

NOTICE TO LODGING PARTIES LAND SERVICES GROUP

Department for Administrative and Information Services
101 Grenfell Street Adelaide 5000



Government
of South Australia

ABN : 71 967 041 422

No. 139

IN THIS ISSUE

1. Panel Forms
2. Execution by Corporations
3. Caveats

1. Panel Forms

The approved Lands Titles Office (LTO) panel forms, standards and relevant guidance notes are now available on the Land Services Group Internet site at: http://www.landservices.sa.gov.au/1Online_Services/LTO_Forms_Online/

In the Government Gazette dated 1 April 2004 I gave notice that panel forms must now comply with the standards and forms as set out and varied from time to time on this site. These standards and forms can also be viewed at the ground floor of the LTO. Lodging parties will be notified of any significant changes to the forms.

The published forms are essentially the same as those previously gazetted. Accordingly, no action is required as regards forms that have already been approved.

In addition, there is a new policy in relation to panel form approvals. The suppliers of forms in hard copy or digital format and clients who print their own forms will no longer require approval to do so. It is the responsibility of the supplier and/or the user of the forms to ensure compliance with the published forms and standards. Any instrument, annexure sheet or additional or inserted sheet that does not comply may not be accepted for registration.

A standard that is regularly contravened is that forms **must** be printed in black on **double-sided**, A4, white 80-gsm paper (i.e. printed on both sides of the paper). If you do not have access to a duplex printer, the manual feed option must be used to produce a double-sided copy.

2. Execution by Corporations

Notices to Lodging Parties No. 110 and 121 dealt with the execution of Real Property Act instruments by companies under the Corporations Law.

Although the *Corporations Act 2001* (the Act) has replaced the repealed Corporations Law these notices still apply. Reference to the “Articles of Association” of a company should now be read as the “Constitution” of the company.

The *Corporations Legislation Amendment Act 2003* amended section 123 of the Act in July 2003. It allows for either the company’s Australian Business Number (ABN) or the Australian Company Number (ACN) to be used in the company’s common seal. However, the ABN may only be used if the last nine digits of the company’s ABN are the same, and in the same order, as the last nine digits of its ACN.

3. Caveats

Clients are reminded that they must wait for caveats to be accepted for lodgement by the caveat examiner and, upon acceptance, the appropriate lodgement fee must be paid.

A caveat will lose its priority if:

- The caveat is removed from the LTO for correction, or
- The appropriate fee is not paid **at the time of lodgement**

In these circumstances a new date and time will be assigned to the caveat when it is resubmitted and/or the appropriate fee is paid.

It is, therefore, **strongly recommended** that the certifying party attend the LTO personally whenever the lodgement of a caveat is considered urgent.

Simon Libbis
REGISTRAR-GENERAL
7 April 2004