

CAVEAT affecting a Primary Application New South Wales Section 74B Real Property Act 1900	Form: 00PAX Licence: 98M111 Edition: 0902	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**

Whole of the land in the above primary application	Part of the land in the above primary application being
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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**

This must be a street address. If desired, a Document Exchange box in NSW may be provided **in addition**.

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 specified in the following schedule by virtue of the instrument / facts 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**

Nature of the estate or interest in the land		by virtue of the instrument referred to below/facts stated below—
Nature of instrument	Date of instrument	Parties to instrument
Facts referred to		

(G) **STATUTORY DECLARATION*** I solemnly and sincerely declare that—

1. To the best of my knowledge, information & belief the caveator has a good & 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.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act 1900 and I certify this caveat to be correct for the purposes of the Real Property Act 1900. Made & subscribed at in the State of 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: <input type="checkbox"/> Justice of the Peace <input type="checkbox"/> Solicitor	
<input type="checkbox"/> Other qualified witness [<i>specify</i>]	

* 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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A set of instructions for completing this form is available from the Department of Lands, Land and Property Information Division.