

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1987, No. 50*

Regulations under the *Unit Titles Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Unit Titles Act*.

Dated 23 December 1987.

E.E. JOHNSTON
Administrator

UNIT TITLES REGULATIONS

1. CITATION

These Regulations may be cited as the Unit Titles Regulations.

2. COMMENCEMENT

These Regulations shall come into operation on the commencement of section 3 of the *Unit Titles Amendment Act 1986*.

3. REPEAL

The Unit Titles (Fees) Regulations (Regulations 1976, No. 24) are repealed.

* Notified in the *Northern Territory Government Gazette* on 23 December 1987.

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4. FORMS

In these Regulations, a reference to a form by number is a reference to the form so numbered in the Schedule.

5. APPLICATION FEE

An applicant for approval of a proposal under section 10 or 26B of the Act for the subdivision of a parcel shall pay to the Minister the appropriate application fee specified in the following table:

TABLE OF FEES

Number of units in proposal	Amount of application fee
Not exceeding 4 units	\$300
Exceeding 4 units but not exceeding 10 units	\$300 plus \$40 for each unit exceeding 4 units
Exceeding 10 units but not exceeding 20 units	\$540 plus \$30 for each unit exceeding 10 units
Exceeding 20 units but not exceeding 50 units	\$840 plus \$20 for each unit exceeding 20 units
Exceeding 50 units	\$1,440 plus \$10 for each unit exceeding 50 units

6. FEE WHERE PROPOSAL NOT ACCOMPANIED BY VALUATION OR UNIT ENTITLEMENTS NOT REASONABLE

Where, in relation to a proposal for the subdivision of a parcel under the Act, the schedule of unit entitlements referred to in section 11(1)(b) or 26C(2)(f) of the Act -

- (a) is not accompanied by a certificate in writing by a valuer, as defined in the *Valuation of Land Act*, verifying that the unit entitlements are, in his opinion, reasonable having regard to the respective values of the units; or
- (b) the unit entitlements, whether or not so verified, are not considered by the Minister to be reasonable having regard to the respective values of the units, and the Minister, with the agreement of the applicant, approves the amendment of the relevant schedule of unit entitlement so that the unit entitlements are reasonable,

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the applicant shall pay to the Minister, in respect of the approval of that proposal, in addition to the fee payable under regulation 5, the appropriate fee specified in the following table:

TABLE OF FEES

Number of units in proposal	Amount of additional fee	
	Residential units	Non-residential units
Not exceeding 4 units	\$250	\$360
Exceeding 4 units but not exceeding 10 units	\$250 plus \$25 for each unit exceeding 4 units	\$360 plus \$55 for each unit exceeding 4 units
Exceeding 10 units but not exceeding 20 units	\$400 plus \$25 for each unit exceeding 10 units	\$690 plus \$50 for each unit exceeding 10 units
Exceeding 20 units but not exceeding 50 units	\$650 plus \$20 for each unit exceeding 20 units	\$1,190 plus \$50 for each unit exceeding 20 units
Exceeding 50 units	\$1,250 plus \$20 for each unit exceeding 50 units	\$2,690 plus \$50 for each unit exceeding 50 units

7. DISCLOSURE STATEMENT WARNING

(1) For the purposes of section 26C(1) of the Act, the following is the prescribed warning:

WARNING: THIS STATEMENT CONTAINS DETAILS OF A UNIT SCHEME WHICH IS PROPOSED TO BE DEVELOPED IN [*insert number of stages*] STAGES ON THE LAND DESCRIBED WITHIN.

PERSONS INTERESTED ARE ADVISED THAT THE PROPOSED SCHEME MAY BE VARIED AND MAY NOT BE COMPLETED. HOWEVER, ANY DEPARTURE FROM THE PROPOSALS OUTLINED IN THE STATEMENT WILL ATTRACT THE PROVISIONS OF PART IVA OF THE *UNIT TITLES ACT*.

THIS STATEMENT SHOULD NOT BE CONSIDERED ALONE BUT IN CONJUNCTION WITH THE RESULTS OF THE SEARCHES AND INQUIRIES NORMALLY MADE IN RESPECT OF A UNIT IN A UNIT SCHEME.

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(2) The warning referred to in subregulation (1) shall be typed or printed in block capital letters of a size not less than 8 points and so as to be clearly legible.

8. CANCELLATION OF UNITS PLAN BY CONSENT

(1) For the purposes of section 95A(2) of the Act, the prescribed form is Form 1.

(2) A proprietor's consent to the proposed cancellation of a units plan shall be in accordance with Form 2.

(3) For the purposes of section 95A(3) of the Act, the prescribed fee is \$40 plus \$20 in respect of each unit in the units plan and \$20 in respect of each mortgagee's consent to the proposed cancellation.

(4) An application under section 95A of the Act shall be accompanied by the consent of the mortgagees, if any, of each unit and the duplicate certificates of title for the units and the common property.

(5) The consent of a mortgagee referred to in subregulation (4) shall be in accordance with Form 3.

SCHEDULE

FORM 1

Regulation 8(1)

NORTHERN TERRITORY OF AUSTRALIA

APPLICATION UNDER SECTION 95A OF THE
UNIT TITLES ACT FOR CANCELLATION OF UNITS PLANS

The Proprietors - Units Plan No. hereby apply for cancellation of that Units Plan for the certificates of title described in the Schedule.

Attached are the consents of the registered proprietors and registered mortgagees of the units described in the Schedule.

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FORM 3

Regulation 8(5)

NORTHERN TERRITORY OF AUSTRALIA

CONSENT OF MORTGAGEE TO APPLICATION UNDER SECTION 95A
OF THE *UNIT TITLES ACT* FOR CANCELLATION OF UNITS PLAN

I,,
the registered mortgagee of Unit Volume
Folio of Units Plan No., consent to the
cancellation of that units plan pursuant to an application
under section 95A of the *Unit Titles Act*.

Dated 1987.

Mortgagee
