

Application to Record a Subsisting Interest on a Qualified Folio form 17QS: Instructions for Completion

1. Complete the form in dense black or dark blue ink. If handwriting, use block capitals only.
2. Do not use an eraser or correction fluid to make alterations: rule through rejected material and initial the left-hand margin.
3. 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.
4. Insert the total number of pages, including any additional pages (see above), in the space provided at the foot of the form.
5. 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), together with the relevant certificate of title.

The following instructions relate to the marginal letters on the form.

(A) QUALIFIED FOLIO OF THE REGISTER

Insert the number of the qualified folio of the Register for the property affected. **NOTE:** The application may be lodged prior to the creation of a qualified folio of the Register if—

- the number of the relevant action under Part IVA of the Real Property Act 1900 is recited in place of the reference to title in the “Qualified Folio of the Register” panel at marginal note (A) on the form; and
- the application has been noted as acceptable by the Assistant Manager, Document Registration Services.

(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) APPLICANT

Insert the full name. Address and occupation are not required. In the case of a corporation, include the ACN or ARBN. The applicant must be the registered proprietor of the land.

(D) PARTICULARS OF SUBSISTING INTEREST

Insert full particulars of the subsisting interest, including the registration number of the deed (the deed itself is not required).

(E) EXECUTION

The completed form must be executed by or on behalf of the applicant. Any witness must be an adult who is not a party to the transaction and knows the person executing. Where the form is executed—

By an individual on his/her own behalf The signature must be witnessed.

By an attorney The power of attorney must be registered at LPI. In addition to the attorney's signature, a statement in the following format must be added: “John Smith by his attorney Jane Smith pursuant to power of attorney Book 1234 No. 567”. The signature must be witnessed.

By a receiver or delegate Use the format given in “By an attorney” suitably modified. The signature must be witnessed.

Under authority Disclose the nature of the authority. The signature must be witnessed.

By a solicitor, licensed conveyancer or barrister on behalf of the applicant Add the signatory's full name and capacity in block capitals. It is not necessary for the signature to be witnessed.

By a corporation The form of execution must include reference to the power or authority relied on by the signatories. Where an authorised officer signs, the signature must be witnessed.

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.