

## Information Bulletin No 29

March 2002

### Real Property Act Approved Forms

#### Approved Forms

Real Property Act (RPA) Approved forms are approved by the Registrar General under the authority of the Real Property Act 1900 (the Act) for use in the registration of dealings or caveats affecting land. Generally, a dealing or caveat must be in the approved form to be registrable [see section 36(6)(b) of the Act].

To facilitate the use of approved forms, section 104 of the Act requires the Registrar General to ensure that approved forms are available at little or no cost.

Each dealing form has a set of instructions for completion or in the case of electronic forms a "context-sensitive help" component. The instruction number is the same as that of the form, followed by a dash and the number two (eg for a Transfer (form 01T) the instructions for completion are numbered 01T-2).

Where no approved form exists for a specific purpose, a request form (11R) or other suitably modified form may be used. For example, a Transfer by the Sheriff of New South Wales could use the standard Transfer (01T) form suitably modified.

If a specific form does exist and another form is altered or used to cater for this purpose, then a sealing or licensing fee is payable – see Schedule 5 (Fees) of the Real Property Regulation, Licensing of Forms, Item 19.

Any form presented, which is not approved i.e. not licensed, not sealed or not an e-RPform will attract a sealing or licensing fee.

#### Authentication of Approved Forms

Section 104 (3) of the Act requires that approved forms must be sealed with the seal of the Registrar General or authenticated in such other manner as the Registrar General approves.

A licence number has replaced the Registrar General's seal to indicate that the dealing is in the approved form. The licence number appears in the top left-hand corner of the form, below the form number.

#### Changes to Approved Forms from 1 November 2001

Amendments are to be made to **all** approved forms as a result of legislative and administrative changes. These were 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 were also necessary as a result of the creation of Land and Property Information NSW (LPI).

The amendments will be progressively introduced into approved forms.

Should you have any questions concerning changes to approved forms you should contact LPI Telephone Inquiries, on 02 9228 6713.

## **Availability of Approved Forms**

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

- through e-RP forms on the LPI website [www.lpi.nsw.gov.au](http://www.lpi.nsw.gov.au)
- in paper format from LPI's Client Services Counter, located on the ground floor West wing. Bulk purchases should be made through the Supervisor Client Service Counter or orders may be placed by telephone on 02 9228 6929 or 02 9228 6950. Orders for forms will be accepted by mail (provided they are accompanied by a cheque or money order in the appropriate amount) and should be marked for the attention of the Supervisor Client Service Counter. Forms may also be ordered by telephone and paid for by American Express, Visa, Mastercard, Bankcard and Diners Club
- from various law stationers or licensed vendors of precedents.

### **e-RPforms**

LPI is progressively making all approved forms available on its web site. [e-RPforms](#) are updated as necessary providing clients with access to a current version of RPA forms at all times.

[e-RPforms](#) allow clients free access to RPA forms on the Internet. If clients have a full version of *Adobe Acrobat* they can tailor (but not alter or modify the operative parts of) each RPA form and download them to their internal system.

Clients using [e-RPforms](#) should register, using the option available in the [e-RPforms](#) section of the LPI website, for notification when new forms are added to the site or when a form is altered.

Further information can be found on the LPI web site at [www.lpi.nsw.gov.au](http://www.lpi.nsw.gov.au).

## **Mortgage Schedule and Memorandum Q860000**

Copies of the mortgage schedule and provisions contained in Mortgage Memorandum Q860000 are available free of charge from the cashiers.

### **Form Numbers**

The form number is shown in the top left-hand corner of the dealing form. It should be quoted when ordering forms.

The current method of form numbering, introduced in October 1993, groups forms of a similar type: for example, all transfers are 01, all mortgage related forms are 05.

Thus the number for Transfer of Lease, Mortgage or Charge is 01TL, indicating

01 - category is transfer

TL - identification code for Transfer of Lease, Mortgage or Charge.

Forms bearing the former RP number, for example a Transfer of Lease, Mortgage or Charge showing RP4, will not be refused lodgment on that account.

### **Standards for Preparation of Documents**

Information Bulletin No 19 sets out guidelines for preparation of documents to be lodged at LPI.

**Inquiries relating to dealings may be made in person at the Client Service Counter, ground floor, Land and Property Information, 1 Prince Albert Road, Queens Square, Sydney or by telephone on 9228 6713 or fax 9223 9464.**



Des Mooney  
**General Manager**

### **Document Registration Services**

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**[www.lpi.nsw.gov.au](http://www.lpi.nsw.gov.au)**