

CAVEAT

affecting a Primary Application
New South Wales
Section 74B Real Property Act 1900

Form: 00PAX
Release: 2.4
www.lands.nsw.gov.au

Office of State Revenue use only

When completed, this form must be lodged at the Plan Lodgment counter, Department of Lands, Land and Property Information Division.
PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) LODGED BY

Document Collection Box	Name, Address or DX, Telephone, and LLPN if any	Reference (optional)
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(B) PRIMARY APPLICATION

Number	Applicant
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(C) LAND AFFECTED BY CAVEAT

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(D) CAVEATOR

Full name and address	Postcode
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(E) NAME AND ADDRESS IN NEW SOUTH WALES FOR SERVICE OF NOTICES ON THE CAVEATOR

Postcode	Document Exchange Box in NSW (additional)
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The caveator claims to be entitled to the estate or interest in the above land as specified in the following schedule by virtue of the set out in that schedule, and prohibits the Registrar General from bringing the above land under the provisions of the Real Property Act 1900 pursuant to the above primary application.

(F) SCHEDULE estate or interest claimed

by virtue of the

- (G) STATUTORY DECLARATION *** I, _____ solemnly and sincerely declare that—
1. To the best of my knowledge, information and belief the caveator has a good and valid claim to the estate or interest set out in the Schedule;
 2. This caveat does not require the leave of the Supreme Court or the endorsed consent of the primary applicant; and

I certify this caveat to be correct for the purposes of the Real Property Act 1900. Made and subscribed at _____ in the _____ on _____ in the presence of—

Signature of witness:

Signature of declarant:

Name of witness:

Address of Witness:

Capacity of the declarant if other than the caveator:

Qualification of witness:

* As the Department of Lands may not be able to provide the services of a justice of the peace or other qualified witness, the statutory declaration should be signed and witnessed prior to lodgment of the form at Land and Property Information Division.

WARNING: care should be exercised in completing a caveat form. An insupportable caveat may be challenged in the Supreme Court; damages may be awarded for lodging a caveat without justification; and penalties could be imposed for a breach of the Oaths Act 1900 and section 117 of the Real Property Act 1900. Furthermore failure to observe the requirements of section 74B of the Real Property Act 1900 and regulation 7 of the current Real Property Regulation may make the caveat invalid. See also section 74C of the Real Property Act 1900 which limits the life of this type of caveat.

ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

Lodged on [office use only]:

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