



New South Wales

Conveyancing (General) Amendment (Fees) Regulation 2005

under the

Conveyancing Act 1919

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

ANTHONY BERNARD KELLY, M.L.C.,
Minister for Lands

Explanatory note

The object of this Regulation is to increase certain fees payable to the Registrar-General under the *Conveyancing Act 1919*. Some of the fee increases are in line with movements in the Consumer Price Index.

Fees are being increased from \$20 to \$73.25 relating to the following:

- (a) the registration, or renewal or vacation of registration, of writs, orders and certain legal proceedings,
- (b) the registration of crop liens and wool liens, stock mortgages and any other instruments relating to such liens or mortgages,
- (c) the registration of bills of sale and any other instruments relating to bills of sale,
- (d) the removal of caveats in relation to bills of sale,
- (e) the registration of memoranda containing provisions that are capable of being covenants that may be included in bills of sale, crop liens, wool liens and stock mortgages.

These documents are registered in the General Register of Deeds under the same process as that used to register Old System land transactions and powers of attorney, for which the fee is currently \$71 (to be increased to \$73.25). The \$20 fee has applied since 1998.

This Regulation also:

- (a) introduces new fees for public searches of the General Register of Deeds, complementing existing fees for official searches of the General Register of Deeds, and

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- (b) clarifies the circumstances under which fees are incurred when a public search is carried out and a copy or a copy of each additional document (other than a certified copy) is supplied in response to a facsimile request for a document in the custody of the Registrar-General if no initial search is required.

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

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Clause 1 Conveyancing (General) Amendment (Fees) Regulation 2005

Conveyancing (General) Amendment (Fees) Regulation 2005

under the

Conveyancing Act 1919

1 Name of Regulation

This Regulation is the *Conveyancing (General) Amendment (Fees) Regulation 2005*.

2 Commencement

This Regulation commences on 1 July 2005.

3 Amendment of Conveyancing (General) Regulation 2003

The *Conveyancing (General) Regulation 2003* is amended as set out in Schedule 1.

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Schedule 1 Amendment

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Fees

(Clauses 4, 5, 6, 12, 21, 22, 41, 42 and 43)

\$

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	73.25
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>	73.25
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>	73.25
4	For removal of a caveat in relation to a bill of sale	73.25
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	73.25
6	For recording or registering any instrument not otherwise provided for in this Schedule	73.25
7	On request for preparation of a registration copy of an instrument or part of an instrument	10.30 for up to 4 pages, and then 10.30 for each additional 4 pages or part of that number
	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 (other than a certified copy) in the custody of the Registrar-General:	
	(a) to any person attending an office of the Department of Lands	10.30
	(b) by electronic means to any agent licensed by the Department of Lands	4.65
	(c) to any person by some other means	Such reasonable fee (determined by the Registrar-General) as is warranted by the work involved in providing the service
9	On lodgment of an application for a certified copy of a document or part of a document in the custody of the Registrar-General	77.25
	In addition, 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
10	In the case of a requisition for a copy available to any person attending an office of the Department of Lands that, in the opinion of the Registrar-General, is a request for a copy for which the above schedule 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
11	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 to any person attending an office of the Department of Lands	Such reasonable fee (determined by the Registrar-General) as is warranted by the work involved in preparing the copy
Official searches (General Register of Deeds)		
12	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)	206.00

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	\$
	51.50
In addition, for each quarter-hour or part of a quarter-hour occupied in the search or continuation of the search after the first hour	
13 On request for a copy of an official search	77.25
Public searches (General Register of Deeds)	
14 On requisition for a search, or the continuation of a search, of the General Register of Deeds	113.30
	56.65
In addition, for each quarter-hour or part of a quarter-hour occupied in the search or continuation of the search after the first half-hour	
15 For supplying a copy (other than a certified copy) in response to a facsimile request for a document in the custody of the Registrar-General if no initial search is required	22.65
	10.30
In addition, for a copy of each additional document required	
Search for writs, orders or legal proceedings	
16 For a search against each name (other than a search in response to a facsimile request)	10.30
17 For a search in response to a facsimile request, in respect of a search for 1 or 2 names	22.65
	10.30
In addition, for a search of each additional name in excess of 2	
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	823.00
	51.50
In addition, for each quarter-hour or part of a quarter-hour in excess of the first 4 hours occupied in the examination of the plan	
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	77.25
(b) for the management statement accompanying the community, precinct or neighbourhood plan, including any associated plans or sketches	154.50

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(c) for any development contract accompanying the community, precinct or neighbourhood plan	154.50
In addition, for each lot, allotment or portion shown or separately defined on the plan	82.30
And, if the plan is accompanied by a section 88B instrument, for each easement, restriction on the use of land, positive covenant or profit à prendre to be created, irrespective of the number of lots burdened or benefited, an additional	77.25
And, if the plan is accompanied by a section 88B instrument, for each easement or profit à prendre to be released, irrespective of the number of lots burdened or benefited, an additional	77.25
And, if the plan is accompanied by a building management statement, an additional	154.50
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	15.45
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	15.45
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>	77.25
20 For recording a plan prepared solely for the purpose of placing survey information on public record	77.25
21 For examining a plan if survey information has been added to an original compiled plan as a result of a requisition	77.25
22 For pre-examination of a plan	905.30
In addition, for each quarter-hour or part of a quarter-hour in excess of the first 4 hours occupied in the examination of the plan	56.65

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23	For preparation and supply of a plan	206.00
	In addition, for each quarter-hour or part of a quarter-hour in excess of the first hour occupied in the preparation of the plan	51.50
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	77.25
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	77.25
	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	77.25
	(b) for each subsequent grant, certificate or folio	10.30
28	On lodgment of an application for an order terminating a neighbourhood scheme under section 72 of the <i>Community Land Development Act 1989</i>	77.25
	In addition, for each quarter-hour or part of a quarter-hour occupied in examining the application	51.50
Miscellaneous		
29	For furnishing a certificate of ownership (<i>Local Government Act 1993</i> —section 700 (2) or <i>Environmental Planning and Assessment Act 1979</i> —section 151 (2))	51.50
	In addition, for each quarter-hour or part of a quarter-hour occupied in preparing the certificate of ownership after the first quarter-hour	51.50
30	On depositing a document or documents pursuant to section 64 of the Act	22.65
	In addition, for each document in excess of 4	3.40

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31	On application for return of a document or documents deposited pursuant to section 64 of the Act	22.65
	In addition, for each document in excess of 4	3.40
32	For inspection of a packet containing a document or documents deposited pursuant to section 64 of the Act	22.65
33	For production of documents at the Office of State Revenue	20.60
34	On request for entry of a marginal note evidencing a discrepancy between an original instrument and a registered copy of the instrument	77.25

BY AUTHORITY