Guidance Notes

Application to Note Change/Correction of Name

These Guidance Notes are of a general nature and are not intended to, and cannot, replace the advice of a Legal Practitioner or Registered Conveyancer.

Form A4 is to be used when effecting a change of name by a natural person (i.e. formal change, marriage, alteration or correction etc.), company or association. Multiple applicants must use separate forms.

Where the estate or interest being dealt with is a:

a. Freehold or Crown Leasehold estate, use a prefix of CN.
b. Subsidiary interest (e.g. a registered Lease), use a prefix of CN2.

All panels must be completed. If insufficient space, use approved annexure sheets. If more than one page is used, each must be numbered consecutively, e.g. 1-10, 2-10; 1/10, 2/10 or 1 of 10, 2 of 10.

All handwriting must be clear and legible in permanent, dense, rapid drying black or blue ink.

The Registrar-General *may refuse* to accept for registration any instrument, annexure sheet or additional or inserted sheet that does not comply with the provisions of LTO panel form standards.

LAND DESCRIPTION

If the whole of the land comprised in a CERTIFICATE OF TITLE (CT) and or CROWN LEASE (CL) indicate in the following manner:

e.g. "Whole of the land in CT Volume _____ Folio _____"
or "Whole of the land in CL Volume _____ Folio _____".

ESTATE & INTEREST

Insert "FEE SIMPLE", "CROWN LESSEE", "MORTGAGEE under Mortgage No....." or "LESSEE under Lease No..... etc." whichever the case may be.

APPLICANT

Current full name and address to be stated.

REGISTERED NAME

Insert the full name of the registered proprietor as appearing on the Certificate of Title/Crown Lease, Mortgage or Lease etc.

SPECIFY REASON FOR CHANGE/CORRECTION OF NAME

An explanation as to the reason for the change of name is required; e.g. as a consequence of “marriage",

"having reverted to maiden name", " change of name by deed poll", “error in transfer 12334455”, “incorporated name change pursuant to the *“Corporations Act 2001”* or incorporated name change pursuant to the *“Associations Incorporation Act 1985”* etc.

CERTIFICATION

Any inapplicable certification statement(s) must be deleted.

Certification statements must be made by the Certifier, being one of the following:

a. A legal practitioner
b. A registered conveyancer
c. If the applicant is not represented by a legal practitioner or registered conveyancer – the applicant (i.e. self-represented party)
d. If a party to an instrument is not represented by a legal practitioner or registered conveyancer – that party (i.e. self-represented party)

All certifications apply where the Certifier is a registered conveyancer or legal practitioner.

The first two listed certifications do not apply where the Certifier is a self-represented party. Self-represented parties are only required to make certifications relating to retaining evidence to support the registry instrument or document and ensuring the registry instrument or document is correct and compliant with relevant legislation and any prescribed requirement.

Note: - An attorney or a body corporate cannot make certification statements.

The Registrar-General's Verification of Identity and Verification of Authority requirements must always be complied with.

Penalties of up to $10,000 or 2 years imprisonment apply, where a prescribed person provides a false certification under section 273(1) of the *Real Property Act 1886*.

ANNEXURE

It will be necessary to use an annexure sheet (Form B1) if there is insufficient space in a panel for the text or to complete remaining certifications.

An annexure sheet to an instrument must:

a. be in the format of Form B1 and identified therein as an annexure to the parent instrument;
b. be referred to in the appropriate panel in the body of the instrument;
c. be affixed securely and permanently to the top left-hand corner of the instrument. The annexure and instrument must not be bound;
d. comply with the requirements in Form B1 Guidance Notes.

FORM A4 (Version 2)