

LA301

LAND ACT 1933
LAND AMENDMENT REGULATIONS 1996

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Land Amendment Regulations 1996*.

Commencement

2. These regulations come into operation on 1 July 1996.

Principal regulations

3. In these regulations the *Land Regulations 1968** are referred to as the principal regulations.

[* Reprinted as at 1 July 1993.
For amendments to 29 May 1996 see 1995 Index to Legislation of
Western Australia, Table 4, p. 162.]

Schedule to regulation 5 repealed and a Schedule substituted

4. The Schedule to regulation 5 of the principal regulations is repealed and the following Schedule is substituted —

“

SCHEDULE***Division 1 — Services***

	\$
1. For the preparation of a lease, a licence, a substitute duplicate lease or licence (where duplicate lost or destroyed) or a permit to occupy issued under section 142 (2) of the Act	60.00
2. For registration of a discharge of a mortgage — for each holding affected	60.00
3. For registration or recording of a transfer of mortgage —	
for the first mortgage	60.00
for a subsequent mortgage	13.00
4. For registration of any instrument not specifically provided for	60.00
5. For any entering up	60.00
6. For an application for the amendment of boundaries of a pastoral lease or for a change of name as to the holder of a holding or any other application not specifically provided for	60.00
7. For the lodging of a caveat or for a total or partial withdrawal of a caveat	60.00
8. For serving notice on a caveator under section 153 (3) of the Act	60.00
9. For the reinstatement of a forfeited holding	60.00
10. For the issue of a Crown grant under section 41 (4) or 142 (1) of the Act	60.00
11. For the issue of a closed road certificate under section 118F (2) of the Act	60.00

Division 2 — Searches

	\$
1. Of the register of leases, licences or reserves — each holding	4.00
2. Of a names index — each name	4.00
3. Of the register of Crown reserves (including hard copy print-out) — each reserve	8.00

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| 4. | Of a lease, licence, plan, diagram or other document not specifically provided for other than a field book (including electrostatic photocopy) | 8.00 |
| 5. | Of a field book where a photocopy is requested | 8.00 |
| 6. | For photocopies of plans, diagrams or field books obtained by a customer using self service equipment — | |
| | per A4 page | 1.40 |
| | per A3 page | 2.10 |

Division 3 — Miscellaneous

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|----|---|--------|
| | | \$ |
| 1. | For a report on an entry in the register of Crown reserves — | |
| | report not requiring special computer programming | 37.50 |
| | print of output as to each report — per page | 2.30 |
| | report requiring special computer programming | 37.50 |
| | plus pre-programming for the report — per whole or part hour | 75.00 |
| 2. | Minimum charge for a Crown register report | 90.00 |
| 3. | For the lodgment of a plan or diagram (drawn externally) other than a survey plan or diagram — | |
| | (a) that is lodged on behalf of a local government in respect of Crown land; or | |
| | (b) in respect of land to be disposed under section 118A of the Act if the land is valued for the purposes of that section at an amount less than the total of fees that would otherwise be payable under this item and regulation 8 — | |
| | general fee | 110.00 |
| | for each lot or part lot on such plan or diagram or for each lot or part lot burdened by an easement drawn on such plan or diagram and for each lot or part lot included in a road or road widening drawn on such plan or diagram | 45.00 |
| 4. | For advertising — | |
| | minimum fee (payable on lodgment of application etc.) | 60.00 |
| | plus actual cost above \$60.00 (payable when actual cost is known). | |
| 5. | For the certification under section 65 of the <i>Evidence Act 1906</i> of a copy of a plan, diagram or other document (excluding documents created for a customer) | 60.00 |
| 6. | For posting by request search information or any document | 9.00 |
| 7. | For posting material weighing over 50 grams or material overseas — \$9.00 plus such additional costs as are assessed in each case by an officer of the Department who is authorized to do so. | |

8. For requisitions raised by an authorized land officer on a plan, diagram or other survey document 80.00

Division 4 — Fees to be assessed

The fees payable in respect of the following services are the fees assessed in each case by an officer of the Department who is authorized to do so but which shall not exceed the cost of providing the service.

1. For a diagram drawn or certified on a transfer, surrender, mortgage, application or other instrument.
2. For the creation, registration and certification of a plan, diagram or other document.
3. For a map or a colouring of a map on a copy of a plan, diagram or other document.
4. For a copy of a document by a process other than by electrostatic copier.
5. For amendments made by an authorized land officer to a plan, diagram or other survey document in respect of which requisitions have been raised.
6. For the performance, for the purposes of the Act, of any service not mentioned in this Schedule.

Regulation 8 amended

5. (1) Regulation 8 (1) of the principal regulations is repealed the following subregulation is substituted —

“

(1) The cost of survey of land shall be payable in accordance with the First Schedule to this regulation except that —

- (a) in special cases approved by the Minister the cost of survey shall be charged at the actual cost incurred in survey as certified in writing by the Surveyor General, and shall be payable accordingly; and
- (b) the cost of survey shall not be charged for the preparation of a survey plan or diagram —
 - (a) that is to be lodged on behalf of a local government in respect of Crown land; or
 - (b) in respect of land to be disposed under section 118A of the Act if the land is valued for the purposes of that section at an amount less than the total of fees that would otherwise be payable under this regulation and item 3 of Division 3 of the Schedule to regulation 5.

”

(2) Regulation 8 (4) of the principal regulations is amended by deleting “full cost of the survey” and substituting the following —

“ cost of survey, as assessed under this regulation, ”

Regulation 12 amended

6. Regulation 12 (6) of the principal regulations is repealed and the following subregulation is substituted —

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(6) Declarations, setting out particulars required by the Board, may be made before a person who has authority under the *Declarations and Attestations Act 1913* to take declarations and any statement shall be supported by documentary evidence if so required by the Board.

”

Schedule amended

7. (1) The Schedule to the principal regulations is amended in Form 19 by deleting "Shire Council" and substituting the following —

" Local Government ".

(2) The Schedule to the principal regulations is amended in Form 21 by deleting the sentence commencing "Under the *Declarations and Attestations Act 1913*" and substituting the following —

"

(A person authorized to take declarations under the
Declarations and Attestations Act 1913)

".

(3) The Schedule to the principal regulations is amended in Form 28 by deleting "City" and substituting the following —

" city ".

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.
