

As in force at 1 July 2002.

South Australia

WORKER'S LIENS REGULATIONS 1999

REGULATIONS UNDER THE WORKER'S LIENS ACT 1893

Worker's Liens Regulations 1999

being

No. 173 of 1999: *Gaz.* 26 August 1999, p. 982¹

as varied by

No. 70 of 2000: *Gaz.* 25 May 2000, p. 2733²

No. 100 of 2001: *Gaz.* 31 May 2001, p. 2061³

No. 94 of 2002: *Gaz.* 20 June 2002, p. 2601⁴

¹ Came into operation 1 September 1999: reg. 2.

² Came into operation 1 July 2000: reg. 2.

³ Came into operation 1 July 2001: reg. 2.

⁴ **Came into operation 1 July 2002: reg. 2.**

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *Entries appearing in bold type indicate the amendments incorporated since the last consolidation.*
- *For the legislative history of the regulations see Appendix.*

3.

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Revocation
4. Interpretation
5. Fees
6. Forms

SCHEDULE 1

Fees

SCHEDULE 2

Notice of lien

APPENDIX

LEGISLATIVE HISTORY

Citation

1. These regulations may be cited as the *Worker's Liens Regulations 1999*.

Commencement

2. These regulations come into operation on 1 September 1999.

Revocation

3. The *Worker's Liens Regulations 1988* (see *Gazette* 11 August 1988 p. 701), as varied, are revoked.

Interpretation

4. In these regulations—

"Act" means the *Worker's Liens Act 1893*.

Fees

5. The fees payable to the Registrar-General under the Act are set out in Schedule 1.

Forms

6. The form of a notice to be registered in the General Registry Office by a person claiming a lien under section 10(3) of the Act is set out in Schedule 2.

SCHEDULE 1

Fees

- 1. For lodging a notice of lien (section 10(3)) \$90.50
 - 2. For entering a memorandum of cessation of lien (section 16) \$90.50
 - 3. If a notice of lien or an application to enter a memorandum of cessation of lien is withdrawn before the appropriate memorandum is entered, the fee payable is reduced to \$38.50.
- N.B. A fee is payable for entering a memorandum of withdrawal of lien under the *Real Property Act 1886*.

SCHEDULE 2
Notice of lien

| |
|--|
| DESCRIPTION OF PROPERTY OVER WHICH LIEN IS CLAIMED (See Note 1) |
| FULL NAME, ADDRESS & OCCUPATION OF LIENOR (PERSON LODGING LIEN) (See Note 2) |
| FULL NAME & ADDRESS OF LIENEE (REGISTERED PROPRIETOR) (See Note 2) |
| <p>DETAILS OF CLAIM</p> <p>1. The lienor claims a lien over the property described above.</p> <p>2. The amount claimed by the lienor is (state the amount in words and figures) for (state reason for the claim, eg. wages, contract price etc.) due for work done on or in connection with land, or a fixture on land owned or occupied by the lienee.</p> <p>3. The work was assented to by the lienee.</p> <p>4. An action to enforce the lien will be brought in the (state full name of Court)</p> <p>..... Dated the day of 19.....</p> <p>Signature of lienor</p> <p>..... Signature of witness - Signed in my presence by the lienor who is either personally known to me or has satisfied me as to his or her identity (see Note 3).</p> <p>Full name of witness:</p> <p>Address of witness:</p> <p>.....</p> <p>Business telephone no. of witness:</p> |
| <p>NOTES</p> <p>1. The property over which the lien is claimed must be defined by reference to the relevant certificate of title. If the property forms part only of a certificate of title or crown lease, an identification plan must be attached, unless the land can be defined by simple description, eg. "Full allotment in L.T.O. Plan".</p> <p>2. If more than one lienors, state all names, addresses and occupations. If more than one registered proprietor, state all names and addresses. If one of several registered proprietors, state only the name and address of the party against whom the lien is lodged. If description is changed, identify as "formerly.....".</p> <p>3. A penalty of up to \$2000 or 6 months imprisonment applies for improper witnessing.</p> |

7.

LANDS TITLES REGISTRATION
OFFICE
SOUTH AUSTRALIA

NOTICE OF LIEN

FORM APPROVED BY THE REGISTRAR-GENERAL

**BELOW THIS LINE FOR AGENT USE
ONLY**

CERTIFIED CORRECT FOR THE PURPOSES
OF THE REAL PROPERTY ACT 1886

Solicitor/Registered Conveyancer/Lienor

| | |
|------------|-----------|
| Series No. | Prefix |
| | LN |

G.R.O. No.

Lodged by:

AGENT CODE

Correction to:

BELOW THIS LINE FOR OFFICE USE ONLY

| | |
|---------------|-------|
| Date | Time: |
| FEES - R.G.O. | |

Noted Names and Addresses Correct

PRO REGISTRAR-GENERAL

| | |
|------------|--------|
| CORRECTION | PASSED |
|------------|--------|

| |
|-------------------|
| REGISTERED |
| REGISTRAR-GENERAL |

8.

APPENDIX

LEGISLATIVE HISTORY

(entries in bold type indicate amendments incorporated since the last consolidation)

Schedule 1: varied by 70, 2000, reg. 3; 100, 2001, reg. 3; **94, 2002, reg. 3**