

LAND ADMINISTRATION

LA301

LAND ACT 1933

LAND AMENDMENT REGULATIONS (No. 2) 1991

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Land Amendment Regulations (No. 2) 1991*.

Commencement

2. These regulations shall come into operation on the 31st day after the day on which they are published in the *Gazette*.

Principal regulations

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

[*Reprinted as at 6 January 1987 in the *Gazette of 22 January 1987*, pp. 131-78. For amendments to 4 July 1991 see 1990 *Index to Legislation of Western Australia*, p. 293 and the *Gazette of 31 May 1991*, pp. 2661-7.]

Regulation 5 repealed and a regulation substituted

4. Regulation 5 of the principal regulations is repealed and the following regulation is substituted—

Fees

- “ 5. (1) The fees prescribed in the schedule to this regulation are the fees payable in respect of the services specified.
- (2) Notwithstanding section 32 (2) of the *Interpretation Act 1984*, the part headings in the schedule to this regulation are to be taken as being part of these regulations.

SCHEDULE

PART 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

PART 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	7.50
4. Of a lease, licence, plan, diagram or other document not specifically provided for other than a field book (including electrostatic photocopy)	7.50
5. Of a field book where a photocopy is requested	4.00
PLUS for copies per page	1.30
6. For copies additional to those included in search fees—electrostatic photocopy—per page	1.20
7. For photocopies of plans, diagrams or field books obtained by a customer using self service equipment— per A4 page	1.30
per A3 page	1.95

PART 3—MISCELLANEOUS

1. For a report on an entry in the register of Crown reserves— report not requiring special computer programming print of output as to each report—per page	36.50 2.25
report requiring special computer programming PLUS pre-programming for the report—per whole or part hour	36.50 72.00
2. Minimum charge for a Crown register report	88.00
3. For the lodgment of a plan or diagram (drawn externally)— general fee	105.00
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	42.00
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	6.00
7. For posting material weighing over 50 grams or material overseas—\$6.00 plus such additional costs as are assessed in each case by an authorized officer of the Department of Land Administration.	
8. For facsimile transmission of each photocopy of a certificate of title, plan, diagram or other document	3.50

PART 4—FEES TO BE ASSESSED BY THE DEPARTMENT

The fees payable in respect of the following services are the fees assessed in each case by an authorized officer of the Department of Land Administration 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 any service not mentioned in this schedule. ”

Regulation 8, First Schedule deleted and a schedule substituted

5. Regulation 8 of the principal regulations is amended by deleting the First Schedule to the regulation and substituting the following schedule —

“

FIRST SCHEDULE

Scale of Survey Fees

Area exceeds (ha)	but not (ha)	Fee \$
0	4	852
4	8	996
8	20	1 194
20	40	1 449
40	80	1 792
80	120	2 124
120	160	2 400
160	200	2 621
200	240	2 831
240	280	3 030
280	320	3 207
320	360	3 362
360	400	3 528
400	480	3 749
480	560	4 025
560	640	4 269
640	720	4 512
720	800	4 723
800	1 000	5 087
1 000	1 200	5 563
1 200	1 400	5 972
1 400	1 600	6 382
1 600	1 800	6 747
1 800	2 000	7 101
2 000	2 400	7 609
2 400	2 800	8 207
2 800	3 200	8 771
3 200	3 600	9 279
3 600	4 000	9 777

”

Regulation 8, Fifth Schedule deleted and a schedule substituted

6. Regulation 8 of the principal regulations is amended by deleting the Fifth Schedule to the regulation and substituting the following schedule —

“

FIFTH SCHEDULE

Survey Fees on Lands Granted in Trust under section 33

	\$
Area not exceeding 2 000 m ²	785
Area exceeding 2 000 m ² but not exceeding 4 000 m ²	830
Area exceeding 4 000 m ² but not exceeding 4 ha	852
Area exceeding 4 ha—in accordance with the scale in the First Schedule to this regulation.	

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By His Excellency's Command,

L. M. AULD, Clerk of the Council.