



BILL NO. 120

Government Bill

*2nd Session, 61st General Assembly
Nova Scotia
59 Elizabeth II, 2010*

An Act to Amend Chapter 85 of the Revised Statutes, 1989, the Condominium Act

CHAPTER 46
ACTS OF 2010

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
DECEMBER 10, 2010**

The Honourable Ramona Jennex
Minister of Service Nova Scotia and Municipal Relations

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 85
of the Revised Statutes, 1989,
the Condominium Act**

Be it enacted by the Governor and Assembly as follows:

1 Chapter 10 of the Acts of 2009, *An Act to Amend Chapter 85 of the Revised Statutes, 1989, the Condominium Act*, is amended by repealing subsection 5(1) and substituting the following subsection:

5 (1) Clause 11(1)(b) of Chapter 85 is repealed and the following clause substituted:

(b) the consent of all persons

(i) who have registered encumbrances against the land described in the description,

(ii) who have interests appurtenant to the land described in the description, and

(iii) whose land is subject to an easement registered under the *Registry Act* or recorded under the *Land Registration Act* in favour of the land described in the description,

which consent may not unreasonably be withheld, or a court order dispensing with consent;

2 Subsection 44D(2) of Chapter 85 of the Revised Statutes, 1989, the *Condominium Act*, as enacted by Chapter 10 of the Acts of 2009, is amended by striking out “17” in the fifth and in the last lines and substituting in each case “17A”.

3 Chapter 10 is further amended by repealing clause 29(1)(c) and substituting the following clause:

(c) striking out “33” in the second line of clause (lc) and substituting “33A”.
