

CAVEAT

affecting a Primary Application
New South Wales
Section 74B Real Property Act 1900

Form: 00PAX
Release: 3-9

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

When completed, this form must be lodged at the Plan Lodgment counter, NSW Land Registry Services.

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 RPAct requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) LODGED BY

Document Collection Box	Name, Address, Telephone, and Customer Account Number if any Email:	Reference (optional)
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(B) PRIMARY APPLICATION

Number	Applicant
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(C) LAND AFFECTED BY CAVEAT

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(D) CAVEATOR

Full name and address	Postcode
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(E) NAME AND ADDRESS IN AUSTRALIA FOR SERVICE OF NOTICES ON THE CAVEATOR

*This **must** be a street address.* If desired, a Document Exchange box in NSW may be provided **in addition**.

Name: Street Address:	Postcode
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Document Exchange Box in NSW (additional)

The caveator claims to be entitled to the estate or interest in the above land as specified in the following schedule by virtue of the set out in that schedule, and prohibits the Registrar General from bringing the above land under the provisions of the Real Property Act 1900 pursuant to the above primary application.

(F) SCHEDULE estate or interest claimed

by virtue of the

- (G) **STATUTORY DECLARATION** * I, _____, solemnly and sincerely declare that—
1. To the best of my knowledge, information and belief the caveator has a good and valid claim to the estate or interest set out in the Schedule;
 2. This caveat does not require the leave of the Supreme Court or the endorsed consent of the primary applicant; and

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.

(H) **CONSENT (section 74O Real Property Act 1900)**

I, the primary applicant named at (B), for the purposes of section 74O only, consent to this caveat.

Signature of primary applicant _____

WARNING: Care should be exercised in completing a caveat form. An unsupported caveat may be challenged in the Supreme Court; compensation may be awarded for lodging a caveat without justification (section 74P Real Property Act 1900). Furthermore failure to observe the requirements of section 74B of the Real Property Act 1900 and regulation 7 of the current Real Property Regulation may make the caveat invalid. See also section 74C of the Real Property Act 1900 which limits the life of this type of caveat.