

Land Title Act 2000  
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

<b>N</b>	<b>P</b>	<b>No:</b>
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**IMPORTANT NOTICE**  
Please Note Privacy Statement Overleaf

**APPLICATION TO NOTE NOTICE OF INTENTION TO EXERCISE POWER OF SALE IN RELATION TO DISCLAIMED PROPERTY UNDER SECTION 89A(4) OF THE LAW OF PROPERTY ACT 2000**

The applicant applies to the Registrar-General pursuant to Section 89A(4) of the *Law of Property Act 2000* to note the notice of Intention to Exercise Power of Sale in relation to Disclaimed Property as specified below and hereby lodges a copy of the said notice for registration. (NOTES 1 to 5)

MORTGAGE UNDER WHICH POWER OF SALE TO BE EXERCISED (NOTE 6)

No.
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Register	Volume	Folio	Location	Lot Description	Plan	Unit

(NOTE 7)

APPLICANT (NOTE 8)

Name: Address for the service of notices:
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<p>..... SIGNED by the Applicant on (Date) .....</p> <p>In the presence of: ..... Signature of qualified witness ..... Full name of qualified witness ..... Witness contact address/phone number</p>	(NOTE 9)
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## SCHEDULE OF NOTES

1. This form must be used for an application to Note notice under Section 89A(4) of the *Law of Property Act 2000* of Notice of Intention to Exercise Power of Sale in relation to Disclaimed Property.
2. If the disclaimer under the *Bankruptcy Act 1966* (Cth) or *Corporations Act 2001* (Cth) occurred on or after 2 January 2024, the mortgagee may exercise the mortgagee's power of sale in relation to disclaimed property (whether or not there is a vesting order) providing that the mortgagee has given notice to the registered owner and any other registered interest holders in accordance with s89A(4)(a) and the Registrar-General in accordance with s89A(4)(b) of the *Law of Property Act 2000*.
3. If the disclaimer under the *Bankruptcy Act 1966* (Cth) or *Corporations Act 2001* (Cth) occurred prior to 2 January 2024 the mortgagee is required to apply to the Supreme Court for an appropriate Vesting Order under the relevant legislation. The mortgagee must then comply with the notification requirements set out in s89A(4) of the *Law of Property Act 2000* and lodge a copy of the Vesting Order.
4. This application may be lodged as an original only and must be typed or completed in ink or biro. All signatures must be in ink or biro. Copies of supporting documents, (including notices), court orders, statutory declarations, newspaper advertisements, Gazettal Notices etc., are to be attached. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
5. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
6. Insert Registered Mortgage Number.
7. The reference numbers of all certificates of title the subject of this application must be set out.
8. Insert full name and an address for service of notices. The address can be a postal address.
9. 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 s48 of the *Law of Property Act 2000*.

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.

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## 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.