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QUEENSLAND TITLES REGISTRY FORMS AND WITNESSING REQUIREMENTS



The Queensland Titles Registry has recently issued an alert to practitioners and the public in relation to the requirements for witnesses on Titles Registry forms, particularly for land transfer forms and mortgages.

Any person who is witnessing the signature of an individual on a Titles Registry form is required by law to take reasonable steps to ensure that the person signing the form is entitled to do so.

This means that if you are taking your Titles Registry forms to a Justice of the Peace, Commissioner for Declarations, Solicitor or other qualified witness, they will undertake reasonable enquires to confirm your identity and right to sign the form. You should be prepared to provide them with proof of identity documents and documents supporting your entitlement to sign.

Proof of Identity

You should provide the witness with sufficient proof of identity documents, showing both your signature and your photo. For most people, this will likely be your driver licence, passport or 18+ card.

Supporting Documentation

The purpose of the supporting documentation is to confirm for the witness, your entitlement to sign the form and should at a minimum show your name and the property details. The supporting documentation required by the witness will differ from case to case depending on the purpose of the form, for example:

If you are selling a property or refinancing, your supporting documentation may include:

- A current Council rates notice for the property;
- A recently issued current title search for the property;
- A recently issued registration confirmation statement for the property;
- A Certificate of Title for the property (if one exists).

If you are purchasing a property, or are financing the purchase of a property, your supporting documentation may include:

- A copy of the contract of sale for the property;
- The loan documentation from your lender;
- A letter from your solicitor confirming that you are entitled to sign the form.

If you require assistance with witnessing any Titles Registry forms, please do not hesitate to contact either of our Gap or Samford offices. If our firm is already handling a legal matter for you, then we provide a witnessing service free of charge.

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6/23 Glenaffric Street
The Gap QLD 4061

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Samford QLD 4520

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