

EXPLANATORY MEMORANDUM
AUSTRALIAN CAPITAL TERRITORY
REAL PROPERTY ORDINANCE 1963

No. 6 of 1963

The main purposes of this Ordinance are –

- (1) to increase the fee for the issue of a certificate of title, from £1 to £2.10.0, where one simple diagram is involved, and to up to £5 where a complicated diagram or two or more diagrams are involved; and
- (2) to provide for payment of a fee of £2 on the depositing of any map or plan.

As to (1), the increases are made necessary by the cost of diagrams which, for a single, simple diagram, is a minimum of £1.5.0. and, for other diagrams, up to £7.10.0.

As to (2), the number of plans being lodged is increasing substantially and there is at present no provision for the payment of a fee on the lodgment of a plan.

These changes involve amendment of the Eighteenth Schedule. The opportunity has been taken to make some corrections to this Schedule and it is proposed to repeal and replace it. Apart from the alteration and addition mentioned above, however, the fees listed in the Schedule remain unchanged.

The Second Schedule at present lists two fees (for noting caveat and for withdrawing or cancelling caveat). These fees were charged prior to 1956, when the Eighteenth Schedule was repealed and replaced, but they conflict with Item 7 (Item 8 in the new Schedule) of that Schedule and it is now proposed, therefore, to omit them from the Second Schedule.