

# Information Bulletin No 39

February 2003

## Guidelines for Completion of the Notice of Sale or Transfer of Land form

A Notice of Sale or Transfer of Land form must be lodged with every document that changes ownership of land or records a change of name. This requirement also extends to documents which change tenancy only, eg joint tenants to tenants in common, and to those which transfer leasehold estate for land owned by the State of New South Wales. Notices of Sale are not required for transfers of interests in timeshare holdings, transfers of minerals or coal, or transfers affecting an estate in remainder.

When the following dealings are lodged they must be accompanied by a Notice of Sale:

- **Application (11R)**  
*Complete Panels 1, 2, 3B, 5*
- **Bankruptcy Application (11R)**  
*Complete Panels 1, 2, 3B, 5*
- **Change of Name (10C)**  
*Complete Panels 1, 5*
- **Foreclosure (11R)**  
*Complete Panels 1, 2, 3B, 5*
- **Foreclosure under Order of the Court (11R)**  
*Complete Panels 1, 2, 3B, 5*
- **Instrument of Conversion (11R)**  
*Complete Panels 1, 2, 3B, 5*
- **Notice of Conversion (11R)**  
*Complete Panels 1, 2, 3B, 5*
- **Possessory Application (04YA)**  
*Complete Panels 1, 2, 3B, 5*
- **Request (11R)**  
*Complete Panels 1, 2, 3B, 5*
- **Recision of Resumption (11R)**  
*Complete Panels 1, 2, 3B, 5*
- **Resumption (11R)**  
*Complete Panels 1, 2, 3, 5*
- **Transfers (01T, 01TE, 01TP, 01T)**  
if the property was acquired for a sum of money  
*Complete Panels 1, 2, 3A,4, 5*  
if the property was not acquired for a sum of money  
*Complete Panels 1, 2, 3B, 5*
- **Transfer by Way of Discharge of Mortgage (01T) (suitably modified)**  
*Complete Panels 1, 2, 3B, 5*
- **Transfer of Lease or any other dealing changing ownership of a Crown land term lease – ie. a Special Lease or Western Lands Lease:**  
if the property was acquired for a sum of money  
*Complete Panels 1, 2, 3A,4, 5*  
if the property was not acquired for a sum of money  
*Complete Panels 1, 2, 3B, 5*

- **Notice of Death (02ND)**  
*Complete Panels 1, 2, 3B, 5*
- **Transmission Application (03TA)**  
*Complete Panels 1, 2, 3B, 5*

The following deeds must be accompanied by a Notice of Sale:

- Acknowledgment;
- Conveyance; or
- Any deed where a change of land ownership is effected such as those relating to Trusts, Vesting of Land, Family Arrangements, Settlement and Declaration.

The approved form LT 10-0520 Notice of Sale or Transfer of Land **must be used**. Photocopies will not be accepted. Forms are available (in bulk) from the Supervisor Client Service Counter located on the ground floor West wing at a cost of twenty two cents each (including GST). Forms may also be purchased from Law Stationers.

Preparation of the form is the responsibility of the transferee or transferee's solicitor or agent. While it is preferred that the form is typed, handwritten forms will be accepted only if handwriting is legible and in black ink. Data must appear within the boxes on the form.

## **Completion of the form**

The following instructions represent minimum requirements for lodgment of notices of sale at LPI. Failure to meet these requirements will result in rejection at lodgment.

Transferees and agents should be aware that rating authorities may contact them directly for additional information omitted when completing the form. Transferees and agents are thus encouraged to complete the form beyond minimum requirements when additional information is available and appropriate.

### **Section 1. Property Address**

This section must be **fully** completed. Provide the full location address of the property being sold or transferred. If the transferred property has no postal address, locality and postcode must be supplied. PO boxes and DX addresses must not be used in this section. If the notice advises transfer of more than one property at different addresses, supply address for one of the properties only.

**Note:** if notices are to be sent to different addresses or the properties are located in different local government areas, separate forms should be used for each property as required.

### **Section 2. Name and Address for Service of Notices**

This section must be **fully** completed unless the dealing is a Change of Name, in which case it may be omitted. Enter the name of one person or organisation to whom notices are to be addressed. **This person or organisation need not be the owner.** Indicate whether the nominated person or organisation is the owner of the property or an agent for the owner by typing **X** in the appropriate box.

If the mailing address is the same as the property address, type **X** in the box provided and go to Section 3.

If the mailing address is different, enter the required information before going on to Section 3.

**Please Note:**

**This information will be used by relevant government authorities to forward rating and other notices to the owner or an agent nominated by the owner. Information supplied need not indicate ownership, as full names of all new registered proprietors are provided to authorities from information recorded on the dealing or instrument lodged with this notice.**

**Section 3. Transaction Details**

**Part A** This section must be **fully** completed if the property **was** acquired for a sum of money, otherwise complete Part B.

Purchase price means dollar amount for the purchase price of the total property in a single contract. Use whole numbers only to show purchase price. Do not insert commas or spaces, e.g. where purchase price is \$345,678.00 show 345678.

Enter contract and settlement dates in accordance with the example on the face of the form.

Answer questions in this section by typing **X** in the appropriate boxes.

**Part B** Complete this section only if the property **was not** acquired for a sum of money.

Date of acquisition must be provided as follows:

Survivorship: date of death of joint tenant.

Will or Intestacy: date of grant of probate or letters of administration.

Court Order: date of order if a vesting order was made, otherwise date of transfer executed pursuant to the order.

Other reason: date of execution of dealing or instrument if no other date is applicable.

Type **X** in one box only to show how the property was acquired.

**Section 4. Property details**

This section must be **fully** completed.

If the property is rateable under the Rural Lands Protection Act 1989, **area of the property must be shown in all cases.** Area of the property **must** be shown in metric units. If more than one property is included in the transaction, show total area of **all** properties. If the property transferred is a strata unit, show area of the strata lot.

Answer questions in this section by typing **X** in the appropriate boxes. Specify the nature of the property if it is not vacant land or a residence. Indicate transfer of a share in the property in accordance with the example on the face

of the form. **Leave blank if the whole interest in the property is transferred.**

### **Section 5. Name and Address of Transferee's Solicitor/Conveyancer**

This section must be **fully** completed as it may be necessary for government authorities to contact the transferees or their Solicitor/Conveyancer to clarify any information contained in this form. Transferees acting on their own behalf must supply their own name, address and telephone number. Otherwise, details of the solicitor/conveyancer engaged to act for the transferees must be supplied.

Details of lodging party **are not** to be provided in this section unless the lodging party is also the primary agent acting on behalf of the transferees.

### **General Information**

This form must be completed and lodged at Land and Property Information (LPI) New South Wales, Queens Square, Sydney with each Torrens title dealing or Old System instrument which affects ownership details. Provisions of the following legislation will be satisfied by lodgment of this form with documents for registration at LPI within one month of a notifiable event:

Local Government Act 1993 (Sec.604)

Valuation of Land Act 1916 (Sec. 71)

Clause 54 of Water Supply Authorities (Finance) Regulation 1996

Rural Lands Protection Act 1989 (Sec 65) or on commencement the Rural Lands Protection Act, 1998 (Sec. 81)

### **There are penalties for wilfully providing incorrect information.**

The nominated name and address for service of notices will be used by Local Government Councils, Water Boards, County Councils involved in provision of water supply, Rural Lands Protection Boards, the Department of Land and Water Conservation and the Office of State Revenue to issue rates, notices and property valuation to property owners. The information contained in this form may be used by other government organisations in the course of their usual business.

This form **may not** be used to notify government authorities of:

- transfers of Crown holdings under the Crown Lands Act 1989 (e.g. Permissive Occupancies, Road Enclosures) or of any other rateable lands which are not registered at LPI.
- Occupation (as distinct from ownership) of land rateable by a Rural Lands Protection Board.

In such circumstances details must be advised in writing directly to appropriate government authorities, in the prescribed form.

### **Amendment Procedures**

If, subsequent to the lodgment and registration of the accompanying document, it is discovered that an error has been made in completing the notice of sale form, transferees or their agents may either advise rating authorities directly or notify LPI.

It is preferred to advise rating authorities directly by providing them with full details of the required amendment and sufficient information to identify the property. Please note that use of the Notice of Sale or Transfer of Land form, LT 10-0520, is not appropriate for this purpose.

To notify LPI, a freshly completed notice of sale form, together with a covering letter giving reference(s) to title and dealing or deed number under which the original notice was processed should be forwarded to:

The Manager, On-Line Property Information  
Land and Property Information New South Wales  
1 Prince Albert Road  
Queens Square  
SYDNEY NSW 2000

or

GPO Box 15  
SYDNEY NSW 2001

### **Departmental Dealing Changes to the First Schedule**

No Notice of Sale form is required where incorrect ownership details are amended in the First Schedule by an LPI departmental dealing. All rating authorities are automatically advised by LPI of the amended details.

Des Mooney  
**General Manager**

**Land and Property Information New South Wales**  
**1 Prince Albert Road, Queens Square**  
**Sydney NSW 2000 Australia**  
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**[www.lpi.nsw.gov.au](http://www.lpi.nsw.gov.au)**