

Land Title Practice Manual

(Queensland)

Note for Google Chrome and Microsoft Edge Users:

The Bookmarks (displayed on the left hand side in Adobe Reader) which are used to navigate to the different parts of the Manual are not initially displayed and may not be fully functional in the default Chrome PDF viewer and default Microsoft Edge PDF viewer.

To ensure that the Bookmarks can be viewed and are fully functioning, the following options are available:

- download the PDF file and open it with Adobe Reader or another suitable PDF viewer; or
- for Google Chrome – adjust the Chrome settings to automatically open online PDF files with a default PDF viewer which displays bookmarks; or
- use Internet Explorer to access the Manual online.

Prepared by:
Registrar of Titles and Registrar of Water Allocations
Department of Resources
© State of Queensland (Department of Resources) 2009-2020

This document has been prepared with all due diligence and care, based on the best available information at the time of publication. The department holds no responsibility for any errors or omissions within this document. Any decisions made by other parties based on this document are solely the responsibility of those parties. Information contained in this document is from a number of sources and, as such, does not necessarily represent government or departmental policy.

July 2009
ISBN 9311662181312

Table of contents

Introduction to the Titles Registry.....	[0-0000]
Part 1—Transfer.....	[1-0000]
Part 2—Mortgage (National Mortgage Form)	[2-0000]
Part 3—Release of Mortgage	[3-0000]
Part 4—Request to Record Death	[4-0000]
Part 5, 5A, 6—Transmission Applications.....	[5-0000]
Part 7—Lease	[7-0000]
Part 8—Surrender of Lease	[8-0000]
Part 9— ¹ Easement	[9-0000]
Part 10— ¹ Surrender of Easement	[10-0000]
Part 11—Caveat	[11-0000]
Part 12—Request to Register Writ of Execution.....	[12-0000]
Part 13—Amendment of Lease, Easement, Mortgage, Covenant, Profit a prendre or Building Management Statement.....	[13-0000]
Part 14—General Request.....	[14-0000]
Part 15— ² Request for Amalgamation.....	[15-0000]
Part 16—Request to Register Power of Attorney or Revocation of Power of Attorney.....	[16-0000]
Part 18—General Consent.....	[18-0000]
Part 20—Schedule, Enlarged Panel, Additional Page, Declaration or Standard Terms Document	[20-0000]
Part 21— ¹ Plans and Associated Documents.....	[21-0000]
Part 23— ² Priority Notice, Extension of Priority Notice and Withdrawal of Priority Notice	[23-0000]
Part 24—Property Information (Transfer) and Property Information (Transmission Application)	[24-0000]
Part 25— ¹ Foreign Ownership Information	[25-0000]
Part 29— ¹ Profit a prendre	[29-0000]
Part 30—Mortgage Priority.....	[30-0000]
Part 31— ¹ Covenants	[31-0000]
Part 32— ¹ Building Management Statements	[32-0000]
Part 33— ¹ Release of Covenant/Profit a prendre	[33-0000]
Part 34— ¹ Extinguishment of Building Management Statements.....	[34-0000]
Part 36— ¹ Carbon Abatement Interest	[36-0000]
Part 37— ¹ Surrender of Carbon Abatement Interest	[37-0000]
Part 39— ^{1,2} High-density Development Easement	[39-0000]
Part 40— ^{1,2} Surrender of High-density Development Easement	[40-0000]
Part 45— ^{1,2} Community Title Schemes	[45-0000]
Part 49— ^{2,3} Water Allocations	[49-0000]
Part 50—Corporations and Companies	[50-0000]
Part 51—Trusts	[51-0000]
Part 52—Administrative Advices.....	[52-0000]
Part 59—Forms.....	[59-0000]
Part 60—Miscellaneous	[60-0000]
Part 61—Witnessing and Execution of Instruments or Documents	[61-0000]

Note¹—This part does not apply to water allocations.

Note²—This part does not apply to State land.

Note³—This part does not apply to freehold land.

Introduction

The Land Title Practice Manual provides information and guidance to industry practitioners conducting business with the Titles Registry (also known as the Land Registry and the Titles Office).

Section 9A of the *Land Title Act 1994* gives statutory recognition to the Land Title Practice Manual.

The manual is divided into parts, which are generally numbered according to the relevant registry form. For example, part 18 relates to *Form 18—General consent*.

However, the following parts are not numbered according to a registry form:

- Part 2 – Mortgage (National Mortgage Form);
- Part 23 – Priority Notice Form, Extension of Priority Notice Form and Withdrawal of Priority Notice Form; and
- the parts numbered 45 and onwards which deal with particular subject areas which impact on a broad range of forms and titling transactions.

Each part that deals with a registry form is divided into the following sections:

- (a) general law—relevant principles of law applicable to the titling transaction(s) contemplated by the form
- (b) practice—requirements for lodgement of the form
- (c) form—general requirements for the form and attachments, an itemised guide for completion of the form and some example(s)
- (d) case law—some relevant references
- (e) fees—references to regulated fees for lodgement of the form
- (f) cross referencing and further reading.

References to statutes, rules and regulations are Queensland-specific unless stated otherwise. Statutes and regulations are those in force at the time of the manual's publication.

The examples throughout the manual are by way of illustration only, and names are fictitious. Any similarity to the name of any person (living or dead) is purely coincidental.

The department is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. To the extent an act or decision under this document may engage human rights under the Human Rights Act, regard will be had to that Act in undertaking the act or making the decision.