

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

D	B	No:
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IMPORTANT NOTICE

Please Note Privacy Statement Overleaf

DISCLAIMER IN BANKRUPTCY

The estate or interest of the owner of the lease or other interest in the land described below has been assigned under the provisions of the *Bankruptcy Act* to the Official Receiver in Bankruptcy or Trustee who has disclaimed the said lease or other interest and requests the Registrar-General to register the attached disclaimer.

(NOTES 1 - 3)

Register	Volume	Folio	Location	Lot Description	Plan	Unit

(NOTE 4)

DETAILS OF INTEREST

(NOTE 5)

OWNER

(NOTE 6)

DETAILS OF DISCLAIMER

(NOTE 7)

TRUSTEE OR OFFICIAL UNDER *BANKRUPTCY ACT*

(NOTE 8)

.....
Signed by the Applicant

on (Date)

In the presence of:

.....
Qualified Witness

.....
.....

(NOTE 9)

SCHEDULE OF NOTES

1. The Registrar-General may register a disclaimer of a lease or other interest in a lot under a law about bankruptcy only if the disclaimer, signed by the Official Trustee in Bankruptcy or registered trustee, and a request to register is lodged. Registration of such disclaimer shall operate as a surrender of such lease. If the intent is for the mortgagee to foreclose then the Notice of Foreclosure must accompany this disclaimer.
2. This form may be lodged as an original only and must be typed or completed in biro. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
4. Volume and Folio references must be given together with complete parcel description. If the certificate as to title (if issued) is readily available it must be produced.
5. Insert details of interest.
6. Insert full name of owner.
7. Insert details of disclaimer including the appointment of trustee and produce a certified copy of such assignment or appointment. A certified copy of the disclaimer as filed with the Registrar in Bankruptcy must be attached.
8. Insert name of trustee or official under *Bankruptcy Act*.
9. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Practitioners Act*, a person holding office under the *Supreme Court Act*, the *Justices Act*, the *Local Court Act* or the *Registration Act*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act*, a Notary Public and any other person approved by the Registrar-General.

A witness to an instrument executed by an individual must first:

- take reasonable steps to ensure that the individual is the person entitled to sign the instrument;
- have the individual execute the document in the presence of the witness;
- not be a party to the instrument; and
- if witnessing more than one signature, clearly state that he/she has witnessed more than one signature. (ie I have witnessed the two signatures appearing above).

After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.

For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act*, Section 48.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act* and the Registrar-General's Direction.

PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the Land Title Act to collect the information on this form for the establishment and maintenance of the Land Register, which is made available for search by any person, anywhere, including through the Internet, upon payment of a fee. The information is regularly provided to other NT Government agencies, the Australian Valuation Office, local governments, the Australian Bureau of Statistics, the Australian Taxation Office or other Commonwealth Agencies as required or authorised by law, and some private sector organisations for conveyancing, local government, valuation, statistical, administrative and other purposes. The Department of Planning and Infrastructure also uses the information to prepare and sell or licence property sales reports to commercial organisations concerned with the development, sale or marketing of property.

Failure to provide the information in full or in part may prevent your application or transaction being completed.

Your personal information provided on this form can be subsequently accessed by you on request. If you have any queries please contact the Deputy Registrar-General on 8999 5318.