

PRIMARY APPLICATION

New South Wales

Section 14 Real Property Act 1900

Form: 00PA

Release: 3-5

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

Office of State Revenue use only

(A) LODGED BY

| Document Collection Box | Name, Address or DX, Telephone, and Customer Account Number if any | Reference: |
|-------------------------|--|------------|
| | | |

(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**(F) STATUTORY DECLARATION *****CAUTION: SEVERE PENALTIES ARE PROVIDED FOR PROCURING A CERTIFICATE OF TITLE THROUGH FRAUD**

I/we,

in support of this application and sincerely declare(s) that—

1. The applicant is seized of
2. 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.
3. The land is now
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.
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 _____ 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.

continued on page 2

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 certify this application correct for the purposes of the Real Property Act 1900 and 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 _____ 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:

* As the services of a qualified witness cannot be provided at lodgment, the statutory declaration should be signed and witnessed prior to lodgment of the form. ** Cross out the text which does not apply.

(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 mortgagee:

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 | Particulars of the instrument, if any, |
|---|---------------------------|--|
| | | |

(I) **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. |
| | | | | | |