

# APPLICATION TO REGISTER PROPERTY (SEIZURE AND SALE) ORDER

(INCORPORATING STATUTORY DECLARATION)

SALEABLE INTEREST	DESCRIPTION OF LAND (Note 3)	EXTENT	VOLUME	FOLIO
DESCRIPTION (Note 1)    REGISTRATION NUMBER (Note 2)				

APPLICANT (JUDGMENT CREDITOR) (Note 4)

JUDGMENT DEBTOR (Note 5)

REGISTERED PROPRIETOR OF THE SALEABLE INTEREST (Note 6)

In accordance with section 133(2) of the *Transfer of Land Act 1893*, the Applicant hereby applies to register \_\_\_\_\_ Court Order Ref No: \_\_\_\_\_ dated \_\_\_\_\_. A copy of that order certificated as a true copy by the Sheriff of a Deputy Sheriff accompanies this application. (See Instruction 2 and Note 7)

Has a Suspension Order been made? **YES / NO** (delete whichever is inapplicable). If yes, an original sealed copy is filed herewith. (See Instruction 3)

SIGNATURE OF OR ON BEHALF OF JUDGMENT CREDITOR. (Note 8)

### STATUTORY DECLARATION

I / We \_\_\_\_\_  
\_\_\_\_\_  
(Note 9) **jointly and severally sincerely declare as follows-**

- I Am / We are the JUDGMENT CREDITOR / SOLICITOR FOR THE JUDGMENT CREDITOR / \_\_\_\_\_ OF THE JUDGMENT CREDITOR / and am duly authorised to make this declaration and the above application on behalf of the Judgment Creditor (see Note 10) referred to in the attached Property (Seizure and Sale) Order.
- The judgment debtor as shown in this Property (Seizure and Sale) Order is one and the same person as the proprietor of the saleable interest referred to in the above-mentioned Certificate(s) of Title.
- The judgment to which this Property (Seizure and Sale) Order relates has not been satisfied.

**This declaration is true and I / WE know that it is an offence to make a declaration knowing that it is false in a material particular.**

**This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005* at (place) \_\_\_\_\_**

**on** \_\_\_\_\_ **day of** \_\_\_\_\_ **20** \_\_\_\_\_ **by -** \_\_\_\_\_

**Signature of declarant** (sign in the space above)

**Signature of declarant** (sign in the space above)

In the presence of -

In the presence of -

**Signature of authorised witness** (sign in the space above)

**Signature of authorised witness** (sign in the space above)

(Print the full name, address and qualification in the space above)

(Print the full name, address and qualification in the space above)

**INSTRUCTIONS**

1. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.
2. A copy of the property (seizure and sale) order certified by the Sheriff or a Deputy Sheriff must accompany this application.
3. If a suspension order has been made, an original sealed copy must also accompany this application..

**NOTES**

1. **DESCRIPTION OF SALEABLE INTEREST**  
Show Fee Simple, Leasehold, Mortgage, Charge, Lease or as the case may be.
2. **REGISTRATION NUMBER OF SALEABLE INTEREST**  
If Fee Simple, leave blank. If any other interest, enter registration number of the primary document when saleable interest was registered.
3. **DESCRIPTION OF LAND**  
Lot and Diagram/Plan/Strata/Survey-Strata Plan number or Location name and number to be stated.  
Extent - Whole, part or balance of the land comprised in the Certificate of Title to be stated.  
The Volume and Folio or Crown Lease number to be stated.
4. **APPLICANT**  
State the full name of the judgment creditor as shown on the property (seizure and sale) order and the address to which future Notices can be sent.
5. **JUDGMENT DEBTOR**  
State full name of the judgment debtor as shown on the property (seizure and sale) order.
6. **REGISTERED PROPRIETOR OF THE SALEABLE INTEREST**  
State full name and address of the judgment debtor as shown on the certificate of title.
7. **DETAILS OF PROPERTY(SEIZURE & SALE) ORDER**  
Show the jurisdiction of the court, reference number and date of the order.  
**Note:** The jurisdiction will be Supreme, District or Magistrates Court as shown on the Order.
8. **SIGNATURE OF OR ON BEHALF OF JUDGMENT CREDITOR ON THE APPLICATION**  
To be signed in the appropriate places(s) by the persons(s) completing the application and the statutory declaration.
9. **DEPONENT(S)**  
Full name, place of abode and occupation to be stated.  
If there is only one deponent delete "we" and "we are" and the reference to "jointly and severally" from the statutory declaration.  
If there are two or more deponents, delete "I" and "I am" from the statutory declaration.  
If there are more than two deponents an Additional Sheet (Form B1) should be used with appropriate headings.
10. The statement as to the authorisation is only to be deleted when the judgment creditor is the deponent(s). If a person other than the judgment creditor or solicitor for the judgment creditor is the deponent and signing the application, then insert the capacity of the person making the declaration, eg director, secretary, employee (named position), attorney or person empowered by legislation to sign on behalf of the judgment creditor. Otherwise delete as appropriate.
11. **EXECUTION OF STATUTORY DECLARATION**  
The declarant's signature is required to be witnessed by a person capable of taking declarations, eg Solicitor, School Teacher, Medical Practitioner, Justice of the Peace, Police Officer, Bank Manager, Pharmaceutical Chemist, State or Commonwealth Public Servant. The authorised witness should state their address and qualification.



**APPLICATION**

LODGED BY

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

ISSUING BOX No.

PREPARED BY

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS, ETC LODGED HEREWITH

1. _____	Received Items No.s
2. _____	
3. _____	
4. _____	Receiving Clerk
5. _____	
6. _____	

Registered pursuant to the provisions of the *TRANSFER OF LAND ACT 1893* as amended on the day and time shown above and particulars entered in the Register.

EXAMINED