

ACT GOVERNMENT
Land Titles Act 1925
 Registrar-General's Office



TAM
Form 070

**TRANSMISSION APPLICATION
ON A MORTGAGE**

Lodging Party

Box Number

PRIVACY COLLECTION STATEMENT (PRIVACY ACT 1988 (C'WLTH)) OVERLEAF

I/We apply to be registered as the proprietor/s of the land described in item 1, 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, together with any easements in the Crown Lease or as created by deed.

I/We are entitled under the entitlement described in item 5.

1. LAND

Vol:Fol	District/Division	Section	Block	Unit	Instrument No/ Associated Dealing No

2. MORTGAGE NUMBER

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3. APPLICANT

Full Name (Surname Last)	Full Postal Address (after transmission)
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4. NAME OF DECEASED / BANKRUPT

Full Name (Surname Last)	Estate or Interest Transferred
	Date of Death if applicable

5. FORM OF TENANCY (delete whichever is not applicable)

Joint Tenants / Tenants in Common in the following shares

6. ENTITLEMENT

Entitled As		
Pursuant to: Probate / Letters of Administration / Sequestration Order / Other - Please specify		
Number	Granted on (date)	Granted to:

7. EXECUTOR/S CONSENT (If applicable)

I/We consent to
Signature of Executor/s

8. DATE

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9. EXECUTION

Signed in my presence by the applicant/s
Signature of applicant/s

Full name of witness
Signed in my presence
Signature of witness

10. OFFICE USE ONLY

Lodged by		Certificates Lodged	
Data Entered by		Attachments Lodged	
Examined by		Certificate of Title (optional)	
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 transmission application on a mortgage. Transmission is the acquisition of title to the mortgage or an interest in land consequent upon the death, will, intestacy, bankruptcy or insolvency of the registered mortgagee.
2. Requirements Upon Bankruptcy
 - a. Correct execution by trustee or assignee;
 - b. If the Certificate of Title is subject to S163(8), S164(7) or S167(5) of the Land (Environment and Planning) Act, the Minister's consent will be required;
 - c. Be accompanied by the sequestration order; and
 - d. Lodgement fee.
3. Requirements Upon Death
 - a. Correct execution by executor, administrator, devisee or beneficiary.
 - b. State clearly the capacity of the applicant as executor, administrator etc. If the person is applying in dual roles as executor and beneficiary they will be required to elect the appropriate capacity and strike out the inappropriate reference;
 - c. Be accompanied by the grant of administration, probate etc;
 - d. If the Certificate of Title is subject to S163(8), S164(7) or S167(5) of the Land (Environment and Planning) Act, the Minister's consent will be required; and
 - e. Lodgement fee.
4. Documents must be typed, or completed in black ink or biro.
5. 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.
6. If there is insufficient space in any panel use an annexure sheet.
7. Volume and Folio references must be given.
8. Provide the full name of the deceased or bankrupt.
9. Provide the estate or interest being transmitted.
10. Provide full name and address after transmission of the applicant.
11. Provide the form of tenancy.
12. Identify the entitlement (refer to 1-3 above).
13. Obtain the consent of executors if applicable.
14. 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.