

South Australia

## **Land and Business (Sale and Conveyancing) (Fees) Variation Regulations 2017**

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 2017*.

#### **2—Commencement**

These regulations will come into operation on 1 July 2017.

#### **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 \$23.30
  - (ii) in relation to 2 strata units on the same strata plan \$46.50
  - (iii) in relation to 3 or more strata units on the same strata plan \$69.50
  - (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 \$34.75
    - (B) in any other case \$23.30
- (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 \$17.50
    - (ii) in relation to 2 strata units on the same strata plan \$32.50
    - (iii) in relation to 3 or more strata units on the same strata plan \$50.00
    - (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 \$17.50
  - (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 \$290.00

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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 | \$145.00 |
| (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   | \$43.75  |
| (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 | \$11.10  |

### 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 May 2017

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