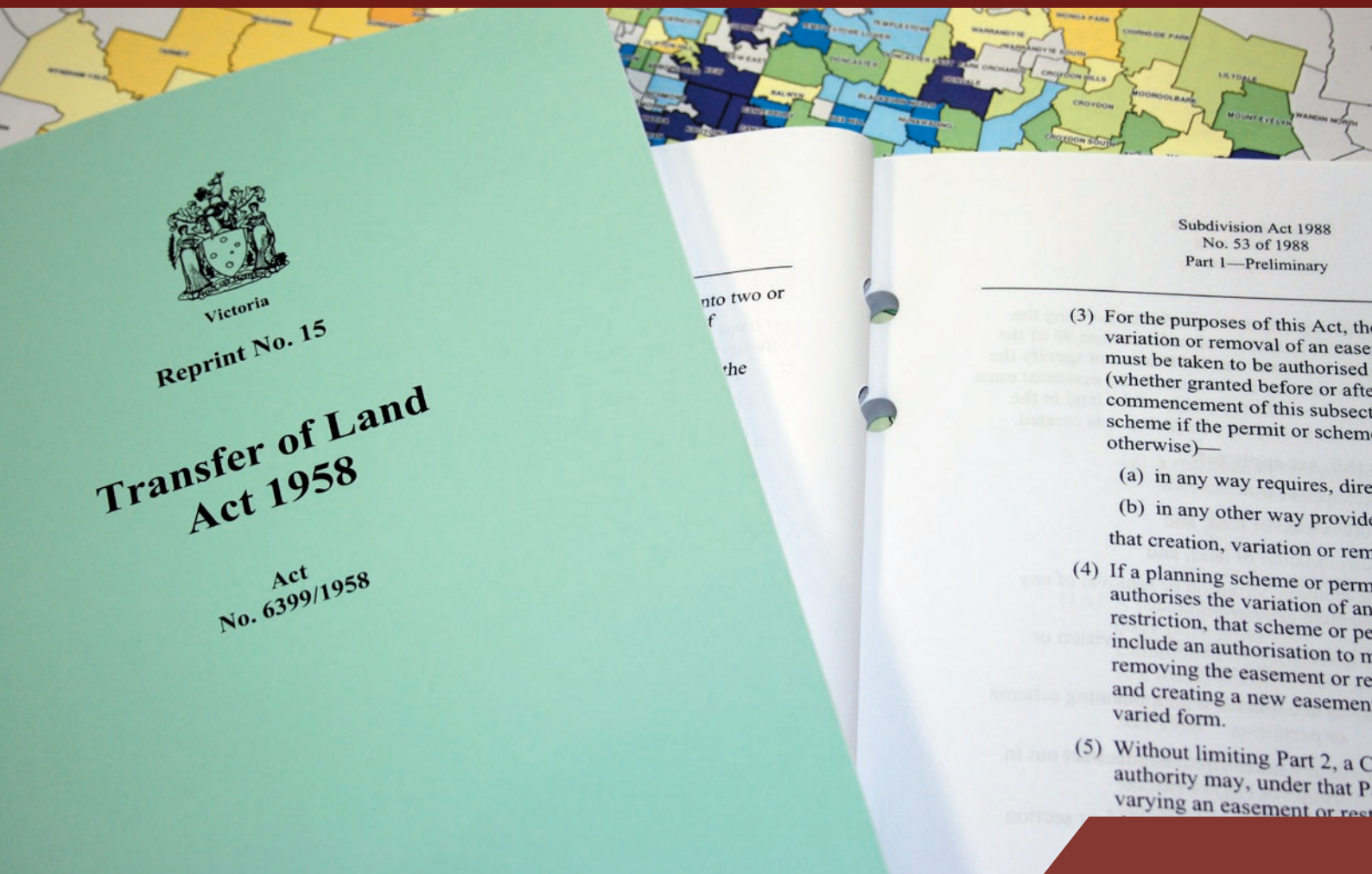


The Land Victoria Lodging Book

Section 3 – Transfer of Land Act 1958



A guide to dealings – Version 4.1

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For more information contact the DSE Customer Service Centre 136 186

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**APPLICATION TO BRING LAND UNDER THE OPERATION OF
THE TRANSFER OF LAND ACT 1958
(Freehold General Law Land)**

SECTION 14 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 2 Section 14 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 1 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Deeds
- Australian Legal Practitioner's Certificate (Schedule 5A Transfer of Land Act 1958)
- Search of title (Form 5 Transfer of Land (General) Regulations 2004)

NOTE: A lodging appointment should be made with the Registrar General's Office on (03) 8636 2010.

Application to bring land under the operation of the Transfer of Land Act 1958

Section 14 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies to bring the land under the operation of the Act subject to the encumbrances set out in the Australian Legal Practitioner's Certificate.

Land: (volume and folio reference or sufficient description to identify the land, which description should be identical to that in the legal practitioner's certificate)

Applicant: *(full name and address including postcode)*

Certifying Australian Legal Practitioner: *(full name and firm name)*

Date of certificate:

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

or

Signature of agent

**APPLICATION TO BRING LAND UNDER THE OPERATION OF
THE TRANSFER OF LAND ACT 1958
(Possessory Title)**

SECTION 15 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 3 Section 15 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 2 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Deeds and/or possessory evidence
- Names and addresses of abutting owners and occupiers
- Australian Legal Practitioner's Certificate (Schedule 5A *Transfer of Land Act 1958*)
- Search of title (Form 5 Transfer of Land (General) Regulations 2004))
- Land identification documents (Plan of Survey, Abstract of Field Records, Surveyor's Report and associated documents)

NOTE: A lodging appointment should be made with the Registrar General's Office on (03) 8636 2010.

Application to bring land under the operation of the Transfer of Land Act 1958

Section 15 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies to bring the land under the operation of the Act subject to the encumbrances set out in the Australian Legal Practitioner's certificate.

Land: *(volume and folio reference or sufficient description to identify the land, which description should be identical to that in the Australian Legal Practitioner's Certificate)*

Applicant: *(full name and address including postcode)*

Certifying Australian Legal Practitioner: *(full name and firm name)*

Date of certificate:

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the Legal Profession Act 2004 for applicant

or

Signature of Licensed Conveyancer
under the Conveyancers Act 2006 for applicant

or

Signature of agent

**AUSTRALIAN LEGAL PRACTITIONER'S
CERTIFICATE AS TO TITLE
(Freehold General Law Land)**

SECTION 16 TRANSFER OF LAND ACT 1958

FORM

Schedule 5A Transfer of Land Act 1958

SCHEDULE 5A

PART I – AUSTRALIAN LEGAL PRACTITIONER'S CERTIFICATE AS TO TITLE

(Freehold General Law Land)

To: The Registrar of Titles

I

of *(Firm's name and address)*

Legal practitioner having caused a search to be made up to / / as disclosed in the attached search of title against the land in the Schedule, having examined the documents forming the chain of title to the land from the Crown grant or last deed known to the Registrar of Titles or accepted by the Registrar of Titles in a prior conversion save and except any documents set out in Clause 7 of the Schedule and having made the searches and enquires as I consider necessary DO CERTIFY THAT:

1. The person(s) shown in Clause 3 of the Schedule has/have acquired a good safe holding and marketable title to the land including such appurtenances, abuttal rights, etc. as are set out in Clause 2 of the Schedule subject to the mortgages, encumbrances claims rights estates or interests set out in Clauses 4, 5, and 6 of the Schedule and the qualifications set out in Clause 7 of the Schedule.
2. The Root of Title is the following Instrument:
3. The land is not subject to control under the laws relating to bankruptcy or insolvency.
4. The value of the land including all buildings and other improvements thereon is \$ or thereabouts.
5. *I hold an Australian practising certificate within the meaning of the *Legal Profession Act 2004*.

Date:

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004*

SCHEDULE

1. *Address of property:*

2. *Land:*

(Insert description sufficient to identify the land)

NOTE: Where the land description includes rights of appurtenancy, abuttal, etc. justified in any deed which forms part of a separate chain of title, a photocopy of the deed, certified by the legal practitioner making the certificate, must be produced. That chain of title must also be produced, except those parts which have been accepted by the Registrar under a prior conversion.

3. *Full name and address of owner:*

4. *Mortgages:*

(If there are none, write 'NIL'. Otherwise give details.)

5. *Encumbrances:*

(e.g. charges, easements, restrictive covenants, etc. If there are none, write 'NIL'. Otherwise give details.)

6. *Claims, rights, estates or interests:*

(If any person has or claims an estate or interest in the land at law or in equity, in possession or expectancy, describe them. (e.g. Rights of a purchaser under a contract of sale or person in possession or person in occupation, judgements, lis pendens, statutory rights or interests, notices of acquisition, etc.) If there are none write 'NIL').

7. *Qualifications:*

(Here specify any qualifications the legal practitioner has with respect to the title. A reference to any defects in title should be included, e.g. missing deeds, or as the case may be.)

**AUSTRALIAN LEGAL PRACTITIONER'S CERTIFICATE AS TO
TITLE TO GENERAL LAW LAND
(Possessory Title)**

SECTION 16 TRANSFER OF LAND ACT 1958

FORM

Schedule 5A *Transfer of Land Act 1958*

SCHEDULE 5A

PART 2 – AUSTRALIAN LEGAL PRACTITIONER'S CERTIFICATE AS TO TITLE TO GENERAL LAW LAND

(Possessory Title)

To: The Registrar of Titles

I

of (Firm's name and address)

Legal practitioner having examined the evidence of the possessory title to the land in the schedule including the documents produced herewith and set out in the schedule and the attached search notes and having made such searches and enquiries that I consider to be necessary DO CERTIFY THAT:

1. The last registered deed(s) which comprise the fee of the land is/are Book No. whereby of is the last registered owner subject to
2. I am satisfied that the applicant has acquired a title to the said land by possession.*¹
3. Other than as stated below I am not aware of any mortgage or encumbrance affecting the land or that any person other than the applicant has or claims any estate or interest at law or in equity, in possession or expectancy any prior interest having been extinguished.

(If there are none, write 'NIL'.)

4. The value of the land including all buildings and other improvements thereon is \$..... or thereabouts.
5. The land is not subject to control under the laws relating to bankruptcy or insolvency.
6. *I hold an Australian practising certificate within the meaning of the *Legal Profession Act 2004*.
7. I am satisfied that no part of the land has for 30 years and upwards been used as road nor has it been dedicated or proclaimed as a public highway, nor has it vested in any body pursuant to any statute.

Dated:

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004*

SCHEDULE

1. Address of Property:
2. Land: (part of/whole of) Crown Allotment ()
Section () Parish of ()
County of () being land identified (state how)
on Plan of Survey by the Surveyor ()
dated () a copy of which is annexed hereto.

3. Full name and address of applicant:
4. Documents produced and set out: (Give details)*²

*1. To do this the legal practitioner must, among other things, be satisfied that a person has entered into possession adverse to the owner at a time prior to the commencement of the Statutory period (see Sections 8 and 23(1)(c) of the *Limitation of Actions Act 1958*) and that there has been an unbroken chain of possession since that time.

*2. The evidence upon which the legal practitioner's certificate is based should, in the case of each witness, be by Statutory Declaration or affidavit to which there is exhibited a copy of the plan of survey. Each declaration or affidavit should be headed by reference to the matter of the *Transfer of Land Act 1958* and the matter of an Application by the Applicant (give name).

All evidence relevant to title, including any deeds of assignment of possessory rights, should be set out in item 4 of the Schedule and produced.

5. Qualifications:

(Here specify any qualifications the legal practitioner has with respect to the title. A reference to title acquired by possession for more than 15 years but less than 30 years should be included. A reference to any other defects in title should also be included e.g. missing deeds, or as the case may be.)

**APPLICATION TO BRING LAND UNDER THE OPERATION OF
THE TRANSFER OF LAND ACT 1958
(Without supporting Australian Legal Practitioner's
certificate)**

SECTION 23 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 6 Section 23 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 3 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Evidence comprising:
 - (a) if there has been a dealing by the applicant in the land, that Instrument or document; and
 - (b) if entitlement to deal arises from a conveyance or mortgage, the last deed or Instrument evidencing the applicant's right to deal; and
 - (c) if entitlement to deal arises from an assignment of possessory rights, evidence of the applicant's right to deal.
- Search of title (Form 5 Transfer of Land (General) Regulations 2004)

NOTE: A lodging appointment should be made with the Registrar General's Office
phone: (03) 8636 2010.

Application to bring land under the operation of the Transfer of Land Act 1958

Section 23 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies to bring the land under the operation of the Act.

Land: *(volume and folio or sufficient description to identify the land)*

Applicant: *(full name and address including postcode)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

or

Signature of agent

NOTICE CLAIMING INTEREST IN LAND IN IDENTIFIED FOLIO

SECTION 26F TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 8 Section 26F Transfer of Land (Fees) Regulations 2004

DUTY

Not payable, unless claim is pursuant to a mortgage or charge executed before 1 July 2004 – refer to State Revenue Office.

FORM

Form 4 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

Notice

Notice claiming interest in land in identified folio

Section 26F Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The person lodging this notice claims an interest specified in the land.

Land: *(volume and folio or sufficient description to identify the land)*

Person claiming interest: *(full name and address including postcode)*

Interest claimed:

Grounds of Claim:

Address in Victoria
for service of notice: *(address including postcode)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

or

Signature of agent

SEARCH OF GENERAL LAW TITLE

SECTION 26J TRANSFER OF LAND ACT 1958

FORM

Form 5 – Transfer of Land (General) Regulations 2004

Search of General Law Title

Section 26J Transfer of Land Act 1958

Privacy Collection Statement
The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

LAND SEARCHED

Whole/part Crown Allotment or

Portion at

Section at

Town

Parish County

and being the land sketched on page attached, and being whole or part of the land described in Book No. or Crown Grant No., from which this search starts.

I CERTIFY THAT I HAVE MADE SEARCHES:

1. Against the names on the index sheets ******(pages), and that extracts of all memorials determined by my search to affect the above land are set out on pages ******attached.
2. In the Registers of Executions, Lis Pendens, Crown Debtors, and Settlements and Arrangements, against the names of all persons who appear from the memorials to have had a beneficial interest in the land during the past 30 years, with the following result:

*NIL

or *see page of attached search.

Signed: _____
(signature of searcher)

Date: / /

** Delete where not applicable*

*** Attached pages must be numbered consecutively and each must be signed by the searcher*

APPLICATION TO VARY PRIORITY OF MORTGAGES

SECTION 26M(3) TRANSFER OF LAND ACT 1958

FEE

Schedule 3 Item 2 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM:

Form 6 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title

Application to vary priority of mortgages

Section 26M(3) Transfer of Land Act 1958

Privacy Collection Statement
The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The priority of all mortgages affecting the land is varied to rank in the following priority.

Land: *(volume and folio reference)*

	Mortgage No.	Mortgagee
--	--------------	-----------

1st Priority:

2nd Priority:

3rd Priority:

Date:

Signed by *(mortgagee)*
in the presence of:

Signed by *(mortgagee)*
in the presence of:

Signed by *(mortgagee)*
in the presence of:

APPLICATION FOR THE GIVING OF NOTICE

SECTION 26N(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 9 Section 26N Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 7 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate by an Australian Legal Practitioner (use Section 89A Certificate, adapted as necessary)

NOTE: Certificate must be certified by an individual Australian Legal Practitioner not by a firm of legal practitioners.

Application for the giving of notice

Section 26N(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

The applicant having the estate or interest specified below applies for the giving of a notice to a person claiming the interest recorded in the notification specified below.

Land: *(volume and folio reference)*

Applicant: *(full name and address including postcode)*

Estate or

interest of applicant: *(state nature of interest in land)*

Notification: (recorded no.)

Interest claimed: *(specify the interest in respect of which notice is to be given)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of agent

APPLICATION FOR DELETION OF WARNING RELATING TO TITLE DIMENSIONS

SECTION 26P(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 10 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 8 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Land identification documents:
 - (a) Plan of Survey
 - (b) Surveyor's Report
 - (c) Abstract of Field Records

NOTE: If additional land is applied for, proofs relevant to the status of that land will be required.

Application for deletion of warning relating to the title dimensions

Section 26P(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies under Section 26P(1) of the *Transfer of Land Act 1958* to have the warning deleted from the folio of the Register for the land.

The applicant in accordance with Section 26P(4) of the Act also claims the additional land specified (*delete if not applicable*).

Land: (*volume and folio*)

Applicant: (*full name and address including postcode*)

Warning: (*identify the warning to be deleted*)

Plan of Survey: (*full name of surveyor and date of survey*)

Additional land: (*if additional land is applied for it should be identified by reference to the plan of survey – if there is no additional land applied for state 'not applicable'*)

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of agent

CAVEAT AGAINST CREATION OF FOLIO OR REMOVAL OF WARNING

SECTION 26R(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 11 Section 26R Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 9 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

Caveat

**Caveat against creation
of folio/removal of warning**
Section 26R(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The Caveator claims the estate or interest specified in the land and forbids the creation of the folio/removal of the warning (*exclude whichever is inapplicable*)

Land: (*volume and folio*)

Caveator: (*full name and address including postcode*)

Estate or interest claimed:

Application No:

Address in Victoria
for service of notice: (*address including postcode*)

Date:

Signature of Caveator

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for Caveator

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for Caveator

or

Signature of agent

APPLICATION FOR A NEW CERTIFICATE OF TITLE IN PLACE OF ONE LOST OR DESTROYED

SECTION 31 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 16 Section 31 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 10 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application must be made by all the registered proprietors.
- Statutory Declaration(s) by all the applicant(s) must be produced (see Statutory Declaration attached).

NOTE: Items (5),(6) and (7) must be specifically declared. Item (6) must indicate where and with whom the searches and enquiries were made. Enquiries must be made of an applicant's financial and legal institutions.

- Issue Search

NOTE: Statutory Declaration from last issue recipient if the recipient(s) is/are not the applicant(s) and any party that may have come into possession of the missing Certificate of Title. Where a party no longer exists written evidence is required from the relevant authority, e.g. Law Institute of Victoria, Australian Institute of Conveyancers (Victoria), Australian Securities and Investments Commission, as to what happened to that entity.

- Copy of current Rating Certificate indicating the rated owners and the Capital Improvement Value of the land. If the ratepayer is a person other than the registered proprietor(s), the ratepayer must provide a Statutory Declaration that the Certificate of Title is not in their possession. A Land Information Certificate which does not indicate the name of the ratepayer(s) is not acceptable.
- If the land is subject to a Contract of Sale a copy of the contract is required.
- A contribution fee to the Consolidated Fund will be assessed at the time of approval, and is payable at the time of lodging the application along with the lodging fee.
- Dealings which will update the folio of the Register must be lodged for simultaneous registration with the application, e.g. Survivorship Application, Discharge of Mortgage, Application by Legal Personal Representative.

- If the registered proprietor is a company, the Statutory Declaration must be made by a director or secretary of the company and a certified copy of a current company search must be produced.
- Where a caveat affects and the claim is that of a mortgagee or chargee a Statutory Declaration will be required from the Caveator(s) or the Australian Legal Practitioner for the Caveator that the missing Certificate of Title is not in their possession.
- If the Certificate of Title has been stolen a copy of the Police Report of the theft must be produced, and copies of any correspondence about insurance claims must be supplied.
- If the application is lodged by an individual whether an applicant or not, proof of identity will be required of the Lodging Party and/or the applicant.

NOTE: Application must be referred to Specialist Registration Advice before lodging.

Statutory Declaration

in support of Application for a new Certificate of Title in place of one lost or destroyed

I/We

of

Do solemnly and sincerely declare that -

1. The current market value of the land described in Certificate of Title volume(s).....folio(s)..... with all improvements thereon is \$.....
2. The missing Certificate of Title last issued from Land Victoria on to
(attach issue search results)
3.
(How that person or firm disposed of the Certificate of Title)
4.
(When and under what circumstances was the missing Certificate of Title last seen by the applicant)
5. The missing Certificate of Title has not been deposited as a security or on lien.
6. I/we have made full and exhaustive searches and enquiries for the missing Certificate of Title in the following places and with the following person(s) *(refer to Section 8, of a 'Guide to Replacing a lost or destroyed Certificate of Title')*
.....
.....
7. I/we undertake to deliver up the missing Certificate of Title to the Registrar of Titles should it ever come into my/our possession or control.

I/we solemnly and sincerely declare that this declaration is signed with my/our name and handwriting. I/we acknowledge that this declaration is true and correct in every particular and I/we make it in the belief that a person(s) making a false declaration is/are liable to the penalties of perjury.

Declared at
in the State of Victoria,

the day of 2.....
before me *(signature of declarant)*

Signature of witness

Print name in full

Address

.....

Qualification

Application for a New Certificate of Title in Place of One Lost or Destroyed

Section 31 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

The applicant applies for the issue of a new Certificate of Title to replace the lost or destroyed Certificate of Title.

Land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Date:

Signature of applicant:

Order to Register

Form 10

Please register and issue Certificate of Title to

Page 1 of 1

Signed

Customer Code

THE BACK OF THIS FORM MUST NOT BE USED

Land Victoria, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

APPLICATION FOR A NEW FOLIO OF THE REGISTER

SECTION 32 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 17 Section 32 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 11 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Reasons for request may include:
 - (a) Change of name (proof by Statutory Declaration as to the identity of the applicant with the registered proprietor must be supplied).
 - (b) Change in Manner of Holding (from joint proprietors to tenants in common or vice versa).
 - (c) Consolidation of interest folios.
 - (d) Create separate interest folios.
 - (e) Create separate folios for separately transferable parcels of land.
 - (f) Consolidation of folios for separately transferable parcels.

NOTE: One joint proprietor cannot apply for a separate title for his/her interest. This may be achieved possibly by transfer.

Application for New Folio of the Register

Section 32 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

The applicant applies for the creation of a new folio of the Register for the land.

Land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Reason for request:

Manner of holding: *(complete only if 2 or more proprietors)*

Date:

Signature of applicant:

Order to Register

Form 11

Please register and issue Certificate of Title to

Page 1 of 1

Signed

Customer Code

THE BACK OF THIS FORM MUST NOT BE USED

Land Victoria, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

APPLICATION FOR A CERTIFICATE ABSOLUTE

SECTION 32 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 17 Section 32 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 11 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title for estate in remainder
- Proof by Statutory Declaration of death of life tenant
- Certificate of Title for life estate (if available)

Application for a new folio of the Register

Section 32 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies for the creation of a new folio of the Register for the land.

Land: *(volume and folio for life interest and remainder expectant)*

Applicant: *(full name and address including postcode)*

Reason for request: The life tenant *(full name)* died on *(date of death)*

Manner of Holding: *(complete only if 2 or more proprietors)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

TRANSFER OF LAND

SECTION 45 TRANSFER OF LAND ACT 1958

**FOR DETAILED INFORMATION ON TRANSFERS IN T1
OR T2 APPROVED FORM REFER TO SECTION 2
APPROVED FORMS**

TRANSFER OF MORTGAGE, CHARGE OR LEASE

SECTION 45 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 23 Section 45 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable on mortgage or charge.

Transfer of lease executed on or after 21 November 2008 must be denoted by the State Revenue Office if consideration or premium other than rent payable.

FORM

Form 12 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Transfer
- Certificate(s) of Title

Transfer of mortgage, charge or lease

Section 45(1) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The transferor transfers to the transferee the *mortgage/charge/lease (exclude whichever is inapplicable)* for the consideration expressed subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land: *(volume and folio)*

Mortgage,
Charge or Lease No:

Consideration:

Transferor: *(full name)*

Transferee: *(full name and address including postcode)*

Date:

Signed by the transferor
in the presence of:

Signed by the transferee
in the presence of:

CREATION OF EASEMENT

SECTION 45(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 24 or 25 Section 45 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 13 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Creation of easement
- Certificates of Title for both servient and dominant land
- Consent of council required if right of carriageway created.

NOTE: Where servient land is subject to a mortgage the consent of the mortgagee should be produced.

Creation of easement

Section 45(1) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The grantor being registered as the proprietor of the estate specified in the servient land transfers and grants to the grantee the registered proprietor of the dominant land for the consideration expressed the easement specified subject to the encumbrances affecting the servient land including any created by dealings lodged for registration before the lodging of this creation of easement.

Servient land: *(volume and folio)*

Dominant land: *(volume and folio or where easement in gross, set out the relevant statutory provision)*

Grantor: *(full name)*

Grantee: *(full name)*

Estate: *(in fee simple or specify otherwise)*

Consideration:

Easement:

Date:

Signed by the grantor
in the presence of:

Signed by the grantee
in the presence of:

SURRENDER OF EASEMENT

SECTION 45(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 24 or 25 Section 45 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 14 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Surrender of easement
- Certificates of Title for both dominant and servient land
- Consent of council required if right of carriageway surrendered.

NOTE: Where dominant land is subject to a mortgage the consent of the mortgagee should be produced.

Surrender of easement

Section 45(1) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The registered proprietor of the dominant land surrenders to the registered proprietor of the servient land the easement specified for the consideration expressed.

Dominant land: *(volume and folio)*

Servient land: *(volume and folio)*

Registered proprietor of dominant land: *(full name)*

Registered proprietor of servient land: *(full name)*

Consideration:

Easement surrendered: *(Registered easement no. and/or other sufficient description of easement to be surrendered – if the easement is only to be surrendered as to part, the part should be identified)*

Date:

Signed by the dominant proprietor in the presence of:

Signed by the servient proprietor in the presence of:

APPLICATION IN RESPECT OF VESTING ORDER IN CASE OF COMPLETED PURCHASE

SECTION 47 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 26 Section 47 Transfer of Land (Fees) Regulations 2004

DUTY

Payable when the vesting order is made.

FORM

Form 15 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Proof
 - (a) of contract and payment
 - (b) of entry and possession
 - (c) that the registered proprietor is dead, out of Victoria or cannot be found or it is impracticable to obtain his/her signature within a reasonable time
 - (d) that ordinary conveyancing procedures are not available
- State Revenue Office notice of acquisition

NOTE: No following dealings should be lodged with the application other than an application under Section 31 of the *Transfer of Land Act 1958*.

Application for a vesting order

Section 47 Transfer of Land Act 1958.

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies for the making of an order vesting the land in the applicant on the grounds specified.

Land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Grounds of application:

1. The land was sold to the applicant by the registered proprietor and the whole of the purchase money paid; and
2. The applicant has entered and taken possession of the land and that the entry and possession have been acquiesced in by the registered proprietor or that person's representatives; but
3. A transfer cannot be obtained because:
 - (a) *the registered proprietor is dead; or*
 - (b) *the registered proprietor is out of Victoria; or*
 - (c) *the registered proprietor cannot be found; or*
 - (d) *it is impracticable to obtain the registered proprietor's signature within a reasonable time.*

(exclude whichever is inapplicable)

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

TRANSMISSION APPLICATION

SECTION 49 TRANSFER OF LAND ACT 1958

**FOR DETAILED INFORMATION ON THE APR
APPROVED FORM REFER TO SECTION 2 APPROVED
FORMS**

APPLICATION BY SURVIVING PROPRIETOR

SECTION 50 TRANSFER OF LAND ACT 1958

**FOR DETAILED INFORMATION ON THE ASP
APPROVED FORM REFER TO SECTION 2 APPROVED
FORMS**

APPLICATION BY TRUSTEE IN BANKRUPTCY

SECTION 51(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 29 Section 51 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable.

FORM

Form 16 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Statutory Declaration evidencing the appointment of the trustee and that the registered proprietor is identical with the bankrupt
- Copy of an extract from the National Personal Insolvency Index
- Additional documentation may be required:
 - (a) Copy of order or certificate evidencing bankruptcy of registered proprietor (if applicable)
 - (b) Copy of order appointing the Official Receiver or other trustee or certificate evidencing the trusteeship
 - (c) Copy of deed of assignment and Statutory Declaration that assignee is not bankrupt (if applicable)

Transmission application by trustee of bankrupt

Section 51(1) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The applicant being the trustee of the bankrupt estate (or assigned estate) of the registered proprietor applies to be registered as proprietor of the land.

Land: *(volume and folio, and if applicable mortgage or lease)*

Applicant: *(full name and address including postcode)*

Bankrupt proprietor: *(full name and address including postcode)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

WARRANT OF SEIZURE AND SALE

SECTION 52(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 30 Section 52 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable.

FORM

Form 68A – Supreme Court (General Civil Procedure) Rules

LODGING REQUIREMENTS

- Copy Warrant
- Statement of the land affected (see example next page)
- Proof by Statutory Declaration that the debtor is the registered proprietor

- NOTE:
- (a) A Statutory Declaration as to identity is not required for a renewal of Warrant unless renewal affects extra land.
 - (b) Warrants must be referred to Specialist Registration Warrants before lodging.

1. COPY WARRANT

The Office will accept service of:

- (a) a copy bearing the seal of the Sheriff; or
- (b) a copy bearing the seal of the Prothonotary; or
- (c) an examined copy certified by an Australian Legal Practitioner; or
- (d) a copy bearing the seal of the Supreme Court or County Court.

NOTE: In cases (b) and (c) and (d) above proof is required that the Warrant has in fact been delivered to the Sheriff on or before the date of service on the Registrar.

2. STATEMENT OF LAND

**IN THE SUPREME COURT (or COUNTY COURT)
OF VICTORIA
AT MELBOURNE
B E T W E E N :**

Plaintiff
– and –
Defendant

Action No:

STATEMENT OF LAND

TO: The Registrar of Titles
570 Bourke Street
MELBOURNE 3000

The following is a Statement of Land sought to be affected by the Warrant of Seizure and Sale issued against _____ and _____ in the above action –

A. **ALL THE** estate and interest of _____ in the whole of the land
comprised in folio of the Register Volume _____ Folio _____ .

Date:

Signature of creditor

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for creditor

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for creditor

The creditor's address for service of Notices is at the office of _____
in the State of Victoria.

TRANSFER UNDER WARRANT OF SEIZURE AND SALE

SECTION 52(3) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 21 Section 45 Transfer of Land (Fees) Regulations 2004

DUTY

Payable

FORM

Form 17 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Transfer
- Certificate of Title or an application pursuant to Section 104(3A) requesting the Registrar to require production of Certificate of Title
- State Revenue Office notice of acquisition

NOTE: Transfer must be referred to Specialist Registration Warrants before lodging.

Transfer under warrant of seizure and sale

Section 52(3) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The transferor under the warrant of seizure and sale specified transfers to the transferee the estate and interest of the judgment debtor as registered proprietor of the land for the consideration expressed subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land: *(volume and folio)*

Estate and interest:

Transferor: *(full name and designation of person appointed to execute the warrant)*

Warrant No:

Judgment debtor: *(full name)*

Consideration:

Transferee: *(full name and address including postcode)*

Date:

Signed by the transferor
in the presence of:

Signed by the transferee
in the presence of:

SATISFACTION OF WARRANT

SECTION 52(6) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 31 Section 52(6) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable.

FORM

See following 4 pages

LODGING REQUIREMENTS

- Satisfaction
- Statutory Declaration disclosing the results of a search in the Sheriff's Office that no sale has been made by the Sheriff under the Warrant

NOTE: Satisfaction must be referred to Specialist Registration Warrants before lodging.

(a) Where debt and costs are paid to creditor

Privacy Collection Statement
The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

HEADING

In the matter of the *Transfer of Land Act 1958*

AND

In the matter of Warrant of Seizure and Sale service of which is recorded in dealing No:

In the Supreme Court (or County Court)

	Year	No.	
A.B.		Plaintiff	
	and		
C.D.		Defendant	

To the Registrar of Titles,

I, A.B. of (*address and occupation*) the judgment creditor in the above action acknowledge that I have received payment in full of all sums of money including costs of the action due and payable under the above mentioned Warrant of Seizure and Sale and I request that a recording be made in the Register that the said warrant has been satisfied.

Date:

Signature of creditor

(b) Where judgment debt and costs are paid to the Australian Legal Practitioner for judgment creditor

Privacy Collection Statement
The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

HEADING

In the matter of the *Transfer of Land Act 1958*

AND

In the matter of Warrant of Seizure and Sale service of which is recorded in dealing No:.....

In the Supreme Court (or County Court)

	Year	No.	
A.B.		Plaintiff	
	and		
C.D.		Defendant	

To the Registrar of Titles,

I, *X.Y.* of _____ Australian Legal Practitioner do acknowledge that the judgment debtor has paid in full to me as Current Practitioner for the judgment creditor all sums of money including costs of the action due and payable under the above mentioned Warrant of Seizure and Sale and I request that a recording be made in the Register that the said Warrant has been satisfied.

Date:

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004*

(c) Where judgment debt and costs are paid to the Sheriff by the judgment debtor

Privacy Collection Statement
The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

HEADING

In the matter of the *Transfer of Land Act 1958*

AND

In the matter of Warrant of Seizure and Sale service of which is recorded in dealing No:

In the Supreme Court (or County Court)

	Year	No.
A.B.		Plaintiff
	and	
C.D.		Defendant

To the Registrar of Titles,

I, *C.D.* of _____ the judgment debtor in the above action having paid to the Sheriff all sums of money including costs of the action due and payable under the above mentioned Warrant of Seizure and Sale request that a recording be made in the Register that the said Warrant has been satisfied.

Date:

Signature of the judgment debtor

NOTE: In addition to the Statutory Declaration that no sale has taken place, one of the following should be supplied:

- (a) production of a memorandum from the Sheriff acknowledging receipt of the full amount of the judgment debt and costs in matter
- (b) proof by Statutory Declaration as to the filing of a satisfaction by the Prothonotary and entry of satisfaction of the judgment
- (c) an acknowledgment in writing by the judgment creditor or their Australian Legal Practitioner as to the payment in full of the judgment debt and costs.

(d) Where judgment debt and costs are paid to the Sheriff by the Australian Legal Practitioner for the judgment debtor

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

HEADING

In the matter of the *Transfer of Land Act 1958*

AND

In the matter of Warrant of Seizure and Sale service of which is recorded in dealing No. (*insert number Office of Titles dealing in which warrant was registered*).

In the Supreme Court (or County Court)

Year No.

A.B. Plaintiff

and

C.D. Defendant

To the Registrar of Titles,

I, X.Y. of current practitioner for the judgment debtor in the above action having paid to the Sheriff all sums of money including costs of the action due and payable under the above mentioned Warrant of Seizure and Sale request that a recording be made in the Register that the said Warrant has been satisfied.

Date:

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for the judgment debtor

NOTE: In addition to the Statutory Declaration that no sale has taken place, one of the following should be supplied:

- (a) production of a memorandum from the Sheriff acknowledging receipt of the full amount of the judgment debt and costs in matter
- (b) proof by Statutory Declaration as to the filing of a satisfaction by the Prothonotary and entry of satisfaction of the judgment
- (c) an acknowledgment in writing by the judgment creditor or their current practitioner as to the payment in full of the judgment debt and costs.

APPLICATION BY ACQUIRING AUTHORITY

SECTION 54 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 32 Section 54 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 19 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title **not** required
- Any gazette, council resolution or schedule of discontinuance
- State Revenue Office notice of acquisition (where applicable)

Application by acquiring authority

Section 54 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

The authority applies under Section 54 of the *Transfer of Land Act 1958* to be registered as proprietor of the land standing in the name of the *registered proprietor/registered owner (exclude whichever is inapplicable)* in fee simple subject to the encumbrances specified. The land has vested in the authority under the statutory provisions set out.

Land: *(volume and folio reference. If not under the operation of the Act, a plan of the land together with the Book and Number of the last material registered document relating to the land must be supplied.)*

Registered proprietor
or registered owner: *(full name and address)*

Vested by: *(state particulars of statutory provisions)*

Authority: *(full name and address including postcode)*

Encumbrances: *(if free from encumbrances state nil. If subject to easement, insert sufficient description including registered easement no.)*

Date:

Signature of authority

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for authority

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for authority

or

Signature of agent

**NOTIFICATION OF INTENTION TO ACQUIRE LAND BY
ACQUIRING AUTHORITY**

SECTION 57(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 33 Section 57 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 20 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

Notification

NOTE: This form should not be used where Approved Form APA is the appropriate form.

Notification

Section 57(1) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

<p>Privacy Collection Statement The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.</p>

The authority has served a notice of intention to acquire the land.

Land: *(volume and folio)*

Authority: *(full name and address including postcode)*

Date:

Signature of authority

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for authority

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for authority

or

Signature of agent

**NOTIFICATION BY ACQUIRING AUTHORITY OF HAVING
WITHDRAWN NOTICE OF INTENTION TO ACQUIRE LAND**

SECTION 57(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 33 Section 57 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 21 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

Withdrawal of Notification

Withdrawal of notification

Section 57(2) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

<p>Privacy Collection Statement The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.</p>

The authority has withdrawn the notice of intention to acquire the land.

Land: *(volume and folio)*

Authority: *(full name of authority)*

Notice of intention No:

Date:

Signature of authority

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for authority

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for authority

or

Signature of agent

**APPLICATION FOR OR TO GIVE EFFECT TO AN ORDER
VESTING TRUST ESTATE (VESTING ORDER)**

SECTION 58(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 34 Section 58 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 22 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Any Deed of Trust, Statutory Declarations, Grant of Probate etc.
- State Revenue Office Notice of Acquisition

Application for or to give effect to an order vesting trust estate

Section 58(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies *for the recording/for the making of and recording (exclude whichever is inapplicable)* of an order vesting the land in the applicant.

Land: *(volume and folio, and where applicable mortgage)*

Applicant: *(full name and address including postcode)*

Grounds of the application:

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

APPLICATION TO GIVE EFFECT TO DISPOSITION

SECTION 59(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 35 Section 59 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 23 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Evidence of Disposition (Court Order, Statute, Gazettal, etc), or
- Evidence supporting the grounds of the application
- State Revenue Office Notice of Acquisition

Application to give effect to disposition

Section 59(2) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies for effect to be given in the Register to the disposition and to be recorded as proprietor of the land on the grounds specified.

Land: *(volume and folio, and where applicable mortgage)*

Applicant: *(full name and address including postcode)*

Particulars

of Disposition: *(state particulars of the disposition and of the statute or other power by the operation of which, or the vesting order or other order, declaration, appointment or other assurance by virtue of which, an interest capable of being registered was disposed of to or created in the applicant or the person through whom he or she claims)*

Grounds of
the application:

A transfer cannot be obtained:

- (a) because the registered proprietor refuses to execute one; or
- (b) because the registered proprietor cannot be found; or
- (c) because the registered proprietor no longer exists; or
- (d) within a reasonable time.

(exclude whichever alternative is inapplicable)

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

APPLICATION FOR A VESTING ORDER BASED ON TITLE BY POSSESSION

SECTION 60(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 36 or 37 Section 60 Transfer of Land (Fees) Regulations 2004

DUTY

May be payable.

NOTE: *Assignment of Possessory Rights*

Where the applicant has not been in possession for at least 15 years an assignment or chain of assignments of possessory rights of the person or persons through whom the applicant claims should be produced. Each assignment should be by deed and be duly stamped or denoted by the State Revenue Office.

FORM

Form 24 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Adverse Possession Lodgement Checklist
- Application
- Certificate of Title is required if it is in the possession of the applicant
- Plan of Survey
- Surveyor's Report, unless exempt or Request to Waive Survey approved
- Abstract of Field Records, unless exempt or Request to Waive Survey approved
- Evidence of possession (Statutory Declaration) by applicant, prior possessors and disinterested witnesses and letter from rate collector (if applicable)
- Assignment(s) of Possessory Rights (if applicable)

NOTE: Refer to notes on Adverse Possession application in SECTION 1 GENERAL INFORMATION for further detail.

Application for a vesting order based on title by possession

Section 60(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

The applicant applies for an order vesting the land in the applicant for the estate specified free of encumbrances.

Land: *(sufficient description to identify the land including volume and folio)*

Applicant: *(full name and address including postcode)*

Estate: *(an estate in fee simple in possession or otherwise specify)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of agent

CAVEAT AGAINST VESTING ORDER BASED ON TITLE BY POSSESSION

SECTION 61(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 38 Section 61 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM:

Form 25 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

Caveat

Caveat against vesting order based on title by possession

Section 61(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The Caveator claims the estate or interest specified in the land and forbids the granting of the application.

Land: *(volume and folio)*

Caveator: *(full name and address including postcode)*

Estate or interest claimed:

Application No:

Address
for service of notice: *(address including postcode)*

Date:

Signature of Caveator

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for Caveator

or

Signature of agent

LEASE

Please note: the lease form 26 has been superseded by the approved L form – see sample on next page. It is available online at www.dse.vic.gov.au/property

SECTION 66(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 39 Section 66 Transfer of Land (Fees) Regulations 2004

DUTY

Lease executed on or after 21 November 2008 must be denoted by the State Revenue Office if consideration or premium other than rent is payable

FORM

Form L – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Lease
- Certificate of Title

NOTE: Lease must be for a period in excess of 3 years.

Lease

Section 66(1) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The lessor leases to the lessee the land, for the term starting on the commencement date and ending on the expiry date, and yearly rent specified, subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this lease, and subject to the covenants and conditions contained in this lease.

Land: *(volume and folio references)*

Lessor: *(full name)*

Lessee: *(full name and address including postcode)*

Commencement date:

Expiry date:

Rent:

Covenants: *(set out here any MCP and/or additional covenants and the extent (if any) to which the covenants and powers implied under the **Transfer of Land Act 1958** apply)*

Date:

Signed by the lessor in the presence of:

Signed by the lessee in the presence of:

**APPLICATION FOR FORECLOSURE AND
TRANSFER OF LEASE WHERE LESSEE IS BANKRUPT**

SECTION 68(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 40 Section 68 Transfer of Land (Fees) Regulations 2004

DUTY

Not Payable

FORM

Form 27 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Written statement by trustee disclaiming lease

Application for foreclosure and transfer of lease where lessee is bankrupt

Section 68(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

The mortgagee of the lease which lease was disclaimed by the trustee in bankruptcy of the estate of the mortgagor applies for a recording in the Register of the disclaimer.

Land: *(volume and folio)*

Mortgagee: *(full name and address including postcode)*

Mortgage No:

Lease No:

Trustee in
bankruptcy: *(full name and address including postcode)*

Date of disclaimer:

Date:

Signature of mortgagee

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for mortgagee

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for mortgagee

**APPLICATION FOR SURRENDER OF MORTGAGED LEASE
WHERE LESSEE IS BANKRUPT**

SECTION 68(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 40 Section 68 Transfer of Land (Fees) Regulations 2004

DUTY

Not Payable

FORM

Form 28 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Written statement by trustee disclaiming lease
- Copy of lessor's notice to mortgagee
- Statutory Declaration as to service of notice on mortgagee

Application for surrender of mortgaged lease where lessee is bankrupt.

Section 68(2) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant being the registered proprietor of the land subject to the lease which lease is subject to the mortgage applies to have a recording made in the Register of the disclaimer of the lease by the trustee in bankruptcy and of the failure of the mortgagee to apply under Section 68(1) of the Transfer of Land Act 1958.

Land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Mortgage No:

Mortgagee: *(full name)*

Lease No:

Trustee in
bankruptcy: *(full name)*

Date of disclaimer:

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

SURRENDER OF LEASE

SECTION 69 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 41 Section 69 Transfer of Land (Fees) Regulations 2004

DUTY

Surrender of lease executed on or after 21 November 2008 must be denoted by the State Revenue Office if consideration or premium other than rent is payable

FORM

See next page

LODGING REQUIREMENTS

- Surrender of lease
- Certificate of Title
- Consent of mortgagee (if applicable)

Surrender of lease

Section 69 Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The lessee surrenders to the lessor the lease for the consideration expressed.

Land: *(volume and folio)*

Lessor: *(full name)*

Lease No:

Lessee: *(full name)*

Consideration:

Date:

Signature of lessee

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for lessee

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for lessee

or

Signature of agent

**APPLICATION FOR REGISTERING RECOVERY OF
POSSESSION BY LEGAL PROCEEDINGS OR RE-ENTRY BY
LESSOR OR ABANDONMENT BY LESSEE**

SECTION 70 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 42 Section 70 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

See next page

LODGING REQUIREMENTS

- Application
- Certificate of Title

NOTE: If re-entry is pursuant to legal proceedings, office copy of order of court or other evidence should be lodged. If lessor has re-entered upon the leased premises in conformity with the provisions of the lease or lessee has abandoned the leased premises, proof to that effect must be supplied.

Application for registering recovery of possession by legal proceedings or re-entry by lessor or abandonment by lessee

Section 70 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The lessor in the lease having entered upon the land applies for a recording in the Register of such re-entry.

Land: *(volume and folio)*

Lessor: *(full name)*

Lease No:

Date:

Signature of lessor

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for lessor

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for lessor

Signature of agent

SUB-LEASE

Please note: the sub-lease form 29 has been superseded by the approved SL form – see sample on next page. It is available online at www.dse.vic.gov.au/property

SECTION 71(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 43 Section 71 Transfer of Land (Fees) Regulations 2004

DUTY

Sub-lease executed on or after 21 November 2008 must be denoted by the State Revenue Office if consideration or premium other than rent is payable

FORM

Form SL – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Sub-lease
- Certificate of Title

Sub-lease

Section 71(1) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The sub-lessor, being the registered proprietor of the lease, sub-leases to the sub-lessee the land, for a term commencing on the commencement date and ending on the expiry date, and yearly rent, subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this sub-lease, and subject to the covenants and conditions contained in the sub-lease.

Land: *(volume and folio reference)*

Lease No: *(registered Lease No.)*

Sub-Lessor: *(full name)*

Sub-Lessee: *(full name and address including postcode)*

Commencement date:

Expiry date:

Rent:

Covenants: *(set out here any MCP and/or additional covenants and conditions and the extent (if any) to which the covenants and powers implied under the **Transfer of Land Act 1958** apply)*

Date:

Signed by the sub-lessor in the presence of:

Signed by the sub-lessee in the presence of:

APPLICATION FOR RECORDING OF EASEMENT

SECTION 72(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 44 Section 72(2) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 30 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate(s) of Title for Applicant's land
- Supporting document(s) as to creation of easement – see form below
- The applicant may consider producing the consent of any mortgagee or Caveator of servient land

Application for recording of easement

Section 72(2) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies to have the easement specified recorded in the Register.

Servient land: *(full land description including volume and folio)*

Dominant land: *(full land description including volume and folio)*

Applicant: *(full name and indicate whether applicant is registered proprietor of dominant or servient land)*

Easement: *(identify the Instrument deed or written document by which the easement was created or the order of the court or award of arbitrator which recognised the easement)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

or

Signature of agent

APPLICATION FOR REMOVAL OF EASEMENT

SECTION 73(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 45 Section 73 Transfer of Land (Fees) Regulations 2004

DUTY

Not Payable

FORM

Form 31 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title for servient land
- Evidence in support of an application based on a Deed of Abandonment or evidence of non-user may include:
 - (a) Statutory Declaration of applicant(s)
 - (b) Statutory Declaration of independent witness
 - (c) Deed of Abandonment
 - (d) Proof of non-use e.g. Statutory Declaration of the registered proprietor of the servient land and prior registered proprietor(s) where required
 - (e) Extinguishment by merger
 - (f) Extinguishment by operation of the law
- If application relates to easement of way council's consent to the application required
- The consent of any mortgagee or Caveator of the dominant land may be required

NOTE: If a planning permit for easement removal exists, the matter should proceed under Section 23 of the *Subdivision Act 1988*.

Application for removal of easement

Section 73(1) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The applicant applies for removal of the easement from the land on the grounds specified.

Land: *(volume and folio of the servient land)*

Applicant: *(full name)*

Easement: *(Registered easement no. and/or other sufficient description of easement to be removed – if the easement is only to be removed as to part, the part should be identified)*

Grounds: the easement has been *abandoned/extinguished*
(exclude whichever is inapplicable)

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

or

Signature of agent

CAVEAT AGAINST APPLICATION TO REMOVE EASEMENT

SECTION 73(4) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 47 Section 73(4) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 33 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

Caveat

NOTE: The volume and folio of the Caveator's affected land (if any) should be set out in the Caveator panel.

Caveat against application to remove easement

Section 73(4) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The Caveator claims the estate or interest specified in the land and forbids the deletion of the easement.

Land: *(volume and folio)*

Caveator: *(full name and address including postcode)*

Estate or interest claimed:

Application No:

Address
for service of notice: *(address including postcode)*

Date:

Signature of Caveator

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for Caveator

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for Caveator

or

Signature of agent

MORTGAGE

SECTION 74 TRANSFER OF LAND ACT 1958

**FOR DETAILED INFORMATION ON MORTGAGES IN
M1A OR M1B APPROVED MORTGAGE FORMS REFER
TO SECTION 2 APPROVED FORMS**

CHARGE OF AN ANNUITY

SECTION 74(1)(b) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 48 Section 74 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable unless charge is executed before 1 July 2004 – refer to State Revenue Office.

FORM

Form 34 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Charge
- Certificate of Title

Charge of an annuity

Section 74(1)(b) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The chargor being the registered proprietor of the estate and interest specified charges the land with the annuity to be paid at the times and in the manner specified and covenants with the annuitant as specified subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this charge.

Land: *(volume and folio)*

Estate or interest:

Chargor: *(full name)*

Annuitant: *(full name and address including postcode)*

Annuity: *(yearly amount)*

How and when annuity to be paid:

Covenants:

Date:

Signed by the chargor
in the presence of:

Signed by the annuitant
in the presence of:

VARIATION OF MORTGAGE OR CHARGE

SECTION 75A TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 49 Section 75A Transfer of Land (Fees) Regulations 2004

DUTY

Not payable unless variation was executed before 1 July 2004

FORM

Form 35 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Variation
- Certificate of Title

Variation of mortgage or charge

Section 75A Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The mortgagee (or annuitant) varies the mortgage or charge as specified with the consent of the registered proprietors of the land and of all subsequent registered mortgages and charges.

Land affected by
mortgage or charge being varied: *(volume and folio)*

Mortgage or
charge being varied: *(registered mortgage or charge no.)*

Mortgagee or annuitant: *(full name)*

Registered proprietor: *(full name)*

Subsequent registered
mortgages or charges: *(registered mortgage or charge no.)*

Particulars of variation:

Date:

Signed by *(mortgagee or annuitant)*
in the presence of:

Signed by *(registered proprietor of the land)*
in the presence of:

Signed by *(registered proprietor of subsequent mortgage or charge)*
in the presence of:

VARIATION OF PRIORITY OF MORTGAGES OR CHARGES
SECTION 75B TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 50 Section 75B Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 36 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Variation
- Certificate of Title

Variation of priority of mortgages or charges

Section 75B Transfer of Land Act 1958

Privacy Collection Statement
The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The priority of all mortgages and charges affecting the land is varied to rank in the following priority.

Land: (*volume and folio*)

Mortgage (or charge) No.

Mortgagee (or Chargee)

1st Priority:

2nd Priority:

3rd Priority:

Date:

Signature of Mortgagee
in the presence of:

Signature of Mortgagee
in the presence of:

Signature of Mortgagee
in the presence of:

TRANSFER BY MORTGAGEE

SECTION 77(2) TRANSFER OF LAND ACT 1958

**FOR DETAILED INFORMATION ON THE T3 APPROVED
FORM REFER TO SECTION 2 APPROVED FORMS**

APPLICATION FOR ORDER FOR FORECLOSURE

SECTION 79(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 51 Section 79 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 37 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Evidence by Statutory Declaration as required by Section 79(2) of the *Transfer of Land Act 1958*

Application for an order for foreclosure

Section 79(1) Transfer of Land Act 1958

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The mortgagee applies for an order for foreclosure in respect of the land described in the mortgage.

Land: *(volume and folio)*

Mortgagee: *(full name)*

Mortgage: *(registered mortgage no.)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

DISCHARGE OF MORTGAGE

SECTION 84 TRANSFER OF LAND ACT 1958

**FOR DETAILED INFORMATION ON THE APPROVED
DM FORM REFER TO SECTION 2 APPROVED FORMS**

APPLICATION FOR DISCHARGE OF MORTGAGE ON PROOF OF PAYMENT

SECTION 84(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 53 Section 84(2) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 38 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Evidence of payment of all principal and interest due
- Evidence that the mortgagee is dead or absent from Victoria or cannot be found

Application for discharge of mortgage on proof of payment

Section 84(2) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies to discharge the mortgage over the land on the grounds specified.

Land: *(volume and folio)*

Mortgage: *(registered mortgage no.)*

Applicant: *(full name and address including postcode)*

Grounds: The principal and interest due under the mortgage has been paid to the person entitled to receive it; and

- (a) the person is dead; or
- (b) the person is absent from Victoria; or
- (c) the person cannot be found.

(exclude whichever is inapplicable)

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

SATISFACTION OF ANNUITY

SECTION 84(3) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 54 Section 84(3) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

See next page

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Proof of death of annuitant and that no moneys are owed to estate, or
- Proof of payment of annuity to date on which it ceased to be payable and that no moneys are owing in respect of the annuity

Satisfaction of annuity

Section 84(3) Transfer of Land Act 1958

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The applicant applies for a recording that the charge is satisfied on the grounds specified.

Land: *(volume and folio)*

Charge: *(registered charge no.)*

Applicant: *(full name and address including postcode)*

Grounds for satisfaction: *The annuitant is deceased (or recite the circumstances under which the annuity ceased to be payable)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

APPLICATION TO RECORD COVENANT

SECTION 88(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 57 Section 88(1) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 39 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title of burdened land
- Deed of Covenant

NOTE: A covenant may be included in an Instrument of transfer in some cases (see Approved Forms T2 and T3 in SECTION 2 APPROVED FORMS) or as a restriction in a Plan of Subdivision.

Application to record covenant

Section 88(1) Transfer of Land Act 1958

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The applicant applies for the recording in the Register of the covenant in relation to the burdened land.

Burdened land: *(full land description, including volume and folio)*

Applicant: *(full name and address including postcode)*

Benefited land: *(full land description, including volume and folio)*

Covenant: *(describe the Instrument creating covenant)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

**APPLICATION TO RECORD RELEASE, VARIATION OR
MODIFICATION OF COVENANT**

SECTION 88(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 57 Section 88(1) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 40 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title of burdened land
- Copy of Court Order or Agreement(s)

NOTE: Any covenant created in a Plan of Subdivision must be varied or removed by Section 23 *Subdivision Act 1988*

**Application to record release,
variation or modification of covenant**
Section 88(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies to have recorded in the Register the release variation or modification of the covenant in relation to the burdened land.

Burdened land: *(full land description, including volume and folio)*

Applicant: *(full name and address including postcode)*

Covenant: *(registered no.)*

Release variation
or modification: *(state release or describe variation or modification and identify relevant Instrument or Court order)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

NOTIFICATION OF CHARGE EASEMENT OR RIGHT

SECTION 88(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Items 59 and 60 Section 88(2) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 42 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Notification
- Certificate of Title **not** required
- Copy of evidence of vesting (e.g. Government Gazette)

Notification of charge easement or right

Section 88(2) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

Under the statutory provisions specified the authority/person has acquired the interest specified over the land.

Land: *(volume and folio)*

Authority/person: *(full name and address including postcode)*

Statutory provisions: *(relevant statutory provisions pursuant to which the charge easement or right was acquired)*

Interest: (a) charge; or
(b) right in nature of charge; or
(c) right in the nature of an easement (give details of nature of the easement and a description of the dominant land if any); or
(d) a right (give details of nature of right)
(exclude the alternatives which are inapplicable)

Date:

Signature of authority

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for authority

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for authority

or

Signature of agent

CAVEAT

SECTION 89 TRANSFER OF LAND ACT 1958

**FOR DETAILED INFORMATION ON THE C APPROVED
FORM REFER TO SECTION 2 APPROVED FORMS**

WITHDRAWAL OF CAVEAT

SECTION 89 TRANSFER OF LAND ACT 1958

**FOR DETAILED INFORMATION ON THE WC
APPROVED FORM REFER TO SECTION 2 APPROVED
FORMS**

APPLICATION FOR SERVICE OF NOTICE UNDER SECTION 89A(3) OF THE ACT

SECTION 89A(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 62 Section 89A Transfer of Land (Fees) Regulations 2004

DUTY

Not Payable

FORM

Form 43 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate by an Australian Legal Practitioner

NOTE: (a) The certificate must be signed by a person engaged in legal practice in Victoria (see *Legal Profession Act 2004*).
(b) Application must be referred to Specialist Registration Warrants before lodging.

Application for service of a notice

Section 89A(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant being interested as specified applies for the service of a notice in respect of the land and specified estate or interest claimed by the Caveator in the caveat.

Land: *(volume and folio, and mortgage or lease where applicable)*

Applicant: *(full name and address including postcode)*

Estate or interest
of applicant: *(registered proprietor or if otherwise state nature of interest in land)*

Caveat: *(recorded no.)*

Estate or interest
claimed by the
Caveator: *(specify the estate or interest in respect of which notice is to be sent)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

AUSTRALIAN LEGAL PRACTITIONER CERTIFICATE

SECTION 89A TRANSFER OF LAND ACT 1958

Certificate
Section 89A *Transfer of Land Act 1958*

I (*full name and address*)

certify that I am an Australian Legal Practitioner for the time being engaged in legal practice in Victoria and that in my opinion the Caveator in caveat no. does not have the estate or interest claimed by them in regard to the land described in the folio of the register Volume Folio .

Date:

Signed by the said (*full name*)

.....
Australian Legal Practitioner under the
Legal Profession Act 2004

APPLICATION FOR INCLUSION IN THE FOLIO OF THE REGISTER OF SHARES OR OTHER LIKE INTERESTS IN A SERVICE COMPANY

SECTION 98A(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 66 Section 98A(2) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 45 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Share certificate
- Australian Legal Practitioner's certificate certifying the share numbers in the service company which relate to the subject land

Application for inclusion in the folio of the Register of shares or other like interests in a service company

Section 98A(2) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies for inclusion in the folio of the Register of the shares or other like interests specified in the service company.

Land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Description of shares
or other interests:

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

APPLICATION FOR REGISTRATION OF SERVICE AGREEMENT

SECTION 98C(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 67 Section 98C(1) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 46 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate(s) of Title for both the owner's lot and the residual land
- Service Agreement

Application for registration of service agreement

Section 98C(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies for registration of the service agreement specified made in respect of the land.

Land: *(volume and folio)*

Residual land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Registered proprietor: *(full name – complete if other than applicant)*

Service company: *(full name of service company – complete if other than applicant)*

Date of service
agreement:

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

**APPLICATION FOR CANCELLATION OR VARIATION OF
SERVICE AGREEMENT**

SECTION 98C(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 68 Section 98C(2) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 47 – Transfer Land (General) Regulations 1994

LODGING REQUIREMENTS

- Application
- Certificate of Title for Applicant's land
- Certificate of Title for residual land

Application for cancellation or variation of service agreement

Section 98C(2) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies to cancel or vary the service agreement specified made in respect of the land.

Land: *(volume and folio)*

Residual land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Registered proprietor: *(full name – complete if other than applicant)*

Service company: *(full name of service company)*

Service agreement: *(registered no.)*

Terms of variation: *(insert only if service agreement is being varied)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

APPLICATION FOR CANCELLATION AND REGISTRATION OF A PLAN (CONVERSION PLAN)

SECTION 98CA(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Items 67, 70 or 71 Section 98CA Transfer of Land (Fees)
Regulations 2004

DUTY

Not payable

FORM

Forms 48, 49 or 50 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Titles for lots on building subdivision
- Plan under *Subdivision Act 1988*
- Consent of any mortgagee, lessee or sub-lessee, annuitant or Caveator

See following pages

Form 48 where applicant is a service company

Form 49 where applicant is not a service company, but a service company
operates in relation to the relevant building subdivision

Form 50 where no service company operates in relation to a building subdivision

FORM 48

Application for cancellation and registration of a plan where the applicant is a service company

Section 98CA(1) Transfer of Land Act 1958

Privacy Collection Statement
 The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
 Phone:
 Address:
 Reference:
 Customer Code:

1. The service company operating in relation to a building subdivision on the plan specified applies for cancellation of the plan and registration under the *Subdivision Act 1988* of the accompanying plan of subdivision.
2. The service company is registered under the *Corporations Act 2001 (Cth)* (if otherwise state relevant Act).
3. The service company is not the proprietor of any real estate or chattel real other than the residual land in the building subdivision and there is no subsisting security over the residual land.
4. The parties set out in Schedule 1 being the registered proprietors of the allotments on the plan and the parties set out in Schedule 2 who have or claim an interest in any part of the land in the building subdivision consent to the granting of this application.

Land: *(volume and folio of all the allotments in the building subdivision including the residual land)*

Service company: *(full name of service company)*

Building subdivision
 plan no.:

SCHEDULE 1

Lot <i>(lot no.)</i>	Registered proprietor <i>(full name and address including postcode)</i>
-------------------------	--

SCHEDULE 2

Lot. <i>(lot no.)</i>	Description of interest <i>(e.g. mortgage no.)</i>	Party <i>(full name)</i>
--------------------------	---	-----------------------------

Date:

The common seal of
(service company) was
 affixed in the
 presence of:

Signed by all the parties
 set out in Schedule 1:

Signed by all the parties
 set out in Schedule 2:

FORM 49

Application for cancellation and registration of a plan where the applicant is not a service company but a service company operates
Section 98CA(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

1. The registered proprietor of an allotment on the plan of building subdivision specified applies for cancellation of the plan and registration under the *Subdivision Act 1988* of the accompanying plan of subdivision.
2. The service company operating in relation to the building subdivision is not the proprietor of any real estate or chattel real other than the residual land in the building subdivision and there is no subsisting security over the residual land.
3. The parties set out in Schedule 1 being the registered proprietors of the allotments on the plan and the parties set out in Schedule 2 who have or claim an interest in any part of the land in the building subdivision and the service company consent to the granting of this application.

Land: *(volume and folio of all the allotments in the building subdivision including the residual land)*

Service company: *(full name of service company)*

Building subdivision
plan no.:

SCHEDULE 1

Lot <i>(lot no.)</i>	Registered proprietor <i>(full name and address including postcode)</i>
-------------------------	--

SCHEDULE 2

Lot <i>(lot no.)</i>	Description of interest <i>(e.g. mortgage no.)</i>	Party <i>(full name)</i>
-------------------------	---	-----------------------------

Date:

The common seal of
(service company) was
affixed in the
presence of:

Signed by all the parties
set out in Schedule 1:

Signed by all the parties
set out in Schedule 2:

FORM 50

Application for cancellation and registration of a plan where no service company operates

Section 98CA(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

1. The registered proprietor of an allotment on the plan of building subdivision specified applies for cancellation of the plan and for registration under the *Subdivision Act 1988* of the accompanying plan of subdivision.
2. No service company operates in relation to the building subdivision.
3. The parties set out in Schedule 1 being the registered proprietors of the allotments on the plan and the parties set out in Schedule 2 who have or claim an interest in any part of the land in the building subdivision consent to the granting of this application.

(Where Section 98CF of the Act is applicable add the following paragraph)

4. A plan of the building subdivision was approved by the Registrar on or before 31 March 1966, and 1 or more allotments on the plan of building subdivision had been sold on or before that date and on or before that date there was in existence a scheme of development under which proprietors of allotments on the plan of building subdivision enjoyed or were intended to enjoy exclusive use and possession of parts of the common property on the plan of subdivision accompanying this application. The land the exclusive use and possession of which under the scheme of development is or was intended to be enjoyed by each respective owner of an allotment on the plan of building subdivision has been included in the corresponding lot on the plan of subdivision accompanying this application.

Land: *(volume and folio of all the allotments in the building subdivision including the residual land)*

Building subdivision
plan no.:

SCHEDULE 1

Lot <i>(lot no.)</i>	Registered proprietor <i>(full name and address including postcode)</i>
-------------------------	--

SCHEDULE 2

Lot <i>(lot no.)</i>	Description of interest <i>(e.g. mortgage no.)</i>	Party <i>(full name)</i>
-------------------------	---	-----------------------------

Date:

Signed by all the parties
set out in Schedule 1:

Signed by all the parties
set out in Schedule 2:

APPLICATION FOR AMENDMENT TO BOUNDARIES, AREA OR POSITION

SECTION 99(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 72 Section 99 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 53 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Plan of Survey
- Surveyor's Report
- Abstract of Field Records
- Statutory Declaration by applicant attesting to bona fide occupation of land applied for

NOTE: This declaration will detail the period and nature of occupation as well as the names and addresses of owners of all lands contiguous to the land so occupied and the reasons why the land described in the application does not accord with the description of land in the subject folio of the Register. A statement as to whether or not there are any court proceedings affecting any part of the land must be included and particulars of any such proceedings.

- Proof in the form of Statutory Declarations by two disinterested persons stating their means of knowledge that the fences, walls or buildings which now surround and mark the boundaries of the land as shown on the Plan of Survey have continuously stood in their present position for at least the past 15 years. If the fences walls or buildings have replaced others within that period, that they are in the same position as the earlier occupation.

NOTE: The Plan of Survey must be an exhibit to the declaration.

**Application for amendment
to boundaries, area or position**
Section 99(1) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies for amendment of the folio of the Register as specified.

Land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Amendment: *(give details of the nature of the proposed amendment e.g. to accord with the land shown on plan of survey by X.Y., licensed surveyor dated)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

**REQUEST FOR INFORMATION AS TO WHETHER
BOUNDARIES, AREA OR POSITION OF ANY LAND ARE
ACCURATELY SHOWN ON A PLAN OF SURVEY**

SECTION 99(3) TRANSFER OF LAND ACT 1958

FEE

No fee

DUTY

Not payable

FORM

Form 54 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

Application

Request for information as to whether boundaries, area and position of any land are accurately shown on a plan of survey
Section 99(3) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant requests to be informed as to whether the boundaries, area and position of the land are accurately shown on any plan of survey in the register.

Land: *(description of land including volume and folio and a plan if required)*

Applicant: *(full name and address including postcode)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

**CAVEAT AGAINST APPLICATION TO AMEND BOUNDARIES,
AREA OR POSITION**

SECTION 100 TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 73 Section 100 Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 55 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

Caveat

NOTE: The folio reference of the Caveator's affected land (if any) should be set out in the Caveator panel.

**Caveat against application to
amend boundaries, area or position**
Section 100 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The Caveator claims the estate or interest specified in the land and forbids the granting of the application.

Land: *(volume and folio)*

Caveator: *(full name and address including postcode)*

Estate or interest claimed:

Application: *(application no.)*

Address for
service of notice: *(full address including postcode)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

**APPLICATION TO AMEND THE REGISTER PURSUANT TO
COURT ORDER**

SECTION 103(1) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 76 Section 103(2) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

See next page

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Order of Court or office copy

NOTE: (a) Certificate of Title is not always required.
(b) Application must be referred to Specialist Registration Warrants before lodging.

Application to amend the Register pursuant to a court order

Section 103(1) Transfer of Land Act 1958

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The applicant applies under Section 103(1) of the *Transfer of Land Act 1958* to give effect to the court order in the manner specified.

Land: *(volume and folio, and where applicable registered Instrument no.)*

Applicant: *(full name and address including postcode)*

Court order: *(specify date and court)*

Amendment required:

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

APPLICATION TO CORRECT NAME IN THE REGISTER

SECTION 103(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 76 Section 103(2) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 56 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Proof of identity (Statutory Declaration)

NOTE: This application can only be used where Land Victoria has made a typographical error. Where a person changes a name by deed poll, marriage, registers a change of name with the Registrar of Births Deaths and Marriages or assumes the use of another name, refer to Section 32 *Transfer of Land Act 1958*.

Application to correct name in the Register

Section 103(2) Transfer of Land Act 1958

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The applicant applies to correct the name recorded in the Register.

Land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Correction required:

from: *(name presently recorded in the folio of the Register)*

to: *(correct name of applicant)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

APPLICATION TO CORRECT LAND DESCRIPTION IN THE REGISTER TO ACCORD WITH PLAN

SECTION 103(2) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 74 Section 103(2) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 57 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title
- Plan of Survey
- Surveyor's Report
- Abstract of Field Records

Application to correct land description in the Register to accord with plan

Section 103(2) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies to correct the land description to accord with the plan of survey specified.

Land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Plan of survey: *(name of licensed surveyor and date)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

**APPLICATION FOR REGISTRAR TO REQUIRE PRODUCTION
OF CERTIFICATE OF TITLE OR DUPLICATE INSTRUMENT**

SECTION 104(3A) TRANSFER OF LAND ACT 1958

FEE

Schedule 3 Item 2 Section 120(2) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 58 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Statutory Declaration as required by Section 104(3C)(b) of the *Transfer of Land Act 1958*

- NOTE:
- (a) This application must be lodged in conjunction with one of the dealings referred to in Section 104(3A) of the *Transfer of Land Act 1958*.
 - (b) This application does not apply to a first mortgage unless accompanied by a Court order.
 - (c) Application must be referred to Specialist Registration Warrants before lodging.

Application for Registrar to require production of certificate of title or duplicate Instrument

Section 104(3A) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

The applicant being a person claiming under the Instrument applies for the Registrar to require production of the Certificate of Title specified.

Certificate of Title: *(volume and folio)*

Applicant: *(full name and address including postcode)*

The Certificate of Title is believed to be in the possession of: *(full name and address including postcode)*

Instrument under which applicant claims: *(Instrument no. or description of Instrument by reference to the parties and date)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer under the *Conveyancers Act 2006* for applicant

**APPLICATION FOR REGISTRAR TO REQUIRE SUBMISSION
OF CERTIFICATE OF TITLE OR DUPLICATE INSTRUMENT**

SECTION 104(3B) TRANSFER OF LAND ACT 1958

FEE

Schedule 3 Item 2 Section 120(2) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 59 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Statutory Declaration as required by Section 104(3C)(b) of the *Transfer of Land Act 1958*

- NOTE: (a) This application must be lodged in conjunction with one of the dealings referred to in Section 104(3A) of the *Transfer of Land Act 1958*.
- (b) The application does not apply to a first mortgage unless accompanied by a Court order.
- (c) Application must be referred to Specialist Registration Warrants before lodging.

Application for Registrar to require submission of certificate of title or duplicate Instrument

Section 104(3B) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

The applicant applies for the Registrar to require submission of the Certificate of Title specified.

Certificate of Title: *(volume and folio)*

Applicant: *(full name and address including postcode)*

The Certificate of Title
is believed to be in the
possession of: *(full name and address including postcode)*

Entitlement: *(details of entitlement to make the application)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

APPLICATION FOR RECORDING ENCUMBRANCE AS FULLY SATISFIED EXTINGUISHED OR OTHERWISE DETERMINED

SECTION 106(c) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 79 Section 106(c) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 60 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title (where applicable)
- Supporting evidence

Application for recording encumbrance as fully satisfied extinguished or otherwise determined
Section 106(c) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The applicant applies for a recording in the Register that the encumbrance no longer affects the land.

Land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Encumbrance: *(registered no. or description of encumbrance)*

Grounds for application: *(give details of circumstances determining encumbrance)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

**APPLICATION FOR AMENDMENT OR ALTERATION OF
REGISTERED PROPRIETOR'S ADDRESS**

SECTION 113(5) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 81 Section 113(5) Transfer of Land (Fees) Regulations 2004,
except as noted below

DUTY

Not payable

FORM

Form 61 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title

NOTE: If change of address is due to a municipal re-numbering of street or
change of name of street, no fee is required.

Application for amendment or alteration of registered proprietor's address

Section 113(5) Transfer of Land Act 1958

Lodged by

Name:

Phone:

Address:

Reference:

Customer Code:

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

The applicant applies to alter the address recorded in the Register to the address specified.

Land: *(volume and folio)*

Applicant: *(full name and address including postcode)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

**APPLICATION FOR AMENDMENT OR ALTERATION OF
ADDRESS FOR SERVICE OF NOTICE IN CAVEAT**

SECTION 113(6) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 82 Section 113(6) Transfer of Land (Fees) Regulations 2004

DUTY

Not payable

FORM

Form 62 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

- Application
- Certificate of Title **not** required

**Application for amendment or alteration
of address for service of notice in caveat**
Section 113(6) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The Caveator applies to alter the address at which notices may be served to the new address specified.

Land: (*volume and folio*)

Caveat No:

Caveator: (*full name*)

New address: (*new address in Victoria for service of notice including postcode*)

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

**REQUEST FOR AMENDMENT OR ALTERATION OF ADDRESS
FOR SERVICE OF NOTICE TO AN INTEREST HOLDER**

SECTION 113(6A) TRANSFER OF LAND ACT 1958

FEE

Schedule 2 Item 83 Section 113(6A) Transfer of Land (Fees) Regulations
2004

DUTY

Not payable

FORM

Form 63 – Transfer of Land (General) Regulations 2004

LODGING REQUIREMENTS

Application

Request for amendment or alteration of address for service of notice to an interest holder

Section 113(6A) Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name:
Phone:
Address:
Reference:
Customer Code:

The Registrar is requested to alter the address at which notices may be served to the new address specified.

Land: *(volume and folio)*

Person making request: *(full name)*

New address: *(new address in Victoria for service of notice including postcode)*

Date:

Signature of applicant

or

Signature of Australian Legal Practitioner
under the *Legal Profession Act 2004* for applicant

or

Signature of Licensed Conveyancer
under the *Conveyancers Act 2006* for applicant

LABEL

Adverse Possession (Section 60 Transfer of Land Act 1958)

Lodgement checklist

COMPLETION OF THIS FORM To be completed with the Application (Form 24) when lodging in person or by correspondence.	LODGEMENT OF THIS FORM Land Victoria Level 11, 570 Bourke Street Melbourne, VIC 3000	LAND VICTORIA CONTACT Phone: (03) 8636 2000 Web: www.dse.vic.gov.au
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Application	<input type="radio"/> Form 24 Schedule 2 of the Transfer of Land (General) Regulations 2004 <input type="radio"/> Land description to identify land by reference to the plan of survey/aerial photograph and the affected folio/s (volume and folio to be supplied) <input type="radio"/> Full name and address of applicant(s), including postcode <input type="radio"/> The application must specify whether the estate is to be free of encumbrances or subject to existing encumbrances.	
Survey	Survey-based applications <input type="radio"/> Plan certified by a licenced surveyor supplied (transparencies not required) <input type="radio"/> Subject land suitability designated and defined by thick continuous lines <input type="radio"/> Abstract of field records and surveyor's report supplied <input type="radio"/> Each sheet of survey plan and abstract of field records signed and dated by surveyor <input type="radio"/> Survey not older than two years <input type="radio"/> Survey lodged in prior application	Applications not based on survey <input type="radio"/> Surrounded by applicant's own land <input type="radio"/> Surrounded by government roads or Crown land <input type="radio"/> Surrounded by a combination of above <input type="radio"/> Mortgagee/Mortgager/Co-proprietor in possession <input type="radio"/> Terms Contract of Sale <input type="radio"/> Based on aerial photograph - request to waive survey approved
Evidence	If YES, the following is required <input type="radio"/> Evidence of applicant/s (statutory declaration) <input type="radio"/> Evidence of disinterested witness(es) (statutory declaration) <input type="radio"/> Evidence of applicant's solicitor if less than 30 years possession (statutory declaration) <input type="radio"/> Evidence of payment of rates (if applicable)	If NO, the following is required <input type="radio"/> Evidence of applicant/s (statutory declaration) <input type="radio"/> Evidence of prior possessors (statutory declaration) <input type="radio"/> Stamped deeds of assignments from prior possessors, if applicable <input type="radio"/> Evidence of disinterested witness(es) (statutory declaration) <input type="radio"/> Evidence of applicant's solicitor if less than 30 years possession (statutory declaration) <input type="radio"/> Evidence of payment of rates (if applicable)
Fees	<input type="radio"/> Correct fees as set out in the Transfer of Land (Fees) Regulations	

Signed

Date

| D | D | M | M | Y | Y | Y | Y |

Name (CURRENT PRACTITIONER)

or

Name (APPLICANT)