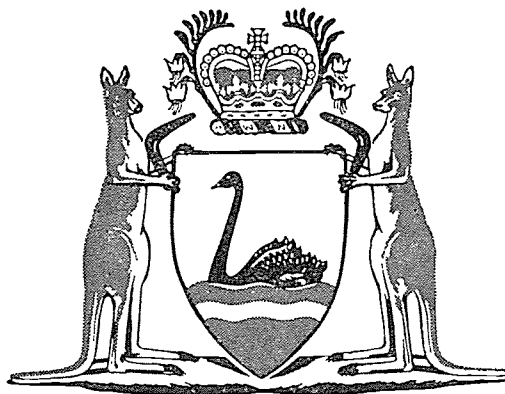


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TRANSFER OF LAND ACT 1893-1978.

### TRANSFER OF LAND ACT REGULATIONS 1972.

PUBLISHED in the *Government Gazette* on 6 October 1972. Reprinted, pursuant to the Reprinting of Regulations Act 1954, incorporating the amendments published in the *Government Gazette* on—

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TRANSFER OF LAND ACT 1893-1978.

**TRANSFER OF LAND ACT REGULATIONS 1972.**

1. These regulations may be cited as the Transfer of Land Act Regulations 1972. Citation.
  2. The Transfer of Land Act Regulations published in the *Government Gazette* on the 16th March, 1951, and amended from time to time thereafter by notices so published, are revoked. Revocation.
  3. (1) Every document presented for registration or lodgment in the Office of Titles shall comply with the following requirements:—
    - (a) it shall be prepared on good quality paper approved by the Registrar and having the dimensions 337 millimetres by 210 millimetres;
    - (aa) if on a form other than those available from the Government Printer, it shall be in a form approved by the Registrar;
    - (b) it shall be clearly and legibly handwritten in ink, printed, or typewritten;
    - (c) all writing, printing, type, or other matter appearing on the document shall be of sufficient strength to bear photographic reproduction;
    - (d) the signature of any party to the document, and that of any witness to such signature, shall be written in ink;
    - (e) where the document consists of more than one page, the pages shall be bound together in a manner acceptable to the Registrar; and
    - (f) after 1 July 1981, all forms other than those printed by the Government Printer shall bear the impression or printing of the Registrar's approval number at the foot of the first page.Requirements as to documents. Amended by G.G. 10/10/80, p. 3454.
  - (2) The Registrar may reject for registration or lodgment a document that does not comply with this regulation.
  4. (1) The Registrar may refuse to issue a Certificate of Title for more than one lot on a plan or diagram of subdivision. Issue of Certificates of Title for lots on plans or diagrams.
    - (2) Where an application is made for a Certificate of Title for the land which is the subject of a plan or diagram of subdivision the Registrar may if he thinks fit, after issuing the Certificate of Title so applied for, issue a Certificate of Title for each lot or any number of lots on that plan or diagram and cancel the Certificate of Title so applied for and issued to such extent as is necessary.
  5. (1) Where an application is made for a Certificate of Title for the whole or part of the land the subject of any existing Certificate or Certificates of Title the Registrar may if he thinks fit, instead of issuing the Certificate of Title so applied for, issue a Certificate of Title for each lot or for any number of lots included in that land. Issue of Certificates of Title for lots included in existing Certificates.
    - (2) If the Registrar is satisfied that a Certificate of Title is too full for further endorsement he may issue a new Certificate of Title without payment of a separate fee for a new Certificate of Title. Amended by G.G. 10/10/80, p. 3455.
- 5A. [Inserted by G.G. 22/2/74, p. 544.]  
 [Repealed by G.G. 30/1/81, p. 447.]

Fees. 6. The fees to be charged by the Registrar and the contributions payable  
 Substituted by to the Assurance Fund are set out in the following scale—  
*G.G.* 10/10/80,  
 p. 3455.

SCALE OF FEES.

This scale is divided into Parts as follow—

- Part 1—TRANSFERS.  
 EASEMENTS.  
 SURRENDERS.  
 RESTRICTIVE COVENANTS.
- Part 2—MORTGAGES.  
 CHARGES.  
 DISCHARGES OF MORTGAGES.  
 DISCHARGES OF CHARGES.  
 EXTENSIONS OF MORTGAGES AND CHARGES.
- Part 3—APPLICATIONS.
- Part 4—CAVEATS.  
 WITHDRAWALS OF CAVEATS.  
 WRITS OF *FIERI FACIAS*.  
 WARRANTS.  
 ORDERS.
- Part 5—POWERS OF ATTORNEY.  
 DECLARATIONS OF TRUST.
- Part 6—LEASES.  
 PERMITS.  
 CROWN GRANTS.
- Part 7—ASSURANCE FUND.  
 ADVERTISING.
- Part 8—SEARCHES.  
 CERTIFICATION.  
 COPIES OF DOCUMENTS.
- Part 9—PLANS.  
 DIAGRAMS.
- Part 10—FEES UNDER SECTION 46 OF THE LAND TAX  
 ASSESSMENT ACT 1976.
- Part 11—MISCELLANEOUS ITEMS—UNDER ALPHABETICAL  
 SUB-HEADINGS.

Section of  
 T.L.A.

PART 1

		\$
82 et. seq. 129A.	1. Registration of a Transfer, Surrender, Easement or Restrictive Covenant .....	20.00
	(This fee includes the issue of new Certificates of Title if required by the Registrar). Additional fees may be required as shown in Part 11 hereof and for advertising when necessary. For each new Certificate of Title requested when not actually required by the Registrar as above; an additional fee of ....	20.00

PART 2

105 123	1. Registration of a Mortgage, Charge, Discharge of Mortgage or Mortgages or Discharge of Charge or Charges (Includes partial discharge of Mortgage/s or Charge/s)—for each interest mortgaged or charged .....	20.00
105	2. Registration of an Extension of Mortgage or Charge .....	20.00
	For 1 and 2 above additional fees may be required as shown in Part 11 hereof.	

PART 3

	\$	Section of T.L.A.
1. An application of any other kind than those specified below	20.00	
2. An application for a new Certificate of Title whether new, balance, separate or consolidated	20.00	
Note: No further fees in addition to those set out above are payable on an application of this kind by reason only of the issue by the Registrar, under the provisions of regulation 4 (2) or 5 of these regulations, of—		
(a) one of more Certificates of Title in addition to the Certificate applied for; or		
(b) two or more Certificates of Title instead of the Certificate applied for.		
3. An Application to bring land under the operation of the Act whether freehold or Crown Leasehold	20.00	20, 81B
In addition:—		
In the case of leasehold land fees may be required for advertising—See Part 7.		
In the case of freehold land further fees will be required to cover the cost of:—		
Each new Certificate of Title	20.00	
Advertising	} see Part 7.	40, 41
Assurance		
4. An Application to be registered as the proprietor of land already under the Act pursuant to a claim by adverse possession	50.00	222
Additional fees will be required to cover the cost of:—		
Each new Certificate of Title	20.00	
Advertising	} see Part 7.	224
Assurance		
Extra Fee 1% of value.		225
5. An Application for an Order for Foreclosure	50.00	121
Additional fees will be required for:—		
Certificate of Title if necessary	20.00	
Advertising—see Part 7		
6. An Application for a Vesting Order	50.00	182, 183
For each new Certificate of Title necessary	20.00	
7. An application to amend the boundaries area or position of land shown in a Certificate of Title	50.00	170
An additional fee will be required for advertising—see Part 7		
8. An application to amend Certificates of Title of other owners affected by Section 170—for each Certificate affected	20.00	171
An additional fee will be required for advertising—See Part 7		
9. An Application for a new Certificate of Title to replace a duplicate Certificate of Title or Crown Lease lost or destroyed	40.00	75
In addition fees will be required to cover the cost of:—		
Each new Certificate of Title	20.00	
Advertising—see Part 7		
For 1, 4, 5 and 6 above, additional fees may be required as shown in Part 11 hereof.		

## 6

Section of T.L.A.	PART 4		\$
137	1.	For lodging a Caveat ....	20.00
	2.	Withdrawal of Caveat ....	10.00
138	3.	For sending 14 days notice on a Caveat ....	25.00
90, 133	4.	For recording any Writ of <i>feri facias</i> , Warrant of a Local Court or any Order of the Supreme Court .... (Withdrawals of Writs and Warrants are included in Part 3 Item 1) For 1, 2 and 4 above, additional fees may be required as shown in Part 11 hereof.	20.00

## PART 5

143	1.	For lodging of a Power of Attorney ....	20.00
	2.	For noting revocation of a Power of Attorney ....	10.00
55	3.	For depositing a Declaration of Trust .... Additional fees may be required as shown in Part 11 hereof.	20.00

## PART 6

81A	1.	Registration of a Crown Lease ....	10.00
91, 99, 105	2.	Registration of a Freehold Lease, Sub-lease or Extension of a Lease .... Additional fees may be required as shown in Part 11 hereof. (For Surrenders of Leases see Part 1)	20.00
73	3.	For production of a Permit ....	10.00
18	4.	Registration of a Crown Grant .... In addition a contribution to the Assurance Fund is required—see Part 7.	10.00

## PART 7

18, 40, 43, 44, 45	1.	An Assurance Fund contribution is payable on first bringing freehold land under the operation of the Act, whether by application or Crown Grant, and on the issue of a Certificate of Title to a proprietor by possession.	
224		In the dollar value of the land ....	5/24 of a cent
45		An additional assurance fee may be required by the Commissioner.	
	2.	Advertising—as assessed by the Registrar—minimum .... As the amount required to meet the cost of advertising fluctuates according to the space required the minimum amount is collected at the time of lodging document. Advertising cost exceeding \$15.00 will be collected when actual cost is known.	15.00

## 7

## PART 8

	\$	Section of T.L.A.
1. Photo copy of Certificate of Title, Crown Lease or Permit if number is known ....	1.50	239
2. Search of records to ascertain number of Certificate of Title, Crown Lease or Permit ....	1.00	
3. Search in Nominal Index for each name whether or not a record is found ....	1.00	
4. Search of any Plan, Diagram or document ....	1.00	
This fee includes a photo copy of two pages by electrostatic copier or of one page by dyeline process if required.		
For electrostatic copy pages in excess of two—per page ....	0.25	
For dyeline pages in excess of one—per page ....	1.00	
5. Copy of any document by a process other than electrostatic or dyeline—to be assessed by Registrar.		
6. For every map or colouring of map on copies of documents, Certificate of Title, Crown Lease, Plans or Diagrams—to be assessed by the Registrar.		
7. For certification under hand of Registrar—for each document, Crown Lease or Certificate of Title ....	5.00	
8. For every Certificate of Ownership issued under Local Government Act 1960 section 655 (1) (b) (ii) ....	2.00	
9. For every Search Certificate ....	10.00	146
For sending search information through the post see Part 11.		

## PART 9

1. For every Plan or Diagram deposited ....	25.00
And in addition for each lot therein ....	3.00
2. For tracing and drawing Plans and Diagrams made in office—fee to be fixed by Registrar (Corr. 89/1893)	

## PART 10

LAND TAX ASSESSMENT ACT 1976.  
SECTION 46.

1. For registration of a Memorial ....	20.00
2. Withdrawal of Memorial	
For receiving a certificate that land tax has ceased to be in arrear ....	10.00
For 1 and 2 above additional fees may be required as shown in Part 11 hereof.	

## 8

Section of  
T.L.A.

## PART 11

		\$
	1. Additional fees which may be required on documents and searches:	
	(A) Where any document registered or lodged affects more than five Certificates of Title, Crown Leases or Permits (except as in items 2, 3, 7, 8 and 9 in Part 3 hereof)—for every Certificate of Title, Crown Lease or Permit in excess of five ....	1.00
	(B) For every document registered through the post ....	2.00
	For every document lodged personally where a request is made to return issues through the post—minimum ....	1.00
	(C) For sending any search information through the post—minimum—Australia Post rates applying at time for standard and non-standard articles.	
	When documents or searches exceed 50 g in weight or when they are to be posted overseas—to be assessed by the Registrar.	
	2. Certificate of Trustees:	
	For registering (Friendly Societies Act 1894, section 33) ....	1.00
74	3. Dispensing with Productions:	
	For dispensing with the production of a duplicate Certificate ....	5.00
	Additional fees will be required to cover the cost of advertising—see Part 7.	
	4. Exemptions from fees:	
	(a) 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.	
	(b) Memorials lodged under the Local Government Act, (sections 412A and 584) and the Metropolitan Water Supply Sewerage and Drainage Act (section 124A) and withdrawals of such Memorials.	
203	5. Statement of Grounds:	
	For Statement of Grounds ....	20.00
148	6. Stay Orders:	
	For every Order for Stay of Registration ....	10.00
	7. Withdrawals from Registration:	
	For withdrawing each document from registration ....	5.00

## NOTE.

Fees required for several matters under the following items are included in separate Regulations as shown:—

1. *Deeds Office:*  
Registration of Deeds Act Regulations 1974.
2. *Deeds Poll and Licenses to Change Name:*  
Change of Names Regulation (Fees) Regulations 1972.
3. *Strata Titles:*  
See Strata Titles Regulations 1967 as amended.