

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

IMPORTANT NOTICE
Please Note Privacy Statement Overleaf

**NOTICE TO REGISTERED OWNER
OF EXERCISE OF POWER OF SALE
PURSUANT TO STATUTORY CHARGE**

The person entitled to the benefit of a statutory charge, serves on the registered proprietor this notice of exercise of power of sale pursuant to the charge. (NOTES 1 - 3)

Volume	Folio	Location	Lot Description	Plan	Unit

(NOTE 4)

Proprietor Name:
Address:

(NOTE 5)

Grounds for Sale:
Amount outstanding:

(NOTE 6)

Sale:	Place:	Date / Time:
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(NOTE 7)

Action for avoiding sale:

1. Payment of amount outstanding prior to This amount is all money that is a charge on the land, together with all costs relating to the registration of the statutory charge or to the proposed sale. For the purpose of ascertaining this amount, contact Telephone.....
2. Any other action proposed by the claimant that the registered proprietor may take to avoid the sale of land under the charge shall be set out. Any query shall be directed to
Name..... Address
Telephone.....

.....
Signature of Claimant
On (Date)

In the presence of:
.....
Qualified Witness:
.....
.....

(NOTE 8)

SCHEDULE OF NOTES

1. Before the person entitled to the benefit of a statutory charge exercised a power of sale pursuant to the charge, the person shall give the registered owner of the land not less than 28 days notice of the proposed exercise of the power.
2. This notice must be typed or completed in ink or biro. Alterations to information entered on the form should be crossed out (nor erased or obliterated by painting over) and initialled by the parties.
3. This notice can be made by a lawyer or agent if the Registrar-General is satisfied that the lawyer or agent is acting under authority.
4. Volume and Folio references must be given together with parcel description.
5. Insert Proprietor's name and address.
6. Insert Grounds for Sale and the total amount outstanding.
7. Insert details about sale, place, date and time. Also include particulars of the action that the registered owner may take in order to avoid the exercise of power of sale and the period within which the action may be taken.
8. 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.

9. The purpose of this provision is to inform the registered proprietor of the means by which a sale of the land may be avoided. Consideration should be given to the nature of the statutory charge when advising a registered proprietor pursuant to this provision.

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.