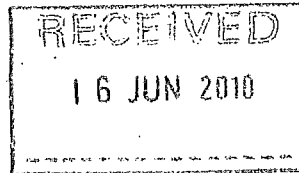




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CHIEF JUDGE'S CHAMBERS
COUNTY COURT
MELBOURNE

11 June 2010



Professor Neil Rees
Chairperson
Victorian Law Reform Commission
GPO Box 4637
MELBOURNE VIC 3001

Dear Professor Rees

Re: Review of Property Law Act 1958

Thank you for your letter dated 28 April 2010 in relation to the Victorian Law Reform Commission's review of the *Property Law Act 1958* and the consultation paper prepared for this review.

I refer to Chapter 12 of the consultation paper and, in particular, the discussion of the creation of a mistaken improver relief provision and a building encroachment relief provision.

The County Court has no comment to make as to whether such rights should be created. However, if rights to compensation for mistaken improver and/or building encroachment are created, the County Court would support the conferral of shared jurisdiction on the Supreme, County and Magistrates' Courts to determine these applications, as discussed at paragraph 12.16 of the report.

I note that if the Courts were to be given such jurisdiction, there would be resource implications for the County Court in absorbing this additional workload.

If you have any enquiries regarding the above, I may be contacted on 8636 6698.

Yours faithfully

Michael Rozenes
Chief Judge