

be made and certified by a licensed surveyor and, subject to the requirements of the *Land Surveyors Act 1958*, shall comply with any requirements of the Registrar.

(3) The Registrar may dispense with surveys in so far as there is sufficient survey information available to the Office of Titles.

Abutments used  
in description  
of land in  
certificate.  
No. 5842 s. 96.

96. (1) In any certificate of title the land may be described by its abutments in addition to but not in substitution for dimensions, unless the Registrar specially authorizes the land or any boundary of the land to be described by abutments only.

(2) Mention of an abuttal in any certificate of title shall not give title to the abuttal or be evidence of the title of any person who is referred to in the description as owner or occupier of the land upon which any abuttal stands or of any land constituting an abuttal.

Requirements  
as to plans of  
subdivision  
&c.  
No. 5842 s.  
97.

Ss. (1) amended  
by S.R. 152/1974  
Cl. 2.

97. (1) Where any proprietor subdividing any land (including, without affecting the generality thereof, any building) into two or more parts is under this Division required by the Registrar to lodge a plan of such land the plan shall show clearly all roads streets passages thoroughfares squares reserves or easements (if any) appropriated or set apart for the use of proprietors and also all allotments into which the land is divided marked with distinctive numbers or symbols and the area of each allotment (where it contains 4000 square metres or more).

Ss. (2) amended  
by No. 6872 s. 9  
(3), repealed by  
No. 8531 s. 2 (2).

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Ss. (2A) inserted  
by No. 6875 s. 27  
(d); amended by  
Nos. 7052 s. 4  
(a), (b), and  
7130 s. 2 (b);  
substituted by  
No. 7272 s. 8 (2)  
(a).

(2A) The Registrar shall not approve any plan of subdivision to which the provisions of section five hundred and sixty-nine of the *Local Government Act 1958* apply unless—

(a) the plan is in accord with the plan sealed by the council of the municipality; and

(b) he is satisfied—

(i) that there has been no contravention of the provisions of section nine of the *Sale of Land Act 1962*; or

(ii) if there has been any such contravention—that the contravention was due to inadvertence and that approval of

Sub-Para.  
(i) amended by  
No. 7888 s. 5  
(a).

the plan has been consented to by every person to whom there has been a sale of any allotment on the plan ;  
or

whether or not the contravention was due to inadvertence, that approval of the plan has been consented to by an arbitrator appointed under the *Sale of Land Act 1962*.

(2B) The Registrar shall not approve a plan of strata subdivision to which Part I. of the *Strata Titles Act 1967* applies unless the plan has been sealed by the council under that Part.

Ss. (2B) inserted by No. 7551 s. 49 (b).

(3) The Registrar may in respect of any instrument or dealing relating to land, whether such land is the subject of a lodged plan or not, require the consent of the council of the municipality in the municipal district of which the land is situate before registering such instrument or dealing.

(4) After the plan of subdivision has been approved by the Registrar the numbers of the allotments marked upon the plan may be used to describe the land for the purpose of dealings with any allotment according to the plan of subdivision.

Number of allotment to describe land for dealing.

(4A) Until a plan of subdivision has been approved, the Registrar shall not enter in the Register Book any memorandum giving effect to a dealing with an allotment and may refuse to accept for lodgment and may return to the party producing the same any instrument giving effect to a dealing with an allotment.

Ss. (4A) inserted by No. 7898 s. 5 (b)\*.

(5) The Registrar, pending survey of or proof to his satisfaction of title to any land proposed to be subdivided, may approve a plan of subdivision subject to notification on the plan and on the certificates of title of the allotments to the effect that such plan and certificates may be subject to amendment or adjustment, and the Registrar may in due course without any application in that behalf amend or adjust any such plan or certificate of title and may when satisfied as to the plan remove any such notification.

Approval of plans subject to amendment.

(6) In this section "sale" has the same meaning as in the *Sale of Land Act 1962*.

"Sale."  
Ss. (6) inserted by No. 7272 s. 8 (2) (b).

\* NOTE—S.6 of Act No. 7898 which reads:

"Where any person subdividing land into not more than two allotments has before the commencement of this Act sold either or both of the allotments, then notwithstanding anything to the contrary in any Act, section 14A of the Principal Act (No. 6399) sub-sections (3), (4), (5) and (7) of section 569D of the *Local Government Act 1958* and paragraph (b) of sub-section (2A) of section 97 of the *Transfer of Land Act 1958* shall apply to and in relation to the subdivision as they would have applied had this Act not been passed."

Transitory provision.