

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



ALX
Form 038

**APPLICATION FOR LAPSING OF A
CAVEAT**

Lodging Party

Box Number

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

The registered proprietor of the land in item 1 applies for the preparation and service on the caveator noted in item 3 of a lapsing notice as specified at section 107(1) of the *Land Titles Act 1925*.

1. LAND AFFECTED BY CAVEAT

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

2. CAVEAT NUMBER

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3. CAVEATOR/S

Name only

4. REGISTERED PROPRIETOR/S

Name only

5. DATE

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6. EXECUTION

Signed by the registered proprietor/s
Signature of registered proprietor/s

Full name of witness
Signed in my presence
Signature of witness

7. OFFICE USE ONLY

Lodged by		Certificates Lodged	
Data Entered by		Attachments Lodged	
Examined by			
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 application should be used to request the Registrar-General to prepare and serve a lapsing notice upon the Caveator under S107(1) of the *Land Titles Act 1925*. Care should be taken in the use of this application. In some cases it may be more appropriate to seek the written consent of the Caveator to a dealing about to be lodged for registration or to use the partial lapsing facility provided by Section 106(1) of the Act.**
2. Documents must be typed, or completed in black ink or biro.
3. 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.
4. If there is insufficient space in any panel use an annexure sheet.
5. Volume and Folio references must be given.
6. Provide details of the caveat number (dealing number).
7. Provide full name of the caveator/s.
8. Provide full name of the registered proprietor/s.
9. 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.**