

Land Title Act 2000
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

X No:

IMPORTANT NOTICE
Please Note Privacy Statement Overleaf

NON LAPSING CAVEAT

The caveator claims the estate or interest specified in the land described on the grounds set out and forbids the registration of any dealing affecting that estate or interest to the extent of the prohibition as specified during the period in which the caveat remains in force. (NOTES 1-5)

Register	Volume	Folio	Location	Lot Description	Plan	Unit

(NOTE 6)

CAVEATOR (PERSON LODGING CAVEAT)	Name: Address for the service of Notices:	(NOTE 7)
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ESTATE OR INTEREST CLAIMED		(NOTE 8)
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GROUNDS OF CLAIM		(NOTE 9)
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REGISTERED INTERESTS AFFECTED EXTENT OF PROHIBITION	Instrument No: Absolutely	(NOTE 10)
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OWNERS	Name: Address:	(NOTE 11)
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OTHER PARTIES	Name: Address:	(NOTE 12)
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BASIS OF LODGEMENT (tick one)	BY REGISTERED OWNER <input type="checkbox"/>	WITH THE CONSENT OF THE REGISTERED OWNER <input type="checkbox"/>	COPY OF COURT ORDER DEPOSITED <input type="checkbox"/>	OTHER THAN PURSUANT TO PART 7 DIVISION 2 OF THE <i>LAND TITLES ACT.</i> <input type="checkbox"/>	(NOTE 13)
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..... SIGNED by the Caveator on (Date) In the presence of: Signature of qualified witness Full name of qualified witness Witness contact address/phone number	(NOTES 14 & 15)
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OFFICE USE ONLY

Notices sent to registered proprietors

On / / 20.....

Registered Mail No:

Notices sent to registered proprietors

On / / 20.....

Registered Mail No:

Notices sent to registered proprietors

On / / 20.....

Registered Mail No:

Notices sent to registered proprietors

On / / 20.....

Registered Mail No:

SCHEDULE OF NOTES

1. Caveats remain in effect for the periods specified in Part 7 Division 2 of the *Land Title Act 2000*. For Non Lapsing of Caveats refer Section 142 of the *Land Title Act 2000*. This form may be used only if one of the circumstances set out in section 142(1) (a) to (e) of the *Land Title Act 2000* exists.
2. A caveat prevents registration of another instrument affecting the lot over which the caveat is lodged from the date and time endorsed by the Registrar-General on the caveat as the caveat's date and time of lodgement.
3. A caveat may be lodged as an original only and must be typed or completed in ink or biro. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
4. All signatures must be in ink or biro.
5. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
6. Volume and Folio references must be given together with complete parcel description. The certificate as to title need not be produced. If the caveat affects part only of the land in a title the description should also be given. Any necessary diagram should be endorsed above or on an annexure sheet (Form 95) or a survey plan deposited with the Surveyor-General may be referred to.
7. Insert full name and an address for the service of notices. The address can be a postal address.
8. Specify the estate or interest claimed eg. "an estate in fee simple in the land", "an interest as mortgagee in the land". Where the interest claimed is the interest of only one of several registered owners this fact should be set out here. The interest must be an interest in the land.
9. Specify the grounds on which the interest is claimed.
eg. "as purchaser under a contract of sale from A.B. dated....."
"as mortgagee under an instrument of mortgage from A.B. dated....."
10. Where the caveat only affects one or some of the registered interest specify the registered interest eg lease. Caveats can be lodged so as not to absolutely prohibit dealings with the land or interest. If this is the case delete "absolutely" and specify the conditions under which registration may be effected. eg "except a mortgage to"
11. Insert Owners current address for the Service of Notices.
12. The Registrar-General must give written notice of lodgement of a caveat to each person whose interest or whose right to registration of an instrument is affected by the caveat. Insert name and address for the Service of Notices of anyone else having the right to deal with the lot affected by the caveat
13. You must tick one of these boxes. If you are unable to, the caveat subject to section 142 of the *Land Title Act 2000* is a lapsing caveat and form 79 must be used. If you are claiming that the caveat is lodged with the consent of the registered owner evidence of the written consent is required either as a separate consent (Form 93) or other evidence of that consent must be produced.
14. The caveat may be signed by the caveator or by an agent of the caveator.
15. 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.