

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

Commissioner of Taxes use only

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IMPORTANT NOTICE

Please Note Privacy Statement Overleaf

**CREATION OF
COVENANT IN GROSS**

The owner of the land described below covenants with the person(s) having the benefit of the covenant in respect of the covenant described. (NOTES 1 – 3)

Register	Volume	Folio	Location	Lot Description	Plan	Unit

(NOTE 4)

OWNER OF THE
LAND
BURDENED

(NOTE 5)

PERSON(S)
RECEIVING
THE BENEFIT

Address:

(NOTE 6)

DESCRIPTION
OF COVENANT

(NOTE 7)

.....

SIGNED by the Owner of the land burdened

on (Date)

In the presence of:

.....

Qualified Witness:

.....

.....

.....

SIGNED by the Person(s) receiving the benefit

on (Date)

In the presence of:

.....

Qualified Witness:

.....

.....

(NOTE 8)

CONSENT OF REGISTERED MORTGAGEES (NOTE 9)

Instrument type:	Instrument type:
Instrument No:	Instrument No:
Name of Parties:	Name of Parties:
.....
I the registered proprietor of the interest shown above consent to the registration of this instrument.	I the registered proprietor of the interest shown above consent to the registration of this instrument.
Signed:	Signed:
(Date):	(Date):
In the presence of:	In the presence of:
Name of Witness:	Name of Witness:
Address or Telephone No.:	Address or Telephone No.:

COVENANTS

- To comply with the provisions contained in Memorandum of Common Provisions recorded in the Register as LTO No:
- Additional Covenants:

SCHEDULE OF NOTES

1. This instrument can be lodged as an original only or in duplicate. It must be typed or completed in ink or biro. Pursuant to Section 168 of the *Law of Property Act* a covenant in gross may be created without dominant land for a limited class or person(s). Alterations to information entered on the form should be crossed out (nor erased or obliterated by painting over) and initialled by the parties.
2. This instrument must include a description or sketch plan sufficient to identify the lot or part of the lot to be burdened by the covenant in gross.
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
4. Volume and Folio references must be given together with complete parcel description. If the certificate as to title has been issued it must be produced.
5. Insert full name of the owner of the land burdened by the covenant in gross. Include an address only if the address differs to that shown on the Certificate as to Title.
6. Insert full name of person(s) receiving the benefit of the covenant in gross. A covenant in gross may only be granted to those persons referred to in Section 168 of the *Law of Property Act*. Insert address for the service of notices.
7. Insert a description of the covenant.
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 instrument of covenant must include the consents of all registered mortgagees of the lot burdened by the covenant.

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.