Western Australia

Registration of Deeds Act 1856

Registration of Deeds Regulations 2004

Western Australia

Registration of Deeds Regulations 2004

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Defined Terms

Western Australia

Registration of Deeds Act 1856

Registration of Deeds Regulations 2004

##### 1. Citation

These regulations may be cited as the *Registration of Deeds Regulations 2004*1.

##### 2. Commencement

These regulations come into operation on 6 September 2004.

##### 3. Terms used

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 210 mm by 297 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.

[Regulation 4 amended in Gazette 7 Jul 2006 p. 2512.]

##### 5. Fees

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

[**6.** Omitted under the Reprints Act 1984 s. 7(4)(f).]

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 ............ | $110 |
| 2. | For cancelling or amending a registration by order of the Court ......................................................................... | $110 |

[Division 1 amended in Gazette 24 Jun 2005 p. 2761; 7 Jul 2006 p. 2512; 25 Jun 2007 p. 2966‑7; 20 Jun 2008 p. 2708; 9 Jan 2009 p. 28; 19 Jun 2009 p. 2242.]

Division 2 — Reproduction of documents

|  |  |  |
| --- | --- | --- |
| 1. | For a photocopy supplied of a memorial or other document not specifically provided for .......................... | $18.00 |

[Division 2 amended in Gazette 7 Jul 2006 p. 2512; 25 Jun 2007 p. 2967; 20 Jun 2008 p. 2708; 9 Jan 2009 p. 29; 19 Jun 2009 p. 2242.]

Division 3 — Miscellaneous

|  |  |  |
| --- | --- | --- |
| 1. | For a certification by the Registrar ................................. | $60 |
| 2. | Withdrawal of a memorial registered under section 46 of the *Land Tax Assessment Act 1976* before that Act was repealed or the *Taxation Administration Act 2003* Part 6 Division 2 ............................................................. | $110 |
| 3. | For any service not mentioned in this Schedule ............. | fee, if any, as assessed by the Registrar, not exceeding actual cost |

[Division 3 amended in Gazette 24 Jun 2005 p. 2761; 7 Jul 2006 p. 2512; 25 Jun 2007 p. 2967; 20 Jun 2008 p. 2709; 9 Jan 2009 p. 29; 19 Jun 2009 p. 2242.]

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 |

Notes

1 This is a compilation of the *Registration of Deeds Regulations 2004* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

| **Citation** | **Gazettal** | **Commencement** |
| --- | --- | --- |
| *Registration of Deeds Regulations 2004* | 2 Sep 2004 p. 3822‑3 | 6 Sep 2004 (see r. 2) |
| *Registration of Deeds Amendment Regulations 2005* | 24 Jun 2005 p. 2760‑1 | 4 Jul 2005 (see r. 2) |
| *Registration of Deeds Amendment Regulations 2006* | 7 Jul 2006 p. 2511‑12 | 10 Jul 2006 (see r. 2) |
| *Registration of Deeds Amendment Regulations 2007* | 25 Jun 2007 p. 2966‑7 | r. 1 and 2: 25 Jun 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 2 Jul 2007 (see r. 2(b)) |
| *Registration of Deeds Amendment Regulations 2008* | 20 Jun 2008 p. 2708‑9 | r. 1 and 2: 20 Jun 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2008 (see r. 2(b)) |
| **Reprint 1: The *Registration of Deeds Regulations 2004* as at 5 Dec 2008** (includes amendments listed above) | | |
| *Registration of Deeds Amendment Regulations (No. 2) 2008* | 9 Jan 2009 p. 28-9 | r. 1 and 2: 9 Jan 2009 (see r. 2(a));  Regulations other than r. 1 and 2: 19 Jan 2009 (see r. 2(b)) |
| *Registration of Deeds Amendment Regulations 2009* | 19 Jun 2009 p. 2241-2 | r. 1 and 2: 19 Jun 2009 (see r. 2(a));  Regulations other than r. 1 and 2: 1 Jul 2009 (see r. 2(b)) |

Defined Terms

*[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]*

**Defined Term Provision(s)**

memorial 3

Registrar 3