



# Government Gazette

OF

## WESTERN AUSTRALIA

(Published by Authority at 4 0 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH. FOR TRANSMISSION BY POST AS A NEWSPAPER.)

No. 78]

PERTH: FRIDAY, 21st SEPTEMBER

[1956.

## TRANSFER OF LAND ACT, 1893-1954.

Crown Law Department,  
Perth, 18th September, 1956.

HIS Excellency the Lieutenant-Governor in Executive Council has been pleased to consent to the regulations made by the Commissioner of Titles under the provisions of section 181 of the Transfer of Land Act, 1893-1954, and set out in the Schedule hereunder.

R. C. GREEN,  
Under Secretary for Law.

Schedule.  
Regulations.

1. Transfer of Land Act Regulations made by the Commissioner of Titles, with the consent of the Governor in Council, under the provisions of section 181 of the Transfer of Land Act, 1893-1950, published in the *Government Gazette* on the 16th March, 1951, and amended by notice published in the *Government Gazette* on the 21st August, 1953, are referred to in these regulations as the principal regulations.

2. Regulation 6 of the principal regulations is amended, with effect from the 15th day of October, 1956, by substituting for the existing scale of fees the following scale:—

Scale of Fees.  
General.

|   |   | £ | s. | d. |
|---|---|---|----|----|
| 1.—Post Fees.   | An additional fee of 5s. is payable on each and every document registered through the post.   |   |    |    |
|   | An additional fee of 2s. 6d. is payable on documents lodged over the counter and required to be returned through the post.  |   |    |    |
| 2.—Assurance Fund.<br>Sections 18,<br>40, 43, 44, 45. | An assurance fund contribution is payable on first bringing freehold land under the operation of the Act whether by application or Crown Grant, and payable on registration of claimant under Statute of Limitations against a registered proprietor. |   |    |    |
| Section 224.  | In the pound value of the land  | 0 | 0  | 0½ |
| Section 45.   | And a further assurance as assessed by the Commissioner is payable under section 45.  |   |    |    |
| 3.—Certificates of Title.                             | For each new Certificate of Title issued on any application whether new special separate balance or consolidated  | 2 | 0  | 0  |
|   | And for each new certificate issued on a transfer   | 1 | 10 | 0  |
|   | And for each certificate included in a consolidated certificate   | 0 | 10 | 0  |

|  |   | £ | s. | d. |
|--|---|---|----|----|
| 4.—Advertis-<br>ing.                                       | As the amount required to meet the cost of advertising fluctuates according to the space required an approximate amount is collected at the time of lodging document and an adjustment is required later when actual cost is known. |   |    |    |
| 5.—Applica-<br>tions, section<br>20, section<br>81B.       | To bring land under the operation of the Act ....   | 5 | 0  | 0  |
|  | To bring Crown Leases under the operation of the Act ....   | 2 | 10 | 0  |
|  | In addition in the case of freehold land further fees will be required to cover the cost of   |   |    |    |
|  | Advertising   |   |    |    |
|  | New Certificate of Title  |   |    |    |
|  | Assurance Fund.   |   |    |    |
| 6.—Section<br>17, Trustee<br>Act, 1900.                    | To register new trustees as proprietors of land pursuant to a deed of appointment under section 17 of Trustees Act, 1900 ....   | 2 | 0  | 0  |
|  | For each Certificate or Crown Lease after the first ....  | 1 | 0  | 0  |
| 7.—Section<br>10,<br>Associations<br>Incorporation<br>Act. | To register an Incorporated Association under section 10 of Associations Incorporation Act ....   | 2 | 0  | 0  |
|  | For each Certificate after the first ....   | 1 | 0  | 0  |
| 8.—Section<br>222.   | To be registered as proprietor of land already under the Act pursuant to a claim by adverse possession ....   | 2 | 0  | 0  |
|  | Additional fees will be required to cover the cost of   |   |    |    |
|  | Advertising   |   |    |    |
|  | New Certificates of Title   |   |    |    |
|  | Assurance Fund  |   |    |    |
|  | And Duty 1 per cent. of Value.  |   |    |    |
| Section 224.<br>Section 225.                               |   |   |    |    |
| 9.—Section<br>219.   | To be registered proprietor of any freehold estate or interest on a transmission ....   | 2 | 0  | 0  |
|  | For each additional Certificate affected ....   | 1 | 0  | 0  |
| 10.—Section<br>121.  | For an Order for Foreclosure ....   | 2 | 0  | 0  |
|  | For each Certificate or Crown Lease affected after the first  | 1 | 0  | 0  |
|  | Additional fees will be required to cover the cost of   |   |    |    |
|  | Advertising   |   |    |    |
|  | And if necessary a New Certificate of Title.  |   |    |    |
| 11.—Sections<br>182, 183.                                  | For a Vesting Order ....  | 2 | 0  | 0  |
|  | For each Certificate after the first ....   | 1 | 0  | 0  |
|  | Additional fees may be required to cover the cost of a new Certificate of Title.  |   |    |    |
| 12.—Section<br>170.  | To amend the boundaries area or position of land shown in a Certificate of Title ....   | 2 | 0  | 0  |
|  | For each Certificate after the first ....   | 1 | 0  | 0  |
| 13.—Section<br>171.  | To amend Certificates of Title of other owners affected by section 170 ....   | 1 | 0  | 0  |
|  | For each Certificate affected ....  | 1 | 0  | 0  |
| 14.—Section<br>187.  | To be registered as proprietor of land, lease, mortgage or charge by transmission ....  | 1 | 0  | 0  |
|  | For each Title or Crown Lease or Lease affected after the first ....  | 0 | 10 | 0  |
| 15.—Section<br>227.  | To be registered as proprietor by survivorship ....   | 1 | 0  | 0  |
|  | For each Certificate or Crown Lease or Lease after the first  | 0 | 10 | 0  |
| 16.—Applica-<br>tions.<br>Section 75.                      | To enter satisfaction of or to withdraw a Writ or Warrant   | 0 | 10 | 0  |
|  | For a new Certificate of Title to replace a duplicate Certificate of Title, Crown Lease lost or destroyed ....  | 2 | 0  | 0  |

|   |   | £ | s. | d. |
|---|---|---|----|----|
|   | In addition, fees will be required to cover the cost of<br>Advertising<br>And a new Certificate of Title.   |   |    |    |
|   | To amend name of registered proprietor on any Certificate<br>of Title or Crown Lease—for each Certificate or Lease<br>affected  | 0 | 10 | 0  |
| 18.—  | Applications of any other kind not otherwise specified<br>except applications for balance separate and consoli-<br>dated Certificates   | 1 | 0  | 0  |
|   | For each Certificate of Title or Lease affected after the first   | 0 | 10 | 0  |
| 19.—Crown<br>Grants.  | Registration of a Crown Grant   | 0 | 10 | 0  |
|   | For each mortgage or encumbrance to be brought forward<br>from a lease or permit—<br>In addition a contribution to the assurance fund   | 0 | 2  | 0  |
| 20.—Crown<br>Lease.   | Registration of a Crown Lease   | 0 | 5  | 0  |
| 21.—Permits.  | For production of a permit  | 0 | 10 | 0  |
| 22.—Trans-<br>fers and<br>Surrenders.   | Registration of a transfer or surrender of freehold land<br>or a Crown Lease  | 2 | 0  | 0  |
|   | For each Certificate or Crown Lease affected after the first  | 1 | 0  | 0  |
|   | For each new Certificate of Title on a transfer   | 1 | 10 | 0  |
|   | For each Certificate consolidated in a new Certificate<br>after the first   | 0 | 10 | 0  |
|   | For each direction in a transfer by direction   | 0 | 10 | 0  |
| 23.—Trans-<br>fers and<br>Extensions.   | Registration of a transfer or extension of a lease, sub-<br>lease, mortgage or charge   | 1 | 0  | 0  |
|   | For each Certificate or Crown Lease affected after the<br>first   | 0 | 10 | 0  |
|   | For each lease, sublease, mortgage or charge required to<br>be endorsed after the first   | 0 | 2  | 0  |
| 24.—Lease,<br>Sublease,<br>Mortgage,<br>Charge,<br>Discharge of<br>Mortgage,<br>Partial<br>Discharge,<br>Surrenders of<br>Easement,<br>Surrenders<br>of Leases,<br>Surrenders<br>of Sublease. | Registration of a lease, sublease, mortgage, charge, dis-<br>charge and partial discharge of mortgage or charge,<br>surrender of easements, surrenders of lease other<br>than a Crown Lease and surrender of a sublease | 1 | 0  | 0  |
|   | For each certificate of title and or Crown Lease affected<br>after the first  | 0 | 10 | 0  |
| 25.—Powers<br>of Attorney<br>and<br>Revocation.   | For deposit of a power of attorney  | 1 | 0  | 0  |
|   | For noting revocation of a power of attorney  | 0 | 10 | 0  |
| 26.—Caveats<br>and<br>Withdrawals<br>of Caveats.  | For lodging a caveat  | 1 | 0  | 0  |
|   | For lodging a withdrawal of caveat  | 0 | 10 | 0  |
|   | For sending 14 days' notice on a caveat—section 138   | 1 | 0  | 0  |
| 27.—Writs,<br>Warrants,<br>Orders.  | For recording any writ of <i>feri facias</i> , warrant of a Local<br>Court or any order of the Supreme Court or of the<br>Commissioner of Titles  | 0 | 10 | 0  |
| 28.—Memor-<br>ials of<br>Advertise-<br>ments Orders<br>for sale, non<br>payment of<br>rates.  | For registering orders for sale or of memorial of adver-<br>tisement  | 1 | 0  | 0  |
|   | For each Certificate or Crown Lease affected after the<br>first   | 0 | 2  | 0  |
|   | For removal of such order or memorial for each lease or<br>Certificate affected   | 0 | 2  | 6  |
| 29.—Declara-<br>tions of<br>Trust,<br>section 55.   | For depositing documents declaratory of trusts  | 1 | 0  | 0  |

|   |  | £ | s. | d. |
|---|--|---|----|----|
| 30.—Sworn Valuator.   | On appointment ....  | 5 | 0  | 0  |
|   | Renewal fees as from 1st January, payable on or before 1st March ....  | 1 | 0  | 0  |
| 31.—Search Certificate 146.   | For every Search Certificate ....  | 1 | 0  | 0  |
| 32.—Stay Order 148.   | In every order staying registration ....   | 1 | 0  | 0  |
| 33.—Friendly Societies Act, 48 of 23, section 13.                                   | For registering a certificate of trustees ....   | 0 | 4  | 0  |
| 34.—Pastoral Leases granted in lieu of previous leases Land Act, 1933, section 114. | For endorsing each registered mortgage or encumbrance on the new leases issued ....  | 0 | 4  | 0  |
| 35.—Statement of Grounds, Section 203.  | For statement of grounds ....  | 1 | 0  | 0  |
| 36.—Returning Documents.  | For returning documents of title deposited in support of application on withdrawal of application or registration of title ....                            | 0 | 5  | 0  |
| 37.—Withdrawals from Registration.  | For withdrawing documents from registration ....   | 0 | 5  | 0  |
| 38.—Certified Copies.   | For copy of or extract from any document deposited in support of an application to bring land under the Act and retained from any caveat—at per folio .... | 0 | 0  | 8  |
|   | For every certified copy—at per folio ....   | 0 | 0  | 8  |
|   | For certificate thereon under hand of Registrar ....   | 0 | 10 | 0  |
|   | For every map thereon to be assessed by Registrar ....   |   |    |    |
| 39.—  | For dispensing with production of a duplicate Certificate—section 74 ....  | 1 | 0  | 0  |
| Plans and Diagrams.   |  |   |    |    |
| 40.—Plans.  | For every plan deposited containing from 1-30 allotments   | 2 | 10 | 0  |
|   | For every additional allotment from 31-150 ....  | 0 | 3  | 0  |
|   | For every additional allotment over 150 ....   | 0 | 5  | 0  |
| 41.—Diagrams.   | For every diagram deposited containing not more than two lots ....   | 1 | 0  | 0  |
|   | For every additional allotment (not more than 12 allotments are to be put on one diagram) ....   | 0 | 2  | 0  |
|   | For tracing plans and diagrams made in office fee to be fixed by Registrar (Corr. 89/1893). ....   |   |    |    |
| 42.—Searches.   | General search of lands in one proprietorship for every 10 or less titles each day ....  | 0 | 10 | 0  |
|   | Ordinary search of one Certificate of Title, Crown Lease or permit, including caveats thereon ....   | 0 | 2  | 0  |
|   | Where volume and folio Crown Lease number or other particulars are not known by searcher—extra ....  | 0 | 3  | 0  |
|   | Search of one plan or diagram ....   | 0 | 2  | 0  |
|   | Search of any registered document ....   | 0 | 2  | 0  |
|   | When reference number of such document is not known by searcher—extra ....   | 0 | 3  | 0  |
|   | For every certificate of ownership issued under the Municipal Corporations Act, Road Districts Act or similar Act ....                                     | 0 | 4  | 0  |

43.—Exemptions.

A discharge of mortgage for the purpose of enabling a mortgage to the Rural and Industries Bank to be registered in priority and the re-registration of such discharged mortgage after the registration of the mortgage to the Rural and Industries Bank.

Caveats lodged by Commissioner of Taxation with respect to a charge for Land Tax payment of the fee will be deferred until tax has been paid or caveat wholly or partially withdrawn.