Australian Capital Territory

Land Titles (Fees) Determination 2023

**Disallowable instrument DI2023-185**

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*.

**2 Commencement**

This instrument commences on 1 July 2023.

**3 Revocation**

This instrument revokes the *Land Titles (Fees) Determination 2022 (No 2)* (DI2022‑200).

**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
29 June 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. | $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 to inspect the register under an agreement for Mortgage Validation Services*Explanatory Note: New fee to commence 1 July 2023*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) |