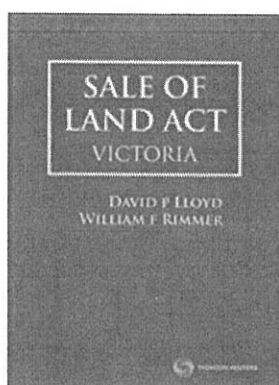


Book Reviews

Edited by Amanda Magnussen

Lloyd, David P. and Rimmer, William F., *Sale of Land Act Victoria*. Sydney: Thomson Reuters, 2015. 328pp. ISBN 9780455235684 (hc). \$158.99. Also available as an eBook.



This is the first edition of *Sale of Land Victoria* and the first work dedicated to the analysis of the provisions of this significant piece of Victorian legislation. Barristers, David Lloyd and William Rimmer have many years of experience in property and commercial law and are well qualified to write on this subject. Rimmer is also a lecturer in Property Transactions with the University of Melbourne Law School and Lloyd has been a member of the Property Committee of the Law Institute of Victoria for over 20 years.

The *Sale of Land Act 1962* was originally intended to address issues that resulted from a proliferation of residential subdivisions in the decade before its commencement. Its aim was to protect purchasers of land by regulating vendor terms contracts. Amendments over time have broadened the focus of the Act and it now covers a variety of matters associated with the sale and subdivision of land, such as off-the-plan contracts, arbitrators, deposits, cooling off, vendor's disclosure (Section 32 statements), insurance, and public auctions.

An introductory chapter includes useful commentary and practical observations that are well-supported by case references and explanations in the numerous footnotes. The discussion is presented in four parts:

- Scope and interpretation of the act – concluding with the adage ‘the act means what it says ... and it does not mean what it does not say’
- The meanings of “sale” and “land” in the context of the Act
- Effect of non-compliance with the Act – and the circumstances that distinguish whether the contract is rendered void, as opposed to voidable,
- Key issues relating to termination of a contract of sale by the purchaser

The main part of the book provides the full text of the *Sale of Land Act 1962*, with each section of the legislation clearly defined and separated from the commentary by the use of shading. The comprehensive annotations that follow each section reflect the expertise and practical experience of the authors, and include references to applicable authorities, conveyancing practice, commentary, and standard forms in the footnotes.

The work is current to 1 July 2015 and notes the significant changes made by amending acts over time in the three appendices that outline the pre-2008 contract terms provisions; a comparative table of terms contract provisions; and the pre-October 2014 Section 32 Statement provisions. Other content, additional to the commentary, includes the *Sale of Land (Public Auctions) Regulations 2014* and extracts from the *Australian Consumer Law and Fair Trading Act 2012*. As

expected, the book includes a Table of Cases and Table of Statutes and a commendable index.

Sale of Land Act Victoria is aimed at providing assistance to Victorian legal practitioners working in the field of property law and, more specifically, the sale and purchase of land. Those involved in disputes arising from such transactions will find it particularly useful. It should also provide a useful reference for courts and tribunals and other professionals engaged in the field of conveyancing, including real estate agents and conveyancers.

In their preface, the authors acknowledge the inevitability of further amendments to the Act in the future, and they hope to produce subsequent editions of the book as required. It will be interesting to see what 'extras' are included in future editions.

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