) the *Building Units and Group Titles Act 1980*;
- (c) the *Integrated Resort Development Act 1987*;
- (d) the *Land Act 1994*;
- (e) the *Land Title Act 1994*;
- (f) the *Mixed Use Development Act 1993*;
- (g) the *Registration of Plans (H.S.P. (Nominees) Pty. Limited) Enabling Act 1980*;
- (h) the *Registration of Plans (Stage 2) (H.S.P. (Nominees) Pty. Limited) Enabling Act 1984*;
- (i) the *Sanctuary Cove Resort Act 1985*;
- (j) the *South Bank Corporation Act 1989*;
- (k) the *Water Act 2000*;
- (l) any other Act prescribed under a regulation for this definition;
- (m) a regulation made under an Act mentioned in any of paragraphs (a) to (k) or prescribed under paragraph (l);
- (n) any other law of this jurisdiction that authorises or requires something to be deposited, registered, noted or recorded in a titles register.

Registrar means—

- (a) for approving the form of a document under section 7 of the Electronic Conveyancing National Law (Queensland), or receiving or processing a document under section 8 of the Law—
 - (i) for the purposes of a function under the *Land Act 1994*—the registrar of titles under the *Land Title Act 1994*; or
 - (ii) for the purposes of the *Water Act 2000*, chapter 2, part 3, division 4, subdivision 4—the registrar under that Act; or
- (b) otherwise—the registrar of titles under the *Land Title Act 1994*.

registry instrument means any document that may be lodged under the land titles legislation for—

- (a) creating, transferring, disposing of, mortgaging, charging, leasing or dealing with in any other way an estate or interest in land or a water allocation; or
- (b) getting something registered, noted or recorded in the titles register; or
- (c) getting the registration, note or record of something in the titles register changed, withdrawn or removed.

this jurisdiction means Queensland.

titles register means—

- (a) any of the registers kept under—
 - (i) the *Land Title Act 1994*, section 7; or
 - (ii) the *Land Act 1994*, section 276; or
- (b) the water allocations register kept under the *Water Act 2000*, section 168; or
- (c) any other register prescribed under a regulation for this definition.

7 Responsible tribunal for Electronic Conveyancing National Law (Queensland)

QCAT is the responsible tribunal for this jurisdiction for the purposes of the Electronic Conveyancing National Law (Queensland).

8 Exclusion of interpretation legislation of this jurisdiction

The *Acts Interpretation Act 1954* does not apply to the Electronic Conveyancing National Law (Queensland) or to instruments made under that Law.

Part 3 Provision specific to this jurisdiction

9 Review of decision by QCAT as responsible tribunal

A reference in the Electronic Conveyancing National Law (Queensland) to an appeal against a decision is, for an appeal to QCAT as the responsible tribunal, a reference to a review of the decision as provided under the QCAT Act.

Part 4 Miscellaneous

10 Regulation-making power

The Governor in Council may make regulations under this Act.