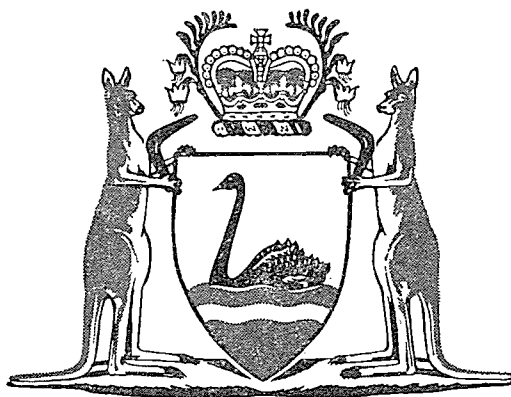


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STRATA TITLES ACT 1966.

STRATA TITLES ACT REGULATIONS 1967.

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STRATA TITLES ACT 1966.

STRATA TITLES ACT REGULATIONS 1967.

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Reprinted pursuant to the Reprinting of Regulations Act 1954 by authority of the Attorney General, dated 24 June 1981.

STRATA TITLES ACT 1966.

STRATA TITLES ACT REGULATIONS 1967.

1. These regulations may be cited as the Strata Titles Act Regulations 1967. Citation.
2. These regulations shall come into operation as from the date of the coming into operation of the Strata Titles Act 1966. Commencement.
3. In these regulations, unless the contrary intention appears, "the Act" means the Strata Titles Act 1966. Interpretation.
4. The Registrar of Titles shall keep a register of strata plans and shall record therein particulars of each strata plan lodged in the Office of Titles, pursuant to the Act. Strata plans.
5. Every strata plan lodged in the Office of Titles shall comply with the following requirements:—
 - (a) (i) it shall be prepared on one side on plan paper supplied for the purpose by the Government Printer;
 - (ii) the paper shall not be creased and shall be free from discolouration or blemishes;
 - (iii) all writing and drawings and other matter appearing on the plan shall be of sufficient strength to bear photographic reproduction and writing and drawings on the plan shall be in a recognised water-proof ink;
- (b) it shall comprise—
 - (i) a first sheet (using annexures thereto where necessary) on which are set out the matters prescribed by paragraphs (a), (b), (g), (h) and (i) of subsection (1) of section 5 of the Act; and
 - (ii) further sheets containing the particulars required by paragraphs (c), (d), (e), (f) and (j) (if any) of subsection (1) of section 5 of the Act;
- (c) (i) each further sheet of a strata plan shall be endorsed on the top right-hand corner as follows—
 "Sheet.....of.....sheets" and shall be signed by the town clerk or shire clerk of the appropriate local authority and the Chairman of the Town Planning Board constituted under the Town Planning and Development Act 1928;
- (ii) where the common boundary of a lot with another lot or with common property is not intended to be the centre of the floor, wall or ceiling that divides them, a provision to that effect shall be set out in writing on the relevant further sheet of the strata plan;
- (d) (i) the diagram prescribed by paragraph (a) of subsection (1) of section 5 of the Act shall be drawn with the North point directed upwards and shall be to a scale that will admit of all details and notations being clearly shown;
- (ii) the diagram shall show offsets in any case where part of the building is within two metres of a boundary of the parcel but no other dimensions are necessary;
- (iii) if the Registrar of Titles so requires, define the external surface boundaries of the parcel shown in any such diagram and the location of the building in relation thereto by a plan made from actual survey and certified by a licensed surveyor registered under the Licensed Surveyors Act 1909;

Form of strata plan.
Amended by G.G. 11/6/69, p. 1741; G.G. 16/6/70, p. 1666; G.G. 28/6/73, p. 2448; G.G. 10/10/80, p. 3452 & 3.

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- (e) (i) any floor plan prepared for the purposes of paragraph (d) of subsection (1) of section 5 of the Act shall be drawn with the North point directed upwards to correspond with the bearing of the North point drawn on the first sheet and shall be drawn to a scale that will admit of details and notations being clearly shown;
- (ii) all floor plans shall be drawn to the same scale and in the same relationship to the borders of the floor plan sheets;
- (f) (i) the lots shall be numbered consecutively, commencing with lot 1 and terminating with a lot numbered to correspond to the total number of lots comprised in the strata plan;
- (ii) different parts of a building that constitute a single lot shall bear the same lot number but in such case the abbreviation "Pt" shall appear before the number;
- (iii) where different parts of a building constitute a single lot reference shall be made on each sheet of the plan that depicts part of that lot to any other sheet of the plan that also refers to that part or another part of that lot;
- (g) in preparing the schedule of the unit entitlement of each lot pursuant to section 18 of the Act, a column of not less than forty millimetres in width shall be retained to the immediate right of that schedule to enable the insertion of references to the certificates of title to be issued in respect of the lots in the strata plan, and the vertical interval between items in the schedule shall be not less than eight millimetres;
- (h) (i) typewriting may be used provided a dense black noncopying record ink is used and the lines of typewriting do not overlap;
- (ii) a carbon copy, or a copy in which the typewritten characters blur or spread, or are liable to mark or damage an adjacent sheet, shall not be accepted;
- (i) all handwriting on any sheet shall be clear and legible;
- (j) the printing, writing or drawing on any sheet shall not extend in any margin thereof; and
- (k) any alteration made with respect to any matter on a sheet shall be made by striking through the matter intended to be rejected and not by rubbing, scraping or cutting the surface of the paper.

6. The Registrar of Titles may reject a strata plan that does not comply with these regulations.

Power of Registrar of Titles to reject plan not complying with regulations.
Amended by G.G. 10/10/80, p. 3453.

7. (1) The first sheet of every strata plan shall be in or to the effect of Form 1 to these regulations.

Form of first sheet of strata plan.
Amended by G.G. 10/10/80, p. 3453.

(1a) Further sheets required shall be in or to the effect of Form 1A of these regulations.

(2) For the purposes of paragraph (b) of subsection (1) of section 5 of the Act—

- (a) the parcel comprised in a strata plan shall be defined by reference to the relevant certificate of title or Crown grant;
- (b) such parcel shall further be defined by reference to a lot, allotment or portion illustrated in a plan on public record in the Office of Titles.

8. Every application for registration of a strata plan shall indicate the name and address of the registered proprietor and shall be accompanied by the prescribed fee and the certificate of title or Crown grant for the parcel to which the strata plan relates.

Details in application for registration of strata plan.
Substituted by G.G. 10/10/80, p. 3453.

9. For the purposes of the Act registration of a strata plan shall be effected by notifying under the seal kept by the Registrar of Titles, pursuant to section 10 of the Transfer of Land Act 1893, on the first sheet thereof the fact and date of such registration.

Registration of strata plan.

10. The Registrar of Titles shall endorse on each certificate of title issued for a lot in a strata plan a notification that by virtue of the provisions of the Strata Titles Act 1966, the proprietor holds his lot and his share in the common property subject to any interests affecting the same for the time being notified on the registered strata plan and subject to any amendments to lots or the common property shown in that plan.
- Endorsement on certificate of title for a lot.
Amended by G.G. 10/10/80, p. 3453.
11. The Registrar of Titles may after giving notice to such persons concerned as he deems necessary—
- (a) number or renumber any lots in a strata plan; and
(b) supply omissions and correct patent errors in a strata plan.
- Power of Registrar of Titles to renumber lots and correct omissions in strata plan.
12. Every document presented for registration or lodgment at the Office of Titles shall comply with the requirements of the Transfer of Land Act Regulations 1972 as amended.
- Documents. Substituted by G.G. 10/10/80, p. 3453.
13. A certificate of a licensed surveyor given pursuant to paragraph (a) of subsection (6) of section 5 of the Act, shall be in or to the effect of Form 2 to these regulations, and if endorsed on the strata plan shall be so endorsed thereon in the appropriate place shown in Form 1 to these regulations.
- Certificate of licensed surveyor.
Amended by G.G. 10/10/80, p. 3453.
14. (1) A certificate of a local authority given pursuant to paragraph (c) of subsection (6) of section 5 of the Act, shall be on paper supplied by the Government Printer in or to the effect of Form 3 of these regulations and shall be attached to the strata plan to which it relates.
- (2) A person applying for the issue of a certificate referred to in sub-regulation (1) of this regulation shall lodge, in duplicate, with the appropriate local authority an application in the form of Form 3A of these regulations and pay to that authority for the certificate the fee prescribed therefor in regulation 26 of these regulations.
- Certificate of local authority.
Amended by G.G. 2/4/68, p. 861; G.G. 10/10/80, p. 3453.
15. Notice of a change in the address endorsed on a strata plan at which documents may be served on a company shall be in or to the effect of Form 4 to these regulations.
- Notice of change of address.
16. A certificate by the company given pursuant to—
- (a) subsection (4) of section 10 of the Act shall be in or to the effect of Form 5 of these regulations; and
(b) paragraph (c) of subsection (3) of section 11 of the Act or paragraph (b) of subsection (2) of section 12 of the Act shall be in or to the effect of Form 6 to these regulations.
- Certificate by company.
17. A notification of destruction of a building given by the company pursuant to subsection (1) of section 11 of the Act shall be in or to the effect of Form 7 to these regulations.
- Notification of destruction of building.
18. A notification given by the company pursuant to subsection (4) of section 15 of the Act shall be in or to the effect of Form 8 to these regulations.
- Notification of amendment, repeal or addition to a by-law by company.
19. Every copy of a registered strata plan or of any amendment of a registered strata plan, furnished pursuant to subsection (3) of section 21 of the Act shall be identified as an annexure to a certificate in or to the effect of Form 9 to these regulations.
- Certificate by company certifying copies of strata plan.
20. (1) Any person or corporation appointed as administrator pursuant to section 23 of the Act may lodge with the Registrar of Titles an office copy of the Order of the Supreme Court making such appointment.
- Lodgement and notification of Court Orders.
Amended by G.G. 10/10/80, p. 3453.

(2) The company may lodge with the Registrar of Titles an office copy of any Order made by the Supreme Court pursuant to subsection (3) of section 19 of the Act.

(3) On receipt of any office copy of an Order of the Supreme Court referred to in this regulation, the Registrar of Titles shall endorse on the registered strata plan to which the Order relates, a notification referring thereto and the notification shall—

- (a) contain such particulars as the Registrar of Titles directs; and
- (b) be signed by the Registrar of Titles.

Memorial of instrument to be endorsed on strata plan. Amended by G.G. 10/10/80, p. 3453.

21. On the lodgment of an instrument executed by the company pursuant to section 10, 11 or 12 of the Act there shall be endorsed on the registered strata plan to which the instrument relates, a memorial stating the nature of the instrument and such other particulars as the Registrar of Titles directs and the memorial shall be signed by the Registrar of Titles.

Production of certificates of title not necessary in certain cases.

22. On the lodgment at the Office of Titles of a plan of subdivision of the common property comprised in a registered strata plan, it is not necessary to produce to the Registrar of Titles the certificates of title for the lots comprised in the registered strata plan.

Notification of destruction of building on strata plan. Amended by G.G. 10/10/80, p. 3453.

23. (1) Upon receipt of a notice in or to the effect of Form 7 to these regulations the Registrar of Titles shall endorse on the registered strata plan to which the form relates a notification of the destruction of the building and of the vesting of the parcel in the proprietors.

(2) The notification shall contain such particulars as the Registrar of Titles directs, and shall be signed by him.

Cancellation of registered strata plan.

24. Where a parcel has been transferred by the company pursuant to section 11 of the Act, the Registrar of Titles—

- (a) shall enter on the registered strata plan to which the parcel relates, a notification of the cancellation of that strata plan; and
- (b) shall indicate by appropriate charting upon any relevant plan that the registered strata plan has been cancelled.

Memorial of notification of change of by-laws. Amended by G.G. 10/10/80, p. 3453.

25. (1) Upon receipt of a notification in or to the effect of Form 8 to these regulations, the Registrar of Titles shall endorse on the registered strata plan to which the notification relates, a memorial of the notification.

(2) The memorial shall contain such particulars as the Registrar of Titles directs, and shall be signed by him.

Fees. Amended by G.G. 2/4/68, p. 861; G.G. 6/10/72, p. 4061; G.G. 28/6/73, p. 2448; G.G. 28/6/74, p. 2243; G.G. 5/12/75, p. 4367; G.G. 1/7/77, p. 1989; G.G. 26/9/80, p. 3334; G.G. 10/10/80, p. 3453.

26. (1) In respect of any matter for which a fee is prescribed by regulation 6 of the Transfer of Land Act Regulations 1972 then subject to this regulation, that fee is payable in respect of that matter under the Act as if prescribed by these regulations.

(2) No fee is payable in respect of easements created by virtue of sections 6, 7 and 8 of the Act.

(3) The registration fee on any dealing executed by the company pursuant to the powers conferred by section 10, 11 or 12 of the Act shall be assessed as if the dealing related to the land comprised in a single certificate of title.

(4) The following fees shall be paid to the Registrar of Titles in respect of the following matters—

	\$
(a) on lodgment of Strata Plan	10.00
and in addition for each lot shown thereon	5.00
(b) on lodgment of application for registration of Strata Plan	20.00
(This fee includes the issue of new Certificates of Title)	
(c) on lodgment of a notification of destruction of the building	20.00
(d) on lodgment of an office copy of an Order of the Court made pursuant to subsection (3) of s. 19 of the Act	20.00
(e) on lodgment of a notification of change of by-laws	20.00
(f) on lodgment of an office copy of an Order appointing an administrator pursuant to s. 23 of the Act	20.00
(g) for entering notice of change of address on Strata Plan	20.00

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(5) The fee payable to a local authority on application for a certificate under subsection (6) of section 5 of the Act shall be 3.5 cents for each square metre of floor space of the building to which the certificate relates; where the fee calculated at the rate of 3.5 cents for each such square metre does not exceed \$25, the fee shall be \$25.

(6) Fees shall be paid to the Town Planning Board in respect of the following matters according to the following scale:—

SCALE OF FEES.

Number of Lots on Strata Plan	On Application for Approval of a Strata Plan	On Approval of Survey Documents
	\$	\$
1	15.00	20.00
2	15.00	25.00
3	15.00	35.00
4	15.00	40.00
5	15.00	45.00
6-10	20.00	55.00
11-15	20.00	65.00
16-20	20.00	80.00
21-25	25.00	95.00
26-30	25.00	110.00
31-35	25.00	125.00
36-40	30.00	140.00
41-45	30.00	155.00
46-50	30.00	170.00
51-55	35.00	185.00
56-60	35.00	200.00
61-65	35.00	215.00
66-70	40.00	230.00
71-75	40.00	245.00
76-80	40.00	260.00
81-85	45.00	275.00
86-90	45.00	290.00
91-95	45.00	305.00
96-100	50.00	320.00
101-125	50.00	335.00
126-150	50.00	350.00
151-175	60.00	365.00
176-200	60.00	380.00
201-225	60.00	430.00
226-250	70.00	480.00
251-300	70.00	580.00
over 300	80.00	680.00

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Form 1A.

Form 1A.
Inserted by
G.G. 10/10/80,
p. 3454.

Strata Titles Act 1966.

Sheet No. of sheets

Strata Plan No.

..... Floor

Scale

APPROVED

For the purposes of the Strata Titles Act 1966.

TOWN PLANNING BOARD		LOCAL AUTHORITY
DATE.....	CHAIRMAN.....	DATE..... Shire/Town Clerk

Reg. 13.

Form 2.

LICENSED SURVEYOR'S CERTIFICATE.

Strata Titles Act 1966.

Description of parcel

I, of
a licensed surveyor registered under the Licensed Surveyors Act 1909, as amended,
hereby certify that—

- (1) the building erected on the parcel described above is within the external boundaries of the parcel *subject to clause (2) or (3) of this certificate;
 - * (2) eaves or guttering of the building project beyond such external boundaries and an appropriate easement has been granted as an appurtenance of the parcel by registered Transfer No.....
 - * (3) eaves or guttering of the building project over a road and the appropriate local authority has consented thereto.
- * Omit if inappropriate.

Dated

Signature

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Form 3.
Amended by
G.G. 11/6/69,
p. 1741. Reg. 14

Form 3.
STRATA PLAN No.....

CERTIFICATE OF LOCAL AUTHORITY.
Strata Titles Act 1966.

....., the local authority hereby certifies that—

- (1) the building shown on the plan has been inspected and that it is consistent with the building plans and specifications in respect thereof that have been approved by the local authority;
- (2) the building, in the opinion of the local authority, is of sufficient standard and suitable to be divided into lots pursuant to the Strata Titles Act 1966.

Description of Building.

.....
Shire/Town Clerk.

Form 3A.
Added by
G.G. 2/4/68,
p. 862. Reg. 14.

Form 3A.
Strata Plan No.....

APPLICATION FOR A CERTIFICATE OF A LOCAL AUTHORITY
UNDER SECTION 5 (6) (c).
Strata Titles Act 1966.

I, of
(full name) (address and occupation)

being duly authorized by the proprietors of the building referred to in the attached Strata Plan, hereby apply for the issue of a certificate pursuant to paragraph (c) of subsection (6) of section 5 of the Strata Titles Act 1966, in respect of that building and of the proposed subdivision shown on the plan.

Details of the location of the building and the address for service of notices are as set out in the Schedule hereunder.

Dated this day of 19 ..

.....
(Signature of Applicant)

Schedule.

Street and street number (if any) where building is located. }

Description of land on which building is located. }

Certificate of Title: Vol: Folio:

Name of Building:

Address for service of notices

Reg. 15.

Form 4.

Form 4.
Amended by
G.G. 10/10/80,
p. 3454.

NOTICE OF CHANGE OF ADDRESS.

Strata Titles Act 1966.

IN pursuance of section 5 (4) of the Strata Titles Act 1966 notice is hereby given that the address endorsed on Strata Plan No. at which documents may be served on the Company has now been changed to—

.....
.....

The Common Seal of The Owners of (the name of the building) Strata Plan No..... was hereunto affixed on..... in the presence of—

.....
.....

Members of the Council

Reg. 16(a).

Form 5.

Form 5.
Amended by
G.G. 10/10/80,
p. 3454.

CERTIFICATE OF COMPANY.

Strata Titles Act 1966.

IN pursuance of the provisions of the Strata Titles Act 1966, The Owners of (the name of the building) Strata Plan No. hereby certifies that the proprietors of the lots in that strata plan by unanimous resolution, duly passed, directed the company to execute the instrument hereunder recited and that all persons having registered interests in the parcel and all other persons having interests (other than statutory interests) which have been notified to the company have consented in writing to the release of those interests in respect of the land comprised in that instrument* and that the instrument conforms with the terms of the resolution.

Instrument: ‡ Transfer (or as the case may be) dated to of

(Brief description of land disposed of).

The Common Seal of The Owners of (the name of the building) Strata Plan No..... was hereunto affixed on in the presence of—

.....
.....

Members of the Council.

* If, in the case of a lease, interested parties have approved in writing of the execution of the lease but have not consented in writing to the release of their interests in respect of the demised land, delete the words "have consented in writing to the release of those interests in respect of the land comprised in such instrument" and substitute the words "have approved in writing of such instrument".

‡ Insert a description of the nature and date of the instrument and the names of the parties thereto.

Form 6.
Amended by
G.G. 10/10/80,
p. 3454.

Form 6.

CERTIFICATE OF COMPANY.

Strata Titles Act 1966.

IN pursuance of the provisions of the Strata Titles Act 1966, The Owners of (the name of the building) Strata Plan No. hereby certifies that the proprietors of lots in that strata plan by unanimous resolution, duly passed, directed the company to execute the instrument hereunder recited and that all persons having registered interests in the parcel and all other persons having interests (other than statutory interests) which have been notified to the company have consented in writing to the release of those interests in respect of the land comprised in such instrument.

Instrument: *Transfer (or as the case may be) dated
..... to
of
(Brief description of land affected)

The Common Seal of The Owners of
(the name of the building) Strata
Plan No..... was hereunto
affixed on
in the presence of—

.....
.....
Members of the Council.

* Insert a description of the nature and date of the instrument and the names of the parties thereto.

Form 7
Amended by
G.G. 10/10/80,
p. 3454.

Form 7.

NOTIFICATION OF DESTRUCTION OF BUILDING.

Strata Titles Act 1966.

IN pursuance of section 11 (1) of the Strata Titles Act 1966, The Owners of (the name of the building) Strata Plan No..... hereby certifies that the building illustrated on that strata plan has been destroyed.

*A certified copy of the unanimous resolution of the proprietors pursuant to section 19 (1) (a) of the Act,

*An office copy of the declaration made by the Court pursuant to section 19 (1) (b) of the Act,

is produced herewith.

The Common Seal of The Owners of
(the name of the building) Strata
Plan No..... was hereunto
affixed on
in the presence of—

.....
.....
Members of the Council.

* Delete if inappropriate.

Reg. 18.

Form 8.

Form 8.
Amended by
G.G. 10/10/80,
p. 3454.

NOTIFICATION OF CHANGE OF BY-LAWS.
Strata Titles Act 1966.

IN pursuance of section 15 (4) of the Strata Titles Act 1966, The Owners of (the name of the building) Strata Plan No..... hereby certifies that by unanimous resolution, duly passed on thethe by-laws in Part I of the Schedule to the Act, as they applied to the building referred to in that strata plan, were added to, amended, or repealed as follows—
(Set out terms of resolution.)

The Common Seal of The Owners of (the name of the building) Strata Plan No..... was hereunto affixed on in the presence of—

.....
.....
Members of the Council.

Reg. 19.

Form 9.

Form 9.
Amended by
G.G. 10/10/80,
p. 3454.

CERTIFICATE VERIFYING COPIES OF STRATA PLAN.
Strata Titles Act 1966.

IN pursuance of section 21 (3) of the Strata Titles Act 1966, The Owners of (the name of the building) Strata Plan No..... hereby certifies that the plans annexed hereto and marked.....and.....are true copies of a strata plan lodged in the office of the Registrar of Titles, or an amendment of a strata plan so lodged, which strata plan was registered on the, as Strata Plan No.....

The Common Seal of The Owners of (the name of the building) Strata Plan No..... was hereunto affixed on in the presence of—

.....
.....
Members of the Council.