

**Legislative Council—No 84**

As received from the House of Assembly and read a first time, 18 September 2012

South Australia

**Real Property (Access to Information) Amendment  
Bill 2012**

A BILL FOR

An Act to amend the *Real Property Act 1886*.

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

### Part 2—Amendment of *Real Property Act 1886*

- 3 Substitution of section 65
  - 65 Search allowed
  - 4 Amendment of section 93—Execution and registration of Crown Lease
- 

## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

This Act may be cited as the *Real Property (Access to Information) Amendment Act 2012*.

#### 5 2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

### Part 2—Amendment of *Real Property Act 1886*

#### 3—Substitution of section 65

- 10 Section 65—delete the section and substitute:

##### 65—Search allowed

- 15 (1) Subject to this section, any person may have access to the Register Book, and to all instruments lodged or deposited in the Lands Titles Registration Office, for the purpose of inspection during the hours, and on the days, appointed for search.
- 20 (2) If, on the application of a person whose particulars are, or are to be, contained in the Register Book or in any instruments lodged or deposited in the Lands Titles Registration Office, the Registrar-General is satisfied that access under this section to any such particulars would be likely to place at risk the personal safety of the person, a member of the person's family or any other person, the Registrar-General may take such measures as he or she thinks fit to prevent or to restrict access to those particulars.
- 25 (3) An application under subsection (2) must be in the appropriate form and must contain such particulars, and be supported by such evidence, as the Registrar-General may require.

(4) The Registrar-General may take such measures as he or she thinks fit to prevent or restrict access to any particulars the subject of an application under subsection (2) while the application is being determined.

5 (5) Nothing prevents the Registrar-General varying or revoking any measures taken under subsection (2) or (4) if he or she thinks fit.

#### **4—Amendment of section 93—Execution and registration of Crown Lease**

Section 93—after subsection (3) insert:

10 (4) Subject to this section, any person may have access to the Register of Crown Leases, and to all instruments affecting registered Crown Leases lodged in the Lands Titles Registration Office, for the purpose of inspection during the hours, and on the days, appointed for search.

15 (5) If, on the application of a person whose particulars are, or are to be, contained in the Register of Crown Leases, the Registrar-General is satisfied that access under this section to any such particulars would be likely to place at risk the personal safety of the person, a member of the person's family or any other person, the Registrar-General may take such measures as he or she thinks fit to prevent or to restrict  
20 access to those particulars.

(6) An application under subsection (5) must be in the appropriate form and must contain such particulars, and be supported by such evidence, as the Registrar-General may require.

25 (7) The Registrar-General may take such measures as he or she thinks fit to prevent or restrict access to any particulars the subject of an application under subsection (5) while the application is being determined.

(8) Nothing prevents the Registrar-General varying or revoking any measures taken under subsection (5) or (7) if he or she thinks fit.