

1995—No. 205

CONVEYANCING ACT 1919—REGULATION

(Relating to fees and business hours for public searches)

NEW SOUTH WALES



[Published in Gazette No. 70 of 9 June 1995]

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.

KIM YEADON
Minister for Land and Water Conservation.

Commencement

1. This Regulation commences on 1 July 1995.

Amendments

2. The Conveyancing (General) Regulation 1992 is amended:
 - (a) by omitting from clause 32 (a) the matter “4.00 p.m.” and by inserting instead the matter “4.30 p.m.”;
 - (b) by omitting Schedule 7 and by inserting instead the following Schedule:

SCHEDULE 7—FEES

(Cl. 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..... 15.40

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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 Liens on Crops and Wool and Stock Mortgages Act 1898.....	15.40
3.	For each registration of a bill of sale, or any other instrument relating to a bill of sale, made under the Bills of Sale Act 1898.....	15.40
4.	For removal of a caveat in relation to a bill of sale.....	15.40
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.....	15.40
6.	For recording or registering any instrument not otherwise provided for in this Schedule	51.00
7.	On request for preparation of a registration copy of an instrument or part of an instrument	18.40
	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 or a copy supplied in response to a telephone request).....	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.	

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| 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..... | 51.00 |
| | In addition: | |
| | (a) if an application is received by post and: | |
| | (i) no more than 20 documents are to be copied..... | 8.70 |
| | (ii) more than 20 documents are to be copied—for the first 100 documents or any part of that number..... | 17.40 |
| | (iii) more than 100 documents are to be copied—for each 100 documents or any part of that number after the first 100 documents..... | 17.40 |
| | (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. | |
| 10. | 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. | |
| 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 from the Document Copy Service, such reasonable fee (determined by the Registrar-General) as is warranted by the work involved in preparing the copy. | |
| 12. | For supplying a copy (other than a certified copy) of a document in response to a telephone or facsimile request..... | 17.40 |

In addition, for a copy of each additional document required	3.90
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In addition, for supplying documents by facsimile transmission in response to a telephone request, for each sheet in excess of 1:	
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(a) within the Sydney telephone area covered by the 02 code.....	1.00
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(b) outside the Sydney telephone area but within New South Wales.....	1.20
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(c) outside New South Wales.....	2.00
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Official Searches (Old System Title)

13. 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).....	51.00
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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	25.60
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14. On request for a copy of an Official Search	51.00
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Search for Writs, Orders or Legal Proceedings

15. For a search against each name (other than a search in response to a telephone request)...	3.90
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16. For a search in response to a telephone request, in respect of a search for 1 or 2 names.....	17.40
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For a search of each additional name in excess of 2.....	3.90
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Plans

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| 17. | 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..... | 480.00 |
| | In addition, for each lot, allotment or portion shown or separately defined on the plan..... | 51.00 |
| | 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 identified, irrespective of the number of lots burdened or benefited, an additional..... | 51.00 |
| | 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 is 2 or more, an additional..... | 102.00 |
| | And, if the plan is lodged for the purpose of consolidating 2 or more folios of the Register kept under the Real Property Act 1900—for each folio of the Register to be consolidated, an additional..... | 12.80 |
| | And, if a plan lodged in connection with an application to bring land under the Real Property Act 1900 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 | 12.80 |
| 18. | For recording a plan prepared solely for the purpose of placing survey information on public record..... | 51.00 |
| 19. | For re-investigating a plan if survey information has been added to an original compiled plan as a result of a requisition..... | 51.00 |
| 20. | For investigating a plan before lodgment..... | 480.00 |
| | In addition, for each hour or part of an hour in excess of the first 4 hours occupied in the investigation..... | 51.00 |

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21.	For preparation and supply of a plan.....	82.00
	In addition, for each hour or part of an hour in excess of the first hour occupied in the preparation.....	51.00
22.	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.	
23.	On lodgment of a substituted plan or any sheet of such a plan or an additional sheet of a plan.....	51.00
24.	On lodgment of a section 88B instrument in substitution for another such instrument or part—such fee as would be appropriate to the instrument as an original lodgment.	
25.	On lodgment of an application to amend a plan.....	51.00
	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 Real Property Act 1900:	
	(a) for the first grant, certificate or folio	51.00
	(b) for each grant, certificate or folio after the first.....	6.20

Miscellaneous

26.	On depositing a document or documents pursuant to section 64 of the Act.....	14.40
	In addition:	
	(a) if the deposit is made by post.....	8.70
	(b) for each document in excess of 4.....	3.00
27.	On application for return of a document or documents deposited pursuant to section 64 of the Act.....	14.40
	In addition:	
	(a) if the application is made by post.....	8.70
	(b) for each document in excess of 4	3.00

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28.	For inspection of a packet containing a document or documents deposited pursuant to section 64 of the Act.....	14.40
29.	For production of documents at the Office of State Revenue.....	16.40
30.	On request for entry of a marginal note evidencing a discrepancy between an original instrument and a registered copy of the instrument.....	51.00

EXPLANATORY NOTE

The objects of this Regulation are:

- (a) to extend by 30 minutes the time that the Land Titles Office is open to persons conducting public searches of registers kept under the Conveyancing Act 1919; and
- (b) to increase certain fees payable to the Registrar-General under the Act.

This Regulation is made under the Conveyancing Act 1919, including sections 64, 195J, 199 and 202 (the general regulation-making power, in particular, section 202 (1) (d)).
