ACT GOVERNMENT

Land Titles Act 1925 Duties Act 1999 **Registrar-General's Office**



TMPS Form 018

Lodging Party

Box Number

UNDER POWER OF SALE PRIVACY COLLECTION STATEMENT (PRIVACY ACT 1988 (C'WLTH)) OVERLEAF

TRANSFER BY MORTGAGEE

The mortgagee transfers the land in items 1 and 3, in exercise of its power of sale, to the transferee. This transfer is subject to the mortgages, encumbrances and other instruments affecting the land, including any created by dealings lodged prior to this application and any restrictive covenants referred to in Item 8 together with any easements in the Crown Lease or created by deed.

1. LAND

Vol:Fol	District/Division	Section	Block	Unit

Duty Only

2. MORTGAGE NUMBER

3. MORTGAGEE / TRANSFEROR							
Full name (Surname last)	Estate or Interest Transferred						
4. TRANSFEREE / BUYER							
Full name (Surname last)	Full Postal Address (after transfer)						
5. FORM OF TENANCY (delete whichever is not applicable)							
Joint Tenants / Tenants in Common in the following shares							
6. CONSIDERATION							
7. EXECUTION							
Signed by the mortgagee/transferor	Full name of witness						
	Signed in my presence						
Signature of mortgagee/transferor	Signature of witness						
Signed by the transferor/ transferors solicitor	Full name of witness						
	Signed in my presence						
	Signed in my presence						
Signature of transferor / transferors solicitor and full name of solicitor, where solicitor executes on behalf of the transferor	Signature of witness						

Approved form AF 2004 - 55 approved by Michael Ockwell, Registrar-General on 22 September 2004 under s140 Land Titles Act 1925 (approved forms) Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

8. DEVELOPMENT STATUS (Tick the appropriate box or strike out if mortgage or sublease)						
Land Only]	Incomplete Building		Building Completed		
9. DATE		10. RESTRICTIVE COVENANTS (Delete if NOT applicable)				
11. DATES						
Agreement for Sale Date			Settlement Date (the date on which			
Agreement for Sale Date			the transferee become liable for rates)			
12. OFFICE USE ONLY						
Lodged by			Certificates Lodged			
Data Entered by			Attachments Lodged			
Examined by			Certificate of Title Lodge	ed		
Registered by			Registration Date			
			-			

PRIVACY STATEMENT

S.43 of the *Land Titles Act 1925 (LTA)* authorises the Registrar-General to collect the information required by this form for the establishment and maintenance of the Land Titles Register. S.65-67 LTA requires that the Register be made available to any person for search, upon payment of a fee. The information is regularly provided to various ACT Government agencies, including the ACT Department of Urban Services, ACT Planning and Land Authority (ACTPLA), ACT Treasury, Canberra Connect and ActewAGL for conveyancing, municipal account, administrative, statistical and valuation purposes. ACTPLA and agencies within the ACT Department of Urban Services may also use the information supplied to prepare and sell property sales reports to commercial organisations concerned with the development, sale or marketing of land.

SCHEDULE OF NOTES

- 1. This form is to be used only for a transfer by mortgagee exercising a power of sale. A mortgagee in priority to a writ, may exercise its power of sale, regardless as to whether the writ has lapsed. The transferee from such mortgagee will acquire title free from the writ. Also if the sheriff sells under the writ, the transferee must deal with any prior mortgage.
- 2. A mortgagee presenting a mortgage for registration after the writ has lapsed will be required to provide evidence that a search at the Supreme Court revealed that the sheriff had not put the writ into force by sale.
- 3. Documents must be typed or completed preferably in black ink or biro.
- 4. Alterations to information entered on the form should be made by crossing out (not erasing or obliterating by painting over) and should be initialled by the parties.
- 5. If there is insufficient space in any panel use an annexure sheet.
- 6. Volume and Folio references must be given.
- 7. Provide details of the mortgage number.
- 8. Provide full names of the mortgagee who is undertaking the transfer, including the estate or interest transferred.
- 9. Provide full names of the transferee, including their postal address.
- 10. Provide the form of tenancy (joint tenants or tenants in common)
- 11. Provide the consideration (sale price).
- 12. Execution by
 - A Natural Person Should be witnessed by an adult person who is not a party to the document.
 - Attorney if this document is executed by an Attorney pursuant to a registered power of attorney, it must set out the full name
 of the attorney and the form of execution must indicate the source of his/her authority eg. "AB by his/her attorney XY pursuant
 to Power of Attorney ACT Registration No..... of which he/she has no notice of revocation".
 - Corporation Section 127 of the Corporations Act provides that a company may now validly execute a document with or without using a Common Seal
 - NB The normal witnessing provisions in the *Land Titles Act 1925* do not apply to execution by a corporation as above, but do apply to execution by the attorney of a corporation.