

**LAND ACT 1933****LAND AMENDMENT REGULATIONS 1990**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Land Amendment Regulations 1990*.

**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 and published in the *Gazette* on 22 January 1987 at pages 131-178. For amendments to 12 July 1990 see 1989 *Index to the Legislation of Western Australia* at p. 283.]

**Regulation 1 amended**

4. Regulation 1 of the principal regulations is amended by deleting "Act".

**Regulation 5 repealed and a regulation substituted**

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 Regulation 5 of the principal regulations is repealed and the following regulation is substituted—

" 5. The fees prescribed under the respective headings in this regulation are payable in respect of the services specified and these headings are, notwithstanding section 32 (2) of the *Interpretation Act 1984*, deemed to be part of the written law.

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	52.00
2. For registration of a discharge of a mortgage—for each holding affected .....	52.00
3. For registration or recording of a transfer of mortgage—for the first mortgage transferred .....	52.00
4. For registration of any instrument not specifically provided for .....	52.00
5. For any entering up .....	52.00
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 .....	52.00
7. For the lodging of a caveat or for a total or partial withdrawal of a caveat .....	52.00
8. For serving notice on a caveator under section 153 (3) of the Act .....	52.00
9. For the reinstatement of a forfeited holding .....	52.00
10. For the issue of a Crown grant under section 41 (4) or 142 (1) of the Act .....	52.00
11. For the issue of a closed road certificate under section 118F (2) of the Act .....	52.00

Part 2—Searches	\$
1. Of the register of titles—each holding .....	3.50
2. Of the names index—each name .....	3.50
3. Of the register of Crown reserves (including hard copy printout)—each reserve .....	5.50
4. Of a lease or licence (including photocopy of all pages .....	6.50
5. Of a plan, diagram or other document—other than a lease or licence (including electrostatic photocopy of up to 4 pages or 1 page by dyeline process) .....	6.50
6. Of a field book where a photocopy is requested (including photocopy of up to 4 pages) .....	5.50
7. For copies additional to those included in search fees—	
electrostatic copy—per page .....	0.60
dyeline process copy—per page .....	5.00
8. For photocopies of plans, diagrams or field books obtained by a customer using self service equipment—	
sizes A4 and A4 long—per page .....	1.20
size A3—per page .....	1.80

Part 3—Miscellaneous	\$
1. For registration of a transfer of mortgage—for a second or subsequent mortgage transferred .....	12.00
2. For a report on an entry in the register of Crown reserves—	
report not requiring special computer programming ...	33.00
print of output as to such report—per page .....	2.00
report requiring special computer programming .....	33.00
pre-programming for such report—per whole or part hour .....	65.00
3. For advertising—	
minimum fee (payable on lodgment of application etc.)	61.00
plus actual cost above \$61.00 (payable when actual cost is known).	
4. For 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 client) .....	35.00
5. For posting by request search information or any document	5.50

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|---|------|
| 6. For posting material weighing over 50 grams or material overseas—\$5.50 plus such additional costs as are assessed in each case by an authorized officer of the Department of Land Administration. |      |
| 7. For a copy of a lease, licence, plan, diagram or other document sent by facsimile transmission—  |      |
| up to 4 pages .....   | 3.50 |
| each additional page .....  | 0.50 |

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 electrostatic or dyeline.
5. For any service not mentioned in this regulation. ”.

By His Excellency's Command,

G. PEARCE, Clerk of the Council.