

**Application to Cancel Recording of a Writ form 09WW: Instructions for Completion**

1. Complete the form in dense black or dark blue ink. If handwriting, use block capitals only.
1. Do not use an eraser or correction fluid to make alterations: rule through rejected material and initial the left-hand margin.
2. 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 must be placed at the foot of each page and must be centred. 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.
3. Insert the total number of pages, including any additional pages (see above), in the space provided at the foot of the form.
4. Lodge the completed form by hand at the Department of Lands, Land and Property Information Division, Queens Square, 1 Prince Albert Road, Sydney (adjacent to Hyde Park Barracks).
5. The following instructions relate to the marginal letters on the form.

**(A) FOLIO OF THE REGISTER**

If the writ affects land, insert the number of the relevant folio of the Register; otherwise leave this panel blank. If it affects only part of the land or a share in the land in the folio of the Register, add a description of the part or share.

**(B) REGISTERED DEALING**

If the writ affects a registered lease, mortgage or charge, insert the registration number only of the lease, mortgage or charge and the relevant folio of the Register; otherwise leave this panel blank.

**(C) 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.

**(D) WRIT CANCELLED**

Insert the dealing number under which the writ was recorded in LPI.

**(E) APPLICANT**

Insert the full name. Address and occupation are not required. In the case of a corporation, include the ACN or ARBN.

**(F)** Select the appropriate item. If the applicant is not the judgment creditor, specify the applicant’s capacity in the space provided. Rule through the inapplicable items.

**(G)** Rule through “folio of the Register” or “registered dealing”, whichever does not apply.

**(H) STATUTORY DECLARATION**

The declarant must be the applicant or the applicant’s solicitor, barrister, licensed conveyancer or attorney, or an authorised officer in the case of a corporation.

**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.

**(I)** Insert the full name of the declarant. If the declarant is acting for the applicant, add “solicitor for”, “barrister for”, “licensed conveyancer for”, “authorised officer of” or “attorney (under power of attorney Book XXXX No. XXX) for” as appropriate.

**(J)** Select one item only and rule through the inapplicable items. Select—

- Item 1 where the writ has been withdrawn by the judgment creditor;
- Item 2 where 12 months has elapsed since the issue of the writ, or the time specified in any renewal or extension of the writ has elapsed from the issue of the writ;
- Item 3 where a dealing for value by the judgment debtor disposes of the estate or interest affected by the writ and has not been made subject to the writ *and* 6 months has elapsed since the registration of the application to record the writ or the currency of the writ has expired.

**(K)** In the appropriate locations insert 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.

*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).*