
LANDS

LA301*

Transfer of Land Act 1893

**Transfer of Land Amendment Regulations
(No. 2) 2009**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Transfer of Land Amendment Regulations (No. 2) 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations —
 - (i) on 1 July 2009; or
 - (ii) if the day on which the *Transfer of Land Amendment Regulations 2009* regulation 3 comes into operation is later than 1 July 2009 — immediately after that regulation comes into operation.

3. Regulations amended

These regulations amend the *Transfer of Land Regulations 2004*.

4. Regulation 9 deleted

Delete regulation 9.

5. Regulation 10 amended

In regulation 10 delete “5.00 p.m.” and insert:

4.30 p.m.

6. Schedule 1 amended

- (1) This regulation amends Schedule 1.

(2) Delete Division 1 item 2 and insert:

2. Of a transfer —

- (a) that is exempt from duty under the *Stamp Act 1921* or the *Duties Act 2008*; or
- (b) on which nominal duty is chargeable under the *Duties Act 2008*; or
- (c) on which duty is chargeable under the *Stamp Act 1921* Second Schedule item 6 \$110.00

(3) Delete Division 1 item 4 and insert:

4. Of any other transfer where the value of the consideration in respect of the land or the value of the land as assessed under the *Stamp Act 1921* or the *Duties Act 2008*, whichever is the greater —

does not exceed \$85 000	\$110.00
exceeds \$85 000 but does not exceed \$120 000	\$120.00
exceeds \$120 000 but does not exceed \$200 000	\$140.00
plus, for each whole or part of \$100 000 above \$200 000	\$20.00

Note: Where —

- (a) stamp duty is assessed on a parcel of land; and
 - (b) transfers are lodged for parts of that parcel; and
 - (c) a separate value for each part is not allocated in the contract,
- the fee for registering and recording the first of the transfers lodged for registration is to be assessed under item 4 on the value as assessed under the *Stamp Act 1921* or the *Duties Act 2008* of the parcel and, subject to proof of the payment of that fee, the fee for registering and recording each of the second and subsequent of the transfers is \$110.00

Note: The fees specified in items 1 to 4 include the creation and registration of a new certificate of title where such certificate is required by the Registrar.

(4) Delete Division 2 items 2, 3 and 4 and insert:

2. Of a deposited plan of Crown land that is not a subdivision —

- (a) general fee \$204.00
- (b) for each lot \$56.00
- (c) for each sheet in addition to the first sheet \$204.00

3. Of any other deposited plan —

- (a) general fee \$204.00

- (b) for each lot (including any lot shown on an inset on the plan) other than a lot vesting in the Crown under the *Planning and Development Act 2005* section 152 \$56.00
4. Of a replacement plan \$204.00

[Note my changes in line with our discussions today.]

- (5) In Division 6 item 19 after “facsimile machine” insert:
- or via email
- (6) In Division 7 item 3 delete “of a certificate” and insert:
- certificate
- (7) In Division 7 item 7 delete “in respect of” and insert:
- on
- (8) Delete Division 7 item 9 and insert:
9. Cancellation of a deposited plan \$178.00
- (9) Delete Division 7 item 12.
- (10) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Division 1 item 1	\$105.00	\$110.00
Division 1 item 3	\$105.00	\$110.00
Division 1 item 5	\$105.00	\$110.00
Division 1 item 6	\$105.00	\$110.00
Division 1 item 7	\$105.00	\$110.00
Division 1 item 8	\$105.00	\$110.00
Division 1 item 9	\$105.00	\$110.00

Provision	Delete	Insert
Division 1 item 10	\$105.00	\$110.00
Division 1 item 11	\$105.00	\$110.00
Division 2 item 1	\$105.00	\$110.00
Division 2 item 5	\$52.50	\$55.00
Division 2 item 6	\$105.00	\$110.00
Division 2 item 7	\$105.00	\$110.00
Division 2 item 8	\$105.00	\$110.00
Division 2 item 9	\$105.00	\$110.00
Division 2 item 10	\$105.00	\$110.00
Division 3 item 1	\$105.00	\$110.00
Division 3 item 2	\$52.50	\$55.00
Division 4 item 1(a)	\$105.00	\$110.00
Division 4 item 2	\$105.00	\$110.00
Division 4 item 3	\$105.00	\$110.00
Division 4 item 4	\$105.00	\$110.00
Division 4 item 5	\$210.00	\$220.00
Division 4 item 6	\$105.00	\$110.00
Division 4 item 7A	\$105.00	\$110.00
Division 4 item 7	\$105.00	\$110.00
Division 5 item 1	\$105.00	\$110.00
Division 6 item 1	\$17.50	\$18.00
Division 6 item 2	\$17.50	\$18.00

Provision	Delete	Insert
Division 6 item 3	\$17.50	\$18.00
Division 6 item 4	\$17.50	\$18.00
Division 6 item 5(a)	\$8.75	\$9.00
Division 6 item 5(b)	\$17.50	\$18.00
Division 6 item 6(a)	\$8.75	\$9.00
Division 6 item 6(b)	\$17.50	\$18.00
Division 6 item 7	\$17.50	\$18.00
Division 6 item 8	\$17.50	\$18.00
Division 6 item 9	\$17.50	\$18.00
Division 6 item 10	\$17.50	\$18.00
Division 6 item 12	\$8.75	\$9.00
Division 6 item 13	\$17.50	\$18.00
Division 6 item 14	\$17.50	\$18.00
Division 6 item 15	\$17.50	\$18.00
Division 6 item 16	\$17.50	\$18.00
Division 6 item 17	\$8.75	\$9.00
Division 6 item 18(a)	\$8.75	\$9.00
Division 6 item 19	\$2.40	\$2.50
Division 6 item 21	\$8.75	\$9.00
Division 6 item 22	\$17.50	\$18.00
Division 6 item 23	\$17.50	\$18.00
Division 7 item 1	\$105.00 (each occurrence)	\$110.00

Provision	Delete	Insert
Division 7 item 3	\$105.00	\$110.00
Division 7 item 4	\$105.00	\$110.00
Division 7 item 5	\$105.00	\$110.00
Division 7 item 6(a)	\$89.00	\$92.00
Division 7 item 6(b)(i)	\$50.00	\$52.00
Division 7 item 6(b)(ii)	\$75.00	\$78.00
Division 7 item 8	\$105.00	\$110.00
Division 7 item 15	\$34.00	\$35.00

7. Schedule 3 deleted

Delete Schedule 3.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.
