

## **Application for Certificate by the Minister administering the Crown Lands Acts and Removal of Restrictions form 13KR: Instructions for Completion**

1. The form is to be used to apply for the removal of restrictions under sections 75C(1), 129B(1)(k)(i), 272(8), 274A(1 or 274B(4) of the Crown Lands Consolidation Act 1913, section 21B(4) of the Closer Settlement (Amendment) Act 1909, section 4A(4) of the Closer Settlement (Amendment) Act 1914, Clauses 8(2) and 10 of Part 1 of Schedule 3 or Clause 6 of Part 2 of Schedule 3 to the Crown Lands (Continued Tenures) Act 1989, and section 18G of the Western Lands Act 1901. This form is also to be used to remove restrictions on transfer imposed by 145A of the Crown Lands Consolidation Act 1911 in respect of land in an Irrigation Area.
2. Complete the form in dense black or dark blue ink. If handwriting, use block capitals only.
3. Do not use an eraser or correction fluid to make alterations: rule through rejected material and initial the left-hand margin.
4. If the space provided at any point is insufficient, insert “See Annexure” at that point and include the required material on sheets of white A4 paper at least 80gsm (ordinary copier paper satisfies these requirements) using one side only. Insert a heading beginning “Annexure to ...” and specifying the type of form, the date and the parties to the transaction. Identify the material included, where possible by referring to the relevant marginal heading on the form. In the case of signatures which could not be fitted in the space provided, reproduce the text and layout used on the form. Number all pages in sequence with the form using the format “Page ... of ...”, the number to be placed at the foot of the form in the centre. The first and last pages must be signed by the parties and any witness. Securely attach the additional pages to the upper left-hand corner of the form: a Nalclip is preferred; stapling should be avoided.
5. Complete sections (A) and (C) and insert the total number of pages, including any additional pages (see above), in the space provided at the foot of the form, then lodge the form at the relevant district office of the Department of Conservation and Land Management. When the Minister’s Certificate has been signed the form will be returned. Lodge the completed form at the Department of Lands, Land and Property Information Division, Queens Square, 1 Prince Albert Road, Sydney (adjacent to Hyde Park Barracks). Lodgment of the relevant certificate of title is optional.
6. The following instructions relate to the marginal letters on the form.

### **(A) FOLIO OF THE REGISTER**

*Folio Identifier* Insert the number only.

*Holding Reference and Description of Land* Insert the Land District (if applicable), class and number of the holding.

*Area* Insert the area of the land in the folio of the Register to be derestricted.

### **(B) LODGED BY**

This section must be completed by the person or firm lodging the form at LPI (“the lodging party”). If the lodging party does not have a LPI document collection box, leave the relevant panel blank. If the lodging party has a Listed Lodging Party Number (“LLPN”) insert it as the first item of the first line in the relevant panel; use the following format: “LLPN: 123456. Provision of a reference is optional.

### **(C) STATUTORY DECLARATION**

Rule through those of clauses (i) to (v) which do not apply.

Insert the full name and address of the declarant, and the place and date of the declaration. The witness must be a justice of the peace, practising solicitor, notary public, commissioner of the court for taking affidavits or a person otherwise authorised to administer an oath. If signed outside New South Wales, rule through “Oaths Act 1900” and substitute the local Act; the witness must be a person qualified by that Act to administer an Oath.

The declarant must be—

- the registered proprietor,
- the registered proprietor’s attorney,
- where the registered proprietor is a corporation, an authorised officer of the corporation, or
- a mortgagee or chargee in possession.

Insert the full name and address of the registered proprietor and in the case of a corporation the ACN or ARBN, or where the declaration is made on behalf of the registered proprietor—

- the declarant’s full name and address,
- the declarant’s capacity, and in the case of an attorney the registration number of the power of attorney (this may be inserted adjacent to the signature),
- the full name of the registered proprietor, and where the registered proprietor is a corporation the ACN or ARBN, and
- the registration number of the mortgage or charge in the case of a mortgagee or chargee in possession.

**NOTE:** As LPI 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 LPI.

### **(D) OFFICE USE ONLY/CERTIFICATE**

The remainder of the form is for the use of the Department of Lands.

*If you have any questions about this form or privacy matters, please call Department of Lands, Land and Property Information Division, Client Services on 02 9228 6713 or visit our website at [www.lands.nsw.gov.au](http://www.lands.nsw.gov.au).*