

AUSTRALIAN CAPITAL TERRITORY

Registration of Deeds (Amendment) Ordinance 1985

No. 22 of 1985

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 30 May 1985.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

G. SCHOLLES
Minister of State for Territories

An Ordinance to amend the *Registration of Deeds Ordinance 1957*

Short title

1. This Ordinance may be cited as the *Registration of Deeds (Amendment) Ordinance 1985*.¹

Repeal

2. The Registration of Deeds Act, 1897 of the State of New South Wales shall cease to be in force in the Territory.

3. After section 4 of the *Registration of Deeds Ordinance 1957*² the following sections are inserted:

Priority according to registration

“4A. (1) All deeds affecting any land, estate or interest in land, or other property, in the Territory which are executed or made in good faith and for valuable consideration and are registered under this Ordinance, shall have priority according to the sequence of their registration only.

“(2) A deed registered under this Ordinance shall not lose any priority to which it would otherwise be entitled by reason only of bad faith in the conveying party if the party beneficially taking under that deed acted in good faith and there was valuable consideration given.

Mistakes in registration

“4B. The registration of a deed under this Ordinance shall not be defeated or made ineffectual by reason of any omission, misdescription or error if the identity of the deed is established and the requirements of the Ordinance have been substantially complied with in relation to the registration of that deed.”.

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on 7 June 1985.
2. No. 13, 1957 as amended by No. 19, 1966; Nos. 18 and 49, 1977; No. 25, 1978; No. 14, 1980; No. 79, 1982; No. 40, 1983.