

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

Commissioner of Taxes use only

T	P	No:
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IMPORTANT NOTICE

Please Note Privacy Statement Overleaf

**TRANSFER BY LENDER
EXERCISING POWER OF SALE**

The lender being the proprietor of the mortgage listed below in exercise of its power of sale and in consideration of an agreement with the buyer transfers to the buyer the land described and valued below subject to all estates, interests and rights referred to in Section 91 of the *Law of Property Act* affecting the land including all leases registered subsequent to the mortgage and to which the lender has consented and the buyer accepts this transfer. (NOTES 1 - 3)

MORTGAGE UNDER WHICH POWER OF SALE IS EXERCISED	No.	(NOTE 4)
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Register	Volume	Folio	Location	Lot Description	Plan	Unit	
							(NOTE 5)

VALUE OF THE INTEREST TRANSFERRED AND CONSIDERATION (Including GST)		GST Amount	(NOTE 6)
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LENDER	Name only:	(NOTE 7)
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BUYER	Name: Address for the service of notices:	(NOTE 8)
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TENANCY	Joint Tenants/Tenants in Common (Shareholding)	(NOTE 9)
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<p>.....</p> <p>Signed by the Lender</p> <p>on (Date)</p> <p>In the presence of:</p> <p>.....</p> <p>Qualified Witness</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>Signed by the Buyer</p> <p>on (Date)</p> <p>In the presence of:</p> <p>.....</p> <p>Qualified Witness</p> <p>.....</p> <p>.....</p>	(NOTE 10)
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Registered on At

SCHEDULE OF NOTES

1. Transfers must be lodged as an original only and must be typed or completed in ink or biro, and must show the imprint of the Commissioner of Taxes. The registration of a transfer by a mortgagee exercising a power of sale is not prevented by a caveat or an instrument that has effect as a caveat where the caveat or the instrument relates to an estate, interest or right to which the mortgage has priority and, upon registration of the transfer any such caveat; and the registration of any such instrument that has effect as a caveat, shall be deemed to have been cancelled.
2. All signatures must be in ink or biro. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95). If the words "lender" and "buyer" are considered inappropriate other words ("mortgagee", "transferee") may be used.
4. Insert Registered Mortgage number.
5. Volume and Folio references must be given together with complete parcel description.
6. Pursuant to Section 61(1) of the *Land Title Act* include the value of the lot and the details of any consideration. The amount shown shall be inclusive of GST. For the GST amount, if the transfer is subject to the margin scheme & the GST amount is unknown insert "margin scheme" in the box provided.
7. Insert full name. Address is not required.
8. Insert full name including address for the service of notices. The address can be a postal address. Occupations are not required.
9. If two or more buyers, state whether as joint tenants or tenants in common. If tenants in common, specify shares. If no tenancy is stated the Registrar-General must register the co-owners as tenants in common pursuant to Section 53(2) of the *Land Title Act*.
10. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Practitioners Act*, a person holding office under the *Supreme Court Act*, the *Justices Act*, the *Local Court Act* or the *Registration Act*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act*, a Notary Public and any other person approved by the Registrar-General.

A witness to an instrument executed by an individual must first:

- take reasonable steps to ensure that the individual is the person entitled to sign the instrument;
- have the individual execute the document in the presence of the witness;
- not be a party to the instrument; and
- if witnessing more than one signature, clearly state that he/she has witnessed more than one signature. (ie I have witnessed the two signatures appearing above).

After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.

For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act*, Section 48.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act* and the Registrar-General's Direction.

PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the Land Title Act to collect the information on this form for the establishment and maintenance of the Land Register, which is made available for search by any person, anywhere, including through the Internet, upon payment of a fee. The information is regularly provided to other NT Government agencies, the Australian Valuation Office, local governments, the Australian Bureau of Statistics, the Australian Taxation Office or other Commonwealth Agencies as required or authorised by law, and some private sector organisations for conveyancing, local government, valuation, statistical, administrative and other purposes. The Department of Planning and Infrastructure also uses the information to prepare and sell or licence property sales reports to commercial organisations concerned with the development, sale or marketing of property.

Failure to provide the information in full or in part may prevent your application or transaction being completed.

Your personal information provided on this form can be subsequently accessed by you on request. If you have any queries please contact the Deputy Registrar-General on 8999 5318.