

Name Search Suppression Application Pack

What is Name Search Suppression?

Name Search Suppression enables at-risk individuals to apply to the Registrar-General to have access restricted to searches of Land Services SA records using their name.

The South Australian Integrated Land Administration System (SAILIS) holds details of all Certificates of Title, Crown Leases and LTO dealings, such as transfers and leases. Land Services SA maintains this system, which includes an index of Power of Attorney dealings registered with Land Services SA.

Am I eligible for Name Search Suppression?

To be eligible for Name Search Suppression, you must be willing to declare that you believe your safety (or that of another person) may be put at risk should your address be obtained by someone conducting a search of Land Services SA records using your name. You will also be eligible if your name appears on any Land Services SA record together with that of another person who may be at risk.

Please note that applications for Name Search Suppression will only be accepted from individuals. Companies, associations and other incorporated bodies will not be eligible.

Will my details be completely hidden?

Name Search Suppression will only prevent your details from being revealed to someone searching Land Services SA records using your name. It will still be possible for them to access your information using alternative search criteria (e.g. Certificate of Title reference or LTO dealing reference).

Additionally, if someone has a compelling business need for information inaccessible via a name search, they will be able to apply to the Registrar-General for access. For an Application to Access Suppressed Details to warrant consideration, the Applicant would need to establish that they require the information for a legitimate business purpose; there are no other means of obtaining it; and no person will be placed at risk by its release. One such example might be someone acting as executor for a deceased person whose details are suppressed.

What about other government agencies?

The Registrar-General has a statutory obligation to provide property ownership advice to Local Government Authorities and rating agencies.

A small number of data extracts and reports containing owner name and address information – including details that are suppressed from the results of Land Services SA name searches - are also provided to other government agencies (e.g. RevenueSA and SA Water).

Additionally, government agencies that have a legitimate requirement for suppressed information will be able to request that the Registrar-General grant them access. These include the South Australian Police, Australian Taxation Office and any other agency that performs a law enforcement function; has a right to the information under legislation; and/or can demonstrate that they require the information in order to exercise their statutory functions.

How do I apply for Name Search Suppression?

Applications for *Name Search Suppression* are made up of two parts - an application form and a statutory declaration, both of which must be completed before your application can be submitted to Land Services SA. Copies of both the application form and statutory declaration template, together with guidance notes and examples, are included in this application pack.

Your **statutory declaration** must make it clear to the Registrar-General that you believe your safety (or that of another person) may be jeopardised by the availability of your address via a search of LSG records using your name. It must also establish that you are one and the same person referred to on the associated application form. To ensure that your *Application for Name Search Suppression* is processed in a timely manner, you must ensure that you have made an appropriate declaration and had it witnessed by an authorised functionary prior to submitting your application with Land Services SA.

The completed **application form** must contain the following:

- Your full name (including any middle names) and business hours contact details;
- Any other name(s) you may have used previously (e.g. a married or maiden name);
- Details of all property(s) you own, or have previously owned, in South Australia;
- Details of any other interest(s) you hold, or have previously held, in property in South Australia (e.g. as Lessee).
- Your current signature and the date of your application.

It is important to ensure that all relevant information is included on your application form. Failure to provide sufficient details may result in your particulars remaining accessible via a search of Land Services SA records using your name.

How much will it cost to apply for Name Search Suppression?

No fee will be payable for submitting an *Application for Name Search Suppression*.

Can I make a joint application with my partner?

No. Each individual requesting that their details be suppressed from Land Services SA name searches must submit a separate *Application for Name Search Suppression*.

It is recommended that you encourage any person(s) whose name(s) appears together with your own on a record held by Land Services SA (e.g. a Certificate of Title or LTO dealing), to apply for *Name Search Suppression*. Failure to do so may result in your address being revealed as a result of a search of the other person's name.

How do I submit my completed Application for Name Search Suppression?

Applications for Name Search Suppression can be submitted by post or in person.

To submit an application by post (reply paid):

1. You will need two envelopes, one larger than the other (e.g. "DL" & "DLX" sizes).
2. Inside the smaller of the two envelopes, place the following application documents:
 - a. Application form (completed in full and signed by the Applicant);
 - b. Statutory declaration (completed and witnessed by an authorised functionary);
3. Seal this envelope, write the words "*Attn: Suppression Officer*" on the front, and then place it inside the larger envelope.
4. Seal the larger envelope, address it to "*Land Services SA, Reply Paid 543, Adelaide SA 5001*", and place it in an Australia Post mail box for collection.

(Please note - to ensure the confidentiality of your application, you should not place your name on either of the two envelopes provided.)

To submit an application in person (by appointment):

- In order to have your *Application for Name Search Suppression* processed in person, it will be necessary for you to schedule an appointment with the Suppression Officer. Failure to do so may result in extended waiting times – especially during peak periods.
- Appointments can be scheduled during business hours by e-mailing NameSuppression@landservices.com.au, or by calling our Customer Support line on (08) 8423 5000.

How long will my details remain suppressed?

Suppression of your details from name searches of Land Services SA records will remain in place until such time as an *Application to Remove Name Search Suppression* form is submitted and accepted.

Please note however that the Registrar-General retains the right to vary or revoke suppression of any person's details should such action be warranted (e.g. if the original *Application for Name Search Suppression* was supported by a false declaration).

What if I own property interstate?

If you own property outside of South Australia, you will need to contact the land administration authority in the relevant state or territory and ask if they offer, or are considering, an equivalent service.

What if I purchase another property in the future?

You will need to submit an *Application to Amend a Suppression Record* if in the future you:

- Acquire any additional property(s) in South Australia;
- Acquire any other interest(s) in property in South Australia (e.g. as Lessee);
- Are named in a Power of Attorney dealing lodged with Land Services SA; or
- Are named as a benefitting party in any dealing lodged with Land Services SA (e.g. as Caveator or Lienor).

Where can I get further information on *Name Search Suppression*?

General information relating to Land Services SA's *Name Search Suppression* service is available at www.landservices.com.au.

If you wish to make further enquiries regarding *Name Search Suppression*, you can contact us by telephone (08 8423 5000, e-mail (NameSuppression@landservices.com.au) or postal mail (*Land Services SA, GPO Box 543, Adelaide SA 5001*). Alternatively, you can visit Land Services SA Enquiries Counter (Level 9, 101 Grenfell Street, Adelaide). All enquiries will be handled confidentially.



Land Services SA ACN 618 229 815
PHONE 1800 648 176 or 8423 5000 FAX 8423 5090 EMAIL communications@landservices.com.au
VISIT Level 9, 101 Grenfell Street, Adelaide SA 5000 POST GPO Box 543, Adelaide SA 5001
landservices.com.au

Example Of Completed Application Form

Application for Name Search Suppression

| OFFICE USE ONLY | |
|-----------------|--|
| DATE RECEIVED | |
| PROCESSED BY | |
| APPLICANT NO. | |

Please note: All Land Services SA records relating to you must be referenced in this application. Guidance notes to assist you in completing and lodging your application can be found in the Name Search Suppression Application Pack.

A)

| APPLICANT'S FULL NAME AND CONTACT DETAILS | | |
|---|----------------------------------|-------------|
| FULL NAME | <i>Jayne Grace Citizen</i> | |
| PREVIOUS NAME(S) (IF APPLICABLE) | <i>N/A</i> | |
| POSTAL ADDRESS | <i>45 Home Street</i> | |
| SUBURB | STATE | POSTCODE |
| <i>Redwood Park</i> | <i>SA</i> | <i>5097</i> |
| BUSINESS HOURS PHONE | MOBILE PHONE | |
| <i>(08) 8123 4567</i> | <i>0412 345 678</i> | |
| E-MAIL ADDRESS | <i>jayne.citizen@hotmail.com</i> | |

B)

| PROPERTY DETAILS TO BE SUPPRESSED | | |
|---|--------------------------|---|
| PROPERTY ADDRESS | CURRENT OWNERSHIP? (Y/N) | CERTIFICATE OF TITLE REFERENCE (IF KNOWN) |
| <i>45 Home Street Redwood Park 5097</i> | <i>Y</i> | <i>CT5678/90</i> |
| <i>15 Shack Road Bowhill 5238</i> | <i>Y</i> | <i>CT2345/67</i> |

C)

| LTO DEALING* DETAILS TO BE SUPPRESSED (IF KNOWN) | |
|--|--|
| DEALING TYPE | DEALING REFERENCE NUMBER / DESCRIPTION |
| <i>Transfer</i> | <i>9012345</i> |
| <i>Power of Attorney</i> | <i>12345678</i> |
| <i>Transfer</i> | <i>of CT5432/109 from Ava Person to Jayne Grace Citizen dated 8/1/13</i> |

D)

| APPLICATION / ACKNOWLEDGEMENT |
|--|
| <p>I HEREBY APPLY TO HAVE ACCESS TO MY PARTICULARS RESTRICTED ON SEARCHES OF MY NAME, RELATING TO THE LAND SERVICES SA RECORDS REFERRED TO IN THIS APPLICATION.</p> <p>IN MAKING THIS APPLICATION, I ACKNOWLEDGE THAT:</p> <ul style="list-style-type: none"> - NAME SEARCH SUPPRESSION WILL NOT PREVENT MY DETAILS FROM BEING DISCOVERED BY OTHER SEARCH METHODS (E.G. A SEARCH BY ADDRESS); AND - IT WILL BE MY RESPONSIBILITY TO NOTIFY THE REGISTRAR-GENERAL IF, AT ANY TIME IN THE FUTURE: <ul style="list-style-type: none"> - I ACQUIRE ANY ADDITIONAL PROPERTY(S) AND / OR INTEREST(S) IN LAND IN SOUTH AUSTRALIA; AND / OR - MY NAME APPEARS ON ANY DEALING(S) TO BE LODGED WITH THE SOUTH AUSTRALIAN LANDS TITLES OFFICE (INCLUDING A POWER OF ATTORNEY DEALING) <p>SIGNED <i>JG Citizen</i></p> <p>DATED <i>9 January 2018</i></p> |

Guidance Notes - Application Form

A. Applicant's full name and contact details – Insert your personal details in the spaces provided, being sure to state your full name (i.e. including any middle names) as well as any other name(s) you may have used previously (e.g. a married or maiden name). If there is a discrepancy between the details provided and those stored in Land Services SA databases, a Registrar-General's representative may contact you for clarification. It is therefore important to provide full business hours contact details.

B. Property details to be suppressed – Insert the address(es) of any properties you currently own, or have previously owned, in South Australia. The relevant Certificate of Title (or Crown Lease) reference(s) should also be provided if possible. This reference can be found on most council rates notices (in the form "CT5432/10").

C. LTO dealing details to be suppressed (if known) - You need only complete this section if you are aware that any of the following types of dealings have been lodged with Land Services SA:

- any *Real Property Act* dealing on which you have been named as a benefitting party (e.g. as Transferee, Lessee or Caveator);
- a Power of Attorney dealing on which you are named in any capacity.

If you do not know the dealing reference number, but are able to provide some information that may assist us in locating the record (e.g. "*Lease of property at 31 Wright Street Adelaide*"), you should include this in the spaces provided.

Please note that if a new dealing is to be lodged with Land Services SA at the same time as your *Application for Name Search Suppression*:

- the dealing will not yet have a reference number, therefore you should insert the dealing type together with a brief description of the transaction (e.g. "*Transfer of CT5432/109 from Ava Person to Jayne Grace Citizen, dated 8/1/13*")
- in order to ensure that suppression is applied to the new dealing(s), they must be submitted "Face-to-Face", together with your completed application.

D. Application / Acknowledgement - This section has been completed for you and requires no amendment. If your application is successful, Land Services SA will restrict access to searches of its databases, by name, relating to the records referred to in your application. By signing in the space provided, you are acknowledging that you are aware of the following:

- A successful *Application for Name Search Suppression* will not prevent your details from being revealed by other search methods (e.g. a search by Certificate of Title reference)
- It will be your responsibility to notify Land Services SA if, at any time in the future:
 - o You acquire any additional property(s) in South Australia;
 - o You acquire any other interest(s) in property in South Australia (e.g. as Lessee) and/or
 - o Your name appears on any dealing to be lodged with Land Services SA (including a Power of Attorney).

-
- It is important to ensure that all relevant information is included on your application form. Failure to provide sufficient details may result in your particulars remaining accessible via a search of Land Services SA records using your name.
 - If there is insufficient space in either section "B" or "C", an additional A4 sheet(s) may be attached to the top left hand corner of the application using a single staple. Please note that any additional page(s) must be initialled.
 - No alteration should be made by erasure or use of correction fluid. You should instead score through any error(s) with a single line, and initial the amendment(s).

Example Of Completed Statutory Declaration

Statutory Declaration

A)

I, Jayne Grace Citizen of 45 Home Street Redwood Park 5097

(Print the full name and address of the person making the declaration)

DO SOLEMNLY AND SINCERELY DECLARE THAT:

B)

I am one and the same person named in the attached Application for Name Search Suppression.

C)

I have recently escaped an emotionally abusive relationship, and fear that my safety could be jeopardised should my former partner obtain my home address via a search of Land Services SA records using my name.

D)

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1936

Declared and subscribed at *Adelaide*

This *9th* day of *January 2018*

JGCitizen

E)

(Signature of declarant)

In the presence of –

Henry G. Chapman

(Signature of authorised functionary)

Commissioner for taking affidavits in the Supreme Court of South Australia

(Capacity of authorised functionary).

Guidance Notes – Statutory Declaration

- A. State your full name and address. Your name must be consistent with that which appears on your Application for Name Search Suppression form.
- B. Please insert the following statement - "I am one and the same person named in the attached Application for Name Search Suppression".
- C. Your declaration must be sufficient to satisfy the Registrar-General that you believe your safety (or that of another person) may be jeopardised by the availability of your address via a search of Land Services SA records using your name.
- D. Insert the location and date of your declaration, and sign in the space provided using your usual signature.
- E. Authorised functionary to sign with their usual signature and provide their capacity. Authorised functionaries applicable to South Australia include:
 - Justices of the Peace (note - to find a Justice of the Peace in your local area, please visit <http://jp.agd.sa.gov.au/JPPublicWeb/>);
 - Commissioners for taking affidavits in the Supreme Court of South Australia;
 - Notaries Public.

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- A statutory declaration that is made in one of the other Australian States or Territories should, as a general rule:
 - Be made before a person authorised by the law of that State or Territory to take Statutory declarations; and
 - Include the statutory clause prescribed by the law in force in the jurisdiction in which it is made. Note- the applicable statutory clause must be substituted for the Oaths Act 1936 clause shown on the form.
 - Please note that in order to ensure the timely processing of your Application for Name Search Suppression, you must have your statutory declaration completed and witnessed prior to submitting your application to Land Services SA

Application for Name Search Suppression

| OFFICE USE ONLY | |
|-----------------|--|
| DATE RECEIVED | |
| PROCESSED BY | |
| APPLICANT NO. | |

Please note: All Land Services SA records relating to you must be referenced in this application. Guidance notes to assist you in completing and lodging your application can be found in the Name Search Suppression Application Pack.

| APPLICANT'S FULL NAME AND CONTACT DETAILS | | |
|---|--------------|----------|
| FULL NAME | | |
| PREVIOUS NAME(S) (IF APPLICABLE) | | |
| POSTAL ADDRESS | | |
| SUBURB | STATE | POSTCODE |
| BUSINESS HOURS PHONE | MOBILE PHONE | |
| E-MAIL ADDRESS | | |

| PROPERTY DETAILS TO BE SUPPRESSED | | |
|---|--------------------------|---|
| PLEASE PROVIDE DETAILS OF ALL PROPERTIES HELD IN YOUR NAME IN SOUTH AUSTRALIA (INCLUDING PREVIOUS OWNERSHIPS) | | |
| PROPERTY ADDRESS | CURRENT OWNERSHIP? (Y/N) | CERTIFICATE OF TITLE REFERENCE (IF KNOWN) |
| | | |
| | | |
| | | |
| | | |

| LTO DEALING* DETAILS TO BE SUPPRESSED (IF KNOWN) | |
|--|--|
| PLEASE PROVIDE DETAILS OF ANY DEALING(S)* ON WHICH YOU ARE NAMED THAT HAVE BEEN LODGED WITH LAND SERVICES SA | |
| (* INCLUDES POWER OF ATTORNEY AND REAL PROPERTY ACT DEALINGS) | |
| DEALING TYPE | DEALING REFERENCE NUMBER / DESCRIPTION |
| | |
| | |
| | |
| | |

APPLICATION / ACKNOWLEDGEMENT

I HEREBY APPLY TO HAVE ACCESS TO MY PARTICULARS RESTRICTED ON SEARCHES OF MY NAME, RELATING TO LAND SERVICES SA RECORDS REFERRED TO IN THIS APPLICATION.

IN MAKING THIS APPLICATION, I ACKNOWLEDGE THAT:

- NAME SEARCH SUPPRESSION WILL NOT PREVENT MY DETAILS FROM BEING DISCOVERED BY OTHER SEARCH METHODS (E.G. A SEARCH BY ADDRESS); AND
- IT WILL BE MY RESPONSIBILITY TO NOTIFY THE REGISTRAR-GENERAL IF, AT ANY TIME IN THE FUTURE:
 - I ACQUIRE ANY ADDITIONAL PROPERTY(S) AND / OR INTEREST(S) IN LAND IN SOUTH AUSTRALIA; AND / OR
 - MY NAME APPEARS ON ANY DEALING(S) TO BE LODGED WITH THE SOUTH AUSTRALIAN LANDS TITLES OFFICE (INCLUDING A POWER OF ATTORNEY DEALING)

SIGNED _____

DATED _____

COMPLETE ANONYMITY AND CONFIDENTIALITY IS NOT PROVIDED - DISCLAIMER OF LIABILITY

The suppression of an Applicant's details in the names indices of the South Australian Integrated Land Information System (SAILIS) does not ensure total confidentiality of the Applicant's name and address.

A person may obtain details of the Applicant's name and address using other methods of searching. Such methods include using a Certificate of Title reference, property address or RPA dealing reference number as the search key.

Further, it will be possible for Commonwealth, State and local government agencies, and persons authorised by the Registrar-General, to obtain the Applicant's name and address via the names indices for the purpose of performing their functions.

To the extent permitted by law, the Registrar-General, Land Services, the State of South Australia and their officers, employees and agents (together called "the SA Government") exclude all liability to the Applicant or anyone else for any loss, damage, injury or death which may be suffered in connection with:

- the SA Government's actions, errors and omissions in connection with the *Application for Name Search Suppression*; or
- a person obtaining the name and address details of the Applicant from the SA Government's records.

*** Please detach, complete and submit all three pages of application ***

**SOUTH AUSTRALIA
REAL PROPERTY ACT 1886
OATHS ACT 1936**

Statutory Declaration

I, _____
(Print the full name and address of the person making the declaration)

DO SOLEMNLY AND SINCERELY DECLARE THAT:

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1936

Declared and subscribed at _____

This _____ day of _____ 20_____

(Signature of declarant)

In the presence of:

(Signature of authorised functionary)

(Capacity of authorised functionary)