

Australian Capital Territory

Land Titles (Fees) Determination 2023 (No 2)

Disallowable instrument DI2023-298

made under the

Land Titles Act 1925, section 139 (Determination of fees, charges and other amounts)

1 Name of instrument

This instrument is the *Land Titles (Fees) Determination 2023 (No 2)*.

2 Commencement

This instrument commences on the day after notification.

3 Revocation

This instrument revokes the *Land Titles (Fees) Determination 2023* (DI2023-185).

4 Determination of fees

- (1) The fee payable for a matter stated in an item in the schedule, column 2 is the fee stated in the schedule, column 3 for that matter.
- (2) The fee for a matter stated in an item in the schedule, column 2 is payable by the person requesting the service.

5 Payment of fees

The fee payable for a matter stated in an item in the schedule, column 2 is payable to the Territory.

6 Exemption from Item 5 – Icon Water Limited

The fee in column 3 for item 5 in the schedule is not payable by Icon Water Limited.

Shane Rattenbury MLA
Attorney-General
1 December 2023

SCHEDULE - FEES AND CHARGES TO BE PAID

Column 1 Item	Column 2 Matter in respect of which fee or charge is payable	Column 3 Amount Payable
1	Section 17 of the <i>Land Titles Act 1925</i> , Application to register a crown lease. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
2	Section 55 of the <i>Land Titles Act 1925</i> , Application to register a notice of death by surviving proprietor <i>Explanatory Note: Last Financial Year the fee was \$160.00 charged against Item 161.</i>	\$166.00 (GST is not applicable)
3	Subsection 64(1) of the <i>Land Titles Act 1925</i> , Application to lodge a map or plan. <i>Explanatory Note: From 1 September 2022 to 30 June 2023 the fee was \$619.00.</i>	\$642.00 (GST is not applicable)
4	Section 65 of the <i>Land Titles Act 1925</i> , Application for a certified copy of the register. <i>Explanatory Note: Last Financial Year the fees were \$29.00 per page with a \$98.00 maximum.</i>	\$30.00 per page to a maximum of \$101.00 (GST is not applicable)
5	Section 66 of the <i>Land Titles Act 1925</i> , Application to inspect the register. <i>Explanatory Note: Last Financial Year the fee was \$32.00.</i>	\$33.00 (GST is not applicable)
6	Section 67 of the <i>Land Titles Act 1925</i> , Application for a copy of information contained in the register - plan searches. <i>Explanatory Note: The fee includes \$1.00 copyright payable to the Copyright Agency. Last Financial Year the fee was \$24.00 with \$1.00 copyright payable to the Copyright Agency.</i>	\$24.00 (GST is not applicable)
7	Section 67 of the <i>Land Titles Act 1925</i> , Application for a copy of information contained in the register - all other searches -other than those to which item 6 or item 49 applies. <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$22.00 (GST is not applicable)
8	Section 68 of the <i>Land Titles Act 1925</i> , Application to register a proprietor by statute of law or defeasance of estate. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
9	Section 73 of the <i>Land Titles Act 1925</i> , Application to register a memorandum of transfer. <i>Explanatory Note: From 1 September 2022 to 30 June 2023 the fee was \$430.00.</i>	\$446.00 (GST is not applicable)
10	Section 95 of the <i>Land Titles Act 1925</i> , Application to register a memorandum of transfer by mortgagee. <i>Explanatory Note: From 1 September 2022 to 30 June 2023 the fee was \$430.00..</i>	\$446.00 (GST is not applicable)
11	Section 82 of the <i>Land Titles Act 1925</i> , Application to register a lease. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
12	Section 86 of the <i>Land Titles Act 1925</i> , Application to register a memorandum of surrender. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
13	Section 87C of the <i>Land Titles Act 1925</i> , Application to register a memorandum to extend or vary a lease. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
14	Section 88 of the <i>Land Titles Act 1925</i> , Application to register a sublease. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
15	Section 92 of the <i>Land Titles Act 1925</i> , Application to register a mortgage or encumbrance. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
16	Section 92A of the <i>Land Titles Act 1925</i> , Application to register a postponement of a mortgage or encumbrance. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
17	Section 101 of the <i>Land Titles Act 1925</i> , Application to register a discharge of mortgage or encumbrance.	\$166.00 (GST is not applicable)

	<i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	
18	Section 101A of the <i>Land Titles Act 1925</i> , Application to register a variation of mortgage. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
19	Section 103 of the <i>Land Titles Act 1925</i> , Application to register a discharge of mortgage by way of a court order. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
20	Section 103A of the <i>Land Titles Act 1925</i> , Application to register a memorandum of provision. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
21	Section 103B of the <i>Land Titles Act 1925</i> , Application to register a memorandum of easement. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
22	Section 103C of the <i>Land Titles Act 1925</i> , Application to register an easement in gross, transfer or extinguish an easement in gross. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
23	Section 103C of the <i>Land Titles Act 1925</i> , Application to register, transfer an easement in gross in relation to a specific public utility. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
24	Section 103E of the <i>Land Titles Act 1925</i> , Application to register a memorandum of extinguishment of easement. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
25	Section 103F of the <i>Land Titles Act 1925</i> , Application to register a memorandum of a variation of easement. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
26	Section 103G of the <i>Land Titles Act 1925</i> , Application to register a memorandum of incorporeal right. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
27	Section 103H of the <i>Land Titles Act 1925</i> , Application to register a memorandum of extinguishment of incorporeal right. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
28	Section 104A of the <i>Land Titles Act 1925</i> , Application to register a caveat. <i>Explanatory Note: Last Financial Year the fee was \$313.00.</i>	\$324.00 (GST is not applicable)
29	Section 104A of the <i>Land Titles Act 1925</i> , Application to register a caveat where Homes for Homes Limited is the Caveator, as part of the Homes for Homes Social and Affordable Housing Scheme. <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$0.00
30	Section 107 of the <i>Land Titles Act 1925</i> , Application to register a removal of a caveat. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
31	Section 107 of the <i>Land Titles Act 1925</i> , Application to register a removal of a caveat where Homes for Homes Limited is the Caveator, as part of the Homes for Homes Social and Affordable Housing Scheme. <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$0.00
32	Section 132 of the <i>Land Titles Act 1925</i> , Application to register a transmission by bankruptcy or solvency. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
33	Section 135 of the <i>Land Titles Act 1925</i> , Application to register a transmission on the death of a proprietor. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
34	Section 138B of the <i>Land Titles Act 1925</i> , Application to register a declaration by an executor. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
35	Section 139 of the <i>Land Titles Act 1925</i> , Application for an approval form with the Registrar-General's seal. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
36	Section 139 of the <i>Land Titles Act 1925</i> , Application for an approval form without the Registrar-General's seal. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)

37	Section 139 of the <i>Land Titles Act 1925</i> , Application to register any document affecting land, or any other document, whether or not expressly provided for in any Act. <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
38	Section 139 of the <i>Land Titles Act 1925</i> , Lodgement of request to register a community title scheme under subsection 16(1) of the <i>Community Title Act 2001</i> . <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
39	Section 139 of the <i>Land Titles Act 1925</i> , Lodgement of Management Statement under subsections 16(2) and 82(3)(b) of the <i>Community Title Act 2001</i> . <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
40	Section 139 of the <i>Land Titles Act 1925</i> , Lodgement for registration of a Master Plan under subsection 16(2) of the <i>Community Title Act 2001</i> . <i>Explanatory Note: From 1 September 2022 to 30 June 2023 the fee was \$619.00</i>	\$642.00 (GST is not applicable)
41	Section 139 of the <i>Land Titles Act 1925</i> , Lodgement of a request for registration of an amendment of a community title scheme under section 25 of the <i>Community Title Act 2001</i> . <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
42	Section 139 of the <i>Land Titles Act 1925</i> , Lodgement for registration of an order of the Supreme Court for amendment of a community plan under section 27(9) of the <i>Community Title Act 2001</i> . <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
43	Section 139 of the <i>Land Titles Act 1925</i> , Lodgement for registration of a by-law under subsection 50(1) of the <i>Community Title Act 2001</i> . <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
44	Section 139 of the <i>Land Titles Act 1925</i> , Lodgement of an application for registration of a change of address for service of the body corporate under subsection 59(2) of the <i>Community Title Act 2001</i> . <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
45	Section 139 of the <i>Land Titles Act 1925</i> , Lodgement of notice of the appointment, removal or replacement of an administrator under subsection 61(7) of the <i>Community Title Act 2001</i> . <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
46	Section 139 of the <i>Land Titles Act 1925</i> , Lodgement of a request to record the amalgamation of community title schemes under subsection 82(1) of the <i>Community Title Act 2001</i> . <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
47	Section 139 of the <i>Land Titles Act 1925</i> , Lodgement of a request to record the termination of a community title scheme under subsection 90(1) of the <i>Community Title Act 2001</i> . <i>Explanatory Note: Last Financial Year the fee was \$160.00.</i>	\$166.00 (GST is not applicable)
48	Section 164A of the <i>Land Titles Act 1925</i> , Application to hold a duplicate of a registered instrument, certificate of title or crown lease. <i>Explanatory Note: Last Financial Year the fee was \$24.00.</i>	\$25.00 (GST is not applicable)
49	Section 139 of the <i>Land Titles Act 1925</i> , Application by or on behalf of financial institutions to be provided an uncertified copy of any part of the register or of any information contained in the register for the purposes of verifying internal mortgage records.	\$6.60 per mortgage (GST inclusive)
50	Section 139 of the <i>Land Titles Act 1925</i> , Requisition by the Registrar-General of lodgement deemed not to be in registrable form. <i>Explanatory Note: New fee to commence 1 July 2023</i>	\$120.00 Simple \$240.00 Complex \$455.00 Units Plan and Sublease Plan + \$15.00 per unit if more than 30 units (GST inclusive)