

Guide to completing Form 24—Property Information (Transfer)

To be used with Titles Registry *Form 1—Transfer* only

This Guide for Completion is not part of the Form 24 and must not accompany the Form 24 and *Form 1 – Transfer* when lodged in the Titles Registry.

The information on the Form 24 is required for the Office of State Revenue and to monitor compliance with legislative requirements relating to electrical safety switches (Electrical Safety Office) and smoke alarms (Queensland Fire and Emergency Services); and to update information held on the valuation and sales database (Department of Resources) and water management systems (Department of Regional Development, Manufacturing and Water), and local authority rate records. Each agency is provided only with information relevant to their area of responsibility.

General Notes

Two versions of this form are available –

- a. The electronic version has embedded fields and may be completed in Microsoft Word or Adobe Acrobat before printing. (Word version – if an embedded field expands, enter a space in it to reduce its width.)
 - b. The printed version has visible broken lines. It must be printed and then completed by hand.
- Form 24 must accompany Titles Registry *Form 1—Transfer* of either freehold (fee simple), State lease, water allocation or lease under South Bank Corporation Act 1989.
 - The transferee is responsible for the completion of items 1 and 2.
 - The transferor is responsible for the completion of items 3 to 6.
 - For YES, NO or N/A (NOT APPLICABLE) answers, mark appropriate [] with an 'X'.
 - Insert information in the areas provided.
 - If insufficient space for any item, complete and attach a Titles Registry *Form 20—Enlarged Panel*.
 - a. In the relevant item of the Form 24, insert the words 'See Enlarged Panel' only.
 - b. A Form 20 may contain more than one item.
 - c. The Form 20 must refer to the same title reference mentioned in the Form 24, show consecutive page numbering in the top right hand corner and repeat the relevant item number and heading from the Form 24.
 - Contact details (☎) for each agency are listed at the end of this guide.

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Part A – Page 1

Title Reference - Must be completed

- Insert the title reference mentioned in the Form 1 - Transfer (if more than one, use the first title reference only).
- The title reference inserted in Part A must be the same title reference as inserted in Part B.

Item 1 - Transferee

- Items 1(a), (b) and (c) have separate rows for each transferee (max. four).
- If insufficient space complete and attach a Titles Registry *Form 20—Enlarged Panel*.

(a) Given Names & Surname or Company & ACN/ABN - Must be completed

- Complete full name of each transferee in upper case as shown on the transfer.
- For a natural person, insert name in the format [GIVEN NAMES] [SURNAME].
- For a company, insert company name and ACN or ABN in the format [COMPANY NAME] [ACN or ABN].

(b) Date of Birth - Must be completed where the transferee is a natural person

- Date of birth is used only for Office of State Revenue purposes.
- Complete date of birth in the format [dd/mm/yyyy] beside the corresponding name of each natural person.
- Where the transferee is other than a natural person (e.g. trustee) leave field blank.

(c) Residential or Business Address after possession - Must be completed

- On the line beside each transferee complete the residential or business address after possession.
- Where the address is the same as the transferee on the line above, insert 'AS ABOVE' on the relevant line.
- For a natural person, complete the residential address where the transferee will reside after possession.
- For a company, complete the registered business address where business will be conducted after possession. Do not use an agent's address (e.g. not an accountant's or solicitor's details) or post office box.

(d) Contact details after possession - Must be completed

1. Phone number

- Insert the transferee's or authorised representative's contact telephone number or mobile telephone number after possession to allow ready contact for correction of information on the form or to obtain further details.

2. Postal Address

- Complete a postal address after possession to enable authorised notices to be forwarded to the transferee (e.g. rates notice, valuation notice or land tax assessment).
- If the postal address is the same as the residential or the business address mark, **As above** [].

3. Email Address – Optional

- Insert an email address that will be used for the service of notices under the *Land Valuation Act 2010*. The Office of State Revenue and Local Governments may also use the email address for the service of notices.

(e) Name of Trust – Must be completed for transfers where the transferee is a trustee

- Where transferee acts as a trustee, insert the name of the trust as shown on the instrument of trust.
- If not applicable, mark **N/A** [].

(f) Is transferee a foreign person/corporation? - Not applicable to a water allocation

- If the Transfer only relates to a water allocation, mark **N/A** [].

- If the Transfer includes the transfer of freehold land, State leasehold land or a lease of freehold land or a sub-lease of State leasehold land with a term (including any available options) that exceeds 25 years, mark **YES []** or **NO []** as indicated below.
- Mark **NO []** if a transferee is not a foreign person (foreign individual, foreign corporation or trustee of a foreign trust) as defined in the *Foreign Ownership of Land Register Act 1988* and *Duties Act 2001* (see definition below).
- Mark **YES []** if a transferee is a foreign person (foreign individual, foreign corporation or trustee of a foreign trust) as defined in the *Foreign Ownership of Land Register Act 1988* and *Duties Act 2001* (see definition below).
 - If **YES []** is marked, a Form 25 is required to be completed and attached to the Form 24 when submitted to the Titles Registry.

Foreign person is defined in s. 234 of the *Duties Act 2001* as:

1. **a foreign individual**

A **foreign individual** is an individual other than an Australian citizen or permanent resident (s. 235 *Duties Act 2001*).

2. **a foreign corporation**

A **foreign corporation** is:

- a corporation incorporated outside Australia;
- a corporation in which (taking their interests together) foreign persons or **related persons** of foreign persons:
 - are in a position to control at least 50% of the voting power in the corporation; or
 - are in a position to control at least 50% of the potential voting power in the corporation; or
 - have an interest in at least 50% of the issued shares in the corporation (s. 236 *Duties Act 2001*).

3. **the trustee of a foreign trust**

A **foreign trust** is a trust where at least 50% of the interests in the trust are:

- a trust interest of a foreign individual; or
- a trust interest of a foreign corporation; or
- a trust interest of a trustee of a foreign trust; or
- a trust interest held by a **related person** of a foreign individual, foreign corporation or trustee of a foreign trust (s. 237 *Duties Act 2001*).

Further information about some of the definitions above is available in Public Rulings made by the Commissioner of State Revenue which can be accessed from the Resources page on the Queensland Treasury website (<https://www.treasury.qld.gov.au/resources>).

See s. 238 of the *Duties Act 2001* regarding **related persons**.

☎ For more information contact the Titles Registry.

(g) Does transferee ordinarily reside in Australia? - Not applicable to a water allocation

- Under the *Land Tax Act 2010*, a person does not ordinarily reside in Australia if that person has been absent for 6 months during a year or was absent from Australia as at the last 30 June.
- If not applicable, mark **N/A []**.

☎ For more information contact the Office of State Revenue.

Item 2 –Transaction

(a) Date of possession - Must be completed for every transfer

- This includes a transfer where:
 - the transferee already resides in the premises; or

- where there is no written contract of sale (e.g. a transfer pursuant to gift or natural love and affection; transfer pursuant to an agreement or a Court Order); or
 - the transferee does not physically move on to the property on that date (e.g. transfer of property in a time share scheme, where the transferee is letting the property to another party or where the premises are left vacant).
- The date of possession is the actual date the transferee has legal control or ownership of the property. Usually, this is the date of settlement, or the date as agreed to by both parties. That is, the date when the transferee is legally entitled to possession not the date when physical occupation of the property is to commence.

☎ For more information contact the Office of State Revenue.

(b) Date of settlement - Must be completed for every transfer

- The date of settlement must be completed even where it is the same as the date of possession.

☎ For more information relating to land contact the Department of Resources, State Valuation Services.

☎ For more information relating to a water allocation contact the Department of Regional Development, Manufacturing and Water.

Part B – Page 2

Title Reference – Must be completed

- The title reference inserted in Part B must be the same title reference as inserted in Part A.

Item 3 – Transferor's residential or business address after settlement – Must be completed

- For a natural person, complete the residential address where the transferor will reside after settlement.
- For a company, complete the registered business address where business will be conducted after settlement. Do not use an agent's address (e.g. not an accountant's or solicitor's details) or post office box.

Item 4 – Details of Sale Price – Must be completed

(a) Property excluding water allocation

- Complete the details of the sales price in the field/s provided.
- 'Details of sale price' refers to the actual terms of the transfer of the property i.e. what was given for the property mentioned in the transfer or what actions or events had to be carried out. Goods & Services Tax (GST) must be included as part of the sales price if applicable. Do not separate the GST component of the sale price (if any).
- The field 'Cash' refers to any exchanging of money for the property, whether under a contract of sale or deed; or any form of other written or verbal agreement/arrangement.
- Where details of sale price is other than cash (see point above), vendor terms or assumption of liabilities use the field 'Other' and complete the applicable terms of the transfer.
- In the 'Other' field do not insert 'contract of sale', 'agreement' or 'verbal agreement' etc. where the terms of the sale include the exchange of cash (see definition above).
- For convenience, listed below are abbreviations that may be used in lieu of terms of the transfer to be inserted in the 'Other' field where cash, the assumption of liabilities or vendor terms does not apply.
- Where an abbreviation relevant to the terms of the transfer is not listed in the table below, insert appropriate details in the 'Other' field. (e.g. 'EXCHANGE OF A CAR & BOAT FOR THE LAND', 'EXCHANGE OF LOT 1 ON SP 241369 FOR LOT 63 ON RP 136941' etc.
- Where the terms of the sale include items that may be attributed a value (e.g. car or other property), insert the value of these items, in the area provided.

- Where a sale price comprises an adjustment due to a rebate, discount or cash back on settlement the amount shown in this item must be the net amount after adjustment, the following must be shown:

Cash	\$ [sale price on the contract]
Vendor terms	\$
Assumption of liabilities	\$
[Rebate, discount or cash back]	\$ [rebate or other as a negative figure]
Other (specify above)	
Total	\$ [net sale price]

- Inclusions that are being sold with the land (e.g. furniture, dishwasher etc.) should not be inserted in this item. See item 5(c).
- The interest being transferred (e.g. 1/2 share) should not be shown on the Form 24. This information must be shown in the Form 1 – Transfer only.

Sales price 'Other' field – abbreviations

Brief description of terms of the transfer	Abbreviation	Brief description of terms of the transfer	Abbreviation
Change/correction of tenancy (not severance) or to resolve ownership (inc boundary realignment)	CHANGE/CORRECTION	Retirement/resignation and/or appointment of trustee, or declaration of a trust	TRUST
Court Order inc an order under the Family Law Act	COURT ORDER	Gift or Natural love and affection	GIFT
Prize in an art union	PRIZE	Severance of joint tenancy under s. 59 of <i>Land Title Act 1994</i> or s. 322A of <i>Land Act 1994</i>	SEVERANCE OF TCY
Pursuant to terms of a will (no mention of valuable consideration)	WILL		

☎ For more information about the sale price contact the Office of State Revenue.

(b) Water Allocation

- See 4(a) above
- ☎ For more information contact the Department of Regional Development, Manufacturing and Water.

Item 5 - Property Details

(a) Land/Water Allocation Description - Must be completed

- There are two rows for land and/or water allocation descriptions.
- If insufficient space complete and attach a Titles Registry *Form 20—Enlarged Panel*.
- Complete the lot number/s, the plan type and the plan number/s being transferred as shown on a Current Title Search for the lot e.g. for Lot 2 on SP102938.

(b) Property Address - Not applicable to a water allocation

- Complete the address of the property beside the corresponding lot/s.

- If there is no street number, insert N/A — do not enter the lot number associated with the plan as street number.
- Properties with multi-unit dwellings should show the unit number as well as the street number (e.g. 2/24 Smith St).
- If the property is a water allocation only, leave blank.

(c) Property Transferred includes - Must be completed for all transfers involving land

- Mark the inclusion/s appropriate to the property.
- Movable chattels include movable articles or goods included with the transfer of the land e.g. furniture.
- Specify further inclusion/s in the 'Other' field where necessary.
- If not applicable, leave blank e.g. transfer of only a water allocation.

 For more information contact the Department of Resources, State Valuation Services.

(d) Current Land Use - Not applicable to a water allocation

- Mark the land use/s appropriate to the property.
- Where the relevant land use is not listed on form (e.g. time share) specify the appropriate land use in 'Other' field.
- If the property being transferred is a water allocation only, leave this item blank. For any other property, it must be completed.

Land Use Definitions	
<p>Vacant Land: Property/Land without visible improvement e.g. structures.</p>	<p>Farming: Means the business or industry of grazing, dairying, pig farming, poultry farming, viticulture, orcharding, apiculture, horticulture, aquaculture, vegetable growing, the growing of crops of any kind, forestry or any other business or industry involving the cultivation of soils, the gathering in of crops or the rearing of livestock.</p>
<p>Dwelling: House used for single unit residential habitation usually by a family unit.</p>	
<p>Multi-unit: A structure which has been registered as</p> <ul style="list-style-type: none"> (a) a Building Unit or Group Title under the Building Unit and Group Titles Act; or (b) a community title scheme under the Body Corporate and Community Management Act 1997. <p>The structure may be used for residential, industrial, commercial or mixed purposes.</p>	<p>Industrial: Includes properties used for general industry, light industry, noxious/offensive industry, harbour industry, extractive purposes and may include the following where not used for retail purposes: warehouses, bulk stores, transport terminals, service stations, oil depots, wharves, builders yards and cold stores.</p>
<p>Flats: A structure containing two or more areas designed for self-contained residential occupation including groups of units held by a single Company but not registered as:</p> <ul style="list-style-type: none"> (a) a Building Unit or Group Title under the Building Units and Group Titles Act or (b) a community title scheme under the Body Corporate and Community Management Act 1997. 	

Land Use Definitions	
<p>Guest House/Private Hotel: An accommodation building where room only or room and meals are provided and having shared facilities (not a motel).</p>	<p>Commercial: Includes properties used for shops or shop/dwelling, shopping group, drive in shopping centres, restaurants, motels, special tourist attractions, marina, residential institutions, car parks, retail warehouse, sales area outdoor (dealers, boats, cars), offices (professional offices, finance, banks, lending agents and brokers), funeral parlours, hospitals, convalescent homes, predominantly medical care, child care, hotels/taverns, nurseries, theatre/cinema, drive in cinemas, licensed clubs, sporting facilities/clubs, caravan parks and advertising hoardings.</p>
<p>Other, specify: Those not covered above. If there is any doubt as to what land use the property may be included please specify the usage here.</p>	

☎ For more information contact the Department of Resources, State Valuation Services.

(e) Water Allocation – Not applicable to land

- If not applicable, mark **N/A []**.
 - a. Is water allocation unsupplemented?**
 - Unsupplemented i.e. a water supply for an allocation where the reliability is not enhanced or supplemented by releases from water storage infrastructure.
 - Indicate if the water allocation is unsupplemented.
 - b. Reference number of the Water Allocation Dealing Certificate - Unsupplemented**
 - If water allocation is unsupplemented complete the certificate reference of the Notice of Proposed Transfer of Unsupplemented Water Allocation.
 - If water allocation is a supplemented allocation leave blank.

☎ For more information contact the Department of Regional Development, Manufacturing and Water.

(f) Safety Switch –Applicable to domestic residence only

- Domestic residence means a building or part of a building that is used, or designed to be used, as a single dwelling e.g. a dwelling house, a home unit in a multi-unit development or a flat.
 - a. Is an electrical safety switch installed?**
 - There is a requirement under law that an electrical safety switch must be installed for all general purpose socket outlets in every domestic residence.
 - If not applicable, mark **N/A []**.
 - b. Has transferee been informed in writing about its existence?**
 - There is a requirement under law that the transferor must inform the transferee in writing about the existence or otherwise of an electrical safety switch in the home.
 - If not applicable, mark **N/A []**.

☎ For more information contact the Electrical Safety Office.

(g) Smoke Alarm – Applicable to domestic dwellings only

- *Domestic dwelling* means a Class 1a building (a detached house or one or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, townhouse or a villa unit) or a Class 2 building (a building containing two or more sole-occupancy units each being a separate dwelling).
 - a. Is a compliant smoke alarm/s installed?**
 - There is a requirement under the *Fire and Emergency Services Act 1990* that from 1 July 2007 the required number of smoke alarm/s that comply with Australian Standard 3786 have been installed in the domestic dwelling.
 - If not applicable, mark **N/A []**.

b. Has transferee been informed in writing about its existence?

- There is a requirement under law that the transferor must inform the transferee in writing about the existence or otherwise of a smoke alarm/s in the domestic dwelling.
- If not applicable, mark **N/A** [].

☎ For more information contact the Queensland Fire and Emergency Services.

Item 6 – Transaction Information

(a) Is there an agreement in writing for the transfer of dutiable property? – Must be completed

- Examples of an agreement in writing include a contract of sale or any agreement in writing that has provision for the transfer of the property.
- If a written agreement has been entered into for the property being transferred, mark **YES** [].
- If there is no written agreement, mark **NO** [].

(b) Date of written agreement – Must be completed if section 6(a) is marked YES

- State the date the written agreement was executed.
- If there is no written agreement, leave blank.

☎ For more information contact the Office of State Revenue.

(c) Were any transferees related to or associated with any transferors at the date of the dutiable transaction? – Must be completed

- A relationship includes by blood or marriage or de facto to the third degree (e.g. father to son, uncle to niece).
- An association may be with a person as individual or in the capacity of a related body corporate, director, shareholder or through a partnership agreement or as trustee or beneficiary of the same or another trust.
- If the transferor and transferee are related or associated at the date of the transfer, mark **YES** [].
- If there is no relationship or association at the date of the transfer, mark **NO** [].

☎ For more information contact the Office of State Revenue.

(d) State the degree of relationship or association and supply evidence of value – Must be completed if section 6(c) is marked YES

- If the transferor and transferee are related or associated at the date of the transfer, state the relationship.
- If the transferor and transferee are related or associated at the date of the transfer, independent evidence of value of the property must be provided to the Office of State Revenue.
- For residential property only, the Office of State Revenue accepts as evidence of value a written opinion or market appraisal as at the date of the transfer, including 3 comparable sales, from a local real estate agent.
- If there is no relationship or association at the date of the transfer, leave blank.

☎ For more information contact the Office of State Revenue.

(e) Is the consideration less than the unencumbered value of the property included in this transaction? – Must be completed

- Unencumbered value is the value of the property without regard to any encumbrance/liability (e.g. mortgage or lien), and it is the value the property would achieve if sold on the open market.
- Where the consideration is less than the unencumbered value of the property, provide independent evidence of value of the property to the Office of State Revenue. See 6(d) above for further information.
- If the consideration is equal to or more than the unencumbered value of the property, mark **NO** [].

☎ For more information contact the Office of State Revenue.

(f) Is this transaction part of an arrangement that includes other dutiable transactions? – Must be completed

- If this transaction forms part of an arrangement that includes other dutiable transactions, provide the Office of State Revenue full details of the other transactions.
 - If there are no other transactions relating to this property transfer, mark **NO []**.
- ☎ For more information contact the Office of State Revenue.

(g) Is GST payable on this transaction? – Must be completed

- GST is payable on this transaction if the transferor is registered, or required to be registered, for GST, and conducting an enterprise as defined by the Australian Tax Office (ATO).
- Mark **NO []** to this question if the sale price quoted in item 4 is GST free and does not require an amount for GST to be remitted to the ATO.
- Mark **YES []** to this question if the sale price quoted in item 4 includes a GST amount to be remitted to the ATO.

☎ For more information contact the Australian Taxation Office <www.ato.gov.au> or your tax accountant.

(h) Is this transaction under the margin scheme? – Must be completed if section 6(g) is marked YES

- The Margin Scheme is a different way of working out the GST payable when you sell your property.
- Whether you can use the margin scheme depends on when you purchased your property and the nature of the acquisition.
- Mark **NO []** if the property was not sold using the Margin Scheme.
- Mark **YES []** if you have sold this property using the Margin Scheme.
- If GST is not payable on the transaction, leave blank.

☎ For more information contact the Australian Taxation Office <www.ato.gov.au> or your tax accountant.

(i) Is any transferor a non-Australian entity? – Must be completed

- A “non-Australian entity” refers to:
 - Individuals who are not Australian citizens (regardless of whether they are permanent residents);
 - Companies incorporated outside Australia;
 - Trusts with a country of tax residence that is not Australia; and
 - Other bodies (e.g. body politic, corporation sole) formed outside Australia.
- Mark **NO []** if none of the transferors meet the definition of a non-Australian entity as detailed above.
- Mark **YES []** if a transferor meets the definition of a non-Australian entity as detailed above.
 - If **YES []**, please note that each non-Australian transferor will be contacted to provide an identity details annexure to the Office of State Revenue via a secure online form. A paper-based form will be available to non-Australian transferors without email access.

☎ For more information, contact the Office of State Revenue.

 **Contact Details for Further Information**

Agency	Contact Details
Queensland Treasury – Office of State Revenue www.osr.qld.gov.au	Office of State Revenue: Phone 1300 300 734
Department of Resources www.resources.qld.gov.au	State Valuation Service: <i>For all enquiries related to information required for the valuation roll, contact your local office of the Department of Resources and request to speak to a Valuations Administration Officer.</i> Titles Registry: Phone 1300 255 750
Electrical Safety Office www.electricalsafety.qld.gov.au	Electrical Safety Office: Phone 1300 362 128
Queensland Fire and Emergency Services www.qfes.qld.gov.au	Queensland Fire and Emergency Services: Phone 13 QGOV (13 74 68)
Department of Regional Development, Manufacturing and Water www.drdrm.qld.gov.au	Water Allocations: Phone 13 QGOV (13 74 68)