

REAL PROPERTY.

No. 40 of 1972.

AN ACT to amend the *Real Property Act 1862*. [7 December 1972.]

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

Short title and citation.

1—(1) This Act may be cited as the *Real Property Act 1972*.

(2) The *Real Property Act 1862*, as subsequently amended, is in this Act referred to as the Principal Act.

Proprietor may deposit map.

2 Section one hundred and three of the Principal Act is amended by omitting subsection (3) and substituting therefor the following subsection:—

“(3) Every such map shall comply with the requirements of the Recorder, expressed generally or for the particular case, and be certified as correct by a surveyor registered and certificated under the *Land Surveyors Act 1909*.”.

3 Section one hundred and four of the Principal Act is repealed and the following section is substituted therefor:—

Recorder may require map to be deposited.

“104—(1) The Recorder may require the proprietor applying to have land brought under the provisions of this Act, or desiring to transfer or otherwise deal with land, to deposit with the Recorder a map or plan of the land complying with the requirements of the Recorder, expressed generally or for the particular case, and certified as correct by a surveyor registered and certificated under the *Land Surveyors Act 1909*.

“(2) If the proprietor neglects or refuses to comply with the Recorder’s requirements, the Recorder may refuse to proceed with the bringing of the land under the provisions of this Act or with the registration of the transfer or other dealing.”.

Title by possession, application for.

4 Section one hundred and forty-six of the Principal Act is amended by omitting from subsection (3) the words “by a government surveyor” and substituting therefor the words “as correct by a surveyor registered and certificated under the *Land Surveyors Act 1909*”.