

Queensland



Land Title Act 1994

LAND TITLE REGULATION 1994

**Reprinted as in force on 1 August 1994
(includes amendments up to SL No. 250 of 1994)**

Reprint No. 2

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 1 August 1994. The reprint—

- shows the law as amended by all amendments that commenced on or before that day
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind.

The reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in Endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to use expressions consistent with current legislative drafting practice (s 29).

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A Table of previous reprints is included in the Endnotes.

Also see Endnotes for—

- **details about when provisions commenced**
- **any provisions that have not commenced and are not incorporated in the reprint.**

Queensland



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LAND TITLE REGULATION 1994

[as amended by all amendments that commenced on or before 1 August 1994²]

Short title

1. This regulation may be cited as the *Land Title Regulation 1994*³⁻⁵.

Commencement

2. This regulation commences on 24 April 1994.

Location of offices of the land registry

- 3.(1) Documents may be lodged—

- (a) at the offices of the land registry specified in Part 1 of Schedule 1 during business hours; and
- (b) at the offices of the land registry specified in Part 2 of Schedule 1 at times fixed by the chief executive; and
- (c) at another office of the land registry specified by the chief executive at the times fixed by the chief executive.

(2) The chief executive must advertise in the local area the times when an office of the land registry mentioned in subsection (1)(b) or (c) may accept documents.

Forms

4.(1) This section applies to forms to be lodged in the office of the land registry.

- (2) A form other than a plan of survey must be printed on paper that is—
 - (a) international sheet size A4; and
 - (b) white bond of a density at least 80 gm to a square metre; and

Land Title Regulation 1994

- (c) free from discolouration and blemishes.
- (3) A plan of survey must be printed on paper that is—
 - (a) international sheet size A3; and
 - (b) of a density at least 130 gm to a square metre.
- (4) A form mentioned in subsection (2) must—
 - (a) have clear margins no smaller than 10 mm on all sides; and
 - (b) have a clear space no smaller than 90 mm wide and 65 mm deep at the top right-hand corner of the form for stamp duty imprint; and
 - (c) be completed on one side only, either—
 - (i) printed with type size no smaller than 1.8 mm (10 point); or
 - (ii) in a way that is permanent and that can be photocopied to produce a copy satisfactory to the Registrar; and
 - (d) have all pages of the form and all attachments securely bound together in a way approved by the Registrar.
- (5) An alteration on a document must be made by—
 - (a) striking through the printing or writing intended to be altered so that the original printing or writing is still legible; and
 - (b) having each party to the document and each witness initial the alteration to the document.

Fees

5.(1) The fees payable for the purposes of the Act are set out in Schedule 2.

(2) The fee paid on lodgment of an instrument is forfeited if the instrument is rejected under section 142(1) (Rejecting instrument for failure to comply with requisition) of the Act.

(3) The fee payable on re-lodgment of an instrument under section 142(4) of the Act is $\frac{1}{2}$ of the fee specified in Schedule 2 for lodgment of the instrument.

(4) A fee is not payable for the lodgment and registration of an instrument of transfer of land to, or lease of land by, the State.

Transitional

6. A form prescribed for the purpose of an Act specified in section 193 (Repeals) of the Act may be used for a similar purpose under the Act if the form is executed before—

- (a) if the form is a plan of survey—31 March 1995; and
- (b) any other form—31 July 1994.

SCHEDULE 1

OFFICES OF THE LAND REGISTRY

section 3

PART 1

Brisbane

Bundaberg

Bundall (Gold Coast)

Caboolture

Cairns

Ipswich

Mackay

Maryborough

Nambour

Rockhampton

Roma

Toowoomba

Townsville

PART 2

Beenleigh

Gympie

SCHEDULE 2

FEES

	section 5
	\$
1. Dealings under the Act—	
(a) creating an indefeasible title other than a deed of grant	40.00
(b) applying for a certificate of title	40.00
(c) lodging an instrument that changes ownership of an indefeasible title	67.00
plus, for each title	20.00
(d) lodging a transfer when the consideration is more than \$170 000—for each \$10 000 or part of \$10 000 more than \$170 000—additional fee	20.00
(e) lodging any other instrument, including lodging a plan (other than a request to register an enduring power of attorney lodged to replace a power of attorney lodged before 3 September 1990 or application for certificate of title)	87.00
(f) lodging an instrument received through the post, by courier service or by document exchange service—additional fee	20.00
(g) lapsing a caveat	20.00
(h) lodging a cancellation, discharge or satisfaction of a writ of execution	20.00
(i) preparing and serving a caveat notice	20.00
(j) lodging a declaration of trust	20.00
(k) exhibiting an instrument (for the examination of a dealing or production to the Commissioner of Stamp Duties)	20.00
2. Electronic search and print-out of an indefeasible title, power of attorney index or BU & GT plan statement—	

SCHEDULE 2 (continued)

	(a) within a land registry office	10.00
	(b) by external access	8.00
3.	Electronic search and print-out of an indefeasible title and all former registered interests in a lot (historical search)—	
	(a) within a land registry office	15.00
	(b) by external access	13.00
4.	Electronic search statement of unregistered dealing against an indefeasible title	2.00
5.	Optical disk print, microfilm copy or photocopy of—	
	(a) an indefeasible title or plan of survey within a land registry office	10.00
	(b) any other registered or unregistered instrument within a land registry office (including BU & GT plan)	16.00
6.	Optical disk print of a plan of survey by external access .	8.00
7.	Preparing a photocopy, for custodial purposes, of a document lodged in the land registry—	
	(a) for each page	2.00
	(b) maximum fee	30.00
8.	In addition to the fee specified in item 5, 6 or 7, for a copy of an instrument—	
	(a) certifying the copy	20.00
	(b) sending the copy by facsimile	8.00
9.	Requisitioning a document lodged for registration	25.00
10.	Preparing an advertisement for—	
	(a) an application for a transmission by death to a personal representative if no probate or letters of administration have been granted; or	
	(b) an application for a transmission by death to a devisee; or	
	(c) an application for adverse possession; or	
	(d) a request for a substitute instrument or a request to dispense with production of an instrument	10.00

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 August 1994. Future amendments of the Land Title Regulation 1994 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Table of previous reprints

Reprint No.	Amendments included	Reprint date
1	none	28 April 1994

4 List of legislation

Land Title Regulation 1994 SL No. 133

notfd Gaz 15 April 1994 pp 1491–2

ss 1–2 commenced on date of notification

remaining provisions commenced 24 April 1994 (see s 2)

as amended by—

Lands Legislation (Fees) Amendment Regulation (No. 1) 1994 SL No. 250 Pts 1, 6

notfd Gaz 1 July 1994 pp 1170–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 August 1994 (see s 2)

5 List of annotations

Key to abbreviations in list of annotations

amd	=	amended
Ch	=	Chapter
cl	=	clause
def	=	definition
Div	=	Division
hdg	=	heading
ins	=	inserted
om	=	omitted
prec	=	preceding
pres	=	present
prev	=	previous
(prev)	=	previously
prov	=	provision
Pt	=	Part
RA	=	Reprints Act 1992
renum	=	renumbered
Sdiv	=	Subdivision
sub	=	substituted

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

SCHEDULE 2—FEES

sub 1994 No. 250 s 13