

## Primary Application form OOPA: Instructions for Completion

**WARNING:** severe penalties are provided for procuring a certificate of title through fraud.

1. Complete the form in dense black or dark blue ink. If handwriting, use block capitals only.
2. Do not use an eraser or correction fluid to make alterations: rule through rejected material and initial the left-hand margin.
3. If the space provided at any point is insufficient, insert "See Annexure" at that point and include the required material on sheets of white A4 paper at least 80gsm (ordinary copier paper satisfies these requirements) using one side only. Insert a heading beginning "Annexure to ..." and specifying the type of form, the date and the parties to the transaction. Identify the material included, where possible by referring to the relevant marginal heading on the form. In the case of signatures which could not be fitted in the space provided, reproduce the text and layout used on the form. Number all pages in sequence with the form using the format "Page ... of ...", the number to be placed at the foot of the form in the centre. The first and last pages must be signed by the parties and any witness. Securely attach the additional pages to the upper left-hand corner of the form: a Nalclip is preferred; stapling should be avoided.
4. Insert the total number of pages, including any additional pages (see above), in the space provided at the foot of the form.
5. A plan of survey must accompany the application unless dispensation was obtained prior to lodgment of the application. (Dispensation is normally granted where the application relates to a whole lot or lots in a plan already registered and based on a survey no more than ten years old). The plan must conform to the current Real Property Act Regulation and must be drawn as a deposited plan. Council approval is not required unless the plan effects a subdivision. A compiled plan is not acceptable unless accompanied by the written approval of LPI.
6. A primary application may be made for the purpose of removing the qualification from a qualified folio of the Register: the relevant certificate of title must be lodged with the application.
7. Submit the completed form to the Office of State Revenue for assessment of stamp duty, then lodge it by hand at the Plan Lodgment counter, Land and Property Information, Queens Square, 1 Prince Albert Road, Sydney (adjacent to Hyde Park Barracks).
8. The following instructions relate to the marginal letters on the form.

### (A) LODGED BY

This section must be completed by the person or firm lodging the form at LPI ("the lodging party"). If the lodging party does not have a LPI document collection box, leave the relevant panel blank. If the lodging party has a Customer Account Number insert it as the first item of the first line in the relevant panel; use the following format: "C.A. No.: 123456". Provision of a reference is optional.

### (B) APPLICANT

Insert the full name and address. In the case of a corporation, an agent must apply: insert the full name, address and ACN or ARBN of the corporation together with and the full name, address and capacity of the agent.

### (C) LAND

Insert a description of the subject land adequate for the purpose of identification.

### (D) REGISTERED PROPRIETOR

Insert the full name and address of the person or corporation in whose name the certificate of title is to issue. If the applicant, insert "The applicant".

### (E) TENANCY

If there is more than one applicant, insert the tenancy in which they are to hold (see section 26 of the Conveyancing Act 1919).

### (F) STATUTORY DECLARATION

As regards items 1 and 2, choose one option and rule through the others. As regards items 3 to 11, complete or rule through as appropriate.

In the appropriate location, insert the full name and of the declarant, and the place and date of the declaration. Where the declarant is not the applicant, add the declarant's capacity. The witness must be a justice of the peace, practising solicitor, notary public, commissioner of the court for taking affidavits or a person otherwise authorised to administer an oath. If signed outside New South Wales, rule through "Oaths Act 1900" and substitute the local Act; the witness must be a person qualified by that Act to administer an Oath.

The declaration must be made by the applicant or the applicant's attorney; in the case of a corporation, the declaration must be made by an authorised officer of the corporation or the corporation's solicitor or attorney. An attorney must state his/her capacity and cite the registration number of the power of attorney; an authorised officer or solicitor must state his/her capacity. Where the declarant's signature is witnessed by a justice of the peace, the justice's of the peace registration number or details of appointment must be stated.

**NOTE:** As LPI may not be able to provide the services of a justice of the peace or other qualified witness, the statutory declaration should be signed and witnessed prior to lodgment.

**(G) CONSENT OF MORTGAGEE**

Any subsisting mortgagee must complete this section or a separate written consent must be annexed to the application.

**(H) SCHEDULE 1 particulars of subsisting interests**

Insert particulars of the occupier of the land and any subsisting interest.

**(I) SCHEDULE 2**

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

Disclose the location of all documents referred to in Schedule 2(b), List of Documents: refer to each document by its number in the List of Documents (see below).

**(b) List of Documents**

Insert particulars of all documents evidencing the devolution of title to the subject land from a commencing point at least thirty years old. Where part of the chain of title is shared with another parcel and that part has been investigated and passed in a prior application in respect of that other parcel, the commencing point may be the point at which the title to the subject land branched from the common chain, even though this may be less than thirty years old: the list of documents must begin with an annotation to this effect specifying the number of the prior application on which the current application relies.

List the documents in chronological order and number them from "1" in the appropriate column.

*Further information may be found in the LPI publication *How to Prepare and Lodge a Primary Application*.*

*If you have any questions about this form or privacy matters, please call LPI, Land and Property Information Division, Client Services on 02 9228 6666 or 1300 052 637, or visit our website at [www.lpi.nsw.gov.au](http://www.lpi.nsw.gov.au).*