

Queensland



Real Property Act 1861

REAL PROPERTY REGULATION 1993

**Reprinted as in force on 14 December 1993
(includes amendments up to SL No. 414 of 1993)**

Reprint No. 3

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 14 December 1993. As required by section 5 of the Reprints Act 1992, it—

- shows the law as amended by all amendments that commenced on or before that day; and
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind.

As required by section 6 of the Reprints Act 1992, 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—

- **details about when provisions commenced; and**
- **any provisions that have not commenced and are not incorporated in the reprint.**

Queensland



REAL PROPERTY REGULATION 1993

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REAL PROPERTY REGULATION 1993

[as amended by all amendments that commenced on or before 14 December 1993²]

Short title

- 1.** This regulation may be cited as the *Real Property Regulation 1993*³⁻⁵.

Forms

2.(1) The forms to be lodged in the land registry or issued by the Registrar of Titles for the purposes of the Act are the forms approved by the chief executive.

(2) A form may specify the number of executed copies to be lodged or whether the form is to be lodged in duplicate or triplicate.

Location of offices of the land registry (s.5(3)(a) of the Act)

3.(1) Documents may be lodged—

- (a) at the offices of the land registry mentioned in Part 1 of Schedule 1 during business hours; and
- (b) at the offices of the land registry mentioned in Part 2 of Schedule 1 at the times determined by the chief executive; and
- (c) at another office of the land registry determined by the chief executive at the times determined by the chief executive.

(2) The chief executive must advertise in the local area the times at which an office of the land registry mentioned in subsection (1)(b) or (c) may accept documents.

General requirements for documents

5.(1) A document lodged in the office of the land registry must comply with this section.

- (2)** The document must be on paper—

- (a) that is—
 - (i) international sheet size B4; and
 - (ii) azure laid ledger paper of a density not less than 113 g/m²; and
 - (iii) free from discolouration and blemishes; or
 - (b) that is—
 - (i) not less than international sheet size A4 nor greater than international sheet size B4; and
 - (ii) of a density not less than 70 g/m²; and
 - (iii) free from discolouration and blemishes; and
 - (iv) approved by the chief executive.
- (3)** The document must—
- (a) have margins free from printing and writing of not less than 10 mm on all sides; and
 - (b) be clearly printed or written and otherwise produced in a way that is permanent and will make possible a reproduction by photographic means that is satisfactory to the chief executive.
- (4)** An alteration on a document must be made by—
- (a) striking through the printing or writing intended to be altered in such a way that the original printing or writing is still legible; and
 - (b) each party and witness initialling the alteration to the document.
- (5)** A document must have—
- (a) a completed backing sheet in the form approved by the chief executive; and
 - (b) all the sheets comprising the document securely bound together in a way approved by the chief executive.

Fees, costs and charges

6. The fees, costs and charges payable for the purposes of the Act are the fees, costs and charges set out in Schedule 3.

SCHEDULE 1

LOCATION OF OFFICES OF THE LAND REGISTRY

section 3

PART 1

Beenleigh

Brisbane

Bundaberg

Bundall (Gold Coast)

Cairns

Ipswich

Mackay

Maryborough

Nambour

Rockhampton

Roma

Toowoomba

Townsville

PART 2

Caboolture

SCHEDULE 3

FEES, COSTS AND CHARGES

section 6

\$

- 1. Assurance fund fees—
 - on—
 - (a) the first bringing of land under the provisions of the Act by the alienation of the land in fee from the Crown; or
 - (b) an instrument lodged in respect of which a fee is prescribed under section 143A of the Act 2.00
- 2. Dealings under the Act—
 - (a) for issue of a certificate of title 40.00
 - (b) on the consolidation in 1 certificate of title of lands included in more than 1 instrument of title—for each instrument of title to be consolidated 8.00
 - (c) for the lodgment and registration of an instrument—
 - (i) relating to not more than 9 instruments of title—
 - (A) in the case of a plan 58.00
 - (B) in any other case (other than a request to register an enduring power of attorney lodged to replace a power of attorney lodged before 3 September 1990) 87.00
 - (ii) relating to more than 9 instruments of title—for each additional instrument of title 16.00
 - (d) for the lodgment and registration of a memorandum of transfer or nomination of trustees under which the consideration exceeds \$150 000—for every \$10 000 or part of \$10 000 in excess of \$150 000, an additional fee 16.00
 - (e) for the lodgment of an instrument sent through the post or by way of a courier service or document

SCHEDULE 3 (continued)

	exchange service, an additional fee	18.00
(f)	for noting lapse of caveat or writ—each notation . .	16.00
(g)	for preparation and service of caveat notice	16.00
(h)	for each instrument declaratory of trusts deposited .	16.00
(i)	for exhibiting (for the examination of any dealing or production to the Commissioner of Stamp Duties) any instrument	16.00
3.	Searches—	
(a)	for each instrument of title—	
(i)	if the volume and folio are given	7.00
(ii)	if the volume and folio are not given	14.00
(b)	for each plan, building units plan, group titles plan, or registered or unregistered instrument searched, if a reference is given	7.00
4.	Copies of documents—	
(a)	for a computer check search	2.00
(b)	for a microfilm copy, optical disk print or photocopy of—	
(i)	a registered or unregistered instrument	15.00
(ii)	an instrument of title or plan	7.00
(c)	for—	
(i)	a photocopy, for custodial purposes, of a document lodged in the land registry; or	
(ii)	any other photocopy; (for each page, with a maximum of \$30.00 for each document)	2.00
(d)	in addition to the fee mentioned in this item for a copy of a document—	
(i)	for certification of the document	20.00
(ii)	for sending the document by facsimile	8.00
5.	Requisition on dealing—	
	for requisition notice—on each document	21.00
6.	Advertising—	
	for an instrument in respect of which an advertisement is required—	
(a)	on lodgment of instrument	70.00

SCHEDULE 3 (continued)

	(b) if actual cost of advertising exceeds fee prescribed in (a)	exce ss cost
7.	Postage— for each instrument sent by certified mail (including advice)—	
	(a) first instrument	5.00
	(b) each additional instrument	2.00
8.	General—	
	(a) on a certificate issued by an authorised officer under section 10(5) of the <i>Banking (Transitional Provisions) Act 1959</i> (Commonwealth) as to a bill of mortgage that is an instrument mentioned in section 10(4) of that Act lodged with a release of such bill of mortgage—for each mortgage affected	4.00
	(b) on a certificate issued by an authorised officer under section 14 of the <i>Papua New Guinea (Transfer of Banking Business) Act 1973</i> (Commonwealth) as to a bill of mortgage that is an instrument mentioned in section 13 of that Act lodged with a release of such bill of mortgage—for each mortgage affected	13.00
	(c) on a certificate issued by an authorised person under section 173(1) of the <i>Superannuation Act 1976</i> (Commonwealth) as to a bill of mortgage that is an instrument mentioned in section 172 of that Act lodged with a release of such bill of mortgage—for each mortgage affected	21.00

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in section 5(c) of the Reprints Act 1992. Accordingly, this reprint includes all amendments that commenced operation on or before 14 December 1993. Future amendments of the Real Property Regulation 1993 may be made in accordance with this reprint under section 49 of the Reprints Act 1992.

3 Table of previous reprints

Reprint No.	Amendments included	Reprint date
1	none	9 June 1993
2	to SL No. 299 of 1993	17 September 1993

4 List of legislation

Real Property Regulation 1993 SL No. 87

notfd Gaz 26 March 1993 pp 1580–3
commenced on date of notification

as amended by—

Lands Legislation (Variation of Fees) Amendment Regulation (No. 1) 1993 SL No. 299 Pts 1, 7

notfd Gaz 6 August 1993 pp 1682–5
Pt 1 commenced on date of notification
remaining provisions commenced 6 September 1993 (see s 2)

Real Property Amendment Regulation (No. 1) 1993 SL No. 414

notfd Gaz 19 November 1993 pp 1402–3

commenced on date of notification

5 List of annotations**Key to abbreviations in list of annotations**

amd	=	amended
Chap	=	Chapter
cl	=	clause
def	=	definition
Div	=	Division
hdg	=	heading
ins	=	inserted
om	=	omitted
prec	=	preceding
pres	=	present
prev	=	previous
(prev)	=	previously
prov	=	provision
Pt	=	Part
RA	=	Reprints Act 1992
renum	=	renumbered
Sdiv	=	Subdivision
sub	=	substituted

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

Documents that may be lodged (s.5(3)(b) of the Act)

s 4 om 1993 SL No. 414 s 3

Repeal

s 7 om (see s 40 RA)

SCHEDULE 1—LOCATION OF OFFICES OF THE LAND REGISTRY

amd 1993 SL No. 414 s 4

SCHEDULE 2—ACTS

om 1993 SL No. 414 s 5

SCHEDULE 3—FEES, COSTS AND CHARGES

amd 1993 SL No. 299 s 19; 1993 SL No. 414 s 6