

Queensland



Land Title Act 1994

LAND TITLE REGULATION 1994

**Reprinted as in force on 1 July 2003
(includes commenced amendments up to 2003 SL No. 100)**

Reprint No. 4G

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 2003. 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. Also see list of legislation for any uncommenced amendments.

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

Also see endnotes for information about—

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

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

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LAND TITLE REGULATION 1994

[as amended by all amendments that commenced on or before 1 July 2003]

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 a 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 lodgment 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

- (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	44.25
	(b) lodging an instrument that changes ownership of a lot or an interest in a lot—	
	(i) for 1 lot	102.50
	(ii) for each additional lot	22.00
	(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	22.00
	(d) lodging—	
	(i) a plan of survey (including a plan of subdivision for establishing a community scheme) or an explanatory plan	102.50
	(ii) for establishing a community titles scheme—a request to record the first community management statement for the scheme	102.50
	(iii) a request to record a new community management statement for a community titles scheme	55.30
	(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 “ name reservation ”)	55.30
	(B) extend a name reservation	55.30
	(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	22.00
(vi) a cancellation, discharge or satisfaction of a writ of execution	22.00
(vii) an instrument received through the post, by courier service or by document exchange service—additional fee for each instrument	22.00
(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 note the lapsing of a caveat (s 126 of the Act).	nil
(e) lodging another instrument	102.50
(f) examining sketch plans that are part of an instrument.	27.60
(g) depositing or withdrawing a settlement notice	22.00
(h) depositing or removing an administrative advice	10.95
(i) preparing and serving a caveat notice	22.10
(j) depositing a survey plan in an office of the land registry—	
(i) for the plan	110.65
(ii) additional fee for each lot or interest surveyed . .	16.55
2. Computer print-out—	
(a) of an indefeasible title, instrument, document or power of attorney index generated—	
(i) within an office of the land registry	11.00
(ii) by external access	8.80
(b) of the historical details of a title generated—	
(i) within an office of the land registry	16.55
(ii) by external access	14.35

SCHEDULE 2 (continued)

	\$
3. Optical disk print-out of—	
(a) a certificate of title or plan of survey generated—	
(i) within an office of the land registry	11.00
(ii) by external access	8.80
(b) any other instrument or document, including a community management statement	22.10
4. Search of a statement of registered dealing, community titles scheme or administrative advice against an indefeasible title.	2.20
5. 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	44.25
(b) if additional computer programming time is required—for each hour or part of an hour	110.65
6. Certifying a copy of a document mentioned in section 36 of the Act	22.10
7. Requisitioning a document lodged for registration	27.60

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 July 2003. 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)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

TABLE OF EARLIER REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	none	24 April 1994	28 April 1994
2	to 1994 SL No. 250	1 August 1994	1 August 1994
3	to 1994 SL No. 461	16 December 1994	13 January 1995
4	to 1995 SL No. 224	1 August 1995	9 August 1995
4A	to 1997 SL No. 214	13 July 1997	26 September 1997
4B	to 1999 SL No. 69	23 April 1999	30 April 1999
4C	to 2000 SL No. 111	1 July 2000	11 August 2000
4D	to 2001 SL No. 147	20 September 2001	21 September 2001 (Column discontinued) Notes
4E	to 2002 SL No. 122	1 July 2002	
4F	to 2002 SL No. 304	22 November 2002	
4G	to 2003 SL No. 100	1 July 2003	

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**

notfd gaz 24 August 2001 pp 1526–9

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

**Revenue and Other Legislation Amendment Regulation (No. 2) 2002 SL No. 304
ss 1, 10 sch**

notfd gaz 22 November 2002 pp 1018–21

commenced on date of notification

**Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2003
SL No. 100 pts 1, 10**

notfd gaz 30 May 2003 pp 371–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2003 (see s 2)

6 List of annotations

Commencement

s 2 om R3 (see RA s 37)

Forms

s 4 amd 2002 SL No. 304 s 10 sch

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); 2003 SL No. 100 s 20