

# Notice

To Lodging Parties

29 March 2018 No 203

## National Mortgage Form Electronic Caveat Claims

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### National Mortgage Form

The National Mortgage Form (Smartform) Version is now available on our website <http://www.sa.gov.au/topics/planning-and-property/certificates-of-title/lto-forms>. The ARNECC Smartform has replaced previous versions of the National Mortgage Form and Form M1.

New Form	Dealing Name	Signed By	Replaces Forms
<a href="#">ARNECC webform.</a>	National Mortgage Form	Mortgagee Only	NMF1 & M1
<a href="#">ARNECC webform.</a>	National Mortgage Form	Mortgagee and Mortgagor	NMF1A & M1

### Electronic Caveat Claims

Lodging Caveats electronically through an Electronic Lodgement Network (such as Property Exchange Australia Ltd. (PEXA)) is a more efficient process than doing so in paper at the Lands Titles Office (LTO). Electronic lodgement enables the caveator's claim to be noted against the Register instantaneously and eliminates the time consuming personal attendance at the LTO for examination of the Caveat, and if accepted, payment of fees.

To enable more Caveats to be lodged electronically the Caveat claim options have been increased to include bankruptcy, purchaser, pursuant to will and extension of lease.

Please refer to the table annexed for all caveat claims that are currently available for lodgement through PEXA.



Jenny Cottnam  
DEPUTY-REGISTRAR-GENERAL  
Lands Titles Office

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#### Land Services

GPO Box 1354 Adelaide South Australia 5001

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[www.sa.gov.au/landservices](http://www.sa.gov.au/landservices)



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## Annexure

### Caveat claims that are currently available for lodgement through PEXA

Claim Category	Estate or Interest Claimed	Claim Statement
Charge	Interest as Chargee	An estate or interest as chargee pursuant to an agreement in writing made between the caveator and the caveatee wherein the caveatee agreed to charge his estate and interest in favour of the caveator dated
Mortgage	Interest as Mortgagee	An equitable estate or interest as mortgagee over the whole of the land described pursuant to an agreement (or mortgage) made between the caveator and the caveatee dated
Other	Freehold Estate	An estate or interest as the administrator of the protected estate of the caveatee under the provisions of Section 39(2)(v) of the Guardianship and Administration Act 1993 that the caveatee has an estate or interest as the registered proprietor in fee simple in the whole of the land described
Other	Freehold Estate	An estate or interest as Manager of the caveatee in an estate in fee simple in the whole of the land described under and by virtue of Section 28(2) of the Aged and Infirm Persons' Property Act 1940
Trust/Settlement	Freehold Estate	To be beneficially entitled to an estate or interest in fee simple (in some indefinable share or shares) in the land described having contributed to the acquisition, maintenance and improvement of the land described
Lease	Interest as Lessee	An estate or interest as lessee over the land described pursuant to a lease/agreement made between the caveator and caveatee dated
Lease extension	Interest as Lessee	An estate or interest as lessee over the land described pursuant to an extension of lease/agreement made between the caveator and caveatee dated
Bankruptcy	Interest as Trustee	An estate or interest in fee simple in the land described as trustee of the bankrupt estate of the caveatee pursuant to the Bankruptcy Act 1966

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<b>Claim Category</b>	<b>Estate or Interest Claimed</b>	<b>Claim Statement</b>
Homes for Homes	Interest as Chargee	Homes for Homes Charge granted to secure payment of a donation of 0.1% of the sale price upon each sale of the Land by the registered proprietor at the time of the sale, under a donation deed with the Caveator and Caveatee dated
Purchaser	Freehold Estate	An estate or interest in fee simple as purchaser in the land described pursuant to a contract/agreement/deed made between the caveator and caveatee dated
Pursuant to will	Freehold Estate	An estate or interest in fee simple as a beneficiary of the will of the deceased caveatee dated
Charge	Interest as Chargee	An estate or interest as first chargee pursuant to Section 22(1) of the Land Tax Act 1936 on the said land for the payment of Land Tax not paid after the date upon which the same became due and payable; and Section 18(1) of the Emergency Services Funding Act 1998 on the said land for the payment of Emergency Services levy not paid after the date upon which the same became due and payable
Charge	Interest as Chargee	An estate or interest as first chargee pursuant to Section 22(1) of the Land Tax Act 1936 on the said land for the payment of Land Tax not paid after the date upon which the same became due and payable
Charge	Interest as Chargee	An estate or interest as first chargee pursuant to Section 18(1) of the Emergency Services Funding Act 1998 on the said land for the payment of Emergency Services levy not paid after the date upon which the same became due and payable
Charge	Interest as Chargee	An estate or interest as first chargee pursuant to Section 40(3) of the First Home and Housing Construction Grants Act 2000 on the said land for the payment of the first home owner grant not repaid after the date upon which the same became due and payable

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