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Articles

Modernising the Torrens system in South Australia: Reform challenges and opportunities in the *Real Property Act 1886* (SA)

— *P T Babie, Peter D Burdon and Michail S Ivanov*

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This article examines potential reforms to South Australia's Real Property Act 1886 (SA) based on extensive consultations with legal practitioners, academics, representative bodies, and government officials conducted in 2023–2024. While the Act continues to serve its core functions effectively, this article identifies critical areas requiring modernisation to ensure the legislation remains fit for purpose in the twenty-first century. We argue that reform is particularly needed in three key areas: first, the current practice of using the rent-charge as the vehicle to register and so protect restrictive covenants is problematic and artificial. We propose statutory reform similar to that found in the Northern Territory. Second, the legislative framework for electronic conveyancing requires strengthening, particularly regarding verification of identity requirements and vertical integration of Electronic Lodgment Network Operators; and third, the protection of equitable interests as exceptions to indefeasibility would be more effective if consolidated in one part of the Act. This article concludes that reform should proceed in a manner that modernises the legislation while maintaining the fundamental Torrens principles and philosophy of security of title, clarity of interests, and efficiency of transactions.

Non-residential grant renewal in the People's Republic of China: Implications for foreign-invested enterprises

— *Maddison Nicholls and Yuxing He*

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Land law reform is an essential component of China's economic transition and legal development. As China continues to open up to the world and competes for foreign direct investment, a re-examination of China's land law provisions is warranted. Previous research has focused on the ambiguity of China's land laws in the context of residential grants. Due to China's unique historical and ideological differentiation between residential and non-residential grants, and recent amendments to the law, conclusions reached in these earlier studies cannot be applied to non-residential grants. This article will critically examine non-residential grant expiration with reference to the laws and broader contextual environment in which the land administration system has evolved. In doing so, Australian and other foreign investors will be able to strategically engage with risk and make informed commercial decisions.

Case Notes

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