



REGISTRAR-GENERAL'S NEWSLETTER

JUNE 2003

Office of the Registrar-General: Land Titles Office - Titles Production - Births, Deaths and Marriages - General Registry - Ph: 8999 7223

Northern Territory Department of Justice

IMPORTANT NOTICE

WORKMEN'S LIEN ACT

Changes in practice concerning the operation of the *Workmen's Lien Act*

Section 12 provides that a notice of lien under the *Workmen's Lien Act* (the "Act") operates as a caveat and that such a caveat is subject to section 142 of the *Land Title Act* which includes the automatic lapsing provisions.

Section 15 of the Act (which deals with the cessation of liens) operates subject to the provisions of the *Land Title Act* concerning the operation of caveats.

Section 15 provides that every lien under the Act, other than a lien referred to in section 12, upon the estate or interest of any owner or occupier, shall cease unless an action shall be brought against the owner or occupier for enforcement of the lien within 14 days from the registration thereof.

Liens lodged under section 12 of the Act therefore lapse after 3 months pursuant to Section 142 of the *Land Title Act* unless one of the mechanisms for extending the operation of the caveat is activated. Hitherto, the register has not expressly recorded these liens as lapsing. This Office will be inserting an expiry date for all liens since the introduction of the *Land Title Act* and noting future liens with the expiry date.

If you do not want the lien to lapse you must follow the guidelines as set out in Section 142 of the *Land Title Act* and lodge an appropriate form with the Registrar-General.

ALTERATIONS TO FORMS

There has been a considerable number of forms lodged at the land Titles Office which have been altered after execution and payment of stamp duty.

Just a reminder that any major alterations made on a form presented for registration must be initialled by the parties. eg both the Seller and the Buyer. The alterations would include changes to the description of the land (other than the volume and folio and obvious typographical errors) and significant changes to the parties names. Any such alterations might also be subject to the requirement to include an amendment stamp from the Commissioner of Taxes, before they will be accepted for registration.

REGISTRAR-GENERAL'S CONSULTATIVE COMMITTEE

The Consultative Committee met on the 13 May 2003.

Issues discussed were:

- Changes to Land Titles Forms.
- Qualified Witnessing - adding Notary Public and Pharmacist to the list.
- Withdrawing dealings - all parties to be notified.
- Proposed removal of diagrams from the register. The proposal is that historical diagrams to remain but after August 2003 no new diagrams will be drawn.
- Swimming Pool Legislation.

Copies of the minutes are available on request. Please contact Wendy Endenburg on (08) 8999 5318 for details.

If you wish to raise any matters with the Committee please contact this Office or your industry representative.

INFORMATION ACT

The new *Information Act* is due to commence on 1 July 2003.

As a result, privacy statements have been included on all Land Titles Office forms under the Registrar-General's Directions, and all relevant Births, Deaths and Marriages forms.

The new Land Titles forms will be available shortly via the web-page and also available on CD purchased at the Land Titles counter in Darwin and Alice Springs.

If any organisation needs an early copy of the forms to make alterations to their computer systems please contact Wendy Endenburg on 89 995318.