

These Guidance Notes are of a general nature and are not intended to, and cannot, replace the advice of a Legal Practitioner or Registered Conveyancer.

Form LN is to be used for noting a notice of a lien.

Where the estate or interest being dealt with is a:

- a. Freehold or Crown Leasehold estate, use a prefix of LN
- b. Subsidiary interest (e.g. a registered Lease), use a prefix of LN2

All handwriting must be clear and legible in permanent, dense, rapid drying black or blue ink.

All panels must be completed.

If insufficient space, use approved annexure sheets. If more than one page is used, each must be numbered consecutively, e.g. 1-10, 2-10; 1/10, 2/10 or 1 of 10, 2 of 10.

The Registrar-General *may refuse* to accept for registration any instrument, annexure sheet or additional or inserted sheet that does not comply with the provisions of LTO panel form standards.

LAND DESCRIPTION

Freehold or Crown Leasehold estates

The land over which the lien is claimed must be defined precisely. Indicate whether the whole or portion of the land comprised in the CERTIFICATE OF TITLE (CT) or CROWN LEASE (CL) is affected. If portion only then identify the relevant portion by reference to an appropriate plan.

WHOLE - e.g. "Whole of the land in CT Volume _____ Folio _____ "
or "Whole of the land in CL Volume _____ Folio _____ ".

PORTION - e.g. "Allotment 4 in DP42361 being portion of the land in CT Volume _____ Folio _____ ".

Subsidiary Interests

Describe subsidiary interest and CT or CL interests registered on e.g. "Lease 1234567 registered on CT Volume _____ Folio _____"

LIENOR

Full name, address and occupation required. In the case of a company it would be advisable to describe the nature of the business of the company, e.g. "A.B. Co. Pty. Ltd. (plumbing supplies)".

LIENEE

If there is more than one registered proprietor, ensure that you state only the name and address of the party against whom the lien is being lodged.

If the estate or interest of the lienee is not registered under the *Real Property Act 1886*, strike through the words “Registered Proprietor” from this panel.

DETAILS OF CLAIM

Amount claimed must be expressed in words and figures. The reason for the lien must be stated, e.g. Earthworks, materials supplied, landscaping, building constructions, etc.

The Court in which an action will be brought to enforce the lien must be stated.

Generally, the amount claimed will determine whether the action will be brought in the Supreme Court, District Court or Magistrates’ Court. If the action will be brought in the Magistrates’ Court, include the appropriate Registry.

CERTIFICATION

Any inapplicable certification statement(s) must be deleted.

Certification statements must be made by a prescribed person, being one of the following:

- a. A legal practitioner
- b. A registered conveyancer
- c. If the applicant is not represented by a legal practitioner or registered conveyancer – the applicant (i.e. self-represented party)
- d. If a party to an instrument is not represented by a legal practitioner or registered conveyancer – that party (i.e. self-represented party)

All certifications apply where the Prescribed Person is a registered conveyancer or legal practitioner.

The first listed certification does not apply where the Prescribed Person is a self-represented party. Self-represented parties are only required to make certifications relating to retaining evidence to support the registry instrument or document and ensuring the registry instrument or document is correct and compliant with relevant legislation and any prescribed requirement.

Note: - An attorney or a body corporate cannot make certification statements.

The Registrar-General’s [Verification of Identity](#) requirements must always be complied with.

Penalties of up to \$10,000 or 2 years imprisonment apply, where a prescribed person provides a false certification under section 273(1) of the *Real Property Act 1886*.

ANNEXURE

It will be necessary to use an annexure sheet (Form B1) if there is insufficient space in a panel for the text or to complete remaining certifications.

An annexure sheet to an instrument must:

- a. be in the format of Form B1 and identified therein as an annexure to the parent instrument;
- b. be referred to in the appropriate panel in the body of the instrument;
- c. be affixed securely and permanently to the top left-hand corner of the instrument. The annexure and instrument must not be bound;
- d. comply with the requirements in Form B1 Guidance Notes.

FORM LN (Version 1)



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