

**ACT GOVERNMENT**  
*Land Titles Act 1925*  
*Land Titles (Unit Titles) Act 2003*  
**Registrar-General's Office**



<b>C</b> Form 042
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**CONSENT TO REGISTER A UNITS PLAN  
 BY A MORTGAGEE OR A SUBLESSEE**

Lodging Party
Box Number

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

The registered proprietor of mortgage / lease described in item 2 and 3 consents to the registration of the units plan for the sub-division of the land described in item 1.

**1. LAND**

Vol:Fol	District/Division	Section	Block	Unit

**2. MORTGAGEE / LESSEE**

Name in Full
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**3. REGISTRATION NUMBER OF MORTGAGE / LEASE**

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**4. DATE**

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**5. EXECUTION – WHERE A SUBLESSEE CONSENTS AND THE UNITS PLAN IS REGISTERED IT WILL HAVE THE EFFECT OF DETERMINING THE SUBLEASE PURSUANT TO S90 OF THE LAND TITLES ACT 1925 AND S25(1)(a) OF THE LAND TITLES (UNIT TITLES) ACT 1970.**

Signed by the mortgagee/lessee
Signature of mortgagee/lessee

Full name of witness
Signed in my presence
Signature of witness

**6. 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 by the applicant to gain the consent of a registered mortgage or lessee in the case of an application to register a units plan.
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 the full name of the mortgagee / lessee.
7. Provide the registration number of the mortgage or the lease.
8. 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.**