



Queensland

# Land Title Regulation 2005

## Subordinate Legislation 2005 No. 98

made under the

*Land Title Act 1994*

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## **1 Short title**

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

## **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 advertise in the local area 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 80 gm to a square metre; and
    - (iii) free from discolouration and blemishes; and
  - (b) have clear margins no smaller than 10 mm on all sides; and
  - (c) have a clear space no smaller than 90 mm wide and 35 mm 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 1.8 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
- (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 130 gm 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)<sup>1</sup> 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 for lodging the instrument.<sup>2</sup>
- (3) 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.

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

2 See section 157(4) of the Act.

**5 Transitional**

(1) A form prescribed under an Act mentioned in section 193<sup>3</sup> 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.

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3 Section 193 (Repeals) of the original Act

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

section 2

### **Part 1**

Brisbane  
Bundaberg  
Caboolture  
Cairns  
Gold Coast  
Ipswich  
Mackay  
Maryborough  
Nambour  
Rockhampton  
Roma  
Toowoomba  
Townsville

### **Part 2**

Beenleigh  
Gympie  
Kingaroy

## 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) . . . . .	45.60
2 Lodging—	
(a) an instrument that changes ownership of a lot or an interest in a lot—	
(i) for 1 lot . . . . .	105.60
(ii) for each additional lot . . . . .	22.60
(b) a plan of survey (including a plan of subdivision for establishing a community scheme) or an explanatory plan . . . . .	105.60
(c) for establishing a community titles scheme—a request to record the first community management statement for the scheme . . . . .	105.60
(d) for an established community titles scheme—a request to record a new community management statement for the scheme . . . . .	57.00
(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 (a <b><i>name reservation</i></b> ) . . . . .	57.00
(ii) to extend a name reservation . . . . .	57.00
(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 . . . . .	22.60
(g) a cancellation, discharge or satisfaction of a writ of execution . . . . .	22.60
(h) an instrument received through the post, by courier service or by document exchange service—additional fee for each instrument . . . . .	22.60

## Schedule 2 (continued)

	\$
(i) an application for a certificate of title—	
(i) if the certificate is collected . . . . .	nil
(ii) if the certificate is posted by registered mail . . . . .	5.00
(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 . . . . .	105.60
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 \$180 000—for each \$10 000 or part of \$10 000 more than \$180 000 . . . . .	22.60
4 Examining sketch plans that are part of an instrument . . . . .	28.40
5 Depositing or withdrawing a settlement notice . . . . .	22.60
6 Depositing or removing an administrative advice . . . . .	11.20
7 Preparing and serving a caveat notice . . . . .	22.75
8 Depositing a survey plan in an office of the land registry—	
(a) for the plan . . . . .	114.00
(b) additional fee for each lot or interest surveyed . . . . .	17.05
9 Computer print-out—	
(a) of an indefeasible title generated—	
(i) within an office of the land registry . . . . .	11.30
(ii) by external access . . . . .	9.05
(b) of the historical details of a title generated—	
(i) within an office of the land registry . . . . .	17.05
(ii) by external access . . . . .	14.75
10 Optical disk print-out of—	
(a) a certificate of title or plan of survey generated—	
(i) within an office of the land registry . . . . .	11.30
(ii) by external access . . . . .	9.05
(b) any other instrument or document, including a community management statement . . . . .	22.75

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 Schedule 2 (continued)

	\$
11 Search of a statement of registered dealing, community titles scheme or administrative advice against an indefeasible title. . . . .	2.25
12 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 . . . . .	45.60
(b) if additional computer programming time is required—for each hour or part of an hour . . . . .	114.00
13 Certifying a copy of a document mentioned in section 36 of the Act. . . . .	22.75
14 Requisitioning a document lodged for registration (Act, s 156). . . . .	28.45

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## ENDNOTES

- 1 Made by the Governor in Council on 26 May 2005.
- 2 Notified in the gazette on 27 May 2005.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Natural Resources and Mines.