

South Australia

Land and Business (Sale and Conveyancing) (Fees) Variation Regulations 2016

under the *Land and Business (Sale and Conveyancing) Act 1994*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Land and Business (Sale and Conveyancing) (Fees) Variation Regulations 2016*.

2—Commencement

These regulations will come into operation on 1 July 2016.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Land and Business (Sale and Conveyancing) Regulations 2010*

4—Substitution of Schedule 8

Schedule 8—delete the Schedule and substitute:

Schedule 8—Contracts for sale of land or businesses—fees

1—Fees payable to councils

For a council search report to be provided by a council—

- (a) for particulars in the report—
 - (i) in relation to 1 strata unit \$22.80
 - (ii) in relation to 2 strata units on the same strata plan \$45.50
 - (iii) in relation to 3 or more strata units on the same strata plan \$68.00
 - (iv) for each certificate of title to land under the *Real Property Act 1886*, or Crown lease, in respect of which particulars are to be provided—
 - (A) if the applicant requests that the particulars be provided within 24 hours after receipt of the request \$34.00
 - (B) in any other case \$22.80
- (b) for documentary material in the report—the actual cost incurred by the council in producing a copy of the document.

2—Fees payable to statutory authorities or prescribed bodies

- (1) For particulars and documentary material to be provided by a statutory authority or prescribed body (other than where particulars are to be provided for the purposes of a property interest report)—
 - (a) for particulars—
 - (i) in relation to 1 strata unit \$17.10
 - (ii) in relation to 2 strata units on the same strata plan \$31.75
 - (iii) in relation to 3 or more strata units on the same strata plan \$49.00
 - (iv) in any other case—in relation to each certificate of title to land under the *Real Property Act 1886*, or Crown lease, in respect of which particulars are to be provided \$17.10
 - (b) for documentary material—the actual cost incurred by the statutory authority or prescribed body in producing a copy of the document.
- (2) For a property interest report or update—
 - (a) for a property interest report to be provided by the Department in relation to a certificate of title to land under the *Real Property Act 1886* or a Crown lease \$284.00

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| (b) | for an update of such a report (where the application is made not more than 90 days after the original report was issued) to be provided by the Department | \$142.00 |
| (3) | For a property interest report or update for a related title— | |
| (a) | for a property interest report to be provided by the Department in relation to a related title | \$42.75 |
| (b) | for an update of such a report (where the application is made not more than 90 days after the original report was issued) to be provided by the Department | \$10.90 |

3—Interpretation

In this Schedule—

Department means the Department of Planning, Transport and Infrastructure;

related title means a certificate of title to, or a Crown lease of, land that—

- (a) is contiguous with, and owned or held pursuant to a Crown lease by the same person as, land in relation to which a property interest report is to be provided by the Department; and
- (b) is valued by the Valuer-General under the *Valuation of Land Act 1971* conjointly with, and is to be sold at the same time as, the land in relation to which the property interest report is to be provided;

strata unit includes a community lot (or development lot) and **strata plan** includes a community plan.

Note—

The fees payable to a strata corporation or a community corporation for the provision of information are fixed by regulations under the *Strata Titles Act 1988* and the *Community Titles Act 1996*, respectively.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 23 June 2016

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