

# CANCELLATION OF CAUTION

Leave this space clear. Affix additional pages to the top left-hand corner.

New South Wales  
Sections 28M, 28MA & 28MC  
Real Property Act 1900

**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) FOLIO OF THE REGISTER			
(B) CAUTION No.			
(C) LODGED BY	Document Collection Box	Name, Address or DX, Telephone, and LLPN if any	CODE
		Reference (optional):	R
(D) APPLICANT			

(E) **STATUTORY DECLARATION\*** I ..... solemnly and sincerely declare that—

- [choose one of the following five statements and delete the other four]*
  - By transfer No. .... the registered proprietor acquired, for value and without fraud, the whole of the estate or interest in the land in the above folio of the Register and a period of 6 years has elapsed since—
    - the creation of the folio of the Register from an Old System deed for value *[caution will refer to section 28J(1) of the Real Property Act 1900]*;
    - the registration of an initial transfer No. .... for value *[caution will refer to s28J(1A) RP Act 1900]*;
  - A period of 12 years has elapsed since—
    - the creation of a qualified folio of the Register for the land in above folio of the Register from an Old System deed for value *[caution will refer to s28J(1) RP Act 1900]*;
    - the registration of a transfer No. .... for value *[caution will refer to s28J(1A) RP Act 1900]*.
  - A search certificate pursuant to section 197 of the Conveyancing Act 1919, No. ...., has been issued by the Registrar General regarding the land contained in above folio of the Register *[cancellation pursuant to s28MC RP Act 1900]*.
- The whole of the land in the above folio of the Register is occupied by ..... by virtue of .....
- I am not aware that any person has or claims—
  - a title by possession, or
  - a right of way or other easement, or
  - any title to or exception of any mineral, or
  - any other interest whatsoeverwhich affected the land in the above folio of the Register at the date of the creation of the qualified folio and is not recorded thereon or the subject of a caveat, except .....

(F) I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act 1900; I hereby apply for cancellation of the caution affecting the above folio of the Register; and I certify this application correct for the purposes of the Real Property Act 1900.

Made and subscribed at ..... in the State of .....

on ..... in the presence of—

Signature of witness: ..... Signature of declarant: .....

Name of witness: .....

Address of witness: .....

Qualification of witness:  Justice of the Peace  Practising Solicitor  Other *[specify]* .....

\* 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.