

South Australia

Conveyancers Variation Regulations 2008

under the *Conveyancers Act 1994*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Conveyancers Variation Regulations 2008*.

2—Commencement

These regulations will come into operation on the day on which the *Statutes Amendment (Real Estate Industry Reform) Act 2007* comes into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Conveyancers Regulations 1995*

4—Variation of regulation 3—Interpretation

Regulation 3(2)—delete subregulation (2)

5—Deletion of regulation 4

Regulation 4—delete the regulation

6—Insertion of regulation 18A

After regulation 18 insert:

18A—Establishment and determination of claims

- (1) For the purposes of section 34(2)(a) of the Act, written notice of the claim (citing a unique reference number by which the claim may be identified) must be given to the claimant and conveyancer or former conveyancer informing them of the Commissioner's receipt of the claim and including—
 - (a) in the case of a notice given to the conveyancer or former conveyancer—details of the claimant's name and any other contact details made available by the claimant for that purpose;
 - (b) in all cases, an explanation of—
 - (i) the parties' rights to make submissions as to the claim under section 34(2)(b) of the Act; and
 - (ii) the parties' rights of appeal under section 37 of the Act against a determination of the claim by the Commissioner.
- (2) For the purposes of section 34(5) of the Act, the Commissioner must—
 - (a) within 6 months after a claim is made, provide the claimant with a report as to the progress of the claim; and
 - (b) provide the claimant with subsequent progress reports, each within 6 months after the previous such report, until such time as the claim is determined.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 3 July 2008

No 207 of 2008

MCA07/051CS