



Queensland

*Land Title Act 1994*

# Land Title Regulation 2005

Reprinted as in force on 1 July 2006

Reprint No. 1A

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 2006. 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 reprint.**

## **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.



Queensland

# Land Title Regulation 2005

## Contents

---

|                     |                                                | Page     |
|---------------------|------------------------------------------------|----------|
| 1                   | Short title .....                              | 3        |
| 2                   | Location of offices of the land registry ..... | 3        |
| 3                   | Forms .....                                    | 3        |
| 4                   | Fees .....                                     | 4        |
| 5                   | Transitional .....                             | 5        |
| 6                   | Repeal of Land Title Regulation 1994 .....     | 5        |
| <b>Schedule 1</b>   | <b>Offices of the Land Registry</b> .....      | <b>6</b> |
| <b>Schedule 2</b>   | <b>Fees</b> .....                              | <b>7</b> |
| <br><b>Endnotes</b> |                                                |          |
| 1                   | Index to endnotes .....                        | 10       |
| 2                   | Date to which amendments incorporated .....    | 10       |
| 3                   | Key .....                                      | 10       |
| 4                   | Table of reprints .....                        | 11       |
| 5                   | List of legislation .....                      | 11       |
| 6                   | List of annotations .....                      | 11       |



# Land Title Regulation 2005

[as amended by all amendments that commenced on or before 1 July 2006]

## 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 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

*Land Title Regulation 2005*

---

- (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)<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

---

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

2 See section 157(4) of the Act.

- (b) a covenant or release of a covenant if the covenantee is the State.

## **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.

---

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) . . . . .          | 48.05  |
| 2 Lodging—                                                                                                                                                                           |        |
| (a) an instrument that changes ownership of a lot or an interest in a lot—                                                                                                           |        |
| (i) for 1 lot . . . . .                                                                                                                                                              | 111.30 |
| (ii) for each additional lot . . . . .                                                                                                                                               | 23.70  |
| (b) a plan of survey (including a plan of subdivision for establishing a community titles scheme) or an explanatory plan . . . . .                                                   | 111.30 |
| (c) for establishing a community titles scheme—a request to record the first community management statement for the scheme . . . . .                                                 | 111.30 |
| (d) for an established community titles scheme—a request to record a new community management statement for the scheme . . . . .                                                     | 60.00  |
| (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> ) . . . . . | 60.00  |
| (ii) to extend a name reservation . . . . .                                                                                                                                          | 60.00  |
| (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 . . . . .                                      | 23.70  |
| (g) a cancellation, discharge or satisfaction of a writ of execution . . . . .                                                                                                       | 23.70  |
| (h) an instrument received through the post, by courier service or by document exchange service—additional fee for each instrument . . . . .                                         | 23.70  |

## 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 . . . . .                                                                                                                                                                            | 5.20   |
| (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 . . . . .                                                                                                                                                                                                        | 111.30 |
| 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 . . . . . | 23.70  |
| 4 Examining sketch plans that are part of an instrument . . . . .                                                                                                                                                                         | 29.90  |
| 5 Depositing or withdrawing a settlement notice . . . . .                                                                                                                                                                                 | 23.70  |
| 6 Depositing or removing an administrative advice . . . . .                                                                                                                                                                               | 11.70  |
| 7 Preparing and serving a caveat notice . . . . .                                                                                                                                                                                         | 23.95  |
| 8 Depositing a survey plan in an office of the land registry—                                                                                                                                                                             |        |
| (a) for the plan . . . . .                                                                                                                                                                                                                | 120.10 |
| (b) additional fee for each lot or interest surveyed . . . . .                                                                                                                                                                            | 17.85  |
| 9 Computer print-out—                                                                                                                                                                                                                     |        |
| (a) of an indefeasible title generated—                                                                                                                                                                                                   |        |
| (i) within an office of the land registry . . . . .                                                                                                                                                                                       | 11.85  |
| (ii) by external access . . . . .                                                                                                                                                                                                         | 9.50   |
| (b) of the historical details of a title generated—                                                                                                                                                                                       |        |
| (i) within an office of the land registry . . . . .                                                                                                                                                                                       | 17.90  |
| (ii) by external access . . . . .                                                                                                                                                                                                         | 15.50  |
| 10 Optical disk print-out of—                                                                                                                                                                                                             |        |
| (a) a certificate of title or plan of survey generated—                                                                                                                                                                                   |        |
| (i) within an office of the land registry . . . . .                                                                                                                                                                                       | 11.85  |
| (ii) by external access . . . . .                                                                                                                                                                                                         | 9.50   |
| (b) any other instrument or document, including a community management statement . . . . .                                                                                                                                                | 23.95  |

## Schedule 2 (continued)

|                                                                                                                                         | \$     |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------|
| 11 Search of a statement of registered dealing, community titles scheme or administrative advice against an indefeasible title. . . . . | 2.37   |
| 12 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 . . . . .                                   | 48.05  |
| (b) if additional computer programming time is required—for each hour or part of an hour . . . . .                                      | 118.60 |
| 13 Certifying a copy of a document mentioned in section 36 of the Act. . . . .                                                          | 23.95  |
| 14 Requisitioning a document lodged for registration (Act, s 156). . . . .                                                              | 29.90  |

## Endnotes

### 1 Index to endnotes

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

### 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 2006. 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 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.

| 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 |       |

## 5 List of legislation

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

made by the Governor in Council 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)

## 6 List of annotations

### **SCHEDULE 2—FEES**

sub 2005 SL No.103 s 20; 2006 SL No. 110 s 22