



Queensland

*Land Title Act 1994*

# Land Title Regulation 2005

Current as at 29 November 2013

## Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au).

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at [www.legislation.qld.gov.au/Leg\\_Info/information.htm](http://www.legislation.qld.gov.au/Leg_Info/information.htm).
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



## Queensland

# Land Title Regulation 2005

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# Land Title Regulation 2005

[as amended by all amendments that commenced on or before 29 November 2013]

## 1 Short title

This regulation may be cited as the *Land Title Regulation 2005*.

## 1A Definitions

The dictionary in schedule 3 defines particular words used in this regulation.

## 2 Location of offices of the land registry

- (1) A document may be lodged—
  - (a) at the offices of the land registry mentioned in schedule 1, part 1, during business hours; or
  - (b) at the offices of the land registry mentioned in schedule 1, part 2, at the times decided by the chief executive; or
  - (c) at another office of the land registry specified by the chief executive, at the times decided by the chief executive.
- (2) The chief executive must give a notice to the public of the times when an office of the land registry mentioned in subsection (1)(b) or (c) may accept documents.

## 3 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—
  - (a) be printed on paper that is—

- (i) international sheet size A4; and
    - (ii) white bond of a density at least 80gm to a square metre; and
    - (iii) free from discolouration and blemishes; and
  - (b) have clear margins no smaller than 10mm on all sides; and
  - (c) have a clear space no smaller than 90mm wide and 35mm deep at the top right-hand corner of the form for a duty imprint; and
  - (d) be completed on 1 side only, either—
    - (i) printed with type size no smaller than 1.8mm (10 point); or
    - (ii) in a way that is permanent and that can be photocopied to produce a copy satisfactory to the registrar; and
  - (e) have all pages of the form and all attachments securely bound together in a way approved by the registrar.
- (3) A plan of survey must be printed on paper that is—
- (a) international sheet size A3; and
  - (b) of a density at least 130gm to a square metre.
- (4) An alteration on a form 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 form and each witness initial the alteration to the form.

#### **4 Fees**

- (1) The fees payable under the Act are stated in schedule 2.
- (2) If an instrument is rejected under section 157(1) of the Act—
  - (a) the fee paid for lodging the instrument is forfeited; and

- (b) the fee payable for re-lodging the instrument is half the fee stated in schedule 2, item 2, for lodging the instrument.

*Editor's note—*

See section 157(4) of the Act.

- (3) Despite subsection (1), a fee is not payable for the following—
  - (a) the lodgement and registration of—
    - (i) an instrument of transfer of land to, or acquisition or lease of land by, the State; or
    - (ii) a covenant or release of a covenant if the covenantee is the State;
  - (b) the deposit or removal of an administrative advice by the State.

## **5 Transitional**

- (1) A form prescribed under an Act mentioned in section 193 of the original Act may be used for a similar purpose under the Act if the form was executed—
  - (a) for a plan of survey—before 31 March 1995; or
  - (b) for any other form—before 31 July 1994.
- (2) In this section—

*original Act* means the Act as in force on 24 April 1994.

## **6 Repeal of Land Title Regulation 1994**

The Land Title Regulation 1994 is repealed.

# **Schedule 1      Offices of the Land Registry**

section 2

## **Part 1**

Brisbane

## **Part 2**

Beenleigh

Bundaberg

Caboolture

Cairns

Gold Coast

Gympie

Ipswich

Kingaroy

Mackay

Maryborough

Nambour

Rockhampton

Roma

Toowoomba

Townsville

## Schedule 2 Fees

### section 4

	\$
1 Creating an indefeasible title or, on request, a separate indefeasible title (other than a deed of grant)—for each indefeasible title created (Act, s 42 or 57) . . . . .	61.20
2 Lodging—	
(a) an instrument that changes ownership of a lot or an interest in a lot—	
(i) for 1 lot . . . . .	157.40
(ii) for each additional lot . . . . .	29.80
(b) a plan of survey or an explanatory format plan—	
(i) for the plan . . . . .	310.60
(ii) additional fee for each lot or interest surveyed or defined . . . . .	22.40
(c) for establishing a community titles scheme—a request to record the first community management statement for the scheme . . . . .	157.40
(d) for an established community titles scheme—a request to record a new community management statement for the scheme . . . . .	76.20
(e) an application—	
(i) to reserve a name as the identifying name to be shown in the community management statement for a proposed community titles scheme ( <i>a name reservation</i> ) . . . . .	76.20
(ii) to extend a name reservation . . . . .	76.20
(iii) to withdraw a name reservation . . . . .	nil
(f) a request to record a change of the address for service of a body corporate recorded on an indefeasible title for common property . . . . .	29.80
(g) a cancellation, discharge or satisfaction of a writ of execution . . . . .	29.80

## Schedule 2

	\$
(h) an instrument received through the post, by courier or by document exchange service—additional fee for each instrument . . . . .	29.80
(i) an application for a certificate of title—	
(i) if the certificate is collected . . . . .	nil
(ii) if the certificate is posted by registered mail . . . . .	6.50
(j) a standard terms document (Act, s 169) . . . . .	nil
(k) 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
(l) a request to note the lapsing of a caveat (Act, s 126) . . . . .	nil
(m) any other instrument . . . . .	157.40
3 Additional fee for 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 \$180000—for each \$10000 or part of \$10000 more than \$180000 . . . . .	29.80
4 Examining sketch plans that are part of an instrument . . . . .	37.90
5 Depositing or withdrawing a settlement notice . . . . .	29.80
6 Depositing or removing an administrative advice . . . . .	14.30
7 Preparing and serving a notice of a caveat . . . . .	30.40
8 Computer printout of—	
(a) an indefeasible title, if the printout is generated—	
(i) for the purposes of an entity mentioned in section 35(4) of the Act . . . . .	13.50
(ii) otherwise than under subparagraph (i) . . . . .	16.45
(b) the historical details of a title, if the printout is generated—	
(i) for the purposes of an entity mentioned in section 35(4) of the Act . . . . .	21.15
(ii) otherwise than under subparagraph (i) . . . . .	24.15
9 Image of—	
(a) a certificate of title or plan of survey, if the image is generated—	
(i) for the purposes of an entity mentioned in section 35(4) of the Act . . . . .	13.50
(ii) otherwise than under subparagraph (i) . . . . .	16.45

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	\$
(b) any other instrument or document, including a community management statement . . . . .	31.95
10 Search of a statement of registered dealing, community titles scheme or administrative advice against an indefeasible title. . . . .	2.80
11 Investigative search of the register by an employee of the department (not including providing a copy of a document)—	
(a) if no additional computer programming time is required—for each hour or part of an hour . . . . .	61.20
(b) if additional computer programming time is required—for each hour or part of an hour . . . . .	151.10
12 Certifying a copy of a document mentioned in section 35(1)(b) of the Act. . . . .	30.40
13 Requisitioning a document lodged for registration (Act, s 156) . . . . .	37.90
14 Providing lodgement support service bundle 1 to an ELN in relation to a conveyancing transaction . . . . .	13.50
15 Providing lodgement support service bundle 2 to an ELN in relation to a conveyancing transaction . . . . .	10.70

## Schedule 3 Dictionary

### section 1A

***conveyancing transaction*** see the Electronic Conveyancing National Law (Queensland), section 3.

***ELN*** see the Electronic Conveyancing National Law (Queensland), section 3.

***lodgement support service bundle 1***, for a conveyancing transaction, means—

- (a) the particulars recorded in the freehold land register that are necessary to do any of the following in relation to the transaction—
  - (i) complete each instrument that may be lodged for the transaction;
  - (ii) identify anything in the register that is changed, lodged, noted, recorded or registered; and
- (b) confirmation, for each completed instrument, as to whether the instrument may be lodged electronically.

***lodgement support service bundle 2***, for a conveyancing transaction, means—

- (a) the particulars recorded in the freehold land register that are necessary to complete each instrument that may be lodged for the transaction; and
- (b) confirmation, for each completed instrument, as to whether the instrument may be lodged electronically.

# Endnotes

## 1 Index to 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 29 November 2013. Future amendments of the *Land Title Regulation 2005* 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 version
num	= numbered	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 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3237 0466 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
0A	none	27 May 2005	
1	2005 SL No. 103	1 July 2005	
1A	2006 SL No. 110	1 July 2006	
1B	2007 SL No. 98	1 July 2007	
1C	2008 SL No. 149 (amd 2008 SL No. 204)	1 July 2008	
1D	2009 SL No. 137	1 August 2009	
1E	2010 SL No. 162	1 August 2010	
1F	2010 SL No. 137	30 October 2010	
1G	2011 SL No. 131	1 July 2011	
1H	2011 SL No. 135	1 August 2011	
1I	2011 SL No. 162	26 August 2011	R1I withdrawn, see R2
2	—	26 August 2011	
2A	2012 SL No. 105	1 August 2012	
2B	2012 SL No. 188	1 November 2012	
2C	2012 SL No. 188	1 December 2012	
Current as at 1 July 2013		Amendments included 2013 SL No. 84	Notes
29 November 2013		2013 SL No. 252	

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## 5 List of legislation

### *Regulatory impact statements*

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### *Explanatory notes*

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

### **Land Title Regulation 2005 SL No. 98**

made by the Governor in Council on 26 May 2005

notfd gaz 27 May 2005 pp 308–11

commenced on date of notification

exp 1 September 2015 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2005 SL**

#### **No. 103 pts 1, 10**

notfd gaz 3 June 2005 pp 415–19

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2005 (see s 2)

### **Natural Resources Legislation Amendment Regulation (No. 1) 2006 SL No. 110 pts 1,**

#### **11**

notfd gaz 2 June 2006 pp 572–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2)

### **Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007 SL**

#### **No. 98 pts 1, 7**

notfd gaz 1 June 2007 pp 582–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2007 (see s 2)

### **Natural Resources and Water Legislation Amendment Regulation (No. 1) 2008 SL**

#### **No. 149 pts 1, 7 (this regulation is amended, see amending legislation below)**

notfd gaz 6 June 2008 pp 800–2

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2008 (see s 2)

amending legislation—

### **Natural Resources and Water Legislation Amendment Regulation (No. 2)**

#### **2008 SL No. 204 ss 1–2, 4 (amends 2008 SL No. 149 above)**

notfd gaz 27 June 2008 pp 1268–78

commenced on date of notification

**Natural Resources and Water Legislation Amendment Regulation (No. 1) 2009 SL No. 137 pts 1, 7**

notfd gaz 3 July 2009 pp 934–6  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 August 2009 (see s 2)

**Land Legislation Amendment Regulation (No. 1) 2010 SL No. 137 ss 1, 2(2), pt 3**

notfd gaz 25 June 2010 pp 823–30  
ss 1–2 commenced on date of notification  
pt 3 commenced 30 October 2010 (see s 2(2) and 2010 SL No. 293)  
remaining provisions commenced on date of notification

**Environment and Resource Management Legislation Amendment Regulation (No. 2) 2010 SL No. 162 pts 1, 10**

notfd gaz 2 July 2010 pp 1033–7  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 August 2010 (see s 2)

**Land and Other Legislation Amendment Regulation (No. 1) 2011 SL No. 131 pts 1, 3**

notfd gaz 1 July 2011 pp 589–96  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2011 (see s 2)

**Environment and Resource Management Legislation Amendment Regulation (No. 1) 2011 SL No. 135 pts 1, 10**

notfd gaz 8 July 2011 pp 632–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 August 2011 (see s 2)

**Environment and Resource Management Legislation Amendment Regulation (No. 2) 2011 SL No. 162 pts 1–2**

notfd gaz 26 August 2011 pp 995–7  
commenced on date of notification

**Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2012 SL No. 105 ss 1, 2(2)(b), pt 12**

notfd gaz 20 July 2012 pp 863–7  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 August 2012 (see s 2(2)(b))

**Land Title and Other Legislation Amendment Regulation (No. 1) 2012 SL No. 188 ss 1, 2(1)(d)–(e), (2), pt 4**

notfd gaz 26 October 2012 pp 264–6  
ss 1–2 commenced on date of notification  
ss 7, 8(1)–(4) commenced 1 November 2012 (see s 2(1)(d)–(e))  
remaining provision commenced 1 December 2012 (see s 2(2))

**Natural Resources and Mines Legislation Amendment Regulation (No. 2) 2013 SL No. 84 ss 1, 2(2), pt 12**

notfd gaz 31 May 2013 pp 160–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2013 (see s 2(2))

**Land Title and Other Legislation Amendment Regulation (No. 1) 2013 SL No. 252  
pts 1, 3**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 29 November 2013  
commenced on date of notification

## **6 List of annotations**

**Definitions**

**s 1A** ins 2013 SL No. 252 s 6

**Location of offices of the land registry**

**s 2** amd 2010 SL No. 137 s 12

**Fees**

**s 4** amd 2008 SL No. 149 s 14; 2011 SL No. 131 s 15

**SCHEDULE 1—OFFICES OF THE LAND REGISTRY**

sub 2013 SL No. 252 s 7

**SCHEDULE 2—FEES**

sub 2005 SL No. 103 s 20; 2006 SL No. 110 s 22; 2007 SL No. 98 s 14; 2008  
SL No. 149 s 15 (amd 2008 SL No. 204 s 4); 2009 SL No. 137 s 17; 2010  
SL No. 162 s 22; 2011 SL No. 135 s 22  
amd 2011 SL No. 162 s 4  
sub 2012 SL No. 105 s 29  
amd 2012 SL No. 188 s 8  
sub 2013 SL No. 84 s 30  
amd 2013 SL No. 252 s 8

**SCHEDULE 3—DICTIONARY**

ins 2013 SL No. 252 s 9

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