

PRIMARY APPLICATION

New South Wales
Section 14 Real Property Act 1900

Form: 00PA
Edition: 2005

Leave this space clear. Affix additional pages to the top left-hand corner.

This form must be lodged at the Plan Lodgment counter

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

All Statutory Declarations and evidence that are lodged in support of land dealings will be treated as publicly accessible and will be disclosed to persons upon request.

STAMP DUTY

Insert Duties Assessment No. as issued by Revenue NSW Office.

Duties Assessment No.

(A) LODGED BY

Document Collection Box	Name, Address or DX, Telephone, and Customer Account Number if any Email:.....	Reference (optional):
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(B) APPLICANT

.....
applies to have the land described below brought under the provisions of the Real Property Act 1900:

(C) LAND

all that piece of land situated at in the County of

Parish of being (“the land”)

(D) REGISTERED PROPRIETOR

and requests that the folio of the Register issue in the name of

(E) TENANCY

.....

CAUTION: SEVERE PENALTIES ARE PROVIDED FOR PROCURING A CERTIFICATE OF TITLE THROUGH FRAUD

(F) STATUTORY DECLARATION* In support of this application I/we solemnly and sincerely declare that—

1. The applicant is seised of
 - (a) an estate in fee simple in the land.
 - (b) possession of the land.
 - (c) a life estate in the land.
2. (a) There is no person in possession or occupation of the land or any part of it adversely to the estate or interest of the applicant.
- (b) There is no person in possession or occupation of the land or any part of it adversely to the estate or interest of the applicant apart from the adjoining owner(s) who may be in possession or occupation of part of the land as shown in the identification survey lodged herewith / deposited plan
3. The land is now unoccupied / occupied by the persons specified in Schedule 1.
4. There is no lease or agreement for lease of the land for any term exceeding 1 year, or from year to year, except as set out in Schedule 1.
5. There is no right of way, right of drainage or other easement or any restrictive covenant affecting the land except as set out in Schedule 1.
6. There is no mortgage, lien, writ of execution, order, charge, encumbrance, will, settlement, deed, writing, contract or dealing giving any right, claim or interest in the land or any part of it to any person other than the applicant except as set out in Schedule 1; nor to the best of my knowledge and belief is there any action, proceeding or suit pending which affects or could affect the land or any person other than the applicant who has or claims any estate, right title or interest in the land except as set out in Schedule 1.
7. There is no resumption or instrument whereby minerals or substrata have been excepted or reserved to any person except as set out in Schedule 1.

continued on page 2

8. Schedule 2 contains a full and correct list of all settlements, deeds, documents, instruments, maps, plans and papers relating to the land so far as I have any means of ascertaining them; all such documents as are in my possession or under my control are lodged herewith; the whereabouts of all other documents listed, so far as is known to me, is stated in the list.
9. The applicant is not bankrupt nor has the applicant assigned his / her / their estate for the benefit of creditors; if the applicant is a corporation, the corporation has not appointed a liquidator.
10. The information set out in Schedules 1 and 2 is to be taken as part of this declaration.
11. Searches and enquiries for those documents shown as “whereabouts unknown” and numbered in the List of Documents in Schedule 2 have been made at the premises of the applicant, previous and present lending institutions, solicitors and agents, and have not been lodged with any person as security for a loan or for any purpose whatsoever.

I/We make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act 1900;

I/We certify this application correct for the purposes of the Real Property Act 1900; and

I/We undertake to notify the Registrar General promptly of any further interest in the land created after the making of this declaration and before issue of the certificate of title.

Made and subscribed at in the State of on
 in the presence of of

Justice of the Peace (J.P. Number:) Practising Solicitor
 Other qualified witness [*specify*]

** who certifies the following matters concerning the making of this statutory declaration by the person who made it:

1. I saw the face of the person *OR* I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering; and
2. I have known the person for at least 12 months *OR* I have confirmed the person’s identity using an identification document and the document I relied on was a [*Omit ID No.*]

Signature of witness: Signature of applicant:

(G) CONSENT OF MORTGAGEE

..... being the mortgagee
 under mortgage Book Number joins in and consents to this application subject to—
 i. the entry on the folio of the Register to be created and on the certificate of title to issue of a notification relating to the above mortgage; and
 ii. delivery of the certificate of title to me.

Signature of witness: Signature of declarant:

Name of witness:

Address of witness:

(H) SCHEDULE 1 particulars of subsisting interests

Full name and address of the occupier, lessee, mortgagee, etc	Nature of the entitlement e.g. occupier, lessee	Particulars of the instrument, if any, by which the entitlement was created

* As the services of a qualified witness cannot be provided at lodgment, the declaration should be signed and witnessed prior to lodgment. ** If made outside NSW, cross out the witness certification. If made in NSW, cross out the text which does not apply.

(1) **SCHEDULE 2**

(a) Location of documents referred to in List of Documents

Lodged herewith:	Document numbers	
Whereabouts unknown: (see clause 11 on page 2)	Document numbers	
Permanently lodged:	Document numbers	Receipt numbers
To be lodged:	Document numbers	To be lodged by

(b) List of Documents list each chain of title separately; the schedule should commence from a good root of title

No.	Date	Nature of Document	Parties	General Register	
				Book	No.

List of Documents (continued) list each chain of title separately

No.	Date	Nature of Document	Parties	General Register	
				Book	No.