



TERMINATION BY RE-ENTRY OF A SUBLEASE OR UNDERLEASE

Form 003 - ESL

Land Titles Act 1925

IMPORTANT INFORMATION

This form is to be used to lodge a termination by re-entry of a sublease or underlease under the *Land Titles Act 1925* (the Act). You can access the Act at www.legislation.act.gov.au. You may also obtain further information and forms at www.ors.act.gov.au.

PRIVACY INFORMATION

The Act authorises the Registrar-General to collect the information required by this form. The Registrar-General provides identifiable information to various agencies including, but not limited to, the ACT Environment and Sustainable Development Directorate, ACT Treasury Directorate, Canberra Connect and ACTEWAGL for conveyancing, municipal account administrative, statistical and valuation purposes. These agencies may also use this information to prepare and sell property sales reports to commercial organisations concerned with the development, sale or marketing of land.

CONTACT INFORMATION

Lodge in person at the **Office of Regulatory Services:** **255 Canberra Avenue, Fyshwick ACT 2609**
Office Hours: **9:00am to 4:30pm Monday to Friday**
General enquiries telephone number: **(02) 6207 0491**
Website address: www.ors.act.gov.au

INSTRUCTIONS FOR COMPLETION

- The certificate of title is not required for lodgement of this document.
- All information should be typed or clearly printed. If completing this form by hand please use a solid black pen only.
- This office will not accept lodgement of this form if it is not completed in full.
- Any alteration to information provided on this form must be struck through with a black pen. Substitute information must be clear and all parties must sign in the margin. Do not use correction fluid or tape.
- Ensure all required documents are attached. If there is insufficient space in any panel, please use an Annexure Sheet.
- Execution by:
 - a) **A Natural Person** – Should be witnessed by an adult person who is not a party to the document.
 - b) **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 e.g. “AB by his/her attorney XY pursuant to Power of Attorney ACT Registration No..... of which he/she has no notice of revocation”. (This execution requires a witness).
 - c) **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:
 - i. Two directors of the company;
 - ii. A director and a secretary of the company; or
 - iii. Where the company is a proprietary company and has a sole director who is also the sole company secretary, that director. (This execution does not require a witness).
- The following forms of execution are suggested –
 - a) **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 i.e. if two directors signing. If signing as sole director and sole secretary, state ‘director/secretary’). (This execution does not require a witness).
 - b) **Without A Common Seal**
Signed by ABC Pty Ltd/Ltd ACN.....
.....(signature)
.....(director/secretary)*
(*repeat if necessary i.e. if two directors signing. If signing as sole director and sole secretary, state ‘director/secretary’) - (This execution does not require a witness).



ACT
Government

Justice and Community Safety

LAND TITLES
OFFICE OF REGULATORY SERVICES
ACT Justice and Community Safety Directorate

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LODGING PARTY DETAILS

| Name | Postal Address | Contact Telephone Number |
|------|----------------|--------------------------|
| | | |

TITLE AND LAND DETAILS

| Volume & Folio | District/Division | Section | Block | Unit |
|----------------|-------------------|---------|-------|------|
| | | | | |

FULL NAME AND ADDRESS OF LESSOR (Surname Last) (ACN required for all companies) (Please include post code)

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FULL NAME AND ADDRESS OF LESSEE (Surname Last) (ACN required for all companies) (Please include post code)

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REGISTERED NUMBER OF SUBLEASE / UNDERLEASE

MODE OF TERMINATION

(Please provide details of termination – i.e. Re-entry)

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CONSENTING PARTY – SUPPORTING DOCUMENTATION

Please complete and attach – **Form 042 – C – Consent** (One form required for each party required to consent)

LESSOR'S EXECUTION

Print full name of Lessor/s or Lessor's Solicitor
(delete whichever is not applicable)

Print full name and address of witness

Signature of Lessor/s or Lessor's Solicitor

Signature of witness

Dated -

Dated -

| |
|-------------|
| DATE |
| |

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|------------------------------|
| STATUTORY DECLARATION |
|------------------------------|

I, _____ of _____,

 (occupation)

I am the applicant / I act for the applicant in the capacity of (please state) –

I solemnly and sincerely declare that the premises were peacefully and lawfully recovered. The requisite time has elapsed between the date of the breach and the date of the re-entry. The clause _____ was breached.

I also declare that no court action has been taken against the lessor in respect the breach.

And I 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.

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| STATUTORY DECLARATION EXECUTION |
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| | |
|---|---|
| Declared at _____ on _____ the _____ day of _____ 20____ | Signature of person before whom the declaration is made |
| Signature of person making the declaration | Full name, qualification* and address of person before whom the declaration is made (in printed letters) (*Must be authorised under the Statutory Declarations Act 1959) |

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|------------------------|
| OFFICE USE ONLY |
|------------------------|

| | | | |
|-------------------|--|--------------------------------|--|
| Lodged by | | Certificate of title lodged | |
| Data entered by | | Certificates attached to title | |
| Registered by | | Attachments / Annexures | |
| Registration date | | Consent form attached | |