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

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| **SCHEDULE** - **FEES AND CHARGES TO BE PAID**

| Column 1Item | Column 2Matter in respect of which fee or charge is payable  | Column 3Amount Payable |
| --- | --- | --- |

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| --- | --- | --- |
| 1 | Section 17 of the *Land Titles Act 1925*, Application to register a crown lease. | $166.00 (GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |  |
| 2 | Section 55 of the *Land Titles Act 1925*, Application to register a notice of death by surviving proprietor | $166.00 (GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00* *charged against Item 161.* |  |
|  |  |   |
| 3 | Subsection 64(1) of the *Land Titles Act 1925*, Application to lodge a map or plan. | $642.00 (GST is not applicable) |
|  | *Explanatory Note:* *From 1 September 2022 to 30 June 2023 the fee was $619.00.* |   |
|  |  |   |
| 4 | Section 65 of the *Land Titles Act 1925*, Application for a certified copy of the register. | $30.00 per page to a maximum of $101.00 (GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fees were $29.00 per page with a $98.00 maximum.* |   |
|  |  |   |
| 5 | Section 66 of the *Land Titles Act 1925*, Application to inspect the register. | $33.00 (GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $32.00.* |   |
|  |  |   |
| 6 | Section 67 of the *Land Titles Act 1925*, Application for a copy of information contained in the register - plan searches. | $24.00 (GST is not applicable) |
|  | *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.* |   |
|  |  |  |
| 7 | Section 67 of the *Land Titles Act 1925*, Application for a copy of information contained in the register - all other searches -other than those to which item 6 or item 49 applies.  | $22.00 (GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was the same.* |   |
|  |  |   |
| 8 | Section 68 of the *Land Titles Act 1925*, Application to register a proprietor by statute of law or defeasance of estate. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |  |
| 9 | Section 73 of the *Land Titles Act 1925*, Application to register a memorandum of transfer. | $446.00(GST is not applicable) |
|  | *Explanatory Note:* *From 1 September 2022 to 30 June 2023 the fee was $430.00.* |   |
|  |  |  |
| 10 | Section 95 of the *Land Titles Act 1925,* Application to register a memorandum of transfer by mortgagee. | $446.00(GST is not applicable) |
|  | *Explanatory Note:* *From 1 September 2022 to 30 June 2023 the fee was $430.00..* |   |
|  |  |   |
| 11 | Section 82 of the *Land Titles Act 1925*, Application to register a lease. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 12 | Section 86 of the *Land Titles Act 1925*, Application to register a memorandum of surrender. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 13 | Section 87C of the *Land Titles Act 1925*, Application to register a memorandum to extend or vary a lease. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 14 | Section 88 of the *Land Titles Act 1925*, Application to register a sublease. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 15 | Section 92 of the *Land Titles Act 1925*, Application to register a mortgage or encumbrance. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 16 | Section 92A of the *Land Titles Act 1925*, Application to register a postponement of a mortgage or encumbrance. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 17 | Section 101 of the *Land Titles Act 1925*, Application to register a discharge of mortgage or encumbrance. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 18 | Section 101A of the *Land Titles Act 1925*, Application to register a variation of mortgage. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 19 | Section 103 of the *Land Titles Act 1925*, Application to register a discharge of mortgage by way of a court order. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00* |   |
|  |  |   |
| 20 | Section 103A of the *Land Titles Act 1925*, Application to register a memorandum of provision. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 21 | Section 103B of the *Land Titles Act 1925*, Application to register a memorandum of easement. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 22 | Section 103C of the *Land Titles Act 1925*, Application to register an easement in gross, transfer or extinguish an easement in gross. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 23 | Section 103C of the *Land Titles Act 1925*, Application to register, transfer an easement in gross in relation to a specific public utility. | $166.00 (GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 24 | Section 103E of the *Land Titles Act 1925*, Application to register a memorandum of extinguishment of easement. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 25 | Section 103F of the *Land Titles Act 1925*, Application to register a memorandum of a variation of easement. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 26 | Section 103G of the *Land Titles Act 1925*, Application to register a memorandum of incorporeal right. | $166.00 (GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 27 | Section 103H of the *Land Titles Act 1925*, Application to register a memorandum of extinguishment of incorporeal right. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 28 | Section 104A of the *Land Titles Act 1925*, Application to register a caveat. | $324.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $313.00.* |   |
|  |  |   |
| 29 | Section 104A of the *Land Titles Act 1925*, 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. | $0.00 |
|  | *Explanatory Note:* *Last Financial Year the fee was the same.* |  |
|  |  |   |
| 30 | Section 107 of the *Land Titles Act 1925*, Application to register a removal of a caveat. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 31 | Section 107 of the *Land Titles Act 1925*, 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. | $0.00 |
|  | *Explanatory Note:* *Last Financial Year the fee was the same.* |  |
|  |  |  |
| 32 | Section 132 of the *Land Titles Act 1925*, Application to register a transmission by bankruptcy or solvency. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 33 | Section 135 of the *Land Titles Act 1925*, Application to register a transmission on the death of a proprietor. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 34 | Section 138B of the *Land Titles Act 1925*, Application to register a declaration by an executor. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 35 | Section 139 of the *Land Titles Act 1925*, Application for an approval form with the Registrar-General's seal. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 36 | Section 139 of the *Land Titles Act 1925*, Application for an approval form without the Registrar-General's seal. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 37 | Section 139 of the *Land Titles Act 1925*, Application to register any document affecting land, or any other document, whether or not expressly provided for in any Act. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 38 | Section 139 of the *Land Titles Act 1925*, Lodgement of request to register a community title scheme under subsection 16(1) of the *Community Title Act 2001*. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 39 | Section 139 of the *Land Titles Act 1925*, Lodgement of Management Statement under subsections 16(2) and 82(3)(b) of the *Community Title Act 2001*. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 40 | Section 139 of the *Land Titles Act 1925*, Lodgement for registration of a Master Plan under subsection 16(2) of the *Community Title Act 2001*. | $642.00(GST is not applicable) |
|  | *Explanatory Note:* *From 1 September 2022 to 30 June 2023 the fee was $619.00* |   |
|  |  |   |
| 41 | Section 139 of the *Land Titles Act 1925*, Lodgement of a request for registration of an amendment of a community title scheme under section 25 of the *Community Title Act 2001*. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 42 | Section 139 of the *Land Titles Act 1925*, Lodgement for registration of an order of the Supreme Court for amendment of a community plan under section 27(9) of the *Community Title Act 2001*. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 43 | Section 139 of the *Land Titles Act 1925*, Lodgement for registration of a by-law under subsection 50(1) of the *Community Title Act 2001*. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 44 | Section 139 of the *Land Titles Act 1925*, Lodgement of an application for registration of a change of address for service of the body corporate under subsection 59(2) of the *Community Title Act 2001*. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 45 | Section 139 of the *Land Titles Act 1925*, Lodgement of notice of the appointment, removal or replacement of an administrator under subsection 61(7) of the *Community Title Act 2001*. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 46 | Section 139 of the *Land Titles Act 1925*, Lodgement of a request to record the amalgamation of community title schemes under subsection 82(1) of the *Community Title Act 2001*. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 47 | Section 139 of the *Land Titles Act 1925*, Lodgement of a request to record the termination of a community title scheme under subsection 90(1) of the *Community Title Act 2001*. | $166.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $160.00.* |   |
|  |  |   |
| 48 | Section 164A of the *Land Titles Act 1925*, Application to hold a duplicate of a registered instrument, certificate of title or crown lease. | $25.00(GST is not applicable) |
|  | *Explanatory Note:* *Last Financial Year the fee was $24.00.* |   |
|  49  50 | Section 139 of the *Land Titles Act 1925,* 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.Section 139 of the *Land Titles Act 1925,* Requisition by the Registrar-General of lodgement deemed not to be in registrable form.*Explanatory Note: New fee to commence 1 July 2023* | $6.60 per mortgage(GST inclusive)$120.00 Simple$240.00 Complex$455.00 Units Plan and Sublease Plan + $15.00 per unit if more than 30 units(GST inclusive) |
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