

# Land Titles (Fees) Determination 2021

## Disallowable instrument DI2021-143

made under the

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

## EXPLANATORY STATEMENT

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Section 139 of the *Land Titles Act 1925* (the Act) provides that the Minister may determine fees under the Act (and certain other legislation) that relate to the Registrar-General exercising a function in connection with the register of land.

This instrument revokes the previous determination of fees under section 139 of the Act and sets fees that will apply beginning on 1 July 2021. The instrument provides that those fees are payable to the Territory by the person requesting the particular service.

The new determination sets the fees that will apply beginning on 1 July 2021 and repeals the *Land Titles (Fees) Determination 2019 (No 2)* DI2019-156. It provides for fee increases in line with annual adjustments to the Wages Price Index (WPI) of 1.75%, rounded down to the nearest dollar for most fees, with the exception of fees that have been consecutively rounded down in previous years by more than \$1.00 in which case have been rounded up to the nearest dollar. This approach also aligns with the 2021 Treasury Guidelines for Fees and Charges. Explanatory notes in the determination list the fees previously determined to enable comparison.

Item 127 from the *Land Titles (Fees) Determination 2019 (No 2)* DI2019-156 has been removed as the *Land Titles (Electronic Conveyancing) Legislation Amendment Act 2020* repealed section 62A to which it relates. The requirement for a person to produce a certificate of title has now been substituted for a person to provide a current certified extract from the land titles register showing all interests affecting the property which a person can obtain under items 130 or 131.

Item 433 from the *Land Titles (Fees) Determination 2019 (No 2)* DI2019-156 has been removed due to the amending law *Land Titles (Electronic Conveyancing) Legislation Amendment Act 2020*. Changes made by the amending law to the *Unit Titles Act 2001* replaced paper-based land title processes with simplified processes for an owners corporation of a units plan to apply for the grant of a further lease. The amending law replaced the previous requirement for owners corporations to obtain a certificate of title from each unit holder with the requirement for the owners corporation to now gain authority by ordinary resolution at a meeting. Therefore, the

requirement for the Registrar-General to summon a registered proprietor/mortgagee to produce a title is no longer required for this purpose.

25 June 2021