

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

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Commissioner of Taxes use only

IMPORTANT NOTICE
Please Note Privacy Statement Overleaf

**CREATION OF
PROFIT A PRENDRE**

The owner of the land burdened by the Profit a Prendre grants to the owner of the land or person(s) receiving the benefit of the Profit a Prendre for the consideration mentioned below a profit a prendre for the purpose stated and the parties covenant with each other in terms and conditions set out below or on the back of this document. (NOTES 1 - 4)

	Register	Volume	Folio	Location	Lot Description	Plan	Unit	
LAND BURDENED BY THE PROFIT A PRENDRE								(NOTE 5)

	Register	Volume	Folio	Location	Lot Description	Plan	Unit	
LAND BENEFITTED BY THE PROFIT A PRENDRE (if applicable)								(NOTE 6)

OWNER OF THE LAND BURDENED BY THE PROFIT A PRENDRE (NOTE 7)

OWNER OF THE LAND OR PERSON(S) RECEIVING THE BENEFIT OF THE PROFIT A PRENDRE (NOTE 8)

PURPOSE (NOTE 9)

Termination Date:

CONSIDERATION (Inclusive of GST)	GST Amount	
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(NOTE 10)

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SIGNED by the Owner of the land burdened by the Profit a Prendre

on (Date)

In the presence of:

.....

Qualified Witness:

.....

.....

.....

SIGNED by the Owner of the land receiving or person(s) the benefit of the Profit a Prendre

on (Date)

In the presence of:

.....

Qualified Witness:

.....

.....

(NOTE 11)

COVENANTS

SCHEDULE OF NOTES

1. A profit a prendre over a lot may be created by registering an instrument of profit a prendre.
2. An instrument of a profit a prendre must be validly executed, include a description or sketch plan sufficient to identify the lot or part of the lot to be burdened by the profit a prendre any lot or part of a lot to be benefited by the profit a prendre and include a description of the profit a prendre to which the lot is to be burdened including the period for which the profit a prendre is to be enjoyed.
3. This form may be lodged as an original only and must be typed or completed in biro, and must show the imprint of the Commissioner of Taxes. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
4. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
5. 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.
6. 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.
7. Insert the owner of the land burdened by the Profit a Prendre in full.
8. Insert the owner of the land or person(s) receiving the benefit of the Profit a Prendre in full.
9. Include a description of the profit a prendre to which the lot is to be burdened, including the period for which the profit a prendre is to be enjoyed and the termination date.
10. Here insert the consideration inclusive of GST. For the GST amount, if the profit a prendre is subject to the margin scheme and the GST amount is unknown insert "margin scheme" in the box provided.
11. 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.