

Queensland



*Land Title Act 1994*

# LAND TITLE REGULATION 1994

**Reprinted as in force on 1 July 2002  
(includes amendments up to SL No. 122 of 2002)**

**Reprint No. 4E**

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 July 2002. 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 earlier 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

### TABLE OF PROVISIONS

Section		Page
1	Short title . . . . .	3
3	Location of offices of the land registry . . . . .	3
4	Forms . . . . .	3
5	Fees . . . . .	4
6	Transitional . . . . .	4
	<b>SCHEDULE 1</b> . . . . .	6
	<b>OFFICES OF THE LAND REGISTRY</b>	
	<b>SCHEDULE 2</b> . . . . .	7
	<b>FEES</b>	
	<b>ENDNOTES</b>	
1	Index to endnotes . . . . .	10
2	Date to which amendments incorporated. . . . .	10
3	Key . . . . .	10
4	Table of earlier reprints . . . . .	11
5	List of legislation . . . . .	11
6	List of annotations . . . . .	12



# LAND TITLE REGULATION 1994

[as amended by all amendments that commenced on or before 1 July 2002]

## 1 Short title

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

## 3 Location of offices of the land registry

(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.

## 4 Forms

(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.

(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.

## **5 Fees**

(1) The fees payable under the Act are stated 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 lodgement and registration of—

- (a) an instrument of transfer of land to, or acquisition or lease of land by, the State; or
- (b) a covenant or release of a covenant if the covenantee is the State.

## **6 Transitional**

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—

*Land Title Regulation 1994*

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- (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

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## SCHEDULE 2

### FEES

	section 5
	\$
<b>1. Dealings under the Act—</b>	
(a) creating an indefeasible title or a separate indefeasible title on request (other than a deed of grant)—for each indefeasible title created . . . . .	43.15
(b) lodging an instrument that changes ownership of a lot or an interest in a lot—	
(i) for 1 lot . . . . .	100.00
(ii) for each additional lot . . . . .	21.50
(c) lodging a transfer of fee simple or transfer of a lease under the <i>South Bank Corporation Act 1989</i> if the consideration is more than \$180 000—for each \$10 000 or part of \$10 000 more than \$180 000—additional fee . . . . .	21.50
(d) lodging—	
(i) a plan of survey (including a plan of subdivision for establishing a community titles scheme) or an explanatory format plan . . . . .	102.40
(ii) for establishing a community titles scheme—a request to record the first community management statement for the scheme . . . . .	100.00
(iii) a request to record a new community management statement for a community titles scheme . . . . .	53.90
(iv) an application to—	
(A) reserve a name as the identifying name to be shown in the community management statement for a proposed community titles scheme (a “ <b>name reservation</b> ”) . . . . .	53.90
(B) extend a name reservation . . . . .	53.90
(C) withdraw a name reservation . . . . .	nil

## SCHEDULE 2 (continued)

	\$
(v) a request to record a change of the address for service of a body corporate recorded on an indefeasible title for common property . . . . .	21.50
(vi) a cancellation, discharge or satisfaction of a writ of execution . . . . .	21.50
(vii) an instrument received through the post, by courier service or by document exchange service—additional fee for each instrument . . . .	21.50
(viii) an application for a certificate of title—	
(A) if certificate is collected . . . . .	nil
(B) if certificate is posted by registered mail . . .	5.00
(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 another instrument . . . . .	100.00
(f) examining sketch plans that are part of an instrument.	26.95
(g) depositing or withdrawing a settlement notice . . . . .	21.50
(h) depositing or removing an administrative advice . . . .	10.70
(i) preparing and serving a caveat notice . . . . .	21.55
<b>2. Computer print-out—</b>	
(a) of an indefeasible title or power of attorney index generated—	
(i) within an office of the land registry . . . . .	10.75
(ii) by external access . . . . .	8.60
(b) of the historical details of a title generated—	
(i) within an office of the land registry . . . . .	16.15
(ii) by external access . . . . .	14.00

## SCHEDULE 2 (continued)

	\$
<b>3.</b> Optical disk print-out of—	
(a) a certificate of title or plan of survey generated—	
(i) within an office of the land registry . . . . .	10.75
(ii) by external access . . . . .	8.60
(b) another instrument (including a community management statement) . . . . .	21.55
<b>4.</b> Search of a statement of registered dealing, community titles scheme or administrative advice against an indefeasible title. . . . .	2.15
<b>5.</b> Investigative search of the register by an employee of the department (not including providing copies of documents)—	
(a) if no additional computer programming time is required—for each hour or part of an hour . . . . .	43.15
(b) if additional computer programming time is required—for each hour or part of an hour . . . . .	107.95
<b>6.</b> Certifying a copy of a document mentioned in section 36 of the Act . . . . .	21.55
<b>7.</b> Requisitioning a document lodged for registration . . . . .	26.95

## ENDNOTES

### 1 Index to endnotes

		Page
2	Date to which amendments incorporated . . . . .	10
3	Key . . . . .	10
4	Table of earlier reprints . . . . .	11
5	List of legislation . . . . .	11
6	List of annotations . . . . .	12

### 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 July 2002. 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

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	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
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

## 4 Table of earlier reprints

### TABLE OF EARLIER REPRINTS

[If a reprint number includes a 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
4A	to SL No. 214 of 1997	26 September 1997
4B	to SL No. 69 of 1999	30 April 1999
4C	to SL No. 111 of 2000	11 August 2000
4D	to SL No. 147 of 2001	21 September 2001

## 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 1 September 2004 (see SIA s 54)

amending legislation—

### **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)

**Natural Resources Legislation Amendment Regulation (No. 1) 1999 SL No. 69  
pts 1, 5**

notfd gaz 23 April 1999 pp 1951–3

commenced on date of notification

**Natural Resources Legislation Amendment Regulation (No. 1) 2000 SL No. 111  
pts 1, 7 (this regulation is amended, see amending legislation below)**

notfd gaz 9 June 2000 pp 456–9

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

amending legislation—

**Natural Resources Legislation Amendment Regulation (No. 2)  
2000 SL No. 168 ss 1–2(1) pt 2**

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

**Natural Resources Legislation Amendment Regulation (No. 2) 2001 SL No. 147  
pts 1, 8**

ss 1–2 commenced on date of notification

remaining provisions commenced 20 September 2001 (see s 2)

**Natural Resources and Mines Legislation Amendment and Repeal Regulation (No. 1)  
2002 SL No. 122 pts 1, 11 (this regulation is amended, see amending  
legislation below)**

notfd gaz 31 May 2002 pp 482–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2002 (see s 2)

amending legislation—

**Natural Resources and Mines Legislation Amendment Regulation (No. 1)  
2002 SL No. 168 ss 1–2, 6 (amends 2002 SL No. 122 above)**

notfd gaz 28 June 2002 pp 876–83

commenced on date of notification

## **6 List of annotations**

**Commencement**

s 2 om R3 (see RA s 37)

**Fees**

s 5 amd 2001 SL No. 147 s 20

**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; 1999 SL No. 69 s 9;  
2000 SL No. 111 s 14 (as amd by SL No. 168 s 4); 2001 SL No. 147 s 21;  
2002 SL No. 122 s 24 (as amd 2002 SL No. 168 s 6)