

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



DEXM
Form 071

DECLARATION BY EXECUTOR ON A MORTGAGE

Lodging Party

Box Number

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

I/We being the registered proprietor/s (as executors) of the land described in item 1, hereby apply pursuant to ss 11(1) of the *Trustee Act 1925* and S138B of the *Land Titles Act 1925* to hold the land as beneficiaries.

1. LAND

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

2. NAME OF REGISTERED PROPRIETOR (Registered Proprietor must be the Executor/s on the title)

Full Name (Surname Last)	Estate or Interest Transferred
Full Postal Address (after transfer)	

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

Joint Tenants / Tenants in Common

4. ENTITLEMENT

Entitled As Beneficiary

Pursuant to: Probate Letters of Administration Sequestration Order Other – Please specify

Number	Granted on (date)	Granted to:
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5. DATE

6. RESTRICTIVE COVENANTS (Delete if NOT applicable)

7. DECLARATION BY EXECUTOR

I/We, _____ of _____ (occupation)

I/We declare that all executorial duties and responsibilities in respect to the land have been duly performed and I/we have ceased to hold the land as executor/s and that I/we hold the land as beneficiaries.

And I/We make this solemn declaration by virtue of the *Statutory Declarations Act 1959*, and subject to the penalties provided by that Act for the making of false declarations, conscientiously believing the statements contain in this declaration to be true in every particular.

Declared at _____ on _____ the _____ day of _____ 20____	Signature of person before whom the declaration is made Full name, qualification* and address of person before whom the declaration is made (in printed letters) (*Must be authorised under the <i>Statutory Declarations Act 1959</i>).
Signature of person making the declaration	

8. OFFICE USE ONLY

Examined by		Vol:Fol:Ed/Production No	
Data Entered by		Certificates Lodged (Compliance/Occupancy	
		Attachments/Annexures	
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 (the Authority), ACT Treasury, Canberra Connect and ActewAGL for conveyancing, municipal account, administrative, statistical and valuation purposes. The Authority 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

- This form is to be used only for a transfer of ownership from an executor/s to themselves as beneficiaries.
 - The certificate of title or proof of production of the title must accompany the transfer and the registered proprietor must execute the transfer.
 - Documents must be typed or completed, in black ink or biro.
 - 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.
 - If there is insufficient space in any panel use an annexure sheet.
 - Volume, Folio and Edition references must be given.
 - Provide full names of the registered proprietor/s as executor/s, including their postal address.
 - Provide the form of tenancy (joint tenants or tenants in common)
 - Provide details of the entitlement.
 - Execution by (Statutory Declaration)
 - **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”.
- 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.**