

AUSTRALIAN CAPITAL TERRITORY
REAL PROPERTY (AMENDMENT) ORDINANCE 1982

EXPLANATORY STATEMENT

78 of 1982

The Real Property (Amendment) Ordinance 1982 amends the Real Property Ordinance 1925 (the Principal Ordinance) to increase the fees payable to the Registrar of Titles as specified in the Eighteenth Schedule to the Principal Ordinance. The fees specified in the Eighteenth Schedule include fees for the lodging of a grant for registration, issuing a certificate of title, lodging for registration a memorandum of transfer of an estate, depositing a map or plan, lodging an instrument other than a map or plan for registration, entry or notation and lodging a request for the stamping of documents with the Registrar's seal.

Sections 1 and 2 of the Ordinance deal with interpretation.

Section 3 of the Ordinance amends section 138B of the Principal Ordinance to provide that the fee for registering an instrument by which an executor declares that he holds as trustee or beneficiary, shall be as specified in the Eighteenth Schedule. The previous section 138B specified a fee of \$14.

Section 4 of the Ordinance amends the Eighteenth Schedule to the Principal Ordinance as follows:

ITEM	FORMER FEE \$	NEW FEE \$
1. On lodging a grant for registration under section 17.	20	24
2. For issuing a certificate of title.	20	24

	FORMER FEE \$	NEW FEE \$
4. On lodging for registration a memorandum of transfer of an estate in fee simple or Crown Lease.	20	24
5. On depositing a map or plan in accordance with section 64 or for the purposes of the Real Property (Unit Titles) Ordinance 1970.	20	24
6. On lodging for registration, entry or notation any other instrument, notice or document not being a map or plan.	20	24
Or, if the instrument, notice or document purports to deal with or affect land contained in more than one grant, certificate of title or other instrument -		
(a) for the first memorial, entry or notation	20	24
7. On lodging a request for an approval under section 168A - for each kind of document to which the request relates.	20	24
8. On lodging a request for the stamping of documents with the seal of the Registrar - for each kind of document to which the request relates.	20	24
10. For examining each instrument not stamped with the seal of the Registrar and not bearing a representation of the imprint of that seal.	20	24

In addition, section 4(e) of the Ordinance inserts a new item 5A in the Eighteenth Schedule prescribing a fee of \$24 on lodging for registration an instrument by which an executor declares that he holds as trustee or beneficiary. This item replaces the provision in section 138B of the Principal Ordinance specifying a fee of \$14.