

# APPLICATION FOR A POSSESSORY TITLE

New South Wales

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

## Section 45D Real Property Act 1900

**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 will be disclosed to persons upon request.

**STAMP DUTY**

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

(A) **TORRENS TITLE**

[Empty box for Torrens Title]

(B) **LODGED BY**

Document Collection Box	Name, Address or DX, Telephone, and Customer Account Number if any	CODE  <b>YA</b>
	Email:..... Reference (optional):.....	

(C) **REGISTERED PROPRIETOR**

[Empty box for Registered Proprietor]

(D) **APPLICANT**

[Empty box for Applicant]

(E)

**TENANCY:**

(F) The applicant applies to be registered as proprietor of an estate in fee simple in the above Torrens Title free from the following

(G) **ENCUMBRANCES** 1. .... 2. .... 3. .... 4. ....

(H) In support of this application the following documents are lodged herewith

1. Statutory declaration by the applicant;
2. Statutory declarations by .....
3. Letter from an authorised officer of the council regarding payment of rates;
4. Certificate by a registered surveyor.

(I) **STATUTORY DECLARATION\***

I ..... solemnly and sincerely declare that—

1. There are no documents evidencing title to the above land in the possession or control of the applicant other than those included in Schedule 1;
2. Except as shown on the folio of the Register the applicant is not aware that any person other than herself/himself has any estate or interest in the land other than as set out in Schedule 2;
3. There is no person in possession or occupation of the land adversely to this claim and the land in the folio of the Register is occupied by the applicant / the persons set out in Schedule 2;
4. The applicant has never been bankrupt nor assigned his / her estate for the benefit of creditors.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act 1900 and I certify this application to be correct for the purposes of the Real Property Act 1900.

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: .....

\* 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.

(J) The applicant / applicant's solicitor / applicant's agent certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. [ ] Full name: ..... Signature: .....

**SCHEDULE 1 (documents referred to in clause 1 of declaration)**

No.	Nature of Document	Date of Document	Parties

**SCHEDULE 2 (documents referred to in clauses 2 and 3 of declaration)**

Full Name and Address of Occupier, Lessee, Mortgagee, etc	Nature of Entitlement	Particulars of instrument (if any) by which entitlement was created