

AUSTRALIAN CAPITAL TERRITORY

LAND TITLES ACT 1925
DETERMINATION OF FEES
NO. 152 OF 1996

EXPLANATORY STATEMENT

The Land Titles Act 1925 governs the registration of dealings in land and the issue of certificates of title for land in the Australian Capital Territory. In particular, subsection 139(1) enables the Minister to determine fees for the purposes of the Act and Schedule 3 specifies the matters in the Act for which a fee may be determined.

This Determination revokes Determination of Fees No. 66 of 1995 made on 21 June 1995 and notified in the Australian Capital Territory Gazette No. S146 of 27 June 1995 and determines that the various fees payable under the Act, including fees for lodging for registration and searching documents pertaining to land, shall be as set out in the Schedule to the Determination

Determination No. 66 of 1995 was made under the Real Property Act 1925 in respect of the matters in Schedule 2 of that Act. The Act is now known as the Land Titles Act 1925 and Schedule 3 has replaced Schedule 2.

Attachment 1 sets out the old Schedule 2 fees, whilst Attachment 2 sets out the proposed Schedule 3 fees, indicating those matters which correlate. The comparison of fees does not correlate in respect of each item because the matters in new Schedule 3 do not correspond exactly with those in old Schedule 2. The new Schedule 3 more accurately reflects the matters attracting a fee.

The fees have generally been increased by 3% in accordance with the anticipated movement in 1996/97 of the Consumer Price Index. Minor fees under \$20 are reviewed on a two yearly basis. Fees are set with a view to full cost recovery and having regard to charges levied for similar interstate services.

Circulated by the Authority of Gary Humphries, Attorney-General

**ATTACHMENT 1
Schedule 2 RPA**

No	Description of Item	1995-96 Fee
1	Lodging a grant for registration under section 17	\$62
2(a)	Issuing a certificate of title	\$62
(b)	Issuing a certificate of title, where more than one plan or diagram is endorsed on the on the certificate or one plan or diagram of a piece of land that is not rectangular in shape is endorsed on the certificate	\$62
3	Issuing a new certificate of title under subsection 62A(1)	\$62
4	Depositing a map or plan in accordance with section 64 or for the purposes of the Real Property (Unit Titles) Act 1970	\$257
5	Furnishing a certified copy of a registered grant, certificate of title or instrument affecting land under subsection 65(1)	\$14 per page to a max of \$42
5A	Inspecting the Register Book	\$27
6	Furnishing a copy, other than a certified copy, of a registered grant or certificate of title	\$16
7	Furnishing a copy, other than a certified copy, of an instrument previously lodged at the office of the Registrar-General	\$7 first page plus \$1.00 each extra page
8	Furnishing a copy of a map or plan previously deposited at the office of the Registrar-General	\$7 first page plus \$1.00 each extra page
9	Lodging for registration a memorandum of transfer of an estate in fee simple or Crown Lease	\$62

No	Description of Item	1995-96 Fee
9A	Lodging for registration a memorandum of provisions	\$62
10	Lodging for registration under section 138B an instrument by which an executor declares that he holds as trustee or beneficiary	\$62
11 (a)	Lodging for registration, entry or notation any other instrument, notice or document, not being a map or plan	\$62
	(b) Lodging for registration, entry or notation, an instrument, notice or document referred to in paragraph (a) that purports to deal with or affect land contained in more than one grant, certificate of title or other instrument, in respect of the first and any subsequent memorial, entry or notation	\$62 plus \$9 each extra memorial
12	Lodging a request for an approval under section 168A, in respect of each kind of document to which the request relates	\$62
13	Lodging a request for the stamping of documents with the seal of the Registrar-General, in respect of each kind of document to which the request relates	\$62
14	Stamping documents with the seal of the Registrar-General in accordance with a request referred to in Item 13	\$14 per 100 or part thereof
15	Examining an instrument not stamped with the seal of the Registrar-General and not bearing a representation of the imprint of that seal	\$62

**ATTACHMENT 2
Schedule 3 LTA**

COLUMN 1 (Item in Schedule 3 of the Act in respect of which fee is payable)	COLUMN 2 MATTER	PROPOSED FEE 1996/7	REFERENCE TO ITEMS IN ATTACHMENT 1
1	issue of duplicate grant under subsection 17(2)	\$64	1
2	issue of certificate of title under subsection 44(1)	\$64	2(a)
3	issue of replacement certificate of title under section 62A	\$64	3
4	lodgement of map or plan for purposes of section 64 or purposes of <i>Land Titles (Unit Titles) Act 1970</i>	\$265	4
5	stationery for map or plan under subsection 64(1A)	\$10	(new fee)
6	issue of certified copy of part of the Register under subsection 65(1)	\$14 per page to a max. of \$42	5
7	inspection of Register under subsection 66(1)	\$16	6
8	furnishing a copy, other than a certified copy, of information contained in the Register, under section 67	\$10	7 & 8
9	lodgement of memorandum of transfer under section 73	\$64	11(a)
10	lodgement of lease under section 82	\$64	11(a)
11	lodgement of memorandum of surrender under subsection 86(1)	\$64	11(a)
12	lodgement of memorandum of variation under section 87C	\$64	(new fee)

COLUMN 1 (Item in Schedule 3 of the Act in respect of which fee is payable)	COLUMN 2 MATTER	PROPOSED FEE 1996/7	REFERENCE TO ITEMS IN ATTACHMENT 1
13	lodgement of sub-lease under section 88	\$64	11(a)
14	lodgement of memorandum of mortgage under subsection 92(1)	\$64	11(a)
15	lodgement of memorandum of encumbrance under subsection 92(2)	\$64	11(a)
16	lodgement of memorandum of postponement of mortgage under subsection 92A(2)	\$64	11(a)
17	lodgement of discharge of mortgage or encumbrance under section 101	\$64	11(a)
18	lodgement of memorandum of variation of mortgage under section 101A	\$64	11(a)
19	lodgement of discharge of mortgage by court order under subsection 103(3)	\$64	11(a)
20	lodgement of memorandum of provisions under section 103A	\$64	9A
21	lodgement of memorandum of easement under section 103B	\$64	11(a)
22	lodgement of application for transfer of easement in gross under section 103C	\$64	(new fee)
23	lodgement of application for transfer of all easements in gross relating to a specified public utility business under section 103C	\$64	(new fee)
24	lodgement of memorandum of extinguishment of easement under section 103E	\$64	(new fee)
25	lodgement of memorandum of variation of easement under section 103F	\$64	(new fee)
26	lodgement of memorandum of incorporeal right under section 103G	\$64	(new fee)

COLUMN 1 (Item in Schedule 3 of the Act in respect of which fee is payable)	COLUMN 2 MATTER	PROPOSED FEE 1996/7	REFERENCE TO ITEMS IN ATTACHMENT 1
27	lodgement of memorandum of extinguishment of incorporeal right under section 103H	\$64	(new fee)
28	lodgement of caveat under section 104A	\$64	11(a)
29	lodgement of application to remove caveat under subsection 107(1)	\$64	(new fee)
30	lodgement of revocation of power of attorney under section 131	\$64	(new fee)
31	lodgement of application to register transmission on bankruptcy or insolvency under section 132	\$64	11(a)
32	lodgement of application to register transmission on death of proprietor under section 135	\$64	11(a)
33	lodgement of declaration by executor under section 138B	\$64	11(a)
34	lodgement of application to hold a duplicate of a registered instrument under subsection 164A(1)	\$12	(new fee)
35	lodging a request for approval for printing of a document bearing a representation of the imprint of the Registrar-General's seal	\$64	12
36	examining a document which has been printed without the Registrar-General's seal	\$64	15
37	subject to section 108D, lodging for registration, or entry on the Register, any other document that affects land under the Act	\$64	11(a)