

NOTICE TO LODGING PARTIES LAND SERVICES GROUP

Department for Administrative and Information Services
101 Grenfell Street Adelaide 5000



No. 126

APPLICATION FOR DEPOSIT OF PLAN OF DIVISION

This Notice clarifies the correct usage of panel forms that are used for the deposit of a plan of division. Copies of the forms have been included as an annexure to the Notice. Reference to the copies will assist you in understanding the following notes.

The forms that are discussed are:

- form RTC;
- form RTU; and
- form 2.

The situations in which forms RTU and RTC should be used are explained in Notice to Lodging Parties No. 119.

Form RTC

A new form RTC was introduced on 4 January 2000. It consists of a bifold and two separate pages. The separate pages contain panels that are headed:

- "Details of Transaction(s)" and "Schedule of Easements created by Deposit of the Accompanying Plan of Division"; and
- "Statement of Effect on Estates or Interests of Consenting Parties" and "Certificate of Consent for the Deposit of a Plan of Division".

If these pages are not required for a particular application, do not attach them to the body of form RTC.

Form 2 - Additional Consents for Form RTC

If there is insufficient space for all consenting parties to be included on form RTC, the additional consents must be prepared on:

- form 2. This is a new form that was introduced on 4 January 2000 and has been approved specifically for additional consents; or

- a spare "Statement of Effect on Estates or Interests of Consenting Parties/Certificate of Consent for the Deposit of a Plan of Division" page from another RTC form.¹

Form 2 - Additional Consents for Form RTU

A separate "Annexure to RTU" form had previously been approved for the consent of parties to a form RTU. Please note that from 1 September 2000, consents to a form RTU must be prepared on:

- form 2; or
- a spare "Statement of Effect on Estates or Interests of Consenting Parties/Certificate of Consent for the Deposit of a Plan of Division" page from an RTC form.²

An RTU form that contains consents on the old form "Annexure to RTU" will **not be accepted** after 1 September 2000 unless the consents were obtained prior to that date.

Amendments to Form 2 when used with an RTU

When form 2 is used with an RTU:

- form RTU must be amended by deleting the word "Annexure(s)" from the panel at the foot of page 1 of the form and inserting "Pages 2 and 3" (etc); and
- form 2 must be amended by deleting the "Certification under Section 79(6) of the Stamp Duties Act 1923" panel.

The same procedure applies when the consents to an RTU are prepared on a "Statement of Effect on Estates or Interests of Consenting Parties/Certificate of Consent for the Deposit of a Plan of Division" page from an RTC form.

Completion of Form 2 when used with an RTU

When completing a form 2 in conjunction with an RTU form, the following additional points should be observed:

- insert the instrument type and number (eg "M 9000000") in the "Estate/Interest Affected" panel;
- in most cases, the word "Nil" should be inserted in the "Effect on Estate or Interest Held or Claimed" panel. The main exception to this principle arises

¹ Alternatively, clients with forms on disk can simply print off an additional "Statement of Effect on Estates or Interests of Consenting Parties/Certificate of Consent for the Deposit of a Plan of Division" page from form RTC.

² Clients with forms on disk can print off a "Statement of Effect on Estates or Interests of Consenting Parties/Certificate of Consent for the Deposit of a Plan of Division" page from form RTC. This page could be used for the additional consents to an RTU form.

when an easement is being extinguished as a consequence of land vesting as a public road or reserve (see section 223/b(2) of the Real Property Act 1886); and

- insert "Not applicable" in the "Consideration/Value" panel.

Again, the same procedure applies when the consents to an RTU are prepared on a "Statement of Effect on Estates or Interests of Consenting Parties/Certificate of Consent for the Deposit of a Plan of Division" page from an RTC form.

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14 July 2000