

## TRANSFER BY MORTGAGEE UNDER POWER OF SALE

Form 018 - TMPS

Land Titles Act 1925

### IMPORTANT INFORMATION

This form is to be used to lodge a transfer by mortgagee under power of sale under the *Land Titles Act 1925* (the Act). You can access the Act at [www.legislation.act.gov.au](http://www.legislation.act.gov.au) or obtain further information and forms at [www.act.gov.au/accesscbr](http://www.act.gov.au/accesscbr).

### PRIVACY INFORMATION

The Act authorises the Registrar-General to collect the personal information required by this form for the purposes of issuing a registration under the Act. The Registrar-General prevents any unreasonable intrusion into a person's privacy in accordance with the *Information Privacy Act 2014*. The Registrar-General provides identifiable information to law enforcement and other Directorates that have legal authority to request information under prescribed circumstances.

These agencies may also use this information to prepare and sell property sales reports to commercial organisations concerned with the development, sale or marketing of land.

### INSTRUCTIONS FOR COMPLETION

- This is a dutiable document and should be noted by ACT Revenue prior to lodgement at Land Titles.
- The Buyer Verification Declaration must be completed prior to lodgement of this form. The submission date and reference number must be recorded on this form.
- Consideration must reflect the total value of the property, not the value of the interest transferred and any GST payable.
- The certificate of title or production of title consenting to the registration of this document is required for lodgement.
- All information should be typed or clearly printed. If completing this form by hand please use a solid black pen only.
- The first named buyer on this form will be the primary contact for ACT Revenue Office purposes.
- This office will not accept lodgement of this form if it is not completed in full.
- Any alteration to information provided on this form must be struck through with a black pen. Substitute information must be clear and all parties must sign in the margin. Do not use correction fluid or tape.
- Ensure all required documents are attached. If there is insufficient space in any panel, please use an Annexure Sheet.
- Execution by:
  - a) **A Natural Person** – Should be witnessed by an adult person who is not a party to the document.
  - b) **Attorney** – if this document is executed by an Attorney pursuant to a registered power of attorney, it must set out the full name of the attorney and the form of execution must indicate the source of his/her authority e.g. "AB by his/her attorney XY pursuant to Power of Attorney ACT Registration No..... of which he/she has no notice of revocation". (This execution requires a witness).
  - c) **Corporation** – Section 127 of the *Corporations Act* provides that a company may now validly execute a document with or without using a Common Seal if the document is signed by:
    - i. Two directors of the company;
    - ii. A director and a secretary of the company; or
    - iii. Where the company is a proprietary company and has a sole director who is also the sole company secretary, that director. (This execution does not require a witness).

### LODGEMENT AND CONTACT INFORMATION

**Website:**

[accesscanberra@act.gov.au](mailto:accesscanberra@act.gov.au)

**General Enquiries:**

(02) 6207 3000

**In Person:**

Environment, Planning and Land Shopfront

Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson

Opening hours - Monday to Friday 8:30am to 4:30pm (*excluding public holidays*)



ACT Revenue Notation

LAND TITLES  
ACCESS CANBERRA  
Chief Minister, Treasury and  
Economic Development Directorate

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LODGING PARTY DETAILS				
Name	Email Address		Contact Telephone Number	

  

TITLE AND LAND DETAILS				
Volume & Folio	District/Division	Section	Block	Unit

  

REGISTERED MORTGAGE NUMBER (Associated Dealing Number)	

  

MORTGAGEE - SELLER (Surname Last) (ACN required for all companies)	ESTATE OR INTEREST TRANSFERRED (whole or state share)

  

REPRESENTING SOLICITOR DETAILS (Complete if applicable – otherwise state below “Not Applicable”)		
Name of Firm	Solicitor Email Address	Solicitor Name

  

THE BUYER VERIFICATION STATEMENT HAS BEEN SUBMITTED (must be completed prior to lodgement of this document)	
<input type="checkbox"/> Yes – (provide date and reference number, if there are multiple submissions provide details for all) Submission Date: _____ Reference Code: _____	

  

TRANSFEREE/S - BUYER (Surname Last) (ACN required for all companies)	FULL POSTAL ADDRESS including postcode (after Transfer)

<b>FORM OF TENANCY</b>	
<input type="checkbox"/> Joint Tenants <input type="checkbox"/> Tenants in Common in Equal Shares <input type="checkbox"/> Tenants in Common in the following shares - (Please state proprietors name and shares out in full) -	
<b>ARE YOU APPLYING FOR CONCESSION?</b>	<b>PLEASE INDICATE IF THIS TRANSACTION INVOLVES ONE OR BOTH OF THE FOLLOWING:</b>
<input type="checkbox"/> Yes (if yes provide code number) Code Number: <input type="checkbox"/> No	<input type="checkbox"/> A Land Rent lease <input type="checkbox"/> An Application for a Duty Deferral
<b>CONSIDERATION</b> (Whole dollar amounts only) (Please state monetary value or reason for transfer – must not state “nil”)	<b>RESTRICTIVE COVENANTS</b> (Complete if applicable – otherwise state below “Not Applicable”)
<b>NON-MONETARY CONSIDERATION</b>	<b>GST PAYABLE</b>
<b>DEVELOPMENT STATUS</b> (Tick the appropriate box)	
<input type="checkbox"/> Land Only <b>or</b> <input type="checkbox"/> Incomplete Building <b>or</b> <input type="checkbox"/> Building Completed	
<b>LAND USE</b> (Tick the appropriate box)	
<input type="checkbox"/> Residential <b>or</b> <input type="checkbox"/> Commercial <b>or</b> <input type="checkbox"/> Rural	
<b>AGREEMENT / CONTRACT FOR SALE DATE</b>	<b>SETTLEMENT DATE</b> (the date the buyer becomes liable for rates)
<b>COMMUNITY TITLE</b> (if Transfer relates to a Community Title Scheme the following should be attached)	
<input type="checkbox"/> Statutory Declaration <b>AND</b> <input type="checkbox"/> Certified Copy of Undertaking submitted to ACTPLA	
<b>ACTPLA – MINISTER’S / DELEGATE’S CONSENT</b>	

<b>MORTGAGEE – SELLER’S EXECUTION</b>	
Print full name of Mortgagee	Print full name and address of witness
Signature or common seal of Mortgagee	Signature of witness
Dated -	Dated -

<b>TRANSFeree/S – BUYER’S EXECUTION</b> (if Solicitor for Transferee executes – must state full name of Solicitor)	
Print full name of Transferee	Print full name and address of witness
Signature or common seal of applicant	Signature of witness
Dated -	Dated -

<b>OFFICE USE ONLY</b>			
Lodged by		Certificate of title lodged	
Data entered by		Certificates attached to title	
Registered by		Attachments / Annexures	
Registration date		Production number	