

(9)

Notwithstanding the unlawful sale of the 2 allotments Buchanan was unable to realise the proceeds due to:-

1962

Sale of Land

No. 6975

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(5) Any question as to the sufficiency of any instrument of mortgage tendered pursuant to this section shall in the absence of agreement between the parties be determined by an arbitrator.

Sale of land subdivided into not more than two allotments.

8A. (1) Where—

(a) a notice of intention to subdivide land into not more than two allotments in the form of the Thirtieth Schedule to the *Local Government Act 1958* has been given (whether before or after the commencement of the *Sale of Land (Amendment) Act 1969*); or

S. 8A inserted by
No. 7898 s. 2.

(b) in respect of any land such a notice is required to be given—
and neither of the allotments has been sold before the said commencement, no person shall sell either of those allotments before a plan of subdivision on which each of the allotments is shown as an allotment has been sealed with the seal of the municipality and, where any part of the land is under the operation of the *Transfer of Land Act 1958*, the plan has been approved by the Registrar pursuant to section 97 of that Act unless the contract provides that the deposit and all other moneys payable by the purchaser are to be paid to a solicitor or to a licensed estate agent who shall be named or specified in the contract to be held by the solicitor or licensed estate agent on trust for the purchaser until the plan has been so sealed and, where any part of the land is under the operation of the *Transfer of Land Act 1958*, so approved.

And even though the plans were not yet sealed a notice of Requirement had been served therefore:-

Ss. (3) amended
by No. 8531 s. 3
(b) (i).

(3) Where pursuant to this section the council requires the full construction or part construction of any street road lane or passage or any payment security or undertaking to be made or given in respect thereof or the provision of works of water supply sewerage or drainage the following provisions shall have effect:—

(a) The council shall cause an endorsement to be made on the plan before it is sealed to the effect that a requirement has been made under sub-section (1) or sub-section (1A) of this section;

Para. (a)
amended by No.
8531 s. 3 (b) (ii).

Para. (d)
amended by
Nos. 7852 s. 3
(c); 7272 s. 6
(ii).

(d) When every requirement has been either complied with by the owner or withdrawn by the council the council shall cause to be lodged in the Office of Titles a statement to that effect and a minute of that statement shall thereupon be endorsed on the plan;

(e) The Registrar of Titles shall not approve the plan until a statement as required by the last preceding paragraph or a statement by the Planning Appeals Board that the

Para. (e)
substituted by
No. 7852 s. 3 (d),
amended by
Nos. 7272 s. 6
(d) (iv). 9512 s. 2

and.

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(3)
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