

Chief Minister, Treasury and Economic Development Directorate

## **DECLARATION BY EXECUTOR**

Form 065 - DEX

Land Titles Act 1925

#### IMPORTANT INFORMATION

This form is to be used to lodge a declaration by executor under the *Land Titles Act 1925* (the Act). You can access the Act at <a href="https://www.legislation.act.gov.au">www.legislation.act.gov.au</a>. You may also obtain further information and forms at <a href="https://www.act.gov.au/accesscbr">www.act.gov.au/accesscbr</a>.

#### **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: <a href="https://www.act.gov.au/acprivacy">https://www.act.gov.au/acprivacy</a>

#### INSTRUCTIONS FOR COMPLETION

- Original probate or letters of administration or certified true copy of original must be supplied with lodgement of this form. The transmission application must have been lodged prior to 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.

## **CERTIFICATIONS**

Any inapplicable certification statement(s) must be deleted.

Certification statements must be made by the Certifier, being one of the following:

a. A legal practitioner

4:30pm (excluding public holidays)

- b. If the applicant is not represented by a legal practitioner the applicant (i.e. self- represented party)
- c. If a party to an instrument is not represented by a legal practitioner that party (i.e. self-represented party)

All certifications apply where the Certifier is a legal practitioner.

The first two listed certifications do not apply where the Certifier is a self-represented party. Self-represented parties are only required to make certifications relating to retaining evidence to support the registry instrument or document and ensuring the registry instrument or document is correct and compliant with relevant legislation and any prescribed requirement.

By certifying this form, the legal practitioner acknowledges they have taken reasonable steps to verify that their client or his, her or its administrator or attorney is a legal person and has the right to enter into the conveyancing transaction.

Note: - An attorney or a body corporate cannot make certification statements.

LODGEMENT INFORMATION

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

CONTACT INFORMATION

Email:
actlandtitles@act.gov.au

Phone:
(02) 6207 0491





# LAND TITLES ACCESS CANBERRA Chief Minister, Treasury and Economic Development Directorate

# **DECLARATION BY EXECUTOR**

Form 065 - DEX

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This form can only be used when the executor and the beneficiary are the same. If both the executor and the beneficiary are not one and the same, then a transfer form should be used. Note – This is not a dutiable document.

LODGING PARTY DETAILS								
Name		Email Address			Customer	Contact Telephone		
					Reference Number	Number		
TITLE AND LAND DE	TITLE AND LAND DETAILS							
Volume & Folio		District/Division		Section	Block	Unit		
			/-					
NAME OF THE EXECUTOR - REGISTERED PROPRIETOR/S (Surname Last) – (ACN required for all companies)			FULL POSTAL ADDRESS including post code (after transfer)					
ESTATE OR INTEREST (whole or state share)								
FORM OF TENANCY (this cannot differ from probate)								
Joint Tenants / Tenants in Common (in the following shares) -								
ENTITLEMENT								
Entitled as - Beneficiary								
SUPPORTING DOCUMENTATION (delete whichever is not applicable)								
Pursuant to: Probate Letters of Administration Sequestration Order Other – Please specify								
Number	er Granted on (date) Granted to:							

STATUTORY DECLARATION								
l,	I, (name) of							
(occupation)								
I/We declare that all executorial duties and responsibilities in respect to the land have been duly performed and I/we have ceased to hold the land as executor/s and that I/we hold the land as beneficiaries.								
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.								
STATUTORY DECLARATION EXECUTION								
Declared at	on	Signature of person before whom the declaration is made						
the day of	20							
Signature of person making the d	eclaration	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)						
CEPTIEICATION * Delete the inapplicable								
CERTIFICATION *Delete the inapplicable  Registered Proprietor								
*The Certifier has taken reasonable steps to verify the identity of the Registered Proprietor or his, her or its administrator or Attorney.  *The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.  *The Certifier has retained the evidence to support this Registry Instrument or Document.  *The Certifier has taken reasonable steps to ensure that the Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.								
Signed By:								
<name certifying="" of="" party=""> <capacity certifying="" of="" party=""></capacity></name>								
for: <company name=""></company>								
on behalf of the Registered Proprietor								
OFFICE USE ONLY								
Lodged by		Registered date / by						
Data entered by		Attachments/Annexures						