

APPLICATION FOR NEW CERTIFICATE OF TITLE

Form 011 - CT

Land Titles Act 1925

IMPORTANT INFORMATION

This form is to be used to lodge an application for new certificate of title 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.act.gov.au/accesscbr.

PRIVACY INFORMATION

The Act authorises the Registrar-General to collect the personal information required by this form for the purposes of issuing a registration under the Act. The Registrar-General prevents any unreasonable intrusion into a person's privacy in accordance with the *Information Privacy Act 2014*. The Registrar-General provides identifiable information to law enforcement and other Directorates that have legal authority to request information under prescribed circumstances.

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.

INSTRUCTIONS FOR COMPLETION

- Satisfactory evidence in support of this application must be provided to the Registrar-General.
- 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 must state sole director. (No witness is required for this execution).

LODGEMENT AND CONTACT INFORMATION

Website:

www.accesscanberra.act.gov.au

General Enquiries:

13 22 81

In Person:

Environment, Planning and Land Shopfront

Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson

Opening hours - Monday to Friday 8:30am to 4:30pm (*excluding public holidays*)



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LODGING PARTY DETAILS		
Name	Email Address	Contact Telephone Number

TITLE AND LAND DETAILS				
Volume & Folio	District/Division	Section	Block	Unit

APPLICANT/S (Provide Full Name, Surname Last)	FULL POSTAL ADDRESS (including postcode)

CAPACITY OF APPLICANT/S (tick whichever is applicable)	
<input type="checkbox"/> Registered Proprietor/s	or <input type="checkbox"/> Legal Practitioner
<input type="checkbox"/> Executor	or <input type="checkbox"/> Mortgagee in Mortgage No
<input type="checkbox"/> Other (please state)	

NAME AND ADDRESS OF REGISTERED PROPRIETOR/S (Complete where the Applicant is NOT a registered proprietor)

NOTE – The consent of the Registered Proprietors is required unless the applicant is the Registered Proprietor and/or if the Applicant is a Mortgagee and the Certificate of Title was lost whilst in the possession of the Mortgagee.

I consent hereto and state that the registered proprietor is not presently an undischarged bankrupt or insolvent, and has not assigned the estate for the benefit of creditors and is not subject to the *Confiscation of Criminal Assets Act 2003*.

CONSENT	
Print full name of person consenting and the capacity under which consenting (eg, Registered Proprietor)	Print full name and address of witness
Signature or common seal execution of Consenting Party	Signature of witness
Dated -	Dated -

SUPPORTING DOCUMENTS (the following documents are required in support of this application)

- Statutory Declaration/s
- Primary Identification for all Registered Proprietors/ Directors of Company/Executor/s
- Secondary Identification for all Registered Proprietors/Directors of Company/Executors/s
- Other (please specify)

I apply pursuant to section 62 of the *Land Titles Act 1925* for the issue of a new Certificate of Title. The grant/current edition of the Certificate of Title described in Item 1 has been lost, mislaid or destroyed. The Certificate of Title in Item 1 is subject to any mortgages, encumbrances and other instruments affecting the land, including any created by dealings lodged prior to this application. In support of this application, attached are the following documents:

1. Statutory declaration by me stating details of the loss of the grant/certificate of title; whether or not the registered proprietor resides at the property; that the grant or certificate of title is not held by any person as security for a loan or any other purpose whatsoever; and that the registered proprietor is not presently an undischarged bankrupt or insolvent, and has not assigned the estate for the benefit of creditors and is not subject to the [Confiscation of Criminal Assets Act 2003](#).
2. Statutory declaration by mortgagee or legal practitioner for the mortgagee as to the facts of the loss.
3. At least one form of Primary and Secondary Identification for the Registered Proprietor / Company Director/s

I am aware that I may be required to supply further evidence pursuant to s.50A(2) of the *Land Titles Act 1925* for this application and that the Registrar-General pursuant to s.62(5) of the *Land Titles Act 1925* may, at least 14 days before issuing a new grant or certificate and at the expense of the applicant, cause notice of the Registrar-General's intention to issue the grant or certificate to be published in a daily newspaper.

APPLICANT'S EXECUTION

Print full name of Applicant	Print full name and address of witness
Signature or common seal execution of Applicant	Signature of witness
Dated -	Dated -

OFFICE USE ONLY

Lodged by		Primary Identification	
Data entered by		Secondary Identification	
Registered by		Attachments / Annexures	
Registration date			

Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

1 *Insert the name, address and occupation of person making the declaration*

I/We,¹

make the following declaration under the *Statutory Declarations Act 1959*:

2 *Set out matter declared to in numbered paragraphs*

2

I/We understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

3 *Signature of person making the declaration*

3

4 *Place*
5 *Day*
6 *Month and year*

Declared at: on
[place] [date]

in the presence of an authorised witness, who states:

I, , a
[name of authorised witness] [qualification of authorised witness]

certify the following matters concerning the making of this statutory declaration by the person who made it:
[* please cross out any text that does not apply]

7 *Signature of person before whom the declaration is made (see over)*

1. *I saw the face of the person OR *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and
 2. *I have known the person for at least 12 months OR *I have confirmed the person's identity using an identification document and the document I relied on was
- [describe identification document relied on]

8 *Full name, qualification and address of person before whom the declaration is made (in printed letters)*

.....
[signature of authorised witness] [date] [address of the authorised witness]

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

A statutory declaration under the *Statutory Declarations Act 1959* may be made before—

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Chiropractor	Dentist	Legal practitioner
Medical practitioner	Nurse	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trademarks attorney	Veterinary surgeon

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)

Bailiff

Bank officer with 5 or more continuous years of service

Building society officer with 5 or more years of continuous service

Chief executive officer of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of the Australian Trade Commission who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and

(c) exercising his or her function in that place

Employee of the Commonwealth who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and

(c) exercising his or her function in that place

Fellow of the National Tax Accountants' Association

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge of a court

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*

Master of a court

Member of Chartered Secretaries Australia

Member of Engineers Australia, other than at the grade of student

Member of the Association of Taxation and Management Accountants

Member of the Australasian Institute of Mining and Metallurgy

Member of the Australian Defence Force who is:

(a) an officer; or

(b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or

(c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:

(a) the Parliament of the Commonwealth; or

(b) the Parliament of a State; or

(c) a Territory legislature; or

(d) a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:

(a) the Commonwealth or a Commonwealth authority; or

(b) a State or Territory or a State or Territory authority; or

(c) a local government authority;

with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

(a) the Commonwealth or a Commonwealth authority; or

(b) a State or Territory or a State or Territory authority

Sheriff

Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution