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PROCLAMATION

**TRANSFER OF LAND
AMENDMENT ACT 2003**

REGISTRATION OF DEEDS ACT 1856

**REGISTRATION OF DEEDS
REGULATIONS 2004**

STRATA TITLES ACT 1985

**STRATA TITLES GENERAL
AMENDMENT REGULATIONS
2004**

TRANSFER OF LAND AMENDMENT ACT 2003

6 of 2003

PROCLAMATION

WESTERN AUSTRALIA	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
John Sanderson, Governor.		
[L.S.]		

I, the Governor, acting under section 2 of the *Transfer of Land Amendment Act 2003* and with the advice and consent of the Executive Council fix 6 September 2004 as the day on which sections 74, 80, 81 and 82 of that Act come into operation.

Given under my hand and the Public Seal of the State on 31 August 2004.

By Command of the Governor,

N. GRIFFITHS, Minister for Land Information.

GOD SAVE THE QUEEN !

Registration of Deeds Act 1856

Registration of Deeds Regulations 2004

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

1. Citation

These regulations may be cited as the *Registration of Deeds Regulations 2004*.

2. Commencement

These regulations come into operation on 6 September 2004.

3. Interpretation

In these regulations, unless the context requires otherwise —
“**memorial**” means any judgment, deed, will, conveyance or instrument presented for registration;

“**Registrar**” means the Registrar of Deeds and Transfers.

4. Documents

- (1) Every memorial presented for registration is to —
 - (a) be prepared on good quality paper approved by the Registrar and having the dimensions of 330 mm by 203 mm;
 - (b) be clearly and legibly handwritten in ink, printed or typewritten;
 - (c) have a binding margin on each page of 51 mm free of written, printed or typewritten matter with the binding margin on the left hand side of the face sheet and on a corresponding side for all subsequent sheets;
 - (d) have all writing, printing, type or other matter appearing on the memorial of sufficient strength to bear photographic reproduction.
- (2) The Registrar may reject for registration a memorial which does not comply with this regulation.

5. Fees

The fees to be charged by the Registrar are set out in Schedule 1.

6. Registration of Deeds Regulations 1974 repealed

The *Registration of Deeds Regulations 1974* are repealed.

Schedule 1 — Fees to be charged by the Registrar

[r. 5]

Division 1 — Registrations

- | | | |
|----|--|------|
| 1. | For registering, recording, enrolling or receiving on deposit, any memorial, enrolment or instrument | \$79 |
| 2. | For cancelling or amending a registration by order of the Court | \$79 |

Division 2 — Reproduction of documents

- | | | |
|----|--|------|
| 1. | For a photocopy supplied of a memorial or other document not specifically provided for | \$12 |
|----|--|------|

Division 3 — Miscellaneous

- | | | |
|----|--|--|
| 1. | For a certification by the Registrar | \$60 |
| 2. | Withdrawal of a memorial under the <i>Land Tax Assessment Act 1976</i> section 46 or the <i>Taxation Administration Act 2003</i> Part 6 Division 2 | \$79 |
| 3. | For any service not mentioned in this Schedule | fee, if any, as assessed by the Registrar, not exceeding actual cost |

Division 4 — Posting

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 gms | \$9 |
| (b) | if the material is sent outside Australia or is greater than 50 gms | \$9 plus any additional costs incurred, as assessed by the Registrar |

JOHN GLADSTONE, Commissioner of Titles

Approved by the Governor,

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

Strata Titles Act 1985

Strata Titles General Amendment Regulations 2004

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Strata Titles General Amendment Regulations 2004*.

2. Commencement

These regulations come into operation on 6 September 2004.

3. The regulations amended

The amendments in these regulations are to the *Strata Titles General Regulations 1996**.

[* Reprinted as at 15 November 2002.

For amendments to 23 August 2004 see Western Australian Legislation Information Tables for 2003, Table 4, p. 373.]

4. Regulation 5 amended

- (1) Regulation 5(1a)(c)(ii)(II) is amended by deleting “regulations 8 of the Licensed Surveyors Regulations and” and inserting instead —

“

regulation 8 of the Licensed
Surveyors Regulations and
regulation 8 of

”.

- (2) Regulation 5(1a)(e)(v)(II) is amended by deleting “regulations 8 of the Licensed Surveyors Regulations and” and inserting instead —

“

regulation 8 of the Licensed
Surveyors Regulations and
regulation 8 of

”.

5. Regulation 14D amended

Regulation 14D(2)(b) is amended by inserting after “survey-strata” —

“ plan ”.

6. Schedule 1 replaced

Schedule 1 is repealed and the following Schedule is inserted instead —

“

Schedule 1

[Regulation 45]

Fees

1. The fees payable to the Registrar of Titles are —
- | | \$ |
|--|--------|
| (a) on lodgment of any plan — general fee, including provision of copies of the plan to relevant rating authorities — | |
| (i) if deposition of the plan with the Commission is required (fee includes delivery of plan to, and collection of plan from, the Commission) | 165.00 |
| (ii) if deposition of the plan with the Commission is not required | 112.00 |
| plus, for each lot shown on the plan, other than a lot that is proposed to be vested in the Crown under the <i>Town Planning and Development Act 1928</i> section 20A(1) or, in the case of a survey-strata plan, a proposed common property lot | 36.00 |
| (b) on lodgment of a replacement plan for a plan in respect of which a requisition has been raised | 112.00 |
| (c) on the issuing, by the Registrar of Titles, of a requisition in respect of a lodged plan | 50.00 |
| (d) on lodgment of any application for the registration of a plan..... | 79.00 |
| plus, for each lot shown on the plan, other than a lot that is proposed to be vested in the Crown under the <i>Town Planning and Development Act 1928</i> section 20A(1) or, in the case of a survey-strata plan, a proposed common property lot | 6.00 |
| (e) on lodgment of any other application | 79.00 |
| (f) on lodgment of any notification | 79.00 |
| (g) for entering any notice or order | 79.00 |
| (h) for a procedure or function required or permitted to be done under the Act which is not specified in this item but which is specified in the <i>Transfer of Land Regulations 2004</i> — the fee prescribed by those regulations | |

\$

- (i) for any procedure or function required or permitted to be done under this Act and not specified in this item or in the *Transfer of Land Regulations 2004* — the fee, if any, assessed by the Registrar but which is not to exceed the cost of providing the service
2. The fees payable to a local government are —
- (a) for a certificate under section 5B(2) ... 20 cents per square metre of the floor space of the building or \$100.00 which ever is greater
- (b) for a certificate under section 8A(f) or 9(3) 20 cents per square metre of floor space being subdivided or consolidated or \$100.00 which ever is greater
3. The fees payable to the Commission on an application under section 25(3) for a certificate of approval under section 25 are to be in accordance with the following scale —

Number of allotments	Fee (\$)
1	150
2	185
3	200
4	240
5	280
6-10	330
11-15	375
16-20	440
21-25	500
26-30	580
31-35	645
36-40	725
41-45	790
46-50	870
51-55	930
56-60	1 015
61-65	1 090
66-70	1 165
71-75	1 230

Number of allotments	Fee (\$)
76-80	1 315
81-85	1 375
86-90	1 460
91-95	1 525
96-100	1 610
101-125	1 685
126-150	1 790
151-175	1 870
176-200	1 960
201-225	2 115
226-250	2 375
251-300	2 830
over 300	3 325

4. The fees payable to the strata company are —

	\$
(a) for an application made under section 43(1)(a)	5.00
(b) for the inspection of records under section 43(1)(b) —	
(i) by any proprietor or mortgagee who has notified an interest to the strata company	Nil
(ii) by any other person	20.00
(c) for a certificate under section 43(1)(c) and (d)	50.00
(d) for copies provided under section 43(1a)	\$20.00 for the first 5 pages and \$0.50 for each subsequent page

5. A fee payable under item 4 to the strata company is increased by 10%, if the company is required to remit GST for the provision of the service for which the fee is payable.

6. In item 5 —

“GST” has the meaning given in section 195-1 of the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth.

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By Command of the Governor,

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

