

Queensland



Land Title Act 1994

LAND TITLE REGULATION 1994

**Reprinted as in force on 26 September 1997
(includes amendments up to SL No. 214 of 1997)**

Reprint No. 4A

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
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Information about this reprint

This regulation is reprinted as at 26 September 1997. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

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

This page is specific to this reprint. See previous reprints 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 information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



LAND TITLE REGULATION 1994

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LAND TITLE REGULATION 1994

[as amended by all amendments that commenced on or before 26 September 1997]

Short title

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

Location of offices of the land registry

3.(1) Documents may be lodged—

- (a) at the offices of the land registry specified in schedule 1, part 1 during business hours; and
- (b) at the offices of the land registry specified in schedule 1, part 2 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
- (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.

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- (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 1 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 157(1) (Rejecting instrument for failure to comply with requisition) of the Act.

(3) The fee payable on re-lodgment of an instrument under section 157(4) of the Act is half 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

Land Title Regulation 1994

(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 or a separate indefeasible title on request (other than a deed of grant)—for each indefeasible title created 40.00
 - (b) lodging an instrument that changes ownership of a lot or an interest in a lot—
 - (i) for 1 lot 87.00
 - (ii) for each additional lot 20.00
 - (c) lodging a transfer of fee simple or transfer of a lease under the *South Bank Corporation Act 1989* if the consideration is more than \$180 000—for each \$10 000 or part of \$10 000 more than \$180 000—additional fee 20.00
 - (d) lodging—
 - (i) a plan of survey (including a plan of subdivision for establishing a community scheme) 87.00
 - (ii) for establishing a community titles scheme—a request to record the first community management statement for the scheme 87.00
 - (iii) a request to record a new community management statement for a community title scheme 50.00
 - (iv) a request for the purposes of applying for the following—
 - (A) the reservation of a name as the identifying name to be shown in the community management statement for a proposed community titles scheme 50.00

SCHEDULE 2 (continued)

(B) the extension of a reservation mentioned in subsubparagraph (A)	50.00
(C) the withdrawal of a reservation mentioned in subsubparagraph (A)	nil
(v) a request to record a change of the address for service of a body corporate recorded on an indefeasible title for common property	20.00
(vi) a cancellation, discharge or satisfaction of a writ of execution	20.00
(vii) an instrument received through the post, by courier service or by document exchange service—additional fee per instrument	20.00
(viii) an application for a certificate of title	nil
(ix) a standard terms document under section 169 of the Act	nil
(x) a request to remove from an indefeasible title a lease or easement that has expired or a profit a prendre that has expired or otherwise ended	nil
(xi) a request to register an enduring power of attorney lodged to replace a power of attorney lodged before 3 September 1990	nil
(xii) a request to note the lapsing of a caveat (s 126 of the Act)	nil
(e) lodging any other instrument	87.00
(f) examination of a sketch plan that is part of an instrument	25.00
(g) depositing or withdrawing a settlement notice	20.00
(h) depositing or removing an administrative advice	10.00
(i) preparing and serving a caveat notice	20.00
(j) exhibiting an instrument (for examination of a dealing or production to the commissioner of stamp duties)	20.00
2. Computer print-out of an indefeasible title or power of attorney index or optical disk print-out of plan of survey—	
(a) generated within an office of the land registry	10.00

SCHEDULE 2 (continued)

	(b) generated by external access	8.00
3.	Computer print-out of the historical details of a title—	
	(a) generated within an office of the land registry	15.00
	(b) generated by external access	13.00
4.	Optical disk print-out of a title or instrument (including a community management statement)	20.00
5.	Search statement of unregistered dealing, registered dealing or administrative advice against an indefeasible title	2.00
6.	Investigative search of the register by an employee of the department (not including providing copies of documents)—for each hour or part of an hour	40.00
7.	Sending by facsimile a copy of a document mentioned in item 2, 3 or 4—	
	(a) from an office of the land registry	8.00
	(b) automatically from the digital library	2.00
8.	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
9.	Certifying a copy of a document mentioned in section 36 of the Act	20.00
10.	Requisitioning a document lodged for registration	25.00
11.	Preparing an advertisement for—	
	(a) an application for adverse possession; or	
	(b) 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 26 September 1997. Future amendments of the Land Title Regulation 1994 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes an roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	28 April 1994
2	to SL No. 250 of 1994	1 August 1994
3	to SL No. 461 of 1994	13 January 1995
4	to SL No. 224 of 1995	9 August 1995

5 List of legislation

Land Title Regulation 1994 SL No. 133

made by the Governor in Council on 14 April 1994
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)
exp 14 April 2004 (see SIA s 54)

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)

Land Title Amendment Regulation (No. 1) 1994 SL No. 461

notfd gaz 16 December 1994 pp 1792–7
ss 1–2 commenced on date of notification
s 4(3) commenced 6 February 1995 (see s 2)
remaining provisions commenced on date of notification

Land Legislation (Fees) Amendment Regulation (No. 1) 1995 SL No. 224 pts 1, 4

notfd gaz 28 July 1995 pp 1768–9
ss 1–2 commenced on date of notification
remaining provisions commenced 1 August 1995 (see s 2)

Land Legislation Amendment Regulation (No. 1) 1997 SL No. 214 pts 1, 3

notfd gaz 11 July 1997 pp 1229–30
ss 1–2 commenced on date of notification
remaining provisions commenced 13 July 1997 (see s 2 and 1997 SL No. 210)

6 List of annotations

Commencement

s 2 om R3 (see RA s 37)

SCHEDULE 2—FEES

sub 1994 SL No. 250 s 13

amd 1994 SL No. 461 s 4

sub 1995 SL No. 224 s 8; 1997 SL No. 214 s 6