

WITHDRAWAL OF CAVEAT

Form 037 - WX

Land Titles Act 1925

IMPORTANT INFORMATION

This form is to be used to lodge a withdrawal of caveat 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

- 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.
- If the caveator's solicitor withdrawing the caveat is not the same as the solicitor who lodged the original caveat, evidence of authority to act from the caveator must be produced with this form.
- 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).

LODGEMENT AND CONTACT INFORMATION

Website:

www.accesscanberra.act.gov.au

Email:

actlandtitles@act.gov.au

General Enquiries:

(02) 6207 3000

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
REGISTERED CAVEAT NUMBER BEING WITHDRAWN		DATE CAVEAT WITHDRAWAL IS EFFECTIVE		
FULL NAME OF CAVEATOR/S (Surname Last) (ACN required for all companies)				
REPRESENTING SOLICITOR DETAILS FOR CAVEATOR (Complete if applicable – otherwise state below “Not Applicable”)				
Name of Firm	Solicitor Email Address		Solicitor Name	
FULL NAME OF REGISTERED PROPRIETOR/S (Surname Last) (ACN required for all companies)				
CAVEATOR/S – EXECUTION				
Print full name of Caveator/Caveator’s Solicitor		Print full name and address of witness		
Signature of applicant		Signature of witness		
OFFICE USE ONLY				
Lodged by		Certificate of title lodged		
Data entered by		Certificates attached to title		
Registered by/Registered on		Attachments / Annexures		