

TRANSFER OF LAND ACT 1893
TRANSFER OF LAND AMENDMENT REGULATIONS 1998

Made by the A/Commissioner of Titles with the approval of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Transfer of Land Amendment Regulations 1998*.

Commencement

2. These regulations come into operation on the day fixed under section 2 (1) of the *Land Administration Act 1997*.

Principal regulations

3. In these regulations the *Transfer of Land Regulations 1997** are referred to as the principal regulations.

[* *Published in Gazette 9 January 1997, pp. 67-98.*
 For amendments to 9 March 1998 see *Gazette 4 July 1997.*]

Regulation 4 amended

4. Regulation 4 of the principal regulations is amended —
- (a) by inserting after “for each lot” the following —
 “ or location ”; and
 - (b) by inserting after “number of lots” the following —
 “ or locations ”.

Regulation 6 amended

5. After regulation 6 (3) of the principal regulations the following subregulation is inserted —

“

(4) If the Registrar is satisfied in a particular case that it is appropriate to do so, the Registrar may waive or refund a fee payable under —

- (a) item 2 of Division 2; or
- (b) item 8 or 9 of Division 8,

of Schedule 1.

”.

Regulation 6A inserted

6. After regulation 6 of the principal regulations the following regulation is inserted —

“

Transitional period

6A. (1) The fees prescribed in Divisions 1 and 2 of Schedule 1 are not payable during the transitional period in respect of the lodgment, registration or recording of —

- (a) a dealing relating to Crown land executed before the appointed day; or
- (b) a caveat in respect of such a dealing (whether lodged before, on or after the appointed day).

(2) In this regulation —

“**appointed day**” means the day fixed under section 2 (1) of the *Land Administration Act 1997* as the day on which that Act comes into operation;

“**transitional period**” means the period of 5 years beginning on the appointed day.

”.

Schedule 1 amended

7. (1) Schedule 1 to the principal regulations is amended in Division 1 by inserting after item 11 the following item —

“

12. Of an instrument not specifically provided
 for in this Division 60.00

”.

(2) Schedule 1 to the principal regulations is amended in Division 2 by inserting at the end of item 2 the following —

“

for each lot or location, part lot or location,
 or other parcel of land shown on the plan or
 diagram as included in a road or road widening
 (unless the sole or principal purpose of the plan
 or diagram is to show a subdivision of land into
 lots or locations) 45.00

”.

for each lot or location, part lot or location, or other parcel of land shown on the plan or diagram as burdened by an easement	45.00
for each easement burdening land on a plan or diagram showing the subdivision of land into lots or locations (if the sole or principal purpose of the plan or diagram is to show the subdivision and not one or more easements)	45.00
for each parcel of Crown land in a closed road shown on the plan or diagram for the purpose of sale and amalgamation with adjoining land	45.00
for each parcel of Crown land shown on the plan or diagram as created for the purpose of sale and amalgamation with adjoining land	45.00

(3) Schedule 1 to the principal regulations is amended in Division 6 by inserting after item 3 the following items —

“

3A. Inspection of a Crown land lease where number is known	9.00
3B. Copy of a Crown land lease where number is known	9.00

”

(4) Schedule 1 to the principal regulations is further amended in Division 6 by inserting after item 7 the following items —

“

7A. Inspection of a licensed surveyor’s field book	9.00
7B. Copy of a licensed surveyor’s field book	9.00
7C. Copy of a plan or diagram or licensed surveyor’s field book obtained by use of departmental self-service equipment	1.40 for each page

”

(5) Schedule 1 to the principal regulations is further amended in Division 6 by inserting after item 13 the following item —

“

13A. Search of Crown reserves database (including printout of hard copy)	9.00 for each reserve
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”

(6) Schedule 1 to the principal regulations is amended in Division 7 by deleting items 1 and 2 and substituting the following item —

“

1. For arranging the postal delivery of any material for which a fee is payable under this Schedule —	
(a) if the material is sent within Australia and is not greater than 50 grams	9.00
(b) if the material is sent outside Australia or is greater than 50 grams	9.00
	plus any additional costs incurred, as assessed by the Registrar

”

(7) Schedule 1 to the principal regulations is amended in item 13 of Division 8 by deleting “lots,” and substituting the following —

“ lots or part lots, locations or part locations, ”.

(8) Schedule 1 to the principal regulations is amended in item 7 of Division 9 by deleting “crown reserves register” and substituting the following —

“ Crown reserves ”.

(9) Schedule 1 to the principal regulations is further amended in Division 9 by inserting after item 7 the following items —

“

8. For compiling report on an entry in Crown reserves database —	
(a) if no special computer programming is needed	37.50

- (b) if special computer programming is needed 37.50
 plus \$75.00
 per hour
 or part hour
 for computer
 programming
9. For printout of report referred to in item 8 2.30
 for each page
10. For compiling report on all entries in Crown reserves
 database (including printout of hard copy or a
 digital copy) 90.00

”.

Schedule 2 amended

8. Schedule 2 to the principal regulations is amended by inserting after item 8 the following item —

“

9. Lodgment of a dealing or plan, diagram or other document by or on behalf of the Minister for Lands (other than such a lodgment by the Minister on behalf of another person).

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JOHN GLADSTONE, A/Commissioner of Titles.

Approved by the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.