

Land Title Act 2000
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

R	C	F	No:
IMPORTANT NOTICE			
Please Note Privacy Statement Overleaf			

**APPLICATION TO REMOVE
COVENANT BY FLUXION OF TIME**

The applicant applies to the Registrar-General for removal of the registered covenant described below on the basis described below. (NOTES 1 – 3)

COVENANT TO BE REMOVED	Number:	Description:	(NOTE 4)
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LAND BURDENED BY THE COVENANT	Register	Volume	Folio	Location	Lot Description	Plan	Unit	(NOTE 5)

APPLICANT		(NOTE 6)
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BASIS FOR REMOVAL	<input type="checkbox"/> 20 years have passed since the covenant was registered. <input type="checkbox"/> The date specified in the instrument or plan of subdivision creating the covenant has passed. <input type="checkbox"/> The extended period referred to in Section 174(2) of the <i>Law of Property Act 2000</i> has expired.	(NOTE 7)
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..... SIGNED by the Applicant on (Date) In the presence of: Signature of qualified witness Full name of qualified witness Witness contact address/phone number

..... SIGNED by the Applicant on (Date) In the presence of: Signature of qualified witness Full name of qualified witness Witness contact address/phone number

(NOTE 8)

SCHEDULE OF NOTES

1. This form can be used where land has been subject to a registered covenant for more than 20 years, or 40 years if there is an extension under section 174(2) of the *Law of Property Act 2000* or by a Covenant that has ceased on the date specified in the Covenant. It cannot be used for covenants made in favour of the Commonwealth, the Territory or a prescribed authority for defence or aviation purposes, Covenants made for a prescribed purpose or Covenants in gross. Section 174 of the *Law of Property Act 2000* only applies to Covenants made after the commencement of the Act (1 December 2000).
2. For an extinguishment of a covenant in gross Form 60 or extinguishment of covenant Form 61 must be used.
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
4. A short description should be given. If the covenant was originally created by an instrument that LTO number should also be shown.
5. Volume and Folio of current title is essential together with complete parcel description. If the certificate as to title has been issued it must be produced.
6. Insert owner of the land burdened by the covenant. Address is not required.
7. There are three bases for removal of the Covenant: 20 years since date of registration of Covenant, date specified in instrument or plan of subdivision has passed or if the period has been extended under Section 174(2), 40 years since date of registration.
8. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Profession Act 2006*, a person holding office under the *Supreme Court Act 1979*, the *Justices of the Peace Act 1991*, the *Local Court Act 2015* or the *Registration Act 1927*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act 1979*, a Notary Public and any other person approved by the Registrar-General.

A witness to an instrument executed by an individual must first:

- take reasonable steps to ensure that the individual is the person entitled to sign the instrument;
- have the individual execute the document in the presence of the witness;
- not be a party to the instrument; and
- if witnessing more than one signature, clearly state that he/she has witnessed more than one signature. (ie I have witnessed the two signatures appearing above).

After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.

For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act 2000*, Section 48.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act 2000* and the Registrar-General's Direction.

PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the *Land Title Act 2000* to collect the information on this form for the establishment and maintenance of the Land Register, which is made available for search by any person, anywhere, including through the Internet, upon payment of a fee. The information is regularly provided to other NT Government agencies, the Australian Valuation Office, local governments, the Australian Bureau of Statistics, the Australian Taxation Office or other Commonwealth Agencies as required or authorised by law, and some private sector organisations for conveyancing, local government, valuation, statistical, administrative and other purposes. The NT Government also uses the information to prepare and sell or licence property sales reports to commercial organisations concerned with the development, sale or marketing of property.

Failure to provide the information in full or in part may prevent your application or transaction being completed.

Your personal information provided on this form can be subsequently accessed by you on request. If you have any queries please contact the Deputy Registrar-General on 8999 5318.