



New South Wales

Real Property Amendment (Fees) Regulation 2016

under the

Real Property Act 1900

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Real Property Act 1900*.

DOMINIC PERROTTET, MP
Minister for Finance, Services and Property

Explanatory note

The objects of this Regulation are:

- (a) to update certain fees payable to the Registrar-General under the *Real Property Act 1900*, and
- (b) to prescribe a new fee for requisitions sent by the Registrar-General.

This Regulation is made under the *Real Property Act 1900*, including sections 96B (1), 96J (a), 115 (1), 115A (1), 116, 135D (1) (c) and 144 (the general regulation-making power).

Real Property Amendment (Fees) Regulation 2016

under the

Real Property Act 1900

1 Name of Regulation

This Regulation is the *Real Property Amendment (Fees) Regulation 2016*.

2 Commencement

- (1) Except as provided by subclause (2), this Regulation commences on 1 July 2016 and is required to be published on the NSW legislation website.
- (2) Schedule 1 [2] commences on 1 January 2017.

Schedule 1 Amendment of Real Property Regulation 2014

[1] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Fees

(Clauses 4, 10, 11 and 17)

Item	Matter for which fee payable	Fee
Copies		
1	On lodgment of an application for a certified copy of a registered instrument or part of it affecting land under the provisions of the Act—for each copy	\$136.30
2	For supplying a copy of a document or part of a document in the custody of the Registrar-General:	
	(a) to any person attending an office of the Land and Property Information Division, Department of Finance, Services and Innovation	\$14.00
	(b) by electronic means to any agent licensed by the Land and Property Information Division, Department of Finance, Services and Innovation	\$8.51
3	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 Land and Property Information Division, Department of Finance, Services and Innovation	Such reasonable fee (determined by the Registrar-General) as is warranted by the work involved in preparing the copy
Advertisements		
4	On advertisement, pursuant to section 12 (1) (h1) of the Act, of the intended exercise or performance of any power, authority, duty or function conferred or imposed on the Registrar-General by the Act	Such reasonable fee (determined by the Registrar-General) as is warranted by the cost incurred in publishing the advertisement
Production of documents		
5	For each Crown grant, certificate of title or other document produced once for the purpose of the subsequent lodgment of any application, request, dealing or plan	\$42.00
6	For each Crown grant, certificate of title or other document produced once for the purpose of multiple subsequent lodgments (not exceeding 8) of any application, request, dealing or plan during a period not exceeding 3 months	\$84.00
Applications, requests and dealings		
7	On lodgment of an application, request or dealing for which no fee is otherwise specifically provided	\$136.30
8	On lodgment of a primary application to bring land under the Act pursuant to section 14 of the Act	\$2,050.00
9	On lodgment of a resumption application to bring land under the Act pursuant to section 31A of the Act	\$370.00

Item	Matter for which fee payable	Fee
10	In addition to any other item, on lodgment of an application (other than an application to dispose of Crown land arising from the closing of a public road under the <i>Roads Act 1993</i>), request, dealing or caveat that will result in making, altering or removing more than 1 recording—for each additional recording	\$136.30
11	On lodgment of an application to dispose of Crown land arising from the closing of a public road under the <i>Roads Act 1993</i> , regardless of how many recordings will ensue	\$272.60
12	On lodgment of an application or request for amendment of a folio of the Register, Crown grant or certificate of title	\$136.30
13	On lodgment of an application for the determination under Part 14A of the Act of the position of the common boundary of adjoining lands	\$136.30
14	For every sketch or diagram accompanying an application, request or dealing	\$136.30
15	In addition to any other item, for the creation of a certificate of title on any application, request or dealing (other than pursuant to section 111 of the Act)—for each certificate	\$136.30
Caveats		
16	On lodgment or recording of a caveat	\$136.30
17	On withdrawal or partial withdrawal of a caveat pursuant to section 74M (1) of the Act	\$136.30
18	On lodgment of a request for withdrawal or partial withdrawal of a Registrar-General's caveat (no fee is payable for withdrawal or partial withdrawal of a Registrar-General's caveat consequent on lodgment and registration of a dealing)	\$136.30
19	On lodgment of a request for the Registrar-General to direct the manner of service of a notice on a caveator pursuant to section 74N (1) (e) of the Act	\$136.30
20	On lodgment of an application for preparation of a notice for service on a caveator pursuant to section 74C (3), 74I (1) or (2), 74J (1) or 74JA (2) of the Act	\$136.30
21	On lodgment of a notice of a change of name of a caveator or of the address for service of a notice on a caveator	\$136.30
Authentication of forms		
22	In addition to any other item, for examination and authentication of any dealing, application, request or caveat that is required by any Act to be in an approved form which contains departures from the approved form and which is not a form licensed by the Registrar-General	\$136.30
Public searches		
23	On the lodgment of a requisition requiring dispatch of information by post or other means approved by the Registrar-General—for an initial search of a folio of the Register, including investigation as to title reference, a copy of the relevant folio and the delivery fee	\$370.00

Item	Matter for which fee payable	Fee
24	In addition to item 23, for inclusion in the initial search of any additional document forming part of the Register (per document)	\$14.00
Searches generally		
25	In the case of a requisition for an official search that, in the opinion of the Registrar-General, is a search 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 carrying out the search
Certificates of title		
26	On lodgment of an application for a new certificate of title under section 111 of the Act	\$136.30
Reports		
27	For supplying a Lease Folio Data Extract Report:	
	(a) to any person attending an office of the Land and Property Information Division, Department of Finance, Services and Innovation	\$33.80
	(b) by electronic means to any agent licensed by the Land and Property Information Division, Department of Finance, Services and Innovation	\$33.80
28	For supplying a Lease Folio Caveats, Writs and Other Dealings Report:	
	(a) to any person attending an office of the Land and Property Information Division, Department of Finance, Services and Innovation	\$33.80
	(b) by electronic means to any agent licensed by the Land and Property Information Division, Department of Finance, Services and Innovation	\$33.80
Lodgment support services (LSS) for electronic conveyancing		
29	For supplying to an Electronic Lodgment Network (<i>Electronic Conveyancing National Law (NSW)</i> —section 13) the following electronic services:	
	(a) the suite of lodgment support services (known as “LSS 1”) comprising initial supply of title data, verifications that documents are in an appropriate form for electronic lodgment and automated checks for changes in title data initially supplied	\$12.77
	(b) the suite of lodgment support services (known as “LSS 2”) comprising initial supply of title data and verifications that documents are in an appropriate form for electronic lodgment	\$8.51
	(c) the lodgment support service (known as “LSS 3”) comprising supply of updated title data following changes in title data initially supplied	\$4.26
Miscellaneous		
30	On depositing an instrument declaratory of trusts	\$136.30

Item	Matter for which fee payable	Fee
31	On depositing any other instrument not specified	\$136.30
32	On lodgment of an application for a statement of reasons under section 121 of the Act	\$136.30
33	For recording of any memorial or notification not otherwise provided for	\$136.30
34	On lodgment of a request for delivery of a document or documents pursuant to section 23A (3) (c) of the Act (no fee is payable if the request is made during the currency of the primary application)	\$33.80
35	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)) and incorporating in it any information as to subsisting encumbrances or interests	\$136.30
36	In addition to item 35, for supplying each additional document forming part of the Register	\$14.00
37	For supplying information in response to a written inquiry as to the manner in which a proposed dealing or plan should be drawn, or as to whether a proposed dealing or plan is entitled to registration, or in response to a written inquiry that necessitates any searching or investigation	Such reasonable fee (determined by the Registrar-General) as is warranted by the cost incurred in supplying the information, searching or investigating
38	In addition to any other item, for any dealing, application, request or caveat that refers to more than 20 folios of the Register	\$136.30

[2] Schedule 1

Insert after item 29:

Requisitions sent by Registrar-General

29A	For a requisition sent by the Registrar-General requiring correction, re-execution or the supply of additional information in support of a dealing, application, request or caveat lodged for registration or recording	\$50.00
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