



REGISTRAR-GENERAL'S OFFICE 55

A DIVISION OF THE DEPARTMENT OF LANDS

COLONEL LIGHT CENTRE
25 Pirie Street,
ADELAIDE.

Postal Address:
G.P.O. Box 1354,
ADELAIDE, 5001

Telephone Enquiries

227.2844

When replying please quote

26th July, 1988

NOTICE TO LODGING PARTIES

Re: Strata Titles Act, 1988

The new Strata Titles Act will come into operation on 1 September, 1988. Regulations under this Act were gazetted on 21 July, 1988.

Applications

The Act provides (inter alia) for the Registrar-General to determine his requirements as regards various forms and applications to be used, including panel forms for the deposit of a Strata Plan and the amalgamation of strata plans. Other forms of Application to the Commission and Councils, certification by surveyors etc. are prescribed in the Regulations.

Section 7 of the Act requires applications to be made for the deposit of a strata plan to be made only by the registered proprietor(s) of the land. Consequently a panel form designed to cater for both "new" and "existing" schemes has been produced.

A separate panel form for the Amalgamation of strata plans has also been produced. The format of both were gazetted on 21 July 1988 and copies are attached hereto.

Details on their use will be released later. Both forms will be available for purchase from Government Printing Division outlets prior to the commencement of the Act.

Transitional provision

Clause 4 of Schedule 2 provides that proceedings commenced under the repealed Act may be continued and completed under that Act provided a formal application for division by strata plan has been made:

- a) to the Council or the Commission, or
- b) to the Registrar-General for the deposit of a Strata Plan,

prior to 1 September, 1988.

As from 1 September, 1988 it will be necessary (at least for the time being) for lodging parties to produce evidence of the date on which the first formal application for certificates of approval of the Council or the Commission was made. This may be given in the form of a statement attached to or endorsed on an application to the Registrar-General for the deposit of a strata plan.

e.g. "The first formal application in respect to this plan was made to (Council/Commission) on19

(Signed)

Solicitor/Licensed Land Broker"

An application commenced under the repealed Act cannot be lodged as a scheme under the new Act.

Applications lodged pursuant to the repealed Act must continue to be lodged in the forms set forth on pages 336 and 340 of Forms and Practice, Sixth Edition.

Applications lodged pursuant to the Strata Titles Act, 1988 must be lodged in the form set out in the abovementioned Gazette.

Special provisions of Importance as from 1 September, 1988

Attention is drawn to the following provisions of the Act which are of some significance.

1. Unit entitlements are to be certified correct (within a prescribed tolerance) by a licensed Valuer.
2. An ability for existing easements to remain over units and unit subsidiaries where convenient.
3. Remedies where encroachments occur over adjoining lands, whether private or public.
4. New basic definitions of unit/unit subsidiary/common property boundaries.
5. Amendment of strata plans where some physical alteration has occurred or exchange of land is contemplated.
6. Common property may be dealt with more freely e.g. by lease.
7. Provisions for dealings with unit subsidiaries are prescribed.
8. The vesting of thoroughfares (such as walkways, etc).
9. Amalgamation of adjacent strata plans to form one plan.

More precise details of the provisions of the new Act and Regulations will be released later. A new Strata Titles Guide Notes publication is currently in the course of production. Until such time, specific enquiries relating to particular proposed strata schemes may be directed to Mr. I. Hales, 227.2844.



J.G. MAHER

REGISTRAR-GENERAL

4-K0725

APPLICATION FOR THE DEPOSIT OF A STRATA PLAN
(Pursuant to the Strata Titles Act, 1988)

See Note 4

TYPE OF SCHEME
Show NEW or EXISTING Scheme
as appropriate

SCHEME

Certificate of
Title
Affected
(See Section
5(2) of the Act)

THE WHOLE OF THE LAND COMPRISED IN

Address of
Corporation
as shown on
Council Certificate
of Approval

THE POSTAL ADDRESS OF THE CORPORATION WILL BE

SCHEDULE OF UNIT ENTITLEMENTS

To which the
accompanying
Certificate of a
Licensed Valuer
relates

Unit entitlements must
be in whole numbers

UNIT NUMBER	UNIT ENTITLEMENTS
AGGREGATE UNIT ENTITLEMENTS	10 000

TO THE REGISTRAR-GENERAL.

I/WE, THE APPLICANTS, HEREBY APPLY TO YOU TO DEPOSIT THE ACCOMPANYING STRATA PLAN IN THE LAND TITLES REGISTRATION OFFICE AND TO ISSUE SEPARATE CERTIFICATES OF TITLE FOR THE UNITS DEFINED THEREON IN THE MANNER SET OUT IN THE SCHEDULE AT THE FOOT HEREOF AND A SEPARATE CERTIFICATE OF TITLE FOR THE COMMON PROPERTY IN THE NAME OF THE CORPORATION FORMED BY THAT DEPOSIT.

DATED THE

DAY OF

19

APPLICANT(S)

Application can only be made by Registered Proprietor(s) (Proof required)

FULL NAME, ADDRESS AND DESCRIPTION	EXECUTION	WITNESS

I/WE, BEING ALL THE PERSONS WHO HAVE REGISTERED ESTATES OR INTERESTS IN THE LAND, OR IN WHOM ARE VESTED THE PREDOMINANT RIGHTS TO THE EXCLUSIVE USE AND OCCUPATION OF THE UNITS DEFINED ON THE ACCOMPANYING STRATA PLAN, HEREBY CONSENT TO THE DEPOSIT OF THE SAID PLAN.

Execution of Parties other than Applicants
 e.g.
 Mortgagee,
 Encumbrance,
 Lessee,
 Easement Owner,
 Caveater Etc
 (Proof of signature is not required)

FULL NAME, ADDRESS AND DESCRIPTION OF PERSON	PARTICULARS OF ESTATE AND INTEREST	SIGNATURE/SEAL OF CONSENTING PERSONS	WITNESS

SCHEDULE OF MODE OF ISSUE

To be completed
regardless of
type of scheme

UNIT NUMBER	NAMES, ADDRESSES AND OCCUPATIONS OF THE PERSONS ENTITLED TO BE REGISTERED PROPRIETORS

SHORT FORM OF PROOF

Appeared before me at _____ the _____ day of _____ 19____, the applicant within described, the party executing the within instrument, being a person well known to me, and did freely and voluntarily sign the same.

(SIGNED).....

SHORT FORM OF PROOF

Appeared before me at _____ the _____ day of _____ 19____, the applicant within described, the party executing the within instrument, being a person well known to me, and did freely and voluntarily sign the same.

(SIGNED).....

LONG FORM OF PROOF

Appeared before me at _____ the _____ day of _____ 19____
(hereinafter referred to as "the witness"), a person known to me and of good repute, attesting witness, to this instrument and acknowledged his/her signature to the same; and did further declare that the applicant, the party executing the same, was personally known to the witness, that the signature to the said instrument is in the handwriting of the applicant, and that the applicant did freely and voluntarily sign the same in the presence of the witness and was at that time of sound mind.

(SIGNED).....

LONG FORM OF PROOF

Appeared before me at _____ the _____ day of _____ 19____
(hereinafter referred to as "the witness"), a person known to me and of good repute, attesting witness to this instrument and acknowledged his/her signature to the same; and did further declare that the applicant, the party executing the same, was personally known to the witness, that the signature to the said instrument is in the handwriting of the applicant, and that the applicant did freely and voluntarily sign the same in the presence of the witness and was at that time of sound mind.

(SIGNED).....

REGISTRAR-GENERAL'S OFFICE

SOUTH AUSTRALIA

APPLICATION FOR THE DEPOSIT OF A STRATA PLAN FORM APPROVED BY THE REGISTRAR-GENERAL

PREFIX

S	A	No.
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CERTIFIED CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT, 1886

(SIGNED)

Solicitor/Licensed Land Broker/Party Deriving Benefit

SERIES No.

TO BE COMPLETED BY AGENT

NOTES

1. The short form of proof is applicable where the witness is an authorized functionary.
2. The long form of proof to be used where the witness is not an authorized functionary. His address and occupation must be stated.
3. All panels to be completed. If insufficient space use annexure Form B1. The panel should then contain only the words "See Annexure A" (or as the case may be) enclosed.
4. An Existing scheme is one to which Clause 3 of Schedule 2 of the Act applies. All other schemes are New schemes.

	TIME	\$
FEES		
R.G.O.		
POSTAGE		
ADVERTISING		
NEW C.T. TO ISSUE		

OFFICE NOTES:

BELOW THIS LINE FOR OFFICE USE ONLY

BELOW THIS LINE FOR AGENT USE ONLY

EXAMINATION

CORRECTION		PASSED
O.D.R. No		DUMPER TO INITIAL
RETURNED	RETURNED	

Lodged By:
Address:

Correction to

TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH THIS INSTRUMENT (TO BE FILLED IN BY PERSON LODGING)

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12

Received
Items
No.

Assessor

REGISTERED ON _____ AT _____
BY ENTRY OF A MEMORIAL OF THIS INSTRUMENT IN THE REGISTER BOOK VOL. _____ FOLIO _____

REGISTRAR-GENERAL

ITEM(S) DELIVERED—POSTED

IN ACCORDANCE WITH DELIVERY INSTRUCTIONS

DELIVERY INSTRUCTIONS:

PLEASE DELIVER THE FOLLOWING ITEM(S)
TO THE UNDERMENTIONED AGENT(S)

ITEM	AGENT/RGO BOX No.	DELIVERY DATE	POSTAGE DATE	INITIALS	ITEM/CT/CL REF.	AGENT'S NAME	AGENT RGO BOX No.	POSTAL ADDRESS*
1								
2								
3								
4								
5								

*FILL OUT POSTAGE DATE ONLY IF ITEMS ARE RETURNED BY CERTIFIED MAIL

*FILL OUT POSTAL ADDRESS ONLY IF ITEMS ARE TO BE RETURNED BY CERTIFIED MAIL

AGENT'S INITIALS

APPLICATION FOR THE AMALGAMATION OF STRATA PLANS

(Pursuant to the Strata Titles Act, 1988)

APPLICANTS (STRATA CORPORATIONS AFFECTED)

Show full name and address of each Corporation

ADDRESS OF NEW CORPORATION

The address must be that of the Corporation as determined by Council.

SCHEDULE OF MODE OF AMALGAMATION

STRATA PLAN NUMBER (EXISTING)	UNIT NUMBER (EXISTING)	CURRENT CERTIFICATE OF TITLE REFERENCE	PROPOSED UNIT NUMBER IN FRESH PLAN

Proposed unit numbers must start with [UNIT]

THE APPLICANTS HEREBY APPLY FOR:

- (A) THE AMALGAMATION OF THE PLANS CONTAINED IN THE ABOVE SCHEDULE OF MODE OF AMALGAMATION
- (B) THE EXAMINATION AND DEPOSIT OF THE PLAN OF AMALGAMATION TO WHICH THIS APPLICATION RELATES
- (C) THE CONSEQUENTIAL AMENDMENT OF ALL CERTIFICATES OF TITLE FOR THE UNITS AFFECTED AND
- (D) THE ISSUE OF A NEW CERTIFICATE OF TITLE FOR THE COMMON PROPERTY FORMED BY THE AMALGAMATION

WE THE UNDERMENTIONED OFFICERS OF THE SAID CORPORATIONS BEING DULY AUTHORISED TO AFFIX THE SEAL OF THE RESPECTIVE CORPORATIONS, HEREBY CERTIFY THAT THIS APPLICATION IS MADE IN PURSUANCE OF UNANIMOUS RESOLUTIONS DULY PASSED AT PROPERLY CONVENED MEETINGS OF THE AFORESAID STRATA CORPORATIONS

DATED _____ DAY OF _____ 19 ____

EXECUTION BY APPLICANTS

Execution must be made under the Common Seal of the Corporation by order of the Managing Director, Secretary or Treasurer of each Corporation (Capacity must be stated) (See note (2))

CONSENT OF ALL PARTIES (OTHER THAN UNIT HOLDERS) HAVING A REGISTERED ESTATE OR INTEREST IN THE LAND			
FULL NAME, ADDRESS AND DESCRIPTION OF PARTIES	PARTICULARS OF ESTATE AND INTEREST AND RELEVANT UNIT NUMBER/Common PROPERTY	SIGNATURE/SEAL OF CONSENTING PARTIES	WITNESS

Execution of Parties other than Applicants (including all registered interests over Common Property) e.g. Mortgagee, Encumbrance, Lessee, Executor etc. (Proof of signatures is not required)

CONTINUED

Mortgages etc
(continued)

FULL NAME, ADDRESS AND DESCRIPTION OF PARTIES	PARTICULARS OF ESTATE AND INTEREST AND RELEVANT UNIT NUMBER/Common PROPERTY	SIGNATURE/SEAL OF CONSENTING PARTIES	WITNESS

Unit entitlements must be in whole numbers

SCHEDULE OF UNIT ENTITLEMENTS

UNIT NUMBER	UNIT ENTITLEMENT
AGGREGATE UNIT ENTITLEMENTS	10 000

- NOTE** THIS APPLICATION MUST BE ACCOMPANIED BY:—
- (a) DUPLICATE CERTIFICATES OF TITLE FOR ALL UNITS AND COMMON PROPERTIES AFFECTED
 - (b) A FRESH STRATA PLAN
 - (c) THE CERTIFICATE OF A LICENSED VALUER
 - (d) WHERE NECESSARY, NEW ARTICLES OF INCORPORATION, SEE SECTION 16(2)(c)(iii)

REGISTRAR-GENERAL'S OFFICE

SOUTH AUSTRALIA

APPLICATION FOR THE AMALGAMATION OF STRATA PLANS

FORM APPROVED BY THE REGISTRAR-GENERAL

PREFIX

A S No. _____

SERIES No.
TO BE COMPLETED BY AGENT

- Notes** (1) All panels to be completed. If insufficient space use annexure Form B1. The panel should then contain only the words "See Annexure Sheet A (or as the case may be) attached".
- (2) Where one person holds any two of the three positions of Officers of a Corporation, that person and the other Officer must sign.
Where one person holds all three positions that person must sign and state that fact e.g. "... being the sole Officer of the Corporation".

CERTIFIED CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT, 1886

(SIGNED)

Solicitor/Licensed Land Broker

	TIME
FEE'S	\$
R.G.O.	
POSTAGE	
ADVERTISING	
NEW C.T. TO ISSUE	

OFFICE NOTES:

BELOW THIS LINE FOR OFFICE USE ONLY

EXAMINATION

CORRECTION		PASSED
O.D.R. No.		EXAMINER TO INITIAL
REFERRED	RETURNED	

REGISTERED ON _____ AT _____
BY ENTRY OF A MEMORIAL OF THIS INSTRUMENT IN THE REGISTERED BOOK VOL. _____ FOLIO _____.

REGISTRAR-GENERAL

BELOW THIS LINE FOR AGENT USE ONLY

Lodged by:
Address: _____

Correction to _____

TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH THIS INSTRUMENT
(TO BE FILLED IN BY PERSON LODGING)

1	} Received Items No.
2	
3	
4	
5	
6	
7	
8	
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10	
11	
12	

} Assessor

ITEM(S) DELIVERED—POSTED
IN ACCORDANCE WITH DELIVERY INSTRUCTIONS

DELIVERY INSTRUCTIONS: PLEASE DELIVER THE FOLLOWING ITEM(S)
TO THE UNDERMENTIONED AGENT(S)

ITEM	ITEM(S) DELIVERED—POSTED				ITEM: CT/CL REF.	AGENT'S NAME	AGENT/RGO BOX No.	POSTAL ADDRESS
	AGENT/RGO BOX No.	DELIVERY DATE	POSTAGE DATE	INITIALS				
1								
2								
3								
4								
5								

*FILL OUT POSTAGE DATE ONLY IF ITEMS ARE RETURNED BY CERTIFIED MAIL

*FILL OUT POSTAL ADDRESS ONLY IF ITEMS ARE TO BE RETURNED BY CERTIFIED MAIL

AGENT'S INITIALS