

## TRANSFER

Form 052 – T

Land Titles Act 1925

### IMPORTANT INFORMATION

This form is to be used to lodge a transfer under the *Land Titles Act 1925* (the Act). You can access the Act at [www.legislation.act.gov.au](http://www.legislation.act.gov.au). You may also obtain further information and forms at [www.act.gov.au/accesscbr](http://www.act.gov.au/accesscbr).

### PRIVACY NOTICE

The collection of personal information in this form is required by law under the *Land Titles Act 1925*, to ensure accurate and legal transfer of title or registration of other interests relating to land and for maintaining publicly searchable registers and indexes. Personal information collected on this form will be handled in accordance with the Territory Privacy Principles in Schedule 1 of the Information Privacy Act 2014. More detailed information about how Access Canberra handles this personal information is available at: <https://www.act.gov.au/acprivacy>

### INSTRUCTIONS FOR COMPLETION

- A Transfer is a dutiable document.
- The certificate of title or production of title consenting to the registration of this document is required for lodgement.
- The Buyer and Seller Verification Declarations must be completed prior to lodgement of this form. The submission date and reference number must be recorded on this form.
- **Aggregation** - Only complete the question on the transfer instrument if purchasing multiple properties within a 12 month period. Two or more dutiable transactions of separate dutiable properties must be aggregated if they occur within 12 months of each other; involve transferees who are the same or associated people; and the transactions are part of substantially one arrangement relating to all items of dutiable property. If you do not believe your transactions should be aggregated you must provide the corresponding code on the transfer instrument. Furthermore, where there are multiple properties on the one transfer instrument an annexure should be lodged with this form identifying the individual consideration for each property transferring. This will be taken as the clients request for the transactions not be aggregated in accordance with section 24 (2) of the *Duties Act 1999*.
- Please indicate if the property is a Crown lease granted under the Land Rent Scheme. Duty for a land rent transaction is calculated in the same way as other Crown leases.
- If a duty concession/exemption is being claimed or the transferee is applying for Deferred Duty, please record the applicable code number. The codes and required documentation to retain are available on [www.revenue.act.gov.au](http://www.revenue.act.gov.au).
- The value entered into the Consideration Field must reflect the total value of the property, being the higher of the consideration or market value, including GST is applicable.
- 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.
- The first named buyer on this form will be the primary contact for ACT Revenue Office purposes.
- 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:
    - d) Two directors of the company;
    - e) A director and a secretary of the company; or
    - f) 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](http://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 | Customer Reference Number | Contact Telephone Number |
|------|---------------|---------------------------|--------------------------|
|      |               |                           |                          |

### TITLE AND LAND DETAILS

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

**TRANSFEROR/S - SELLER** (Surname Last) (ACN required for all companies)

**THE SELLER VERIFICATION DECLARATION HAS BEEN SUBMITTED** (must be completed prior to lodgement of this document)

Provide date and reference number/s

Submission Date:

Reference Code:

**PERCENTAGE OF INTEREST OWNED** (whole or state share)

**PERCENTAGE OF INTEREST BEING TRANSFERRED** (whole or state share)

### REPRESENTING SOLICITOR DETAILS FOR TRANSFEREE/BUYER (Complete if applicable – otherwise state below “Not Applicable”)

| Name of Firm | Solicitor Email Address | Solicitor Name |
|--------------|-------------------------|----------------|
|              |                         |                |

**TRANSFEREE/S - BUYER** (Surname Last) (ACN required for all companies)

**THE BUYER VERIFICATION DECLARATION HAS BEEN SUBMITTED** (must be completed prior to lodgement of this document)

Provide date and reference number/s

Submission Date:

Reference Code:

### FORM OF TENANCY

- Joint Tenants  
 Tenants in Common in (the following shares) - (Please state proprietors name and shares out in full)

|   |                                       |   |  |
|---|---------------------------------------|---|--|
| <b>ARE YOU APPLYING FOR A CONCESSION, EXEMPTION OR DUTY DEFERRAL?</b> (See instructions)  |                                       | <b>DOES THIS TRANSFER REQUIRE AGGREGATION WITH OTHER DUITABLE TRANSACTIONS?</b> (See aggregation instructions, point 4)           |  |
| <input type="checkbox"/> Yes (if yes provide code number) Code Number:<br><input type="checkbox"/> No                                   |                                       | <input type="checkbox"/> Yes <input type="checkbox"/> N/A<br><input type="checkbox"/> No (if no provide code number) Code Number: |  |
| <b>CONSIDERATION</b> (See instructions for completion – higher of market value or consideration)  | <b>GST PAYABLE</b> (See instructions) | <b>DOES THIS TRANSACTION INVOLVE A LAND RENT LEASE?</b> (See instructions)  |  |
| \$  | \$                                    | <input type="checkbox"/> Yes<br><input type="checkbox"/> No   |  |
| <b>DEVELOPMENT STATUS</b> (Tick the appropriate box – one box must be completed)  |                                       | <b>LAND USE</b> (Tick the appropriate box – one box must be completed)  |  |
| <input type="checkbox"/> Land Only<br><input type="checkbox"/> Incomplete Building<br><input type="checkbox"/> Building Completed       |                                       | <input type="checkbox"/> Residential<br><input type="checkbox"/> Rural<br><input type="checkbox"/> Commercial                     |  |
| <b>AGREEMENT / CONTRACT FOR SALE DATE</b>   |                                       | <b>SETTLEMENT DATE</b> (the date the buyer is liable for rates)   |  |
|   |                                       |   |  |
| <b>COMMUNITY TITLE</b> (if Transfer relates to a Community Title Scheme the following should be attached)                               |                                       | <b>ACTPLA – MINISTER’S / DELEGATE’S CONSENT</b>   |  |
| <input type="checkbox"/> Statutory Declaration <b>AND</b><br><input type="checkbox"/> Certified Copy of Undertaking submitted to ACTPLA |                                       |   |  |
| <b>TRANSFEROR/S – SELLER’S EXECUTION</b>  |                                       |   |  |
| Print full name of Transferor   |                                       | Print full name and address of witness  |  |
| Signature or common seal of Transferor  |                                       | Signature of witness  |  |
| <b>TRANSFeree/S – BUYER’S EXECUTION</b> (if Solicitor for Transferee executes – must state full name of Solicitor)                      |                                       |   |  |
| Print full name of Transferee/Transferee’s Solicitor  |                                       | Print full name and address of witness  |  |
| Signature or common seal of applicant   |                                       | Signature of witness  |  |

| <b>OFFICE USE ONLY</b> |  |                                |  |
|------------------------|--|--------------------------------|--|
| Lodged by              |  | Certificate of title lodged    |  |
| Data entered by        |  | Certificates attached to title |  |
| Registered by          |  | Attachments / Annexures        |  |
| Registration date      |  | Production number              |  |