

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



Duty Only

VSL
 Form 022

**VARIATION OF SUBLEASE / HEADLEASE
 OR UNDERLEASE**

Lodging Party

Box Number

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

The tenant being registered as the proprietor of the sublease or underlease specified pursuant to an agreement with the registered proprietor of the land subject to the sublease / headlease or underlease and consent of the registered proprietors of all affected registered dealings varies the said sublease / headlease or underlease as described below.

1. LAND

Vol:Fol	Edition	District/Division	Section	Block	Unit

2. SUBLEASE / HEADLEASE OR UNDERLEASE BEING VARIED (Provide instrument number)

3. VARIATION DETAILS (tick whichever is applicable)

The term of the lease is being varied by increasing / reducing the term to _____, now expiring on...../...../ 20	<input type="checkbox"/>	The covenants, conditions or restrictions contained or implied in the lease are varied, revoked or supplemented as set out in the attached annexure.	<input type="checkbox"/>
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4. LESSOR

Full Name (Surname Last)

5. LESSEE

Full Name (Surname Last)	Full Postal Address
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6. DATE

7. EXECUTION

Signed by the lessor/s Signature of lessor/s	Signed in my presence Signature of witness Full name of witness
Signed by the lessee/s Signature of lessee/s	Signed in my presence Signature of witness Full name of witness

8. OFFICE USE ONLY

Examined by		Vol:Fol:Ed/Production No (if applicable)	
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 an extension or variation of a lease or sublease. The *Land Titles Act 1925* provides that a registered lease may be varied as follows:
 - Variation of the term of the lease; or
 - Variation, revocation or supplement to a covenant, condition or restriction contained or implied in the lease.
- It is not possible to vary the extent of the sublet area. If it is necessary to reduce the sublet area, this may be achieved by a partial surrender of the lease.
- The variation should be signed by the lessor and the lessee, and must be registered before the term of the lease expires. In practice the variation must be lodged prior to the expiry date.
- 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 details of the lease or sublease being varied.
- Select the appropriate variation details.
- Provide full names of the lessor/s.
- Provide full names and address of the lessee/s.
- **This document may be liable for stamp duty. This document should be marked by the ACT Revenue Office prior to lodgement.**
- 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 if the document is signed by:
 - a. Two directors of the company;
 - b. A director and a secretary of the company; or
 - c. Where the company is a proprietary company and has a sole director who is also the sole company secretary, that director.

The following forms of execution are suggested –

With A Common Seal

The Common Seal of ABC Pty Ltd/Ltd ACN.....

was affixed in the presence of-

.....(signature)

.....(director/secretary)*

(*repeat if necessary ie if two directors signing. If signing as sole director and sole secretary, state 'director/secretary')

Without A Common Seal

Signed by.....Pty Ltd/Ltd ACN.....

.....(signature)

.....(director/secretary)*

(*repeat if necessary (ie if two directors signing. If signing as sole director and sole secretary, state 'director/secretary')

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.