

**ACTS AMENDMENT  
(STRATA TITLES).**

---

**No. 40 of 1985.**

---

**AN ACT to amend the Sale of Land Act 1970, the Real Estate and Business Agents Act 1978, the Valuation of Land Act 1978 and the Land Tax Assessment Act 1976.**

*[Assented to 13 May 1985.]*

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

**PART I.—PRELIMINARY.**

**1.** This Act may be cited as the *Acts Amendment (Strata Titles) Act 1985.* Short title.

Commence-  
ment.

2. This Act shall come into operation on the day fixed for the coming into operation of the Strata Titles Act 1985.

PART II.—SALE OF LAND ACT 1970.

Principal  
Act.  
Reprinted as  
approved  
8 May 1978  
and  
amended by  
Act No. 10  
of 1982.

3. In this Part, the Sale of Land Act 1970 is referred to as the principal Act.

Section 12  
repealed.

4. Section 12 of the principal Act is repealed.

Section 13  
amended.

5. Section 13 of the principal Act is amended in subsection (1)—

(a) by inserting after “proposed subdivision” the following—

“ , or two or more lots in the case of a subdivision or proposed subdivision effected or continued under the Strata Titles Act 1985, ”; and

(b) in paragraph (c), by inserting after “transaction” the following—

“ or as one of two or more lots so sold in the case of lots in a subdivision or proposed subdivision effected or continued under the Strata Titles Act 1985 ”.

Section 14  
amended.

6. Section 14 of the principal Act is amended—

(a) in subsection (1), by inserting after “proposed subdivision” the following—

“ , or two or more lots in the case of a subdivision or proposed subdivision effected or continued under the Strata Titles Act 1985, ”; and

1985.] *Acts Amendment (Strata Titles)*. [No. 40.

(b) in subsection (2), by inserting after "transaction" in paragraph (a) the following—

“ or as one of two or more lots so sold in the case of a subdivision or proposed subdivision effected or continued under the Strata Titles Act 1985 ”.

7. Section 15 of the principal Act is amended by inserting after subsection (2) the following subsections—

Section 15  
amended.

“ (3) Where the Minister considers that a person had, immediately prior to the coming into operation of the Acts Amendment (Strata Titles) Act 1985, legal obligations or other commitments in respect of any land, by reason of which it would be unreasonable for the restrictions of sections 13 and 14, or any one of them, to apply to the sale of that land, or any part of it, by that person, the Minister may, by a notice published in the *Government Gazette* within 12 months after the coming into operation of the Acts Amendment (Strata Titles) Act 1985, exempt that person from those restrictions in respect of the sale of that land or any part of it, on such terms and conditions as the Minister thinks fit and are specified in the notice.

(4) Where the Minister has granted an exemption under subsection (1), he may by notice published in the *Government Gazette* at any time, revoke the exemption or vary it, as specified in the notice, as to the land or any part of it in respect of which, or the terms and conditions on which, it was granted. ”.

PART III.—REAL ESTATE AND BUSINESS  
AGENTS ACT 1978.

Section 4  
amended.  
Reprinted as  
approved  
23 February  
1982 and  
amended by  
Acts Nos. 10  
and 29 of  
1982 and 77  
of 1984.

8. Section 4 of the Real Estate and Business Agents Act 1978 is amended—

(a) in subsection (1), by inserting after the definition of “section” the following definition—

“ “strata company” means a strata company constituted or deemed to be constituted under the Strata Titles Act 1985; ”; and

(b) by inserting after subsection (3) the following subsection—

“ (3a) For the purposes of this Act, moneys collected by an agent for or on behalf of a strata company are deemed to be moneys collected by the agent in respect of a real estate transaction. ”.

PART IV.—VALUATION OF LAND ACT 1978.

Section 24  
amended.

9. Section 24 of the Valuation of Land Act 1978 is amended by deleting “section 21 of the Strata Titles Act 1966” and substituting the following—

“ sections 62 and 63 of the Strata Titles Act 1985 ”.

Section 37  
amended.  
Reprinted as  
approved  
2 February  
1983 and  
amended by  
Acts Nos. 10,  
25 and 43  
of 1984.

10. Section 37 of the Valuation of Land Act 1978 is amended in paragraph (c) by deleting “subsection (3) of section 21 of the Strata Titles Act 1966” and substituting the following—

“ section 60 of the Strata Titles Act 1985 ”.

PART V.—LAND TAX ASSESSMENT ACT 1976.

Schedule  
amended.  
Reprinted as  
approved  
1 December  
1982 and  
amended by  
Act No. 87  
of 1984.

11. Clause 11 of Part I of the Schedule to the Land Tax Assessment Act 1976 is amended in paragraph (a) by deleting “Strata Titles Act 1966” and substituting the following—

“ Strata Titles Act 1985 ”.