

# REGISTRAR-GENERAL'S NEWSLETTER

July 2001



Office of the Registrar-General: Land Titles Office - Titles Production - Births, Deaths and Marriages - General Registry

Northern Territory Attorney-General's Department

## NEW REGISTRAR-GENERAL

The Registrar-General's Office welcomes Mr FRANK MANNIX as the new Registrar-General. Frank also holds the Office of Acting Public Trustee.

Frank has an extensive background in law and financial administration. He commenced in the Registrar-General's Office on 9 July 2001. The previous Registrar-General, Mr Greg Shanahan has transferred to a new position within the Litigation Unit of the Northern Territory Attorney-General's Department.

## REMINDER

### Recording GST Amounts on Transfer Forms

A reminder that the GST Amount (if any) is to be recorded in the "Consideration" box on each transfer form in brackets after the GST inclusive amount.

EXAMPLE 1 - If the consideration inclusive of GST is \$110,000.00 and the GST payable on the transfer is \$10,000.00, it should be recorded as:

\$110,000.00 (including \$10,000.00 GST)

EXAMPLE 2 - If the consideration is \$110,000.00 and the transfer is not subject to GST, it should be recorded as:

\$110,000.00 (Nil GST)

At this stage the requirement is not mandated by legislation and therefore a failure to separately identify the GST amount will not result in rejection of the form. However, the exercise provides critical information to valuers and your full co-operation would be appreciated.

## USE OF NON-STANDARD FORMS

Instruments lodged for registration are required to be in the correct form as gazetted in the Registrar-General's Directions (with notified amendments). Any clients wishing to lodge forms not in accordance with the Registrar-General's Directions ("non-standard forms") are advised:

- they must clearly identify the proposed variation on the form;
- they must seek approval from the Registrar-General prior to lodgement of the form; and
- there needs to be a sound reason for making changes to a form.

The Registrar-General may point out any obvious anomalies in a form that has been altered, but cannot advise on the effect of the conveyance resulting from the changes. It is the responsibility of clients to ensure that they are fully aware of the intended (or unintended) consequences arising from the revised wording on the non-standard form. Some firms use modified forms for

certain types of dealings and these can be identified by the code that appears at the top left hand corner of the forms.

## UNIT TITLES AMENDMENT BILL

The Unit Titles Amendment Bill has been assented to and is currently awaiting commencement. The Bill will provide for 2 or more units plan developments within a single building. An example is in the case of a building that consists of a hotel, residential accommodation, business offices and a commercial carpark. Each such part will be called a 'building lot' which may be further subdivided into units and common property. In respect of the entire building and the other land that may be part of the parcel, there will be a management corporation responsible for the common property. There will also be a management corporation for each relevant building lot which is the subject of a units plan.

The legislation also provides for the addition of land to a parcel of land that has already been subdivided pursuant to a units plan. The amendment will not affect the other provisions of the *Unit Titles Act* which provide for the need for consents to changes to a development.

The new amendments will bring the Northern Territory into line with most of Australia and allow developers and unit owners to better protect their interests.

## REVIEW OF LAND LEGISLATION

The review of the *Land Title Act* to assess the first months of operation of the Act is now due. Interested parties should notify this Office of any difficulties they are experiencing with the Act. Anyone wishing to provide comments should do so in writing or by e-mailing Wendy Endenburg on [wendy.endenburg@nt.gov.au](mailto:wendy.endenburg@nt.gov.au) by 31 July 2001.

## REGISTRARS' CONSULTATIVE COMMITTEE

The Registrar-General's Consultative Committee provides a means of communication between the Office of the Registrar-General and clients. The purpose of the Committee is to discuss issues that affect the day-to-day operations of the Office and business processes of clients. The representative client group has varied over the years and has consisted of solicitor and conveyancing firms, major banks, local councils and the Real Estate Institute of the Northern Territory. If you would like to be represented on the Committee, please contact the Office on 8999 7223. Note that as places are limited, not all requests will be able to be accommodated.

The Committee intends to meet in the near future to discuss various issues associated with the new *Land Title Act* and *Unit Titles Act*.