

Australian Capital Territory

Land Titles (Fees) Determination 2019 (No 2)

Disallowable instrument DI2019-156

made under the

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

1 Name of instrument

This instrument is the *Land Titles (Fees) Determination 2019 (No 2)*.

2 Commencement

This instrument commences on 1 July 2019.

3 Revocation

This instrument revokes the *Land Titles (Fees) Determination 2019 (DI2019-67)*.

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 131 – Icon Water Limited

The fee in column 3 for item 131 in the schedule is not payable by Icon Water Limited.

Gordon Ramsay MLA
Attorney-General

24 June 2019

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 |
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| 125 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 126 | Section 44 of the <i>Land Titles Act 1925</i> , Production of a certificate of title. <i>Explanatory Note: Last Financial Year the fee was \$145.00.</i> | \$153.00 (GST is not applicable) |
| 126.1 | 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 \$145.00 charged against Item 161.</i> | \$153.00 (GST is not applicable) |
| 127 | Section 62A of the <i>Land Titles Act 1925</i> , Application to produce a new certificate of title. <i>Explanatory Note: Last Financial Year the fee was \$145.00.</i> | \$153.00 (GST is not applicable) |
| 128 | Subsection 64(1) of the <i>Land Titles Act 1925</i> , Application to lodge a map or plan. <i>Explanatory Note: Last Financial Year the fee was \$556.00.</i> | \$589.00 (GST is not applicable) |
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| 130 | 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 \$28.00 per page with a \$92.00 maximum.</i> | \$28.00 per page to a maximum of \$94.00 (GST is not applicable) |
| 131 | Section 66 of the <i>Land Titles Act 1925</i> , Application to inspect the register. <i>Explanatory Note: Last Financial Year the fee was the same.</i> | \$30.00 (GST is not applicable) |
| 132 | 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: Last Financial Year the fee was \$22.00. From 1 July 2019 the fee includes \$1.50 copyright payable to the Copyright Agency.</i> | \$23.50 (GST is not applicable) |
| 132.1 | Section 67 of the <i>Land Titles Act 1925</i> , Application for a copy of information contained in the register – all other searches. <i>Explanatory Note: Last Financial Year the fee was the same.</i> | \$22.00 (GST is not applicable) |
| 133 | Section 73 of the <i>Land Titles Act 1925</i> , Application to register a memorandum of transfer. <i>Explanatory Note: Last Financial Year the fee was \$386.00.</i> | \$409.00 (GST is not applicable) |
| 133.1 | Section 95 of the <i>Land Titles Act 1925</i> , Application to register a memorandum of transfer by mortgagee. <i>Explanatory Note: Last Financial Year the fee was \$386.00, charged against Item 133.</i> | \$409.00 (GST is not applicable) |
| 134 | Section 82 of the <i>Land Titles Act 1925</i> , Application to register a lease. <i>Explanatory Note: Last Financial Year the fee was \$145.00.</i> | \$153.00 (GST is not applicable) |
| 135 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 136 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 137 | Section 88 of the <i>Land Titles Act 1925</i> , Application to register a sublease. <i>Explanatory Note: Last Financial Year the fee was \$145.00.</i> | \$153.00 (GST is not applicable) |
| 138 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |

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| 140 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 141 | Section 101 of the <i>Land Titles Act 1925</i> , Application to register a discharge of mortgage or encumbrance. <i>Explanatory Note: Last Financial Year the fee was \$145.00.</i> | \$153.00 (GST is not applicable) |
| 142 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 143 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 144 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 145 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 146 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 147 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 148 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 149 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 150 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 151 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 152 | Section 104A of the <i>Land Titles Act 1925</i> , Application to register a caveat. <i>Explanatory Note: Last Financial Year the fee was \$282.00.</i> | \$299.00 (GST is not applicable) |
| 152.1 | 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 |
| 153 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 153.1 | 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 |
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| 155 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 156 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 157 | Section 138B of the <i>Land Titles Act 1925</i> , Application to register a declaration by an executor. | \$153.00 (GST is not applicable) |

Explanatory Note: Last Financial Year the fee was \$145.00.

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| 158 | 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 \$22.00.</i> | \$23.00 (GST is not applicable) |
| 159 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 160 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 161 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
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| 163 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 164 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 165 | 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: Last Financial Year the fee was \$556.00</i> | \$589.00 (GST is not applicable) |
| 166 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 167 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 168 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 169 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 170 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 171 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 172 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 172.1 | 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 \$145.00.</i> | \$153.00 (GST is not applicable) |
| 433 | Summon the title/consent from the registered proprietor/mortgagee for the purpose of surrender/regrant of further unit lease for a further term. <i>Explanatory Note: Last Financial Year the fee was \$1,337.00.</i> | \$1,418.00 (GST is not applicable) |