

LA310

Registration of Deeds Act 1856
Strata Titles Act 1985
Transfer of Land Act 1893
Valuation of Land Act 1978

Lands Regulations Amendment (Fees and Charges) Regulations 2021

SL 2021/88

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Lands Regulations Amendment (Fees and Charges) Regulations 2021*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2021.

Part 2 — *Registration of Deeds Regulations 2004* amended

3. Regulations amended

This Part amends the *Registration of Deeds Regulations 2004*.

4. Schedule 1 amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Div. 1 it. 1 and 2	\$155.00	\$157.70
Sch. 1 Div. 2 it. 1	\$26.70	\$27.20
Sch. 1 Div. 3 it. 1	\$64.00	\$65.00
Sch. 1 Div. 3 it. 2	\$155.00	\$157.70

Part 3 — *Strata Titles (General) Regulations 2019* amended

5. Regulations amended

This Part amends the *Strata Titles (General) Regulations 2019*.

6. Schedule 5 amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 5 it. 1(a)	288.00	293.00
Sch. 5 it. 1(b)	75.00	76.00
Sch. 5 it. 2(a)	178.20	181.30
Sch. 5 it. 2(b)	6.40	6.50
Sch. 5 it. 3 and 4(a)	178.20	181.30
Sch. 5 it. 4(b)	6.40	6.50
Sch. 5 it. 5(a)	178.20	181.30
Sch. 5 it. 5(b)	6.40	6.50
Sch. 5 it. 6, 7 and 8(a)	178.20	181.30
Sch. 5 it. 8(b)	6.40	6.50
Sch. 5 it. 9(a)	178.20	181.30
Sch. 5 it. 9(b)	6.40	6.50
Sch. 5 it. 10	116.10	118.10
Sch. 5 it. 11 to 13	178.20	181.30

Part 4 — *Transfer of Land Regulations 2004* amended

7. Regulations amended

This Part amends the *Transfer of Land Regulations 2004*.

8. Regulation 9A amended

After regulation 9A(9) insert:

- (10) Regulation 9B contains further supplementary provisions relating to fees.

9. Regulation 9B inserted

After regulation 9A insert:

9B. Supplementary provisions relating to fees

- (1) If a single approved form is used for 2 or more surrenders, Schedule 1 Division 1 item 3 applies separately in respect of each surrender.
- (2) The fee payable in respect of a caveat under Schedule 1 Division 2 item 1 remains payable (and therefore does not have to be refunded) even if the caveat becomes null and void under section 137(1C) of the Act.
- (3) If a single approved form is used to apply for the removal of 2 or more encumbrances from 1 or more certificates of title, Schedule 1 Division 4 item 7 applies separately in respect of each encumbrance.
- (4) The Registrar may, in a particular case, waive or refund a fee payable under a provision of Schedule 1 listed in subregulation (5) if the Registrar is satisfied that —
 - (a) the case has arisen to deal with, or has otherwise arisen due to, the loss or destruction of, or damage to, a duplicate certificate of title; and
 - (b) the loss, destruction or damage occurred as a result of —
 - (i) a cyclone, earthquake, flood, storm, tsunami or other natural event; or
 - (ii) an emergency (as defined in the *Emergency Management Act 2005* section 3) in respect of which a state of emergency was declared under section 56 of that Act.
- (5) The provisions of Schedule 1 are as follows —
 - (a) Division 4 item 6;
 - (b) Division 5 item 1;
 - (c) Division 5 item 3;
 - (d) Division 6 item 6;
 - (e) Division 7 item 1;

- (f) Division 7 item 6(b);
- (g) Division 7 item 12.

10. Schedule 1 amended

- (1) Delete the reference after the heading to Schedule 1 and insert:

[r. 9A, 9B]

- (2) In Schedule 1 Division 6:

- (a) in items 9 and 10 delete “book” and insert:

record

- (b) in item 11 delete “book obtained by use of departmental self-service equipment” and insert:

record obtained by use of the online facility known as the “Survey Channel” of “MyLandgate” or by use of any other online facility that is maintained by, or on behalf of, the Registrar as a service specially for the use of surveyors, cartographers and planning professionals

- (3) In Schedule 1 Division 7 item 9 after “plan” insert:

or any other plan

- (4) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Div. 1 it. 1	\$178.20 \$13.90	\$181.30 \$14.10
Sch. 1 Div. 1 it. 2 and 3	\$178.20	\$181.30
Sch. 1 Div. 1 it. 4	\$178.20 (each occurrence) \$188.20 \$208.20	\$181.30 \$191.30 \$211.30
Sch. 1 Div. 1 it. 5 to 11	\$178.20	\$181.30
Sch. 1 Div. 2 it. 1	\$178.20	\$181.30

Provision	Delete	Insert
Sch. 1 Div. 2 it. 2	\$288.00 (each occurrence) \$75.00	\$293.00 \$76.00
Sch. 1 Div. 2 it. 3	\$288.00 \$75.00	\$293.00 \$76.00
Sch. 1 Div. 2 it. 4	\$288.00	\$293.00
Sch. 1 Div. 2 it. 5	\$89.10 \$6.40	\$90.65 \$6.50
Sch. 1 Div. 2 it. 6 to 10	\$178.20	\$181.30
Sch. 1 Div. 3 it. 1 and 2	\$178.20	\$181.30
Sch. 1 Div. 3 it. 3	\$89.10	\$90.65
Sch. 1 Div. 4 it. 1	\$178.20 \$6.40	\$181.30 \$6.50
Sch. 1 Div. 4 it. 2	\$178.20 \$6.40	\$181.30 \$6.50
Sch. 1 Div. 4 it. 3 and 4	\$178.20	\$181.30
Sch. 1 Div. 4 it. 5	\$333.20	\$339.00
Sch. 1 Div. 4 it. 6 and 7	\$178.20	\$181.30
Sch. 1 Div. 5 it. 1	\$178.20	\$181.30
Sch. 1 Div. 5 it. 2 and 3	\$64.00	\$65.00
Sch. 1 Div. 6 it. 1 to 4	\$26.70	\$27.20
Sch. 1 Div. 6 it. 5	\$13.35 \$26.70	\$13.60 \$27.20
Sch. 1 Div. 6 it. 6	\$13.35 \$26.70	\$13.60 \$27.20
Sch. 1 Div. 6 it. 7 to 10	\$26.70	\$27.20

Provision	Delete	Insert
Sch. 1 Div. 6 it. 12	\$13.35	\$13.60
Sch. 1 Div. 6 it. 13 to 15	\$26.70	\$27.20
Sch. 1 Div. 6 it. 16 and 17	\$13.35	\$13.60
Sch. 1 Div. 6 it. 18 and 19	\$26.70	\$27.20
Sch. 1 Div. 7 it. 1	\$178.20 (each occurrence)	\$181.30
Sch. 1 Div. 7 it. 3 to 5	\$155.00	\$157.70
Sch. 1 Div. 7 it. 6	\$116.10 \$89.10	\$118.10 \$90.65
Sch. 1 Div. 7 it. 8	\$155.00	\$157.70
Sch. 1 Div. 7 it. 9	\$221.00	\$225.00
Sch. 1 Div. 7 it. 13	\$6.40	\$6.50

Part 5 — *Valuation of Land Regulations 1979* amended

11. Regulations amended

This Part amends the *Valuation of Land Regulations 1979*.

12. Schedule 1 amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 it. 1	157.50	160.30
Sch. 1 it. 2	63.20	64.30
Sch. 1 it. 3	8.70	8.85
Sch. 1 it. 4	18.90	19.20

N. HAGLEY, Clerk of the Executive Council.