



REGISTRAR-GENERAL'S NEWSLETTER

MARCH 2002

Office of the Registrar-General: Land Titles Office - Titles Production - Births, Deaths and Marriages - General Registry
Northern Territory Attorney-General's Department

LAND TITLES OFFICE

Witnessing of more than one signature

To avoid any doubts about the number of signatures being witnessed, it is now a requirement when witnessing more than one signature on any of the LTO forms, the witness must clearly state that he/she has witnessed more than one signature. Otherwise it will be presumed that only one of the signatures has been witnessed.

Example: *In the presence of:*

I have witnessed the two signatures appearing above.

Name of Witness

Qualification of Witness

Contact Address or Telephone number

One Form for an Amendment of Lease or Sublease and Notice of Extension or Renewal of Lease or Sublease

Following discussions with clients only one form (Form 34) will be required for an amendment of Lease or Sublease and Notice of Extension or Renewal of Lease or Sublease notwithstanding that the Lease or Sublease has expired on the face of the register.

The past practice was to require one form to extend the Lease or Sublease if on the face of the register the lease had expired and another form to amend the Lease or Sublease.

Approval of Forms (use of non-standard forms)

A reminder that instruments lodged for registration are required to be in the correct form as gazetted in the Registrar-General's Directions. 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 the form.

Once the form has been approved the Registrar-General will allocate an approval number which must be clearly shown on the top left hand side of the form.

The Registrar-General does not accept any responsibility for the effect of the conveyance resulting from changes to standard forms. 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 a 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.

Optional Issue of Certificates as to Title

Some members of the public have recently complained to the Registrar-General that they were not notified at the time of arranging their conveyance/Discharge of Mortgage that they could obtain a certificate as to title.

The Registrar-General must issue a certificate containing the indefeasible title for a lot at the written request of the registered owner. However, if the lot is subject to a registered mortgage, the Registrar-General may issue the certificate as to title only if the mortgagee consents to the issue of the certificate.

The correct form to use when applying for issue of a certificate as to title is Form 104. If you apply for the certificate at the same time as you are lodging another dealing you will not be charged any fee for the issue of the certificate.

If you fail to lodge a Form 104 with your other dealings and at a later time decide that you would like a certificate as to title issued, you can still apply but will be charged a fee of \$85.00.

Unit Titles Amendment Act

The *Unit Titles Amendment Act* commenced on the 1 March 2002. Regulations are currently in the final draft stage. The Act will provide for two 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 and will have its own body corporate in addition to the overarching body corporate.



The staff of the Registrar-General's Office would like to take this opportunity to wish all their valued clients and public a safe and very happy Easter.

Land Titles Requirements for Supporting Evidence

Evidence	Requirement
Birth, Marriage and Death Certificates	Certified copy signed by Registrar of Births, Deaths & Marriages (BDM), or Original Document sighted and returned at lodgement. For deaths occurring in the Northern Territory, insert BDM Registration Number on panel form.
Change of Name Certificate (person)	Certified copy or original of change of name issued by BDM.
Probate and Letters of Administration	Original sealed copy or re-sealed copy from the Probate Registry. Original evidence returned at lodgement.
Warrants or Writs of Execution	Original Warrant issued from the appropriate Court attached to panel form.
Change of Name (company)	Certified copy of the certificate issued by the Australian Securities & Investments Commission or a photocopy thereof.
Appointment of Liquidator, Receiver, Receiver/Manager or Official Manager	Authenticated evidence from the relevant authority or a photocopy thereof attached to the panel form.
Certificate relating to Cessation of Lien	Original copy certified by the Registrar of Courts or a letter signed by the Registrar.
Any Order from the Court ie Bankruptcy or Withdrawal of Caveat	Original must be sighted with a photocopy attached to document. Original evidence returned at lodgement.

Outback Commemorative Birth Certificates

The Births, Deaths and Marriages Registration Offices for Northern Territory, New South Wales, South Australia and Victoria have created Outback Commemorative Birth Certificates to coincide with Australia 2002 – The Year of the Outback which are available for purchase from this Office.

You can celebrate the birth of your child with a vibrant depiction of outback Australia. Certificates are also available for other family members.

These certificates are based on specially commissioned original paintings by artist Peter Coad (born Karoonda, South Australia, 1947).

The two designs are both 280mm x 355mm (11" x 14") in size, printed on archival quality paper suitable for framing. Each certificate is tissue wrapped, sealed and packed in a protective cylinder for delivery.

The purchase price for the Northern Territory is \$40.00. You will also receive a standard birth certificate (normal cost \$25.00) with the purchase.



