



Law of Property Act 1925

1925 CHAPTER 20

PART XI

MISCELLANEOUS.

Miscellaneous.

183 Fraudulent concealment of documents and falsification of pedigrees.

- (1) Any person disposing of property or any interest therein for money or money's worth to a purchaser, or the solicitor or other agent of such person, who—
 - (a) conceals from the purchaser any instrument or incumbrance material to the title; or
 - (b) falsifies any pedigree upon which the title may depend in order to induce the purchaser to accept the title offered or produced;with intent in any of such cases to defraud, is guilty of a misdemeanour punishable by fine, or by imprisonment for a term not exceeding two years, or by both.
- (2) Any such person or his -solicitor or agent is also liable to an action for damages by the purchaser or the persons deriving title under him for any loss sustained by reason of—
 - (a) the concealment of the instrument or incumbrance; or
 - (b) any claim made by a person under such pedigree whose right was concealed by such falsification as aforesaid.
- (3) In estimating damages, where the property or any interest therein is recovered from the purchaser or the persons deriving title under him, regard shall be had to any expenditure by him or them in improvements of any land.
- (4) No prosecution for any offence under this section shall be commenced without the leave of the Attorney-General.
- (5) Before leave to prosecute is granted there shall be given to the person intended to be prosecuted such notice of the application for leave to prosecute as the Attorney-General may direct.