
Division 3	Amendments commencing on 1 July 2019	1 2
Clause 240	Amendment of s 41C (Application of provisions of Act to common property)	3 4
	Section 41C(3), first dot point—	5
	<i>omit.</i>	6
Clause 241	Omission of pt 3, div 3 (Certificates of title)	7
	Part 3, division 3—	8
	<i>omit.</i>	9
Clause 242	Omission of s 75 (Equitable mortgage)	10
	Section 75—	11
	<i>omit.</i>	12
Clause 243	Omission of s 154 (Returning certificate of title for cancellation)	13 14
	Section 154—	15
	<i>omit.</i>	16
Clause 244	Amendment of s 164 (Dispensing with production of paper instrument)	17 18
	(1) Section 164(3) and (4)—	19
	<i>omit.</i>	20
	(2) Section 164(5)—	21
	<i>renumber</i> as section 164(3).	22

[s 245]

Clause 245	Amendment of s 166 (Destroying instrument in certain circumstances)	1 2
	(1) Section 166(5) to (7)—	3
	<i>omit.</i>	4
	(2) Section 166(8)—	5
	<i>renumber</i> as section 166(5).	6
Clause 246	Amendment of s 189 (Matters for which there is no entitlement to compensation)	7 8
	Section 189(2)—	9
	<i>insert</i> —	10
	<i>certificate of title</i> means a certificate of title	11
	issued under this Act before the commencement	12
	of the <i>Land, Explosives and Other Legislation</i>	13
	<i>Amendment Act 2018</i> , part 9, division 3.	14
Clause 247	Insertion of new pt 12, div 7, sdiv 2	15
	Part 12, division 7, as inserted by this Act—	16
	<i>insert</i> —	17
	Subdivision 2 Certificates of title	18
	214 Definition for subdivision	19
	In this subdivision—	20
	<i>certificate of title</i> means a certificate of title	21
	issued under this Act before the commencement.	22
	215 Certificates of title cease to be instruments	23
	(1) On the commencement, a certificate of title—	24
	(a) ceases to be an instrument under this Act;	25
	and	26

(b)	ceases to be evidence, conclusive or otherwise, of the indefeasible title for the lot for which it was issued.	1 2 3
(2)	To remove any doubt, it is declared that subsection (1) does not affect—	4 5
(a)	the indefeasible title for the lot for which the certificate of title was issued; or	6 7
(b)	any interest in the lot for which the certificate of title was issued.	8 9
216	Registration of particular instruments lodged before commencement without certificate of title	10 11 12
(1)	This section applies to an instrument lodged before the commencement if—	13 14
(a)	the instrument could not be registered for a lot because the certificate of title for the lot had not been returned for cancellation as required under former section 154; and	15 16 17 18
(b)	immediately before the commencement, the instrument had not been rejected under section 157(1).	19 20 21
(2)	The instrument may be registered despite the noncompliance with former section 154.	22 23
(3)	In this section—	24
	<i>former section 154</i> means section 154 as in force from time to time before the commencement.	25 26
217	Provisions of other Acts relating to certificates of title	27 28
	To the extent a provision of another Act requires or permits a person to take an action in relation to a certificate of title, the provision is taken, from the commencement, not to apply.	29 30 31 32
