

1990 - No. 483

CONVEYANCING ACT 1919 - REGULATION

(Relating to searches and fees)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Conveyancing Act 1919, has been pleased to make the Regulation set forth hereunder.

I. R. CAUSLEY
Minister for Natural Resources.

Commencement

1. This Regulation commences on 30 July 1990.

Amendments

2. The Conveyancing Act Regulations 1961 are amended:
 - (a) by inserting after Regulation 82 the following Regulation:

Compliance by Registrar-General with search requisition

82A. For the purposes of section 199 of the Act, the prescribed manner in which information in a register is to be made available in response to a requisition requiring dispatch of information by post, facsimile or other means approved by the Registrar-General is by the Registrar-General furnishing a copy of the information required.

- (b) by omitting Schedule 3 and by inserting instead the following Schedule:

SCHEDULE 3

(Reg. 92)

Copies \$

1. On lodgment of application for a certified copy of a document or part of a document in the custody of the Registrar-General	47.00
And, in addition:	
(a) if an application is received by post:	
(i) for each application if no more than 20 documents or any part of that number are to be copied	8.00
(ii) for the first 100 documents or any part of that number if more than 20 documents are to be copied pursuant to that application	16.00
(iii) for each 100 documents or any part of that number after the first 100 documents if more than 100 documents are to be copied pursuant to that application	16.00
(b) if a copy is prepared by a photo-copying process, such reasonable fee determined by the Registrar-General as is warranted by the work involved in preparing the copy.	
2. For supplying a copy, available from the Departmental Copy Services, of a document or part of a document	3.50
And, in addition, in the case of a document containing 20 or more pages, or if an application is made for multiple copies of a document containing 10 or more pages, such reasonable fee determined by the Registrar-General as is warranted by the cost incurred in preparing the copy or copies.	
3. (a) For supplying a copy of a document pursuant to Regulation 82A including transmission fee	16.00

		\$
And, in addition, for inclusion of each additional document required		3.50
(b) For supplying pursuant to Regulation 82A, a search of the Register of Causes, Wrts and Orders including a result of a search for 2 names and the transmission. fee		16.00
And, in addition, for a search of each additional name		3.50
And, in addition, for supplying documents by facsimile transmission if no transmission cost is included in the initial fee and for additional documents, for each sheet:		
(i) within the Sydney telephone area covered by the 02 code		1.00
(ii) outside the Sydney telephone area but within New South Wales		1.20
(iii) outside New South Wales		2.00
4. In the case of a requisition for a copy available from the Departmental Copy Services which, in the opinion of the Registrar-General, is a request for a copy for which the scale of fees is not appropriate, such reasonable fee determined by the Registrar-General, in negotiation with the requesting party, as is warranted by the cost incurred in providing the copy.		
5. On lodgment of application for a copy of a document in the custody of the Registrar-General, other than a copy available from the Departmental Copy Services, such reasonable fee determined by the Registrar-General as is warranted by the work involved in preparing the copy.		
<i>General Register of Deeds</i>		
6. For recording or registering any instrument		47.00

1990 - No. 483

		\$
7.	On lodgment of application for preparation of a registration copy of an instrument or part of an instrument	17.00
	And, in addition:	
	(a) if application is received by post	8.00
	(b) if copy is prepared by a photo-copying process or some other means - such reasonable fee determined by the Registrar-General as is warranted by the work involved in preparing the copy.	
8.	On lodgment of request for approval to have paper or printed forms marked with the approval stamp of the Registrar-General	12.00
	For marking paper or printed forms with the authorised approval stamp of the Registrar-General in accordance with Regulations 21 (aa) and 60 (aa), for every 100 sheets of paper or printed forms or any part of that number	6.00

Register of Causes, Writs and Orders

9.	For each registration or renewal or vacation	9.00
	And, in addition, for each instrument received by post	8.00
10.	For search against each name	3.50

Register of Resumptions

11.	For registration of notice of resumption (including notice or notification of acquisition under the provisions of any Commonwealth Act authorising appropriation or compulsory acquisition of land)	47.00
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1990 - No. 483

<i>Official Searches (Old System Title)</i>	\$
12. On requisition for search, or continuation of search, from date of prior certificate of result of search (including office copy certificate of result of search or continuation of search up to 10 pages)	50.00
And, in addition, for each half-hour or part of a half-hour occupied in the search or continuation of search after the first hour	25.00
13. On request for a copy of an Official Search	40.00
<i>Liens on Crop and Wool and Stock Mortgages</i>	
14. For registration of a crop or wool lien or a stock mortgage or any other instrument relating to lien, mortgage or instrument	16.00
<i>Bills of Sale</i>	
15. On lodgment for filing, recording, registration or entry of any instrument	13.00
16. On service of an Order of Court for removal of a caveat	13.00
<i>Plans</i>	
17. On lodgment for registration or recording of a plan	220.00
And, in addition, for each lot, allotment or portion shown or separately defined on plan	47.00
And, if the plan is accompanied by an instrument referred to in Regulation 52D in which only 1 easement or only 1 restriction on the use of land or only 1 positive covenant is identified, irrespective of the number of lots burdened or benefited, an additional	47.00

1990 - No. 483

		\$
And, if the plan is accompanied by an instrument referred to in Regulation 52D in which the combined number of easements, restrictions on the use of land or positive covenants is 2 or more, an additional		94.00
18. For investigating plan before lodgment		220.00
And, in addition, for each half-hour or part of a half-hour in excess of the first 4 hours occupied in the investigation		25.00
19. For preparation and supply of plan		75.00
And, in addition, for each half-hour or part of a half-hour in excess of the first hour occupied in the preparation		25.00
20. On lodgment of application for revival of a plan previously rejected or withdrawn - such fee as would be appropriate to the plan as a new lodgment.		
21. On lodgment of a substituted plan or any sheet of such a plan or an additional sheet of a plan	47.00	
22. On lodgment of an instrument referred to in Regulation 52D in substitution for another such instrument or part of it - such fee as would be appropriate to the instrument as an original lodgment.		
23. On lodgment of application to amend a plan	47.00	

Miscellaneous

24. On depositing a document or documents pursuant to section 64 of the Act	13.00
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1990 - No. 483

		\$
And, in addition -		
(a) if deposit is made by post	8.00	
(b) for each document in excess of 4	3.00	
25. On application for return of document or documents deposited pursuant to section 64 of the Act	13.00	
And, in addition -		
(a) if application is made by post	8.00	
(b) for each document in excess of 4	3.00	
26. For inspection of packet containing a document or documents deposited pursuant to section 64 of the Act	13.00	
27. For entry of a marginal note evidencing an error in any registered or deposited document	47.00	
And, in addition, if request to enter marginal note is received by post	8.00	
28. On lodgment or service of any Order of Court not otherwise provided for	47.00	
29. For production of documents at Stamp Duties Office	15.00	
30. On a subpoena served on the Registrar-General to produce documents in the Registrar-General's custody	47.00	
And, in addition, for each document in excess of 5	4.00	
And, in addition, if the Registrar-General so requires, such other expenses as are reasonably incurred in the production of the document.		

EXPLANATORY NOTE

The object of this Regulation is to amend the Conveyancing Act Regulations 1961 so as:

- (a) to increase certain fees payable to the Registrar-General; and
- (b) to eliminate certain extra charges presently payable to the Registrar-General; and
- (c) to make provision with respect to the making of requests for searches by telephone, facsimile or other means approved by the Registrar-General and the sending of copies by the Registrar-General by such means.
