
LANDS

LA301

Registration of Deeds Act 1856
 Strata Titles Act 1985
 Transfer of Land Act 1893
 Valuation of Land Act 1978

Lands Regulations Amendment (Fees and Charges) Regulations 2019

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Lands Regulations Amendment (Fees and Charges) Regulations 2019*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2019.

Part 2 — *Registration of Deeds Regulations 2004* amended

3. Regulations amended

This Part amends the *Registration of Deeds Regulations 2004*.

4. Schedule 1 amended

In Schedule 1 amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Div. 1 it. 1	\$149.20	\$152.00
Div. 1 it. 2	\$149.20	\$152.00
Div. 2 it. 1	\$25.70	\$26.20
Div. 3 it. 1	\$62.00	\$63.00
Div. 3 it. 2	\$149.20	\$152.00

**Part 3 — *Strata Titles General Regulations 1996*
amended**

5. Regulations amended

This Part amends the *Strata Titles General Regulations 1996*.

6. Schedule 1 amended

Amend Schedule 1 item 1 as set out in the Table.

Table

Delete	Insert
277.00 (each occurrence)	282.00
73.00	74.00
111.60	113.80
171.20 (each occurrence)	174.70
6.20	6.30

Part 4 — *Transfer of Land Regulations 2004* amended

7. Regulations amended

This Part amends the *Transfer of Land Regulations 2004*.

8. Regulation 9A amended

In regulation 9A(3):

(a) in paragraph (a) after “item 1” insert:

or 2

(b) in paragraph (b) delete “item 2.” and insert:

item 3.

9. Regulation 10 amended

In regulation 10(1) delete “8.00 a.m.” and insert:

8.30 am

10. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Fees

[r. 9A]

Division 1 — Registrations and recordings

1. Of a transfer of a mortgage or charge —

first mortgage or charge	\$174.70
subsequent mortgage or charge	\$13.60
 2. Of a transfer —
 - (a) that is exempt from duty under the *Stamp Act 1921* or the *Duties Act 2008*; or
 - (b) on which nominal duty is chargeable under the *Duties Act 2008*; or
 - (c) on which duty is chargeable under the *Stamp Act 1921* Second Schedule item 6 \$174.70
 3. Of a transfer of a lease, surrender, easement or restrictive covenant \$174.70
 4. Of any other transfer where the value of the consideration in respect of the land or the value of the land as assessed under the *Stamp Act 1921* or the *Duties Act 2008*, whichever is the greater —

does not exceed \$85 000	\$174.70
exceeds \$85 000 but does not exceed \$120 000	\$184.70
exceeds \$120 000 but does not exceed \$200 000	\$204.70

plus, for each whole or part of \$100 000 above \$200 000 \$20.00
- Note: Where —
- (a) duty is assessed on a parcel of land; and
 - (b) transfers are lodged for parts of that parcel; and
 - (c) a separate value for each part is not allocated in the contract,
- the fee for registering and recording the first of the transfers lodged for registration is to be assessed under item 4 on the value as assessed under the *Stamp Act 1921* or the *Duties Act 2008* of the parcel and, subject to proof of the payment of that fee, the fee for registering and recording each of the second and subsequent of the transfers is \$174.70
- Note: The fees specified in items 1 to 4 include the creation and registration of a new certificate of title where such certificate is required by the Registrar.
5. Of a mortgage or charge or of a whole or partial discharge of a mortgage or charge — for each interest \$174.70
 6. Of an extension of a mortgage or charge — for each interest \$174.70

7.	Of a Crown lease or of a freehold lease or sub-lease or extension of a freehold lease	\$174.70
8.	Of a memorial or notification under any State or Commonwealth Act (unless exempted from payment under that Act)	\$174.70
9.	Of an order of the Supreme Court, the District Court or a Magistrates Court	\$174.70
10.	Of revocation of a power of attorney	\$174.70
11.	Of an instrument not specifically provided for in this Division	\$174.70

Division 2 — Lodgments

1.	Of a caveat, a power of attorney or a declaration of trust	\$174.70
2.	Of a deposited plan of Crown land that is not a subdivision —	
	(a) general fee	\$282.00
	(b) for each lot	\$74.00
	(c) for each sheet in addition to the first sheet	\$282.00
3.	Of any other deposited plan —	
	(a) general fee	\$282.00
	(b) for each lot (including any lot shown on an inset on the plan) other than a lot vesting in the Crown under the <i>Planning and Development Act 2005</i> section 152	\$74.00
4.	Of a replacement plan	\$282.00
5.	Of a duplicate certificate of title or lease for the registration or recording of a dealing lodged by a third party —	
	(a) for the first certificate of title or lease	\$87.35
	(b) for each subsequent certificate of title or lease	\$6.30
6.	Of a memorandum within the meaning of section 54(1) of the Act — section 54(2) of the Act	\$174.70
7.	Of a form for the notification of a factor affecting the use or enjoyment of land — section 70A(1) of the Act	\$174.70
8.	Of an instrument for a restrictive covenant created under section 129BA of the Act — section 129BA(2)(b) of the Act	\$174.70
9.	Of an instrument for an easement created under Part IVA of the Act — section 136C(4) of the Act	\$174.70
10.	Of an instrument for a restrictive covenant created under Part IVA of the Act — section 136D(3) of the Act	\$174.70

Division 3 — Withdrawals

1. Of a caveat, order of the Supreme Court, the District Court or a Magistrates Court, a memorial under the *Taxation Administration Act 2003* Part 6 Division 2 or a memorial under the *Land Tax Assessment Act 1976* section 46 that was registered before that Act was repealed, or any other Act or Commonwealth Act (unless exempted from payment under that Act) \$174.70
2. Of a memorial or notification under the *Water Services Act 2012* \$174.70
3. Of a document from registration or recording \$87.35

Division 4 — Applications

1. For a new certificate of title in respect of undivided shares in land —
 - (a) for one certificate \$174.70
 - (b) for each additional certificate \$6.30
2. For a new certificate of title the subject of a deposited plan \$174.70
 plus, for each lot shown on the deposited plan, other than a lot that is proposed to be vested in the Crown under the *Planning and Development Act 2005* section 152 \$6.30
3. For a new certificate of title in any other case \$174.70
4. To amend certificates of title of other owners affected by section 170 of the Act — for each certificate of title affected \$174.70
5. To serve a section 138A caveator with notice under section 138B of the Act \$326.70
6. For each replacement edition of a duplicate certificate of title where a duplicate certificate of title was issued on the registration of the certificate of title \$174.70
7. An application in respect of any matter not specifically provided for in this Division \$174.70

Division 5 — Certificates

1. For the issue of a certificate of title, either on request or where necessary in connection with an application or process (except where this service is included in another fee) \$174.70
2. For a certificate of ownership issued under the *Local Government Act 1995* section 9.41 \$63.00
3. For certification by the Registrar of a certificate of title, Crown lease, deposited plan, plan, diagram or other document \$63.00

4. For the issue of a certified and sealed document for the purposes of section 239B(1)(b) of the Act fee as assessed by the Registrar, not exceeding actual cost

Division 6 — Inspection and/or copies of documents

1. Inspection of a Crown lease, Crown title, permit or licence \$26.20
2. Copy of a Crown lease, Crown title, permit or licence \$26.20
3. Inspection of a Crown land lease \$26.20
4. Copy of a Crown land lease \$26.20
5. Inspection of a certificate of title —
- (a) where required as a result of a check search \$13.10
- (b) in other cases \$26.20
6. Copy of a certificate of title —
- (a) where required as a result of a check search \$13.10
- (b) in other cases \$26.20
7. Inspection of a plan, diagram or deposited plan \$26.20
8. Copy of a plan, diagram or deposited plan \$26.20
9. Inspection of a licensed surveyor's field book \$26.20
10. Copy of a licensed surveyor's field book \$26.20
11. Copy of a plan, diagram, deposited plan, survey index plan or licensed surveyor's field book obtained by use of departmental self-service equipment fee as assessed by the Registrar, not exceeding actual cost
12. Inspection of the record of dealings and matters referred to in section 48A(2) or 81P of the Act, as is relevant to the case, that were endorsed on previous digital versions of a digital title, but are not endorsed on the current version of that digital title \$13.10
13. Inspection of other documents and related information not specifically provided for in this Division, including documents listed as subject to dealing and status reports \$26.20 per document
14. Copy of other documents and related information not specifically provided for in this Division, including documents listed as subject to dealing and status reports \$26.20 per document

15.	Copy of a survey index plan	\$26.20
16.	Check search	\$13.10
17.	In response to a request via a privately owned data terminal for a check search to be sent to that data terminal.....	\$13.10
	Note: The fee specified in item 17 includes taking a hard copy of screen print.	
18.	Inspection of a power of attorney document where the number is known	\$26.20
19.	Copy of a power of attorney document where the number is known	\$26.20

Division 7 — Miscellaneous

1.	For advertising (minimum fee payable on lodgment of application, additional actual cost payable when actual cost is known)	\$174.70 plus actual cost above \$174.70
2.	For —	
	(a) a map or a colouring of a map on a copy of a certificate of title, Crown lease, deposited plan or other document; or	
	(b) drafting of a deposited plan or other document; or	
	(c) the provision of consultancy services relating to project planning and project conveyancing	fee as assessed by the Registrar, not exceeding actual cost
3.	For dispensing with the production of a duplicate certificate of title or other instrument	\$152.00
4.	Supply of statement of grounds	\$152.00
5.	Order for stay of registration under section 148 of the Act	\$152.00
6.	For requisitions raised on —	
	(a) a deposited plan or other survey document ..	\$113.80
	(b) any other document	\$87.35
7.	For amendments made to a deposited plan or other survey document on which requisitions have been raised	fee as assessed by the Registrar, not exceeding actual cost

8. For serving a caveat with notice under section 138 or 141A of the Act — each caveat \$152.00
9. Cancellation of a deposited plan \$217.00
10. Search of a historical tenure fee as assessed by the Registrar, not exceeding actual cost
11. Providing a replica of a certificate of title, plan or document registered in the State actual cost
12. For rejection of a document under section 192(1) of the Act 100% of the registration, recording, lodgment or application fee paid or payable on the document
13. For registrations and recordings under Division 1, lodgments under Division 2 and applications under Division 4 — involving more than 20 certificates or leases — each certificate or lease in excess of 20 \$6.30

Part 5 — *Valuation of Land Regulations 1979* amended

11. Regulations amended

This Part amends the *Valuation of Land Regulations 1979*.

12. Schedule 1 amended

In Schedule 1 amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
it. 1	151.50	154.50
it. 2	61.00	62.00
it. 3	8.30	8.50
it. 4	18.10	18.50

C. BARRON, Clerk of the Executive Council.