

## Preparation checklist *Form 1—Transfer*

This checklist contains general information to assist practitioners complete a basic transfer. It is not intended to be a complete guide. For further information about the requirements of a *Form 1 — Transfer*, refer to Part 1 of the Land Title Practice Manual available at <https://www.titlesqld.com.au/manual-guides/land-title-practice-manual/>.

### Items

#### Item 1

- Is the interest being transferred shown — for example Fee Simple, State Tenure, Water Allocation, Mortgage No..., Lease No..., ½ share in fee simple?

#### Item 2

- Do the details agree with the title?

#### Item 3

- Do the transferor's name and the title agree?
- Is the capacity of the transferor shown, if required — for example as trustee?

#### Item 4

- Is the consideration fully expressed?

#### Item 5

- Is the transferee's name shown correctly?
- Does the transferee's name agree with a prior priority notice and following dealings — for example the mortgagor in a mortgage?
- Is the tenancy (and shares if required) shown? **Note:** Tenants in common must show shares in fractions.

#### Item 6

- Is the form signed and dated by all parties?
- If executed under a power of attorney, is the attorney clause included, showing the principal's name, the attorney's name or the attorney's position and the Queensland registered power of attorney number?
- If executed under a common seal, is it legible and capable of being copied?
- If a company has executed without a common seal, are the company name and ACN/ARBN shown?
- Are the designations of the signatories for a company shown?
- Is the witness qualified in accordance with Schedule 1 of the *Land Title Act 1994* and their full name shown?
- If signed by a solicitor, is the full name legibly printed below the signature?

## Form and evidence

- Have the correct form and version been used?
- Are details of duty noted?
- Are the lodger's details shown?
- Is any supporting documentation required to be deposited — for example court order, contract of sale, Minister's approval, statutory declaration, deed of agreement, evidence of incorporation? See part [60-1030] of the Land Title Practice Manual.