

48. Exception to sections 45 and 46

- (1) Despite sections 45 and 46, a person is not entitled to assume a matter mentioned in section 47 if —
 - (a) the person has actual knowledge that the assumption would be incorrect; or
 - (b) because of the person's connection or relationship with the port authority, the person ought to know that the assumption would be incorrect.
- (2) If, because of subsection (1), a person is not entitled to make a particular assumption in relation to dealings with the port authority, section 45(2) does not apply to any assertion by the port authority in relation to the assumption.
- (3) If, because of subsection (1), a person is not entitled to make a particular assumption in relation to an acquisition or purported acquisition from the port authority of title to property, section 46(2) does not apply to any assertion by the port authority or another person in relation to the assumption.