Preparation checklist Form 1—Transfer

This checklist contains general information to assist practitioners complete a basic transfer. It is not intended to be a complete guide. For further information about the requirements of a Form 1 — Transfer, refer to Part 1 of the Land Title Practice Manual available at www.business.qld.gov.au/industry/titles-property-construction/titles-property/practice-manual.

Items

Item 1
☐ Is the interest being transferred shown — for example Fee Simple, State Tenure, Water Allocation, Mortgage No…, Lease No…, ½ share in fee simple?

Item 2
☐ Do the details agree with the title?

Item 3
☐ Do the transferor’s name and the title agree?
☐ Is the capacity of the transferor shown, if required — for example as trustee?

Item 4
☐ Is the consideration fully expressed?

Item 5
☐ Is the transferee’s name shown correctly?
☐ Does the transferee’s name agree with a prior priority notice and following dealings — for example the mortgagor in a mortgage?
☐ Is the tenancy (and shares if required) shown? Note: Tenants in common must show shares in fractions.

Item 6
☐ Is the form signed and dated by all parties?
☐ If executed under a power of attorney, is the attorney clause included, showing the principal’s name, the attorney’s name or the attorney’s position and the Queensland registered power of attorney number?
☐ If executed under a common seal, is it legible and capable of being copied?
☐ If a company has executed without a common seal, are the company name and ACN/ARBN shown?
☐ Are the designations of the signatories for a company shown?
☐ Is the witness qualified in accordance with Schedule 1 of the Land Title Act 1994 and their full name shown?
☐ If signed by a solicitor, is the full name legibly printed below the signature?

Form and evidence

☐ Have the correct form and version been used?
☐ Are details of duty noted?
☐ Are the lodger’s details shown?
☐ Is a certificate of title required to be deposited?
☐ Is any supporting documentation required to be deposited — for example court order, contract of sale, Minister’s approval, statutory declaration, deed of agreement, evidence of incorporation? See part [60-1030] of the Land Title Practice Manual.