

Circular



Land and
Property
Information

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Changes to Real Property Act Approved Forms from 1 July 2001

Amendments have been made to all approved forms as a result of legislative and administrative changes. These are a result of:

1. amendments to section 117 of the Real Property Act 1900, effected by the Real Property Amendment (Compensation) Act 2000, concerning attestation requirements for dealings. The amendments give statutory force to the requirement that dealings be signed in the presence of the attesting witness who must be personally acquainted with the signatory or otherwise satisfied as to his or her identity and require a certificate to that effect by the attesting witness;
2. compliance with the Privacy and Personal Information Protection Act 1998 requires each dealing to contain a note to the effect that the information collected on the form is legally required and will be placed on a public register;
3. minor changes to approved forms as a result of the creation of Land and Property Information NSW (LPI) which incorporates the former Land Titles Office, Land Information Centre and Valuer General's Office.

An example of an approved form that complies with these changes is attached.

The amendments have been made to all approved forms that are available from LPI and through e-RPforms. Dealings lodged prior to 1 July 2001 that comply with these changes will be accepted.

Any dealing or caveat presented for lodgment after 30 June 2001 that does not conform to the new format will not be accepted except where the dealing is dated prior to 1 July 2001 or accompanied by other sworn evidence to show that it was executed before that date.

Approved forms that comply with the new requirements can be obtained:

- in hard copy form (paper) from the Client Services Counter located on the ground floor West wing;
- through e-RPforms on the LPI web site **www.lpi.nsw.gov.au**.

If there is doubt as to whether a dealing will be executed before or after 1 July 2001 a form which complies with the new requirements should be used.

A current form will be accepted provided:

- the privacy note is added, in the appropriate place, to the form; and,
- the attestation and execution are modified to comply with the new requirements. An example is shown on the attached Transfer - the words 'transferor' and 'transferee' will need to be modified according to the forms used.

Should you have any inquiries relating to these changes you will find further information in **Information Bulletin No. 29** or you can contact the Licensed Forms Administration Officer on 9228 6048.



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This information contained in this document was correct at the time of publication, but may have been superseded