

Land Title Act  
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

<b>C</b>	<b>R</b>	<b>No:</b>
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**IMPORTANT NOTICE**

Please Note Privacy Statement Overleaf

**APPLICATION TO REMOVE COVENANT**

The owner of a registered interest in the land which has been subject to a registered covenant for more than 5 years applies to the Registrar-General for the removal of the registered covenant as described below. (NOTES 1 – 3)

<b>COVENANT TO BE REMOVED</b>	Number:	Description:	(NOTE 4)
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<b>LAND BURDENED BY THE COVENANT</b>	Register	Volume	Folio	Location	Lot Description	Plan	Unit	(NOTE 5)

<b>OWNER OF THE LAND BURDENED BY THE COVENANT</b>		(NOTE 6)
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<b>LAND RECEIVING THE BENEFIT OF THE COVENANT (if applicable)</b>	Register	Volume	Folio	Location	Lot Description	Plan	Unit	(NOTE 7)

<b>OWNER OF THE LAND OR PERSON RECEIVING THE BENEFIT OF THE COVENANT</b>		(NOTE 8)
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<b>INTEREST HELD BY APPLICANT</b>		(NOTE 9)
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.....  
SIGNED by the Applicant

on (Date) .....

In the presence of:

.....  
Qualified Witness:  
.....  
.....

.....  
SIGNED by the Applicant

on (Date) .....

In the presence of:

.....  
Qualified Witness:  
.....  
.....

(NOTE 10)

## SCHEDULE OF NOTES

1. This form can be used by a person making application to remove a covenant or a covenant in gross who has a registered interest in land that has been subject to a registered covenant for more than 5 years. It can also be used to remove an encumbrance over 5 years granted to the developer.
2. For an extinguishment of an covenant in gross Form 60 or extinguishment of covenant Form 61 must be used.
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
4. A short description should be given. If the covenant was originally created by an instrument that LTO number should also be shown.
5. Volume and Folio of current title is essential together with complete parcel description. If the certificate as to title has been issued it must be produced.
6. Insert owner of the land burdened by the covenant. Address is not required.
7. Volume and Folio of current title is essential together with complete parcel description (if applicable). If the certificate as to title has been issued it must be produced.
8. Insert owner of the land receiving the benefit of the covenant or the name of the developer in the case of an encumbrance over 5 years granted to the developer.
9. State the interest held by the applicant.
10. 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.

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## 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.