

CUSTOMER INFORMATION



DOLA

BULLETIN

Department of LAND ADMINISTRATION

BULLETIN NO. 94
22nd December 1997

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MERRY CHRISTMAS

A. Inclusion of Tenancy Information of Transfer of Land Forms

The honourable Peter Foss, Attorney General, in a letter to the Registrar of Titles has recommended that "a simple explanation of the significance of the distinction between a joint tenancy and a tenancy in common should be contained in the instrument of transfer".

In response to this recommendation, the Registrar of Titles has agreed to amend the Transferee's note (Section 6) on the back cover of Transfer of Land Forms (see attached). These and other minor refinements are in the process of being completed and forwarded to the State Law Publisher for inclusion on the standard hard copy forms. It is hoped that the new forms will be available early in the new year.

Customers with form approval numbers for one or more of the following transfer of land forms, e.g. T1, T2, T4, T5 and T7 will be contacted directly. DOLA will provide these customers with sample forms to be used as a guide when preparing new transfer of land forms. Proof forms should then be submitted for approval in the usual manner.

DOLA has commenced the practice of stopping transfers of land documents that show two or more transferees, but do not disclose a tenancy, in the event that the tenancy has been inadvertently omitted. This action is being taken as a service to the public in an effort to eliminate the problems associated with registered proprietors holding land in an inappropriate tenancy. A stopped fee will not be charged when this additional tenancy is sought.

B. Strata Forms Purchased from the State Law Publisher

The strata forms listed below, which are available from the State Law Publisher, have been printed in a format that is unsuitable in some circumstances.

The unsuitable formatted Strata Title forms are:



- Form 11 Certificate of Consent by Strata Company
- Form 19 Notice of Resolution to Vary
- Form 20 Application for Re-subdivision
- Form 22 Disposition of Subdivision
- Form 27 Certificate of Licensed Valuer



It has been recommended to the State Law Publisher that the above forms be immediately withdrawn from sale. Replacement forms will be formatted by DOLA in conjunction with the State Law Publisher and should be available in the near future.

In the interim it is suggested that customers prepare their own forms by copying the format from the Strata Titles General Regulations 1996. Forms can be produced on white A4 paper, or on a blank Transfer of Land Act B4 document cover by using either a word processing technology, or copying by hand.

C. Christmas Message

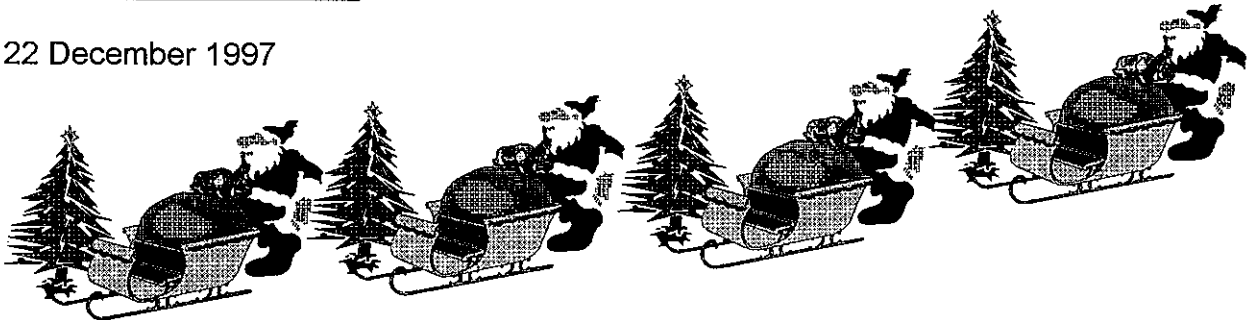
With the introduction of new Transfer of Land Act and Strata Titles Act amendments, the past year has been interesting, and perhaps at times challenging for both DOLA and its clients. Whilst the implementation of these changes was a steep learning curve, the most positive aspect was the tremendous cooperation experienced between all those concerned.

I look forward to the present climate of cooperation continuing and take this opportunity to wish you all a Merry Christmas and a prosperous New Year.



Barry Cribb
ACTING DIVISIONAL MANAGER
LAND TITLES DIVISION

22 December 1997



INSTRUCTIONS

1. If insufficient space in any section hereon or if the Transferee requires a Duplicate Certificate(s) of Title to issue where a request for non issue has been received previously, or that a Duplicate Certificate(s) of Title not be issued subsequent to this Transfer of Land, then Form T2 should be used. Additional sheets should not be used.
2. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.
3. Duplicate Crown Lease or where issued, the Duplicate Certificate of Title is required to be produced or if held by another party then arrangements must be made for its production.

NOTES

1. **DESCRIPTION OF LAND**
 Lot and Diagram/Plan/Strata/Survey-Strata Plan number or Location name and number to be stated.
 Extent - Whole, part or balance of the land comprised in the Certificate of Title to be stated.
 The Volume and Folio or Crown Lease number to be stated.
2. **ESTATE AND INTEREST**
 State whether Fee Simple, Leasehold or as the case may be in the land being transferred. If share only, specify.
3. **ENCUMBRANCES**
 To be identified by nature and number, if none show "nil".
4. **TRANSFEROR**
 State full name of the Transferor/Transferors (Registered Proprietor) as shown on the Certificate of Title or Crown Lease.
5. **CONSIDERATION**
 To be expressed in words.
6. **TRANSFEEE**
 State full name of the Transferee/Transferees (Purchaser) and the address/addresses to which future notices can be sent. If a minor, state date of birth.
 If two or more state tenancy eg;
 - Joint Tenants, (on the death of a joint tenant, the survivor(s) become(s) the registered proprietor(s) of the deceased's interest by applying to the Registrar of Titles).
 - Tenants in Common, (on the death of a tenant in common, their share is dealt with according to their will).
 If Tenants in Common specify shares.
7. **TRANSFEEE'S TRANSFEROR'S EXECUTION**
 A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an adult person. The address and occupation of the witness must be stated.

EXAMINED

OFFICE USE ONLY

TRANSFER

LODGED BY

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

ISSUING BOX No.

FAX No.

PREPARED BY

ADDRESS

PHONE No.

FAX No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY.

TITLES, LEASES, DECLARATIONS ETC. LODGED HEREWITH

- | | |
|----------|-----------------|
| 1. _____ | Received Items |
| 2. _____ | |
| 3. _____ | Nos. |
| 4. _____ | |
| 5. _____ | Receiving Clerk |
| 6. _____ | |

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

