

South Australia

Electronic Transactions Variation Regulations 2004

under the *Electronic Transactions Act 2000*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Electronic Transactions Variation Regulations 2004*.

2—Commencement

These regulations come into operation on the day on which they are made.

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 *Electronic Transactions Regulations 2002*

4—Variation of regulation 4—Certain transactions excluded from section 7(1) of Act

- (1) Regulation 4—delete "Section 7(1)" and substitute:
 - Subject to subregulation (2), section 7(1)
 - (2) Regulation 4—after its present contents as varied by this regulation (now to be designated as subregulation (1)) insert:
 - (2) Paragraphs (a) and (b) of subregulation (1) do not apply to a law relating to—
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- (a) an application for a development authorisation relating to the proposed division of land under section 33(1) of the *Development Act 1993*; or
- (b) a certificate relating to the proposed division of land under section 51 of the *Development Act 1993* (including where the certificate is being used for the purposes of another Act); or
- (c) a plan relating to the division of land or the amalgamation of allotments under Part 19AB of the *Real Property Act 1886*; or
- (d) a plan relating to the division of land or the amalgamation of 2 or more deposited community plans under Part 3 or 7 of the *Community Titles Act 1996* (including a plan for the amendment, substitution or cancellation of an existing plan); or
- (e) a plan relating to the division of land or the amalgamation of 2 or more deposited strata plans under Part 2 of the *Strata Titles Act 1988* (including a plan for the amendment, substitution or cancellation of an existing plan); or
- (f) a certificate of a licensed surveyor required under the *Real Property Act 1886*, the *Community Titles Act 1996* or the *Strata Titles Act 1988*; or
- (g) a certificate of a land valuer required under the *Community Titles Act 1996* or the *Strata Titles Act 1988*.

5—Variation of regulation 5—Certain requirements and permissions excluded from Part 2 Division 2 of Act

- (1) Regulation 5(1)—delete "Division 2" and substitute:
 - Subject to subregulation (3), Division 2
- (2) Regulation 5—after subregulation (2) insert:
 - (3) Paragraphs (a) and (b) of subregulation (1) do not apply to a law relating to—
 - (a) an application for a development authorisation relating to the proposed division of land under section 33(1) of the *Development Act 1993*; or
 - (b) a certificate relating to the proposed division of land under section 51 of the *Development Act 1993* (including where the certificate is being used for the purposes of another Act); or
 - (c) a plan relating to the division of land or the amalgamation of allotments under Part 19AB of the *Real Property Act 1886*; or

- (d) a plan relating to the division of land or the amalgamation of 2 or more deposited community plans under Part 3 or 7 of the *Community Titles Act 1996* (including a plan for the amendment, substitution or cancellation of an existing plan); or
- (e) a plan relating to the division of land or the amalgamation of 2 or more deposited strata plans under Part 2 of the *Strata Titles Act 1988* (including a plan for the amendment, substitution or cancellation of an existing plan); or
- (f) a certificate of a licensed surveyor required under the *Real Property Act 1886*, the *Community Titles Act 1996* or the *Strata Titles Act 1988*; or
- (g) a certificate of a land valuer required under the *Community Titles Act 1996* or the *Strata Titles Act 1988*.

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 29 April 2004

No 21 of 2004

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