



New South Wales

Conveyancing Amendment (Fees) Regulation 1998

under the

Conveyancing Act 1919

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Conveyancing Act 1919*.

R. S. Amery MP

Minister for Land and Water Conservation

Explanatory note

The objects of this Regulation are:

- (a) to increase certain fees payable to the Registrar-General under the *Conveyancing Act 1919*, and
- (b) to introduce a new fee for examining a plan for registration where the examination exceeds 4 hours, and
- (c) to omit superfluous words from the definition of *deposited plan* in the *Conveyancing (General) Regulation 1992*.

The Regulation is made under the *Conveyancing Act 1919*, including sections 64, 199 and 202 (the general regulation-making power, in particular, section 202 (1) (d)).

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1 Name of Regulation

This Regulation is the *Conveyancing Amendment (Fees) Regulation 1998*.

2 Commencement

This Regulation commences on 1 July 1998.

3 Amendment of Conveyancing (General) Regulation 1992

The *Conveyancing (General) Regulation 1992* is amended as set out in Schedule 1.

4 Note

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment of Conveyancing (General) Regulation 1992

(Clause 3)

[1] Clause 3 Definitions

Omit the definition of *deposited plan* from clause 3 (1).

Insert instead:

deposited plan means a plan lodged for registration or recording in the office of the Registrar-General, other than a strata plan.

[2] Schedule 7 Fees

Omit the Schedule. Insert instead:

Schedule 7 Fees

(Clause 33)

Registration in the General Register of Deeds

1	For each registration, or renewal or vacation of registration, of any writ, order or legal proceeding made under Division 2 of Part 23 of the Act	20.00
2	For each registration of a crop or wool lien or a stock mortgage, or any other instrument relating to such liens or mortgages, made under the <i>Liens on Crops and Wool and Stock Mortgages Act 1898</i>	20.00
3	For each registration of a bill of sale, or any other instrument relating to a bill of sale, made under the <i>Bills of Sale Act 1898</i>	20.00
4	For removal of a caveat in relation to a bill of sale.	20.00
5	For registration under Division 5 of Part 6 of the Act of a memorandum containing provisions that are capable of being covenants that may be included in a bill of sale, crop or wool lien or stock mortgage	20.00

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6	For recording or registering any instrument not otherwise provided for in this Schedule.....	56.00
7	On request for preparation of a registration copy of an instrument or part of an instrument.....	3.90
	In addition, for preparation of the copy—such reasonable fee (determined by the Registrar-General) as is warranted by the work involved.	

Copies

8	For supplying a copy of a document or part of a document available from the Document Copy Service (other than a certified copy, a copy supplied in response to a telephone request or a copy relating to land the subject of a community, precinct or neighbourhood plan under the <i>Community Land Development Act 1989</i>)..	3.90
	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.	
9	For supplying a copy, available from the Document Copy Service:	
	(a) of a community, precinct or neighbourhood plan under the <i>Community Land Development Act 1989</i> ..	3.90
	(b) of a management statement relating to such a plan.....	3.90
	(c) of a development contract relating to such a plan	3.90
	(d) of an annexure to such a plan, statement or contract.....	3.90
10	On lodgment of an application for a certified copy of a document or part of a document in the custody of the Registrar-General.....	56.00
	In addition:	
	(a) if an application is received by post and:	
	(i) no more than 20 documents are to be copied.....	10.00
	(ii) more than 20 documents are to be copied—for the first 100 documents or any part of that number	20.00

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	(iii) more than 100 documents are to be copied— for each 100 documents or any part of that number after the first 100 documents	20.00
	(b) if a copy is prepared by a photocopying process—such reasonable fee (determined by the Registrar-General) as is warranted by the work involved in preparing the copy.	
11	In the case of a requisition for a copy available from the Document Copy Service that, in the opinion of the Registrar-General, is a request for a copy for which the above 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.	
12	On lodgment of an application for a copy of a document in the custody of the Registrar-General, other than a certified copy or a copy available from the Document Copy Service, such reasonable fee (determined by the Registrar-General) as is warranted by the work involved in preparing the copy.	
13	For supplying a copy (other than a certified copy) of a document in response to a telephone or facsimile request	20.00
	In addition, for a copy of each additional document required.. ..	3.90
	In addition, for supplying documents by facsimile transmission in response to a telephone request, for each sheet in excess of 1	1.00

Official Searches (Old System Title)

14	On requisition for a search, or the continuation of a search, from the date of the prior certificate of result of the search (including the office copy certificate of the result of a search or the continuation of the search).	56.00
	In addition, for each half-hour or part of a half-hour occupied in the search or continuation of the search after the first hour	28.00
15	On request for a copy of an Official Search	56.00

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		Search for Writs, Orders or Legal Proceedings	
16	For a search against each name (other than a search in response to a telephone request)	3.90	
17	For a search in response to a telephone request, in respect of a search for 1 or 2 names	20.00	
	For a search of each additional name in excess of 2	3.90	
	Plans		
18	On lodgment for registration or recording of a plan, other than a plan prepared solely for the purpose of placing survey information on public record	545.00	
	In addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	56.00	
	In the case of land the subject of a community, precinct or neighbourhood plan under the <i>Community Land Development Act 1989</i> :		
	(a) for each additional sheet in excess of 4	56.00	
	(b) for the management statement accompanying the community, precinct or neighbourhood plan, including any associated plans or sketches.....	112.00	
	(c) for any development contract accompanying the community, precinct or neighbourhood plan ...	112.00	
	In addition, for each lot, allotment or portion shown or separately defined on the plan	56.00	
	And, if the plan is accompanied by a section 88B instrument in which only 1 easement, restriction on the use of land, positive covenant or profit a prendre is to be created, irrespective of the number of lots burdened or benefited, an additional	56.00	
	And, if the plan is accompanied by a section 88B instrument in which the combined number of easements, restrictions on the use of land, positive covenants or profits a prendre to be created is 2 or more, an additional	112.00	
	And, if the plan is accompanied by a section 88B instrument in which only 1 easement is to be released, irrespective of the number of lots burdened or benefited, an additional	56.00	

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	And, if the plan is accompanied by a section 88B instrument in which the number of easements to be released is 2 or more, an additional	112.00
	And, if the plan is lodged for the purpose of consolidating 2 or more folios of the Register kept under the <i>Real Property Act 1900</i> —for each folio of the Register to be consolidated, an additional	15.00
	And, if a plan lodged in connection with an application to bring land under the <i>Real Property Act 1900</i> includes land already under that Act and a consolidated folio of the Register kept under that Act is to be created—for each folio to be consolidated, an additional	15.00
19	On lodgment of an additional or replacement sheet in conjunction with an application to amend a registered community, precinct or neighbourhood plan under the <i>Community Land Development Act 1989</i>	56.00
20	For recording a plan prepared solely for the purpose of placing survey information on public record	56.00
21	For re-examining a plan if survey information has been added to an original compiled plan as a result of a requisition.. ..	56.00
22	For examining a plan before lodgment	545.00
	In addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination.....	56.00
23	For preparation and supply of a plan	100.00
	In addition, for each hour or part of an hour in excess of the first hour occupied in the preparation.....	56.00
24	On lodgment of an application for revival of a plan previously rejected or withdrawn—such fee as would be appropriate to the plan as a new lodgment.	
25	On lodgment of a substituted plan or any sheet of such a plan or an additional sheet of a plan	56.00
26	On lodgment of a section 88B instrument in substitution for another such instrument or part of such instrument—such fee as would be appropriate to the instrument as an original lodgment.	
27	On lodgment of an application to amend a plan.....	56.00
	In addition, if the application involves the amendment of a Crown grant, a certificate of title or a folio of the Register kept under the <i>Real Property Act 1900</i> :	
(a)	for the first grant, certificate or folio.....	56.00
(b)	for each grant, certificate or folio after the first	10.00

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Miscellaneous

28	On depositing a document or documents pursuant to section 64 of the Act	20.00
	In addition:	
	(a) if the deposit is made by post	10.00
	(b) for each document in excess of 4.....	3.00
29	On application for return of a document or documents deposited pursuant to section 64 of the Act.....	20.00
	In addition:	
	(a) if the application is made by post	10.00
	(b) for each document in excess of 4.....	3.00
30	For inspection of a packet containing a document or documents deposited pursuant to section 64 of the Act	20.00
31	For production of documents at the Office of State Revenue	20.00
32	On request for entry of a marginal note evidencing a discrepancy between an original instrument and a registered copy of the instrument.....	56.00