Titles QUEENSLAND

Part 60 – Fees, Lodgement and General Titling Practice

LAND TITLE PRACTICE MANUAL

Updated: 9 November 2026



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Part 60 – Fees, Lodgement and General Titling Practice

[60-0000] Legislation

[60-0001] Application of the *Land Title Act 1994* to the *Water Act 2000*

Under the provisions of the Water Act, an interest or dealing may be registered in a way mentioned in the Land Title Act, subject to some exceptions.

A relevant interest or dealing may be registered in a way mentioned in the Land Title Act:

a. as if a reference to the freehold land register is a reference to the water allocations register; and
b. as if a reference to freehold land or land is a reference to a water allocation; and
c. as if a reference to a lot is a reference to a water allocation; and
d. with any other necessary changes.

[60-0002] Reference to the registrar of titles in the *Land Title Act 1994* and *Land Act 1994* and reference to the registrar of water allocations in the *Water Act 2000*

Refer to [0-8100] and [0-8200] and [0-8300].

[60-0010] Requisitions

A requisition occurs where deficiencies in a lodged dealing which prevent its registration are identified. Details of the requisition are provided by way of a 'Requisition Notice' see Part [60-0015].

Where a requisition has issued, the lodger must address all of the deficiencies identified and respond to the requisition through the appropriate channel to allow for further examination, see Part [60-0020] and [60-0030].

Once a lodger has responded to a requisition, the dealing will be examined again to determine if it is capable of registration; a further requisition may issue if further deficiencies are identified.

The details of a requisition will only be disclosed by the Registrar to a person to whom the requisition was issued.

[60-0015] Requisition Notice

A Requisition Notice is the formal notice to the lodger that the dealing they have lodged has been requisitioned, and the details of that requisition. A requisition notice will contain the following information:

- The Dealing Number of the requisitioned dealing;
- The Dealing Type e.g. Lease;
- The method for responding to the requisition, see [60-0030];
- The deficiencies identified in the lodgement (marked Issues Requiring Attention);
- The Due Date for responding to the requisition; and
- Total amount payable (if any), this amount will include short fees and requisition fees (as applicable).

[60-0016] Method of Delivery

Requisition notices are delivered by email, except for those where the original dealing was physically lodged (e.g. via post) and an amendment of the original paper documents is required to respond to the requisition.

[60-0020] Requisition Requirements

[60-0024] Fee for a Requisition

Every requisition that is issued attracts the prescribed fee unless there is a statutory exemption applicable to the lodger or the transaction. The legislative authority for the exemption may be required to be provided.

[60-0027] Requisition Timeframes

Usually, the time to comply with the requisition in the first instance will be eight weeks, however, the requisition period for caveats and priority notices will usually be four weeks. The due date to comply with any requisition will be shown on the requisition notice.

[60-0027-1] Extension of time to respond to requisition

Any request for an extension of time to respond to the requisition, must be in writing and contain substantive reasons why the extension is required, including:

- the details of actions being undertaken to comply with the requisition; and
- the reasons inhibiting the lodger or other parties from complying with the requisition within the prescribed time.

[60-0027-2] Failure to Comply with a Requisition

Where a lodger fails to comply with the requisition within the allocated time, and an extension request has not been received with sufficient time to be processed, the dealing may be rejected. If a dealing is rejected, the fees that have already been paid for lodging the instrument or document are forfeited.

Where a dealing is rejected, any instrument or document dependent on registration of the rejected dealing will also be rejected.

The lodgement fee payable on relodgement of an instrument or a document is set out in s. 157A of the *Land Title Act 1994*, s. 306A of the *Land Act 1994*, or s. 1013CC of the *Water Act 2000*.

[60-0029] Lost or Misplaced Documents

If an original instrument or document that has been returned to the lodger by post is lost or misplaced, the lodger must seek the approval of the Registrar to use a copy that has been certified by the Registrar in place of the original. The request for approval must be made in writing and once approval is granted, the lodger can order and use a certified copy of the instrument or document from the Titles Registry in place of the original. The prescribed fee for a certified copy is payable.

[60-0030] Responding to a Requisition

The method by which a lodger must respond to a requisition will be detailed in the requisition notice. The different methods available are set out below.

[60-0031] Titles Electronic Drop Box (TED)

The Titles Electronic Drop Box (TED) is an online lodgement channel on the Titles Queensland website which allows for the answering of certain requisitions online, see Part [60-2000].

Any response to a requisition using TED must comply with the upload requirements set out in Part [60-2020], and the Terms and Conditions.

[60-0032] Post

Where the physical paper dealing has been returned to the lodger under requisition, the lodger may be required to respond to the requisition by returning the physical paper dealing to Titles Queensland by post. For information on physical lodgement and payment of fees, see the Titles Queensland website.

[60-0033] eLodgement

eLodgement is a web-application designed for industry professionals and organisations that allows for registered users to lodge dealings and answer requisitions.

Any requisition issued in eLodgement should be responded to using the eLodgement application.

[60-0035] Enquiring about a Requisition

Where a lodger receives a requisition notice and they are unsure of what they are required to do to respond to the requisition, they should seek legal advice. Alternatively, the lodger may address the deficiencies to the best of their ability and respond to the requisition.

Any requisition enquiries must be submitted in writing to info@titlesqld.com.au. Titles Queensland cannot provide legal advice and any information given will be general in nature.

[60-0040] Requisition of a caveat or writ or warrant of execution

If a caveat or writ or warrant of execution is requisitioned pursuant to s. 156(1) of the Land Title Act 1994 or s. 305(1) of the Land Act 1994 and the requisition is not complied with by the end of the period stated in the requisition, a notice of intention to reject is generally given by the Registrar, allowing seven days for the lodger to respond to the rejection (see part 11 – Caveat, esp. [11-2100] and part 12 – Writ or Warrant of Execution, esp. [12-2110]).

[60-0045] Power of the Registrar to issue Requisitions

[60-0045-1] Requisitions pursuant to s. 156(1) of the *Land Title Act 1994* or s. 305(1) of the *Land Act 1994*

The Registrar may, by written notice (the 'requisition'), require a person who has lodged an instrument or other document (or another person who reasonably appears to the Registrar to be relevantly associated with the instrument or other document) to re-execute, complete or correct the instrument or document, or to provide specific information (s. 156(1) of the Land Title Act or s. 305(1) of the Land Act).

If the requisition is not complied with within the time specified in the requisition or as extended by the Registrar, the instrument or document may be rejected with a consequent loss of priority (ss. 157(1) and (2) of the Land Title Act or ss. 306(1) and (2) of the Land Act). It is at the Registrar's discretion whether the time to comply with the requisition will be extended (s. 156(4) of the Land Title Act or s. 305(4) of the Land Act).

A rejected instrument or document other than an electronic conveyancing document (see below) may be relodged after the requisition has been complied with (s. 157(6) of the Land Title Act or s. 306(6) of the Land Act).

[60-0045-2] Requisition pursuant to s. 156(7) of the *Land Title Act 1994* or s. 305(7) of the *Land Act 1994*

The Registrar also has the power to give a written notice (also a 'requisition') to a person who has lodged an instrument or other document (or another person who reasonably appears to the Registrar to be relevantly associated with the instrument or other document) where the Registrar is satisfied that:

- the instrument or document is not capable of registration; and
- the reason the instrument or document is not capable of registration is not a matter for which a requisition may be given under s. 156(1) of the Land Title Act or s. 305(1) of the Land Act.

The requisition will state that the instrument or document is not capable of registration and why it is not capable of registration (s. 156(7) of the *Land Title Act 1994* or s. 305(7) of the *Land Act 1994*).

[60-0050] The Registrar's Powers of Correction

[60-0051] General Law

[60-0052] Error in Lodged Instrument or Document

The Registrar may correct an obvious error in:

- a lodged plan of survey (s. 155(1) of the *Land Title Act 1994* or s. 304(1) of the *Land Act 1994*) by:
  a. drawing a line through the error without making the original words illegible; and
  b. writing in the correct information; and
  c. dating and initialling the correction.

OR

- a lodged instrument or document (s. 155(2) of the Land Title Act or s. 304(1) of the Land Act) by making the correction under the provisions of s. 155(2)(b) of the Land Title Act or s. 304(1)(b) of the Land Act. That is, the error is treated as if there was no error, an electronic notation is made in the register and the face of the instrument or document is left as it was lodged.

An obvious error may only be corrected if the Registrar is satisfied that the instrument or document is incorrect and the rights of a person will not be prejudiced (s. 155(3) of the Land Title Act or s. 304(2) of the Land Act). An instrument or document so corrected has effect as if the error had not been made (s. 155(4) of the Land Title Act or s. 304(3) of the Land Act).

Note: an error in an instrument will not be considered an obvious error if the face of the instrument or document may, in the future, lead to ambiguity, even though it may at the time of examination appear to be an obvious error within the meaning of the above provisions. For example, it would be unclear from the face of a registered mortgage which property the mortgage applies to where the mortgage shows an erroneous title reference (even if there is only one incorrect digit) and this was treated as an obvious error.

[60-0053] Error in the Register

The Registrar may correct an error in the register or an instrument or document forming part of the register if satisfied that the Register is incorrect and the rights of a holder of an interest recorded in the register would not be prejudiced (ss. 15(1), (2) and (5) of the *Land Title Act 1994* or ss. 291(1) and (2) of the *Land Act 1994*).

If the holder of an interest recorded in the register has acquired or dealt with the interest with actual or constructive knowledge that the register was incorrect, then the rights of that holder are not prejudiced (s. 15(8) of the Land Title Act).

Section 151 of the *Water Act 2000* allows the Registrar to make any necessary corrections to the name of an existing water entitlement holder if it has been recorded incorrectly when a water allocation has been created.

The Registrar may correct an error in the Register, whether or not the correction will prejudice the rights of the holder of an interest recorded in the register, only if:

- the register to be corrected is the freehold land register or leasehold land register and the correction is to show, in relation to a lot, an easement the particulars of which have been omitted from or misdescribed in the register; or
- the Supreme Court has ordered the correction under s. 26 of the Land Title Act.

Upon making the correction, the Registrar must record the state of the Register before the correction and the time, date and circumstances of the correction (s. 15(6) of the Land Title Act or s. 291(3) of the Land Act). The Register so corrected has the same effect as if the error had not been made (s. 15(7) of the Land Title Act or s. 291(4) of the Land Act).

The Registrar only corrects errors that the Titles Registry has made. The Registrar does not use this section to correct errors that are the result of errors made in the preparation of registered instruments or documents, except pursuant to a court order.

[60-0060] Practice

The examiner may register an instrument or document that contains an error, provided the error is obvious and there is no ambiguity. An internal dealing note is entered against the instrument or document to indicate the error did not impede registration of the instrument or document. If the intent is not clear, the lodger will be requisitioned to resolve the matter.

In the case of a water allocation where an administrative error has occurred that caused the name to be recorded incorrectly when a water allocation was created the Registrar will require information to show that the correction will not prejudice the rights of the holder of an interest in the water allocation. This information may be in the form of a consent from an interest holder, such as a mortgagee, and evidence that the Resource Operations Licence (ROL) holder has been consulted where the water allocation is managed under a ROL. The Registrar also requires a statutory declaration signed by the Director Water Allocations that includes:

- facts that caused the change to be requested;
- facts regarding consultation with registered interest holders, where appropriate; and
- facts regarding consultation with existing allocation holders, where appropriate.

If it is determined from evidence produced that an incorrect entry has been made in the register, the Registrar may prepare and lodge an internal dealing to effect a correction, provided the correction does not prejudice any party.

[60-0095] Standard Terms Document

[60-0096] General Law

Many instruments or documents require the inclusion of covenants, e.g. leases, mortgages, and easements etc. which are generally incorporated in the instrument or document by a Form 20 – Schedule.

If a class of instrument or document has a standard set of covenants, a standard terms document may be lodged and registered.

Any subsequent instruments or documents may then refer to the dealing number of the standard terms document in lieu of including covenants, however, a schedule may be included in the instrument or document to insert additional terms if required.

[60-0097] Practice

A standard terms document may be used to define the provisions that are treated as the terms that relate to an instrument or document.

A standard terms document must be lodged for registration with a Form 14 – General Request.

A standard terms document may be amended by lodging a further standard terms document, however, additional terms may be incorporated in an instrument or document by also including a schedule.

If there is a conflict between the provisions in the schedule to the instrument or document and the standard terms document, the instrument or document will prevail (s. 171(2) of the *Land Title Act 1994* and s. 320(2) of the *Land Act 1994*).

No lodgement fees or duty are payable.

For information on withdrawal or cancellation of a registered standard terms document, see [60-0110-2].

[60-0100] Withdrawing an Instrument or Document

[60-0110] General Law

[60-0100-1] Withdrawing Lodged Instrument or Document Prior to Registration

The Registrar may withdraw an instrument or document or permit an instrument or document to be withdrawn if satisfied that:

a. the instrument or document will not give effect to intention expressed in it or a related instrument or document because of the order in which the instrument or document has been lodged in relation to other instruments or documents; or

b. the instrument or document should not have been lodged (s. 159(1) of the *Land Title Act 1994* or s. 308(1) of the *Land Act 1994*).

An instrument or document so withdrawn, unless it is of a type that should not have been lodged, remains in the registry (s. 159(2) of the Land Title Act or s. 308(2) of the Land Act). The Registrar may relodge an instrument or document that

has been withdrawn by the Registrar and may, on the written application of the lodger, relodge an instrument or document that the Registrar has permitted to be withdrawn (ss. 159(3) and (4) of the Land Title Act or ss. 308(3) and (4) of the Land Act).

Except in the case of plans of subdivision, an instrument or document that is withdrawn from registration loses its priority and is taken to have been lodged on the date and at the time endorsed on it by the Registrar at the time of its relodgement (ss. 159(5) and (6) of the Land Title Act or s. 308(5) of the Land Act).

[60-0110-2] Withdrawing or Cancelling Registered Standard Terms Document

On application of the lodger, the Registrar may withdraw a registered standard terms document as defined in s. 168 of the *Land Title Act 1994* (s. 172(1) of the Land Title Act) or s. 317 of the *Land Act 1994* (s. 321(1) of the Land Act).

After giving one month's notice in the Gazette, the Registrar may cancel a registered standard terms document lodged by the Registrar (s. 172(2) of the Land Title Act or s. 321(1) of the Land Act).

The Registrar must keep, and if asked produce for inspection, a copy of a standard terms document cancelled or withdrawn pursuant to s. 172 of the Land Title Act (s. 172(3) of the Land Title Act) or s. 321 of the Land Act (s. 321(3) of the Land Act). Withdrawal or cancellation of a standard terms document does not affect an instrument that is already registered or one that is executed within seven days after its withdrawal or cancellation (s. 172(4) of the Land Title Act or s. 321(4) of the Land Act).

[60-0120] Practice

[60-0120-1] Withdrawing Lodged Instrument or Document Prior to Registration

A request under s. 159 of the *Land Title Act 1994* or s. 308 of the *Land Act 1994* by a lodger to withdraw an unregistered instrument or document is made in writing and not by another document.

The lodgement fees paid on a lodged instrument or document that has not been registered and is withdrawn, are forfeited, other than any additional fee paid under Schedule 1, Part 2 of the *Queensland Future Fund (Titles Registry) Act 2021* for a transfer of fee simple.

For the requirements for withdrawing an unregistered Caveat see part 11 – Caveat, esp. [11 2070] or for withdrawing an unregistered Warrant of Execution see part 12 – Request to Register Writ or Warrant of Execution, esp. [12-2100].

The requirements for removing a lot/interest from a lodged instrument or document are in [59-2040].

[60-0160] Imaging Instruments or Documents

[60-0161] Practice

An electronic image is held permanently of each instrument or document (and associated documentation) lodged in the registry since July 1998.

Section 166 of the *Land Title Act 1994* or s. 315 of the *Land Act 1994* authorises the Registrar to destroy an original instrument or document, in accordance with the State Archivist's standards. However, original wills are not destroyed.

Retrieval of registered instruments or documents not already imaged requires the original to be imaged. This is normally processed within three business days.

[60-0170] The Registrar's Power of Inquiry

[60-0171] General Law

The Registrar has the power to hold an inquiry to decide whether the Register should be corrected, to consider whether a person has:

a. fraudulently or wrongfully obtained, kept or procured an instrument affecting land in the Register; or
b. procured a particular in the Register or an endorsement on an instrument affecting land (s. 19 of the *Land Title Act 1994*).

The Registrar also has power to hold an inquiry in circumstances prescribed by regulation under s. 19(e) of the Land Title Act. No such circumstances, nor procedural rules for such inquiries as contemplated by s. 21(2) of the Land Title Act, have been prescribed.

When conducting such inquiries, the Registrar:

- must observe natural justice;
- must act as quickly and with as little formality and technicality as is consistent with a fair and proper consideration of the issues;
- is not bound by the rules of evidence;
- may inform himself/herself in any way he/she considers appropriate;
- may decide the procedures to be followed at the inquiry;
- may act in the absence of a person who has been given reasonable notice;
- may receive evidence on oath or affirmation or by statutory declaration;
- may adjourn the inquiry;
- may disregard a defect, error or insufficiency in a document;
- may permit or refuse to permit a person to be represented at the inquiry; and
- may administer an oath or affirmation to a person appearing as a witness before the inquiry (ss. 20, 21 and 22 of the Land Title Act).

A person may be required, by written notice given by the Registrar, to attend an inquiry as a witness to give evidence or to produce specific documents or things (ss. 23(1) and (2) of the Land Title Act). Witnesses required to appear before an inquiry are entitled to witness fees (s. 23(3) of the Land Title Act).

Witnesses may commit an offence by:

- not attending without reasonable excuse;
- not continuing to attend without reasonable excuse;
- failing to take an oath or make an affirmation as required by the Registrar;
- failing, without reasonable excuse, to answer a question asked by the Registrar; and
- failing, without reasonable excuse, to produce a document or thing (ss. 24(1) and (2) of the Land Title Act).

In any of the above circumstances, the Registrar may apply to the Supreme Court for an order to compel the person to comply with the notice or requirement and the Supreme Court may make any order to assist the Registrar as the Supreme Court considers appropriate (s. 25 of the Land Title Act). A person may fail to answer a question or produce a document or thing if doing so would tend to incriminate that person (s. 24(3) of the Land Title Act).

[60-0260] Declarations

[60-0261] Practice

When a statutory declaration is required with a form under the *Land Title Act 1994*, *Land Act 1994* or *Water Act 2000*, it may be made on a Form 20 – Declaration, see Part [20-2040].

The Registrar will accept a statutory declaration taken by the following–

a. a person authorised by the *Oaths Act 1867* (Qld) to take a declaration, even if taken outside Queensland, provided the declaration is in the form provided for by that Act, for example:
   - a justice of the peace, a commissioner for declarations or a notary public under the law of the State, the Commonwealth or another State; or
   - a lawyer; or
   - a conveyancer, or
   - *another person authorised to administer an oath under the law of the State, the Commonwealth or another State for example:
     - an Australian Consular Officer or authorised employee under the *Australian Consular Officers' Notarial Powers and Evidence Act 1946* (Qld).

*To clarify, persons who are not authorised by law of the Commonwealth or another State to administer an oath (for example, take a sworn affidavit) must not take a statutory declaration on a form under the *Oaths Act 1867*.

b. a person authorised to take a declaration by an Act of another State, the Commonwealth or another country provided the declaration complies with the relevant law, for example:
   – one of the various classes of persons authorised under the *Oaths and Affirmations Act 2018* (Vic) and the declaration is taken on the relevant form under that legislation;
   – one of the various classes of persons authorised under the *Oaths, Affidavits and Statutory Declarations Act 2005* (WA) and the declaration is taken on the relevant form under that legislation;
   – one of the various classes of persons authorised under the *Statutory Declarations Act 1959* (Cth) and the declaration is taken on the relevant form under that legislation.

c. a notary public.

d. another person if the lodger substantiates the authority of the person to take declarations in another jurisdiction by providing a reference to the authorising legislation and the declaration is taken on the relevant form under that legislation.

The above also applies to the declarations contained in Forms 5A and 6 – Transmission Applications.

Where there is insufficient space on the declaration for all declarants to execute on the same page as the declaration, separate declarations must be completed and executed.

Where a declaration is made on the wrong form a statutory declaration in the proper form may be required. For example, a Victorian police officer incorrectly takes a declaration on the form under the *Oaths Act 1867* (Qld) rather than the form under the *Evidence (Miscellaneous Provisions) Act 1958* (Vic).

It is not appropriate to amend a statutory declaration after execution by the declarant. If further matters are required to be declared, a supplementary statutory declaration should be made.

Where a statutory declaration is made by an attorney for a person who is a party to an instrument or a document, the declaration must be made by the attorney in their own right, under the attorney's own name and the statement of facts declared to must be based on the attorney's own knowledge and belief. The declaration must also state the attorney is an attorney for the party. The power of attorney must be registered before the instrument or document to which the declaration relates may be registered.

[60-0720] Compensation

[60-0721] General Law

In certain circumstances a person is entitled to be indemnified by the State if that person is deprived of an interest in a lot or suffers loss. The circumstances are set out in ss. 188, 188A and 189A of the *Land Title Act 1994*.

Circumstances in which there is no entitlement to compensation are set out in ss. 188AA and 189 of the Land Title Act.

Pursuant to s. 190 of the Land Title Act, the State has a right of subrogation against any other person in relation to the deprivation or loss. However, if the State receives an amount greater than that paid to the claimant, the difference must be paid to the claimant less the State's costs.

[60-0760] Public Notice – Advertising

[60-0761] General Law

The Registrar, under s. 18 of the *Land Title Act 1994*, by written notice, may require an applicant to give public notice before doing any of the following things:

- register a transmission application;
- register a person as an adverse possessor.

The Chief Executive, under s. 294(1) and (2) of the *Land Act 1994*, by written notice, may require an applicant to give public notice before registering a transmission application. The Chief Executive has delegated all responsibility relating to administration under Chapter 6 of the Land Act to the Registrar.

There is no stipulation in the above Acts as to the manner or vehicle for publication. If the Registrar determines that public notice is warranted, the content, time and place of advertisements will be specified in the notice given (s. 18(4) of the Land Title Act or s. 294(3) of the Land Act).

The applicant must satisfy the Registrar that the Registrar's requirements as to public notice have been met (s. 18(5) of the Land Title Act). A person claiming an interest in a lot may lodge a caveat pursuant to s. 122(1)(a) of the Land Title Act or s. 294(4) of the Land Act.

In addition to the Registrar requiring public notice to be given in the above circumstances, the court may order that a person advertise in a specified form, content or way where an application is made that a named person be registered as a proprietor of a lot (s. 114 of the Land Title Act).

[60-0762] Practice

Registry staff will prepare a written notice to the lodger requiring the applicant to give public notice usually within one calendar month of the date of the notice. The registry notice specifies what must be included in the public notice and how and when the public notice is to be published. All advertising is done by and at the expense of the applicant.

To satisfy the Registrar that the public notice has been given, the applicant must provide a tear sheet of the newspaper. A tear sheet must, as well as displaying the advertisement, show the name of the newspaper and the date of publication. No affidavit or statutory declaration confirming that the notice was advertised is required. Where the newspaper provides a tear sheet by e-mail to the lodger, that email may be attached to an email by the lodger and forwarded to the registry. The dealing number and the position of the notice on the tear sheet (e.g. column 2 notice 6) should be included in the e-mail.

[60-0892] Statutory Exemption from Lodgement Fees

An instrument or document may only be exempted from the payment of lodgement or deposit fees where the exemption is authorised by an Act or Regulation. It must be noted that just because a legislative provision for an exemption exists the exemption may not extend to all instruments or documents in a transaction.

For the purpose of this practice, lodgement fees include all fees payable when an instrument or document is lodged or deposited. Where an instrument or document is exempt from payment of a lodgement fee it is also exempt from payment of a requisition fee.

Due to the extent of legislation, an exemption will only be considered if reference to the authorising provision is provided:

a. by a letter; or

b. on the face of the submitted document where the form permits – for example in item 6 of Form 14 – General Request.

Some examples where a letter is required are:

- a plan of survey signed by the registered owner, subdividing a lot as part of a transaction to transfer to the State of Queensland, by agreement, part of a former lot, and not accompanied by a transfer to the State
- a document under the *Criminal Proceeds Confiscation Act 2002* to give effect to a Queensland or an interstate forfeiture or restraining order
- a transfer to an entity with the privileges and immunity of the State

Reference to instruments or documents lodged previously without payment of a fee is not a basis for considering an exemption.

The above requirement may be waived in cases where the Registrar is reasonably satisfied that a document is part of a common transaction and the face of the document provides information sufficient to readily identify that a legislative exemption exists.

[60-0893] Examples:

- a transfer pursuant to an order made under the provisions of the *Family Law Act 1975* (Cth) provided this is clearly stated in item 4.
- a transfer where the transferee is 'The State of Queensland'

However, to facilitate timely lodgement processing and registration of instruments or documents that may come within the above scope, a letter may still be provided.

[60-0894] Examples where there is an Exemption from Lodgement Fees

[60-0894-1] Example A

Under s. 167A of the *Land Title Act 1994* or s. 316A of the *Land Act 1994* a fee is not payable for the lodgement and registration of:

- an acquisition by the State of any interest in land; or
- the release or surrender by the State of an interest in land, other than a fee simple interest.

Under Schedule 1 of the *Queensland Future Fund (Titles Registry) Act 2021* a fee is not payable for the deposit or removal of an administrative advice by the State.

An acquisition by the State mentioned in s. 167A of the Land Title Act or s. 316A of the Land Act includes:

- a resumption or an absolute surrender of land; and
- the taking by agreement or a resumption of an easement.

Under s. 1013CD of the *Water Act 2000* a fee is not payable for the lodgement and registration of:

- a transfer to the State of a water allocation; or
- the acquisition or lease of a water allocation by the State.

The above provisions extend to an entity that has the privileges and immunity of the State (for example, the Coordinator-General) and also includes instruments or documents that are considered an integral part of the transaction, for example:

- a notice of intention to resume or a plan of subdivision for an acquisition action; or
- a plan of survey for a lease of part of the land.

However, the above provisions do not provide an exemption from fees payable on a plan of survey or another instrument or document for any purpose lodged by the State where the State is already the registered proprietor.

Section 167A of the Land Title Act and s. 316A of the Land Act and s. 1013CD of the Water Act do not apply to similar instruments or documents involving a local government.

[60-0894-2] Example B

Under the provisions of s. 90(1) of the *Family Law Act 1975* (Cth) instruments or documents executed for the purpose of, or in accordance with an order made under Part VIII are not subject to any duty or charge under any law of a State or Territory. Similar provisions exist also in Part VIIIA and Part VIIIAB.

These provisions give complete exemption from all fees for any instrument or document to give effect to an order or a financial agreement made under the abovementioned parts of the *Family Law Act 1975* (Cth). For example, if the order or agreement also states 'the property is to be refinanced' the exemption would extend to a release of the existing mortgage and to a new mortgage.

[60-0894-3] Example C

Under the provisions of s. 154(a) of the *State Penalties Enforcement Act 1999* no fee is payable by the State Penalties Enforcement Registry for lodging any order or instrument or document under that Act or any instrument or document lodged to transfer property to the State under the Act.

[60-0894-4] Example D

The provisions of s. 114 of the Commonwealth Constitution prohibit a State, without the consent of the Parliament of the Commonwealth, from imposing any tax on property of any kind belonging to the Commonwealth.

The above provision exempts the Commonwealth from the payment of only the additional fee specified in Schedule 1 Part 2 of the *Queensland Future Fund (Titles Registry) Act 2021*. All other lodgement fees for a transfer or another instrument or document, and requisition fees, must be paid.

[60-0895] Overpayment of Fees

When a person (including an Electronic Lodger) lodges instruments or documents in the registry they are required to pay the correct prescribed fee at the time of lodgement.

Where a lodger pays an amount for lodgement of a document that exceeds the prescribed fees, any request for a refund must be in writing. A refund is not paid immediately and may take several business days to be processed.

[60-1020] Translation of Instrument or Document in Foreign Language

Translations of supporting evidence or parts of instruments or documents (including any details relating to witnessing) from another language to English will be considered on the merits of the competency of the person who made the translation.

Translations of supporting evidence must be of the complete document and not merely an extract of some relevant details.

Translators considered acceptable include, for example:

- a person who holds an accreditation or a qualification (for example by the National Accreditation Authority for Translators and Interpreters Ltd (NAATI)) to make translations; or
- a person of ethnic origin who was educated in their country of origin, migrated to Australia and continued to study in the English language may well be competent to translate from their native language to English.

The following is required to be provided with the original document and translation.

a. for an accredited/qualified translator:
   - a statement explaining or evidence of (stamp) their accreditation/qualification; and
   - a statement that clearly identifies the document being translated and that the entire document was translated. For example, 'I have translated the entire document appearing as attachment 'A' into the English language, which translation appears as attachment 'B'.

b. for a non-accredited or non-qualified person, a statutory declaration that includes statements about the following:
   - the basis of his/her competency; and
   - the circumstances under which his/her competency was acquired; and
   - the identity of the document being translated. For example, 'I have translated the entire document appearing as attachment 'A' into the English language, which translation appears as attachment 'B'.

For information about depositing supporting evidence see [60-1030].

[60-1030] Deposit of Supporting Evidence

In many instances it is necessary for documentary evidence to be deposited to support an instrument or document, this is called supporting evidence.

This Part deals only with supporting evidence and not with other Titles Registry forms that are deposited with an instrument or document (e.g. a Form 20 - Declaration).

Supporting evidence must be deposited with any instrument or document where there is a requirement detailed in this Manual, or in a requisition issued by the Registrar (s. 156(1)(b) of the *Land Title Act 1994* and s. 305(1)(b) of the *Land Act 1994*).

Where supporting evidence is in a foreign language, see Part [60-1020].

This Part does not provide guidance on the requirements for powers of attorney including:

- certifying a copy of a power of attorney see Part [16-0195]; or
- the requirements for the registration of a power of attorney in the register, see Part [16-2000].

The following are some common examples of supporting evidence that may be required to be deposited with various instruments:

Example of Supporting Evidence	Dealing it may be required for
Death Certificate issued by the Registry of Births, Deaths and Marriages	Record Death of Joint Tenant (Form 4)
Marriage Certificate issued by the Registry of Births, Deaths and Marriages	Change Individual Owner Name (Form 14)
Company Extract from the Australian Securities and Investments Commission (**ASIC**)	Change Company Name (Form 14)
Probate / Grant of Representation issued by the Supreme Court of Queensland	Transmission by Death of Owner (Grant Issued) (Form 5)

[60-1030-1] Glossary

The following table defines the terms used within this Part and provides examples for clarity where appropriate.

Defined Term	Definition	Example
Certified Copy	A paper copy of one of the following: • Official Document; or • Original Document; or • Digital Document; or • Electronically Sealed Document that has been certified in accordance with Part [60-1031]. **Note:** Only a Paper Copy of a document can be certified, a Digital Document cannot be certified as a copy of an original.	A Certified Copy of an Official Document e.g. a death certificate.
Digital Document	An Original Document or an Official Document that is in a digital format.	A contract of sale that was executed electronically.
Electronically Sealed Document	A document or order sealed electronically by a court.	An electronically sealed court order issued by the Federal Circuit and Family Court of Australia
Official Document	The actual (original) certificate or document issued from the relevant Government agency or department. The Official Document could be a Digital Document, or a Paper Document. **Note: the Official Document must be deposited and not a commemorative or ceremonial document (e.g. not the marriage certificate issued by the celebrant).**	The official birth certificate issued by the Registry of Births, Deaths and Marriages.
Original Document	The original document other than an Official Document e.g. a trust deed, whether that document is a Digital Document, or a Paper Document. Original Document does not include a will, see below.	An original trust deed establishing a discretionary trust.
Original Will	The complete document that sets out a person's wishes for their estate including any annexures or codicils. It must contain the actual "wet ink" signatures of the testator and their witnesses. See Part [5-2080].	The last will and testament of the deceased.

Defined Term	Definition	Example
Paper Document	The Original Document or Official Document in paper form.	An official marriage certificate issued by the Registry of Births, Deaths and Marriages in paper form.
Previous Dealing	Supporting evidence that has been deposited with a previously registered dealing, see Part [60-1032] for further information.	A Certificate of Incorporation deposited with a dealing that has been previously registered.
Simultaneous Dealing	Supporting evidence that is deposited with a dealing that is required for subsequent dealings lodged at the same time over the same title, see Part [60-1033] for further information.	A death certificate deposited with a request to record death lodged at the same time as a transmission by death application for the same title.

[60-1030-2] Requirements for eConveyancing

See Part [62-8000].

[60-1030-3] Requirements for Lodgement through Titles Electronic Drop Box (TED)

When lodging a paper dealing or answering a requisition using TED, the following types of supporting evidence may be deposited:

TYPE OF SUPPORTING EVIDENCE	REQUIREMENTS	INSERT THE FOLLOWING DEALING NOTE
Certified Copy*	A scan of the original wet-signed Certified Copy (not a photocopy) must be uploaded. See Part [60-1031] for the requirements of a Certified Copy.	Original Certified Copy uploaded
Electronically Sealed Document*	The original Electronically Sealed Document should be uploaded. Alternatively, a Certified Copy may be uploaded.	Original Electronically Sealed Document uploaded
Official Document*	Where the Official Document is a Digital Document, the original digital file should be uploaded. Where the Official Document is a Paper Document a scan or photograph of the original should be provided.	Official Document uploaded
Original Document*	If the Original Document is a Digital Document, the original downloaded file should be uploaded. If the Original Document is a Paper Document, a scan or a photograph of the original should be uploaded.	Original Document uploaded
Previous Dealing*	Where supporting evidence was deposited with a previously lodged or registered dealing, it is acceptable to refer to that dealing, see Part [60-1032] for further information.	See Dealing [insert dealing number] for supporting evidence

*Refer to Part [60-1030-1] for definitions

[60-1030-4] Requirements for Paper Lodgement (other than TED)

When lodging a dealing in paper form, the following types of supporting evidence may be deposited:

TYPE OF SUPPORTING EVIDENCE	REQUIREMENTS
Certified Copy*	The Certified Copy deposited must be the original, wet-signed certified copy, not a photocopy, see Part [60-1031] for the requirements of a certified copy.
Digital Document*	Where the Original Document is a Digital Document, a Certified Copy of it must be provided, see Part [60-1031-2].
Electronically Sealed Document*	Where the Original Document is an Electronically Sealed Document, a Certified Copy of the Electronically Sealed Document must be deposited, see Part [60-1031-3].
Official Document*	The original Official Document may be deposited if it is a Paper Document; however, it will not be returned. Alternatively, a Certified Copy may be deposited.
Original Document*	The Original Document may be deposited if it is a Paper Document, however, it will not be returned. Alternatively, a Certified Copy may be deposited. **Note:** any trust deed deposited must be a Certified Copy.
Original Will*	The original will must be provided to the registry (by post) and it will not be returned. See Parts [5-2080] and [5-2130].
Previous Dealing*	Where supporting evidence was deposited with a previously lodged dealing, it is acceptable to refer to that dealing, see Part [60-1032] for further information.
Simultaneous Dealing*	Where supporting evidence is required to be deposited for more than one dealing over the same title, at the same time, it may be acceptable to deposit the evidence with only the first dealing. See Part [60-1033] for further information.

*Refer to Part [60-1030-1] for definitions

[60-1030-5] Requirements for eLodgement

When lodging a dealing using eLodgement, the following types of supporting evidence may be deposited:

TYPE OF SUPPORTING EVIDENCE	REQUIREMENTS
Certified Copy*	A scan of the original Certified Copy must be uploaded. See Part [60-1031] for the requirements of a Certified Copy.
Official Document*	Where the Official Document is a Digital Document, the original digital file should be uploaded. Where the Official Document is a Paper Document either a scan of a Certified Copy or a scan of the original should be provided.
Original Document*	If the Original Document is a Digital Document, the original downloaded file should be uploaded. Where the Original Document is a Paper Document, either a scan of a Certified Copy or a scan of the original should be uploaded.

TYPE OF SUPPORTING EVIDENCE	REQUIREMENTS
Previous Dealing*	Where supporting evidence was deposited with a previously lodged or registered dealing, it is acceptable to refer to that dealing, see Part [60-1032] for further information.
Electronically Sealed Document*	The original Electronically Sealed Document should be uploaded. Alternatively, a scan of a Certified Copy may be uploaded.

*Refer to Part [60-1030-1] for definitions

Where supporting evidence is deposited, the lodger must include the appropriate dealing note from the dropdown list.

[60-1030-6] Duty Notations on Supporting Evidence

Certain types of supporting evidence must have a duty notation, some examples include:

- a Deed of Retirement and Appointment of a Trustee; and
- Trust Deeds executed prior to 1 March 2002, see Part [51-2043].

For further information about duty requirements refer to the Queensland Revenue Office.

[60-1031] Certification by a Qualified Witness

For a scanned or printed copy to be properly certified, a qualified witness (see Part [61-1100]), who is not a party to the deposited document, must sign a certification clause that:

- confirms the document is an identical copy of the Original Document which has been sighted by them;
- identifies the qualification of the witness, for example, a Justice of the Peace (Qualified);
- includes the name and registration number (where applicable) of the qualified witness; and
- includes the date the copy was certified.

The certification must be clear and legible.

Guidance on certifications in this Part apply to documents other than a Certified Copy of a power of attorney. See Part [16-0195] for guidance on certifying a power of attorney.

Only a paper copy of an original document can be certified.

[60-1031-1] Certifying a copy of an Original Paper Document

An original Paper Document (e.g. a marriage certificate) may be certified in one of the following ways:

Endorsement on a copy of a single-page Paper Document:

A photocopy of a single-page Paper Document should be endorsed as follows:

> This is to certify that this is a true copy of the original, which I have sighted.
>
> Date:
> Signed:
> Full name:
> Title/Qualification (and registration number, if applicable):

Endorsement on a copy of a multi-page Paper Document:

A photocopy of a multi-page Paper Document should be endorsed as follows:

a. certify each page (using the same method as a single-page Paper Document); or

b. sign or initial each page, number the page as 1 of 40, 2 of 40 and so on (if the pages are not already numbered) and make the following certification on the last page:

This is to certify that this [number of pages]-page document (each page of which I have numbered and signed) is a true copy of the original [number of pages]-page document that I have sighted.

Date:
Signed:
Full name:
Title/Qualification (and registration number, if applicable):

[60-1031-2] Certifying a physical copy of a Digital Document

Where a certified copy of a Digital Document (e.g. a trust deed that was executed electronically) needs to be deposited, the qualified witness must sight the original Digital Document / file, and then a printed copy may be certified in one of the following ways:

Endorsement on a copy of a single-page Digital Document:

A printed copy of a single-page Digital Document should be endorsed as follows:

This is to certify that this is a true copy of the original digital document, which I have sighted.

Date:
Signed:
Full name:
Title/Qualification (and registration number, if applicable):

Endorsement on a copy of a multi-page Digital Document:

A printed copy of a multi-page Digital Document should be endorsed as follows:

a. certify each page (using the same method as a single-page digital document); or

b. sign or initial each page, number the page as 1 of 40, 2 of 40 and so on (if the pages are not already numbered) and make the following certification on the last page:

This is to certify that this [number of pages]-page document (each page of which I have numbered and signed) is a true copy of the original [number of pages]-page digital document that I have sighted.

Date:
Signed:
Full name:
Title/Qualification (and registration number, if applicable):

[60-1031-3] Certifying a physical copy of an Electronically Sealed Document

Where it is the practice of a court or tribunal to issue an electronically sealed order, a printed copy of the order must be certified in a way that confirms the qualified witness has sighted the original Electronically Sealed Document.

A printed copy of an Electronically Sealed Document may be certified in one of the following ways:

Endorsement on a copy of a single-page Electronically Sealed Document:

A printed copy of a single-page Electronically Sealed Document should be endorsed as follows:

This is a true copy of the original electronically sealed [insert document type e.g. Grant of Probate] made by [insert court or tribunal name e.g. the Supreme Court of Queensland] on [insert the date of the order] which I have sighted.

Date:
Signed:
Full name:
Title/Qualification (and registration number, if applicable):

Endorsement on a copy of a multi-page Electronically Sealed Document:

A printed copy of a multi-page Electronically Sealed Document should be endorsed as follows:

a. certify each page (using the same method as a single-page Electronically Sealed Document); or

b. sign or initial each page, number the page as 1 of 40, 2 of 40 and so on (if the pages are not already numbered) and make the following certification on the last page:

This [number of pages]-page document (each page of which I have numbered and signed) is a true copy of the original [number of pages]-electronically sealed [insert document type e.g. Grant of Probate] made by [insert court name e.g. the Supreme Court of Queensland] on [practitioner to specify the date] which I have sighted.

Date:
Signed:
Full name:
Title/Qualification (and registration number, if applicable):

[60-1032] Supporting Evidence Deposited with a Previous Dealing

Where supporting evidence has been deposited with a dealing that was previously lodged or registered it is acceptable to refer to that dealing in the circumstances outlined below.

[60-1032-1] Supporting Evidence deposited with a previously registered dealing

Where a Previous Dealing has been registered and that dealing contains supporting evidence applicable to another dealing, a reference may be made to the Previous Dealing instead of depositing the evidence again.

For example, where a trust deed is required to be deposited, wording to the effect of: '*Trust documents deposited with 712223335*' may be used, see Part [1-2390].

Where multiple types of supporting evidence are required to be deposited, it is acceptable for that supporting evidence to be a combination of a reference to a prior lodged or registered dealing, and the deposit of other supporting evidence.

[60-1032-2] Supporting Evidence deposited with a lodged dealing (not yet registered)

Where a dealing has been lodged previously but is not yet registered, and that dealing contains supporting evidence applicable to an instrument or document being lodged, a reference may be made to that dealing instead of depositing the evidence again.

For example, where a death certificate is required to be deposited, wording to the effect of: '*Death certificate deposited with 713332221*' may be used.

Where multiple types of supporting evidence are required to be deposited, it is acceptable for that supporting evidence to be a combination of a reference to a prior lodged or registered dealing, and the deposit of other supporting evidence.

It should be noted that because the dealing referred to has not been registered, registration of the lodged dealing will be contingent upon registration of the prior dealing which contains the supporting evidence.

[60-1033] Supporting Evidence Deposited with Dealings Lodged Simultaneously

It is preferred by the Registrar that the required supporting evidence is deposited with each dealing, or referred to in a previously registered dealing, such that each dealing is capable of being examined on its own or with reference to a registered dealing.

However, where multiple dealings are being lodged in paper over the same title, at the same time, it is acceptable for supporting evidence to be deposited with the first dealing only, provided the subsequent dealing(s) contain a suitable note or reference.

For example, where the following are lodged simultaneously:

- Form 4 – Request to record death; and
- Form 6 – Transmission by death

and both dealings require a copy of a death certificate to be deposited as supporting evidence, it is acceptable for the subsequent dealing to include wording on the face of the instrument or on a cover letter to the effect of:

> '[insert type of supporting evidence e.g. death certificate] deposited with [insert form number e.g. Form 4] lodged simultaneously'.

[60-1034] Sensitive, Confidential and Private Information

The Registrar has the discretion to not record certain information on the register, or to remove certain information from the register once registered (ss. 29 and 29A of the *Land Title Act 1994*; ss. 280 and 280AA of the *Land Act 1994*).

[60-1034-1] Suppression by the Lodger

Some sensitive, confidential or private information should not be recorded on the public register. Examples of information that must be redacted or removed include:

- Passport numbers
- Driver Licence number and card number
- Bank account details

Where a lodger is required to deposit supporting evidence that contains sensitive, confidential or private information, they are required to redact or remove the information. The information may be removed prior to lodgement by:

- Redacting by overlaying the text with white paper before photocopying; or
- Redacting either by black marker pen on a physical document or by digital means prior to printing or uploading; or
- Removing pages that contain the information, where redacting is not practicable.

Where entire page(s) have been removed, a letter to the Registrar should be deposited explaining which page(s) have been removed, and the reason for the removal (including the nature of the information that was removed).

Where information has been lodged and it is determined to be sensitive, confidential or private, the dealing may be requisitioned, and the lodger will be required to withdraw or redact certain information from the supporting evidence before returning the dealing from requisition.

[60-1034-2] Removal by the Registrar

The Registrar has the discretion to not record certain information on the register, or to remove certain information (once recorded) from the register (ss. 29 and 29A of the *Land Title Act 1994*; ss. 280 and 280AA of the *Land Act 1994*).

When reviewing instruments or documents deposited with a lodged instrument, the Registrar has the discretion to record only the information that is necessary to ensure that the register is an accurate, comprehensive and usable record (s. 29 of the *Land Title Act 1994*; s. 280 of the *Land Act 1994*), this may mean not all information deposited with a lodged instrument is recorded on the register.

Additionally, the Registrar may remove information recorded on the register, where the Registrar no longer considers that the information is required to ensure the register is an accurate, comprehensive and usable record (s. 29A of the *Land Title Act 1994;* s. 280AA of the *Land Act 1994*).

[60-1034-3] Requests to the Registrar for Suppression (prior to lodgement)

The Registrar has the discretion to not record certain information on the register (s. 29 of the *Land Title Act 1994*; s. 280 of the Land Act 1994).

Some examples of the type of sensitive, confidential or private information which the Registrar may agree to not record on the register are:

- a person's medical or health information;
- details of minor children contained in agreements or orders made under the *Family Law Act 1975* (Cth); and
- a person's bank account details.

Some examples of information that must be recorded on the register are:

- names of registered owners or holders of an interest and other information required for the register because of the operation of s. 28 and s. 35(1)(a) of the *Land Title Act 1994* or s. 278 and s. 284(1)(a) of the *Land Act 1994*;
- address of a person or party in an instrument under the *Land Title Act 1994* or document under the *Land Act 1994* as a requirement of the form or law e.g. an applicant in a Form 14 or request to record death or a caveator in a caveat;
- the amount paid or details of other consideration as required under s. 61(1)(c) of the *Land Title Act 1994*; and
- the whole of a will or grant of representation.

A party to an instrument or document, or their solicitor, may request that the Registrar not record in the public register, certain sensitive, confidential or private information deposited with a lodged instrument or document as supporting evidence. Only information not directly relevant to examination or other processing of the instrument or document, or otherwise required by law to be recorded, may be approved for suppression.

The Registrar's discretion to not record sensitive, confidential or private information is generally exercised to limit public accessibility to personal information that could be used to harm an individual. Requests made to not record information on grounds of commercial sensitivity or contractual confidentiality obligations will not generally be considered.

A request to suppress sensitive, confidential or private information must be made in writing to the Registrar before the instrument or document is lodged and must contain substantive reasons to not record the Information.

If supporting documentation must be deposited to satisfy a requisition, a request to not record sensitive and confidential information must be made in writing to the Registrar before the supporting documentation is deposited.

A party requesting suppression must allow a reasonable timeframe before lodgement for the Registrar to consider the matter and respond to the request. A request will not be considered if it is made immediately before lodgement.

The following must be provided with the request:

- a copy of the relevant titles registry instrument or document (completed in full);
- a complete copy of the supporting evidence (without any removals or redactions); and
- a copy of the supporting evidence, with the relevant information removed or redacted. Any supporting evidence must otherwise comply with Titles Queensland's requirements, see Part [60-1030].

The request must be addressed to the Registrar and together with supporting documents must:

- be sent by email to info@titlesqld.com.au; or
- be sent by post to GPO Box 1401, Brisbane QLD 4001.

Any request must be clearly identified as a request to the Registrar to suppress information and not for lodgement.

The information may be removed by either:

- redacting by overlaying the text with white paper before photocopying; or
- redacting either by black marker pen on a physical document or by digital means prior to printing or uploading; or
- removing pages that contain the sensitive information, where redacting is not practicable.

Where approval is given, the letter or email of approval must be deposited with the instrument or document at time of lodgement. If approved while the instrument or document is under requisition, the letter or email of approval must be deposited with the instrument or document when returned from requisition.

Notwithstanding that the Registrar may not record certain information contained in instruments or documents deposited with a lodged instrument on the register, the Registrar may retain that information as part of operational record keeping.

[60-1040] Dealing with or Disposing of an Interest Held by the State

[60-1040-1] Disposing of freehold land

Where government controlled land or interest in land is being disposed of, the following will be acceptable:

- the form shows, in the relevant item, The State of Queensland in the same style name recorded on title; or
- the form shows, in the relevant item, 'The State of Queensland (represented by [current name of department] formerly [previous name of department])'. Because of a Machinery of Government change, a former department name shown on title is not current; or
- the form shows, in the relevant item, 'The State of Queensland (represented by [current name of department] and the title shows the style name as 'The State of Queensland' without the name of the representing department.

However, it is not acceptable where the title shows 'The State of Queensland (represented by [name of department])' and the form shows another style or departmental name but without the words 'formerly [previous name of department]'. This may indicate there has been a transfer of administrative responsibility without being recorded on title. The style name

shown on title must first be changed by lodging and registering a Form 14 – General request to change the administrative details (department representing the State). (See [14-2420]).

[60-1040-2] Dealing with freehold land

Where government controlled land or interest in land is being dealt with (e.g. plan of subdivision, lease or easement) and the interest is remaining in the control of the government, the style name of The State of Queensland shown on title must be the same as that shown in a lodged an instrument. In these instances, a Form 14 – General request to change the administrative details shown on title (department representing the State or Act) must be lodged prior to registration of the lodged instrument/s. (See [14-2420]).

[60-1040-3] Unallocated State land (USL)

Where USL is recorded in the style name of:

- 'The State of Queensland'; or
- 'The State of Queensland (represented by [name of department])';

the style name may be changed to:

- 'The State of Queensland (represented by [name of new or different department])'; or
- 'The State of Queensland (represented by [name of department] – [name of Act])'

by lodging and registering a Form 14 – General request to change the administrative details shown on title. (See [14-2420]).

[60-2000] Titles Electronic Drop Box (TED)

The Titles Electronic Drop Box (TED) is an online lodgement channel on the Titles Queensland website which allows for the electronic lodgement of selected dealings and the answering of certain requisitions online.

Customers are required to comply with the Titles Electronic Drop Box (TED) Terms and Conditions as published on the Titles Queensland website.

[60-2010] Lodgement using TED

TED is an online lodgement channel which provides access for self-represented individuals (customers) to securely lodge selected Titles Queensland forms.

[60-2010-1] Dealings that can be lodged through TED

The forms and applicable dealings that can be lodged using TED are set out below:

TITLES REGISTRY FORM NUMBER AND NAME	DEALING TYPE REFERRED TO IN TED	GUIDANCE
Form 4 – Request to Record Death	• Record Death of Joint Tenant • Record Death of Joint Tenant of interest (e.g. lease)	See Part 4 esp. [4-2000]
Form 5 – Transmission Application (Grant in Queensland or Queensland Recognised Grant)	• Transmission by Death of Owner (Grant Issued) • Transmission by Death of Interest (e.g. lease) (Grant Issued)	See Part 5 esp. [5-2000] **Note: this is a mandated instrument, an ERF will be required, see Part [62-6000]**
Form 5A – Transmission Application (No Grant in Queensland or No Queensland Recognised Grant)	• Transmission by Death of Owner (Grant Issued) • Transmission by Death of Interest (e.g. lease) (Grant Issued)	See Part 5 esp. [5-2000] and [5-2100]

TITLES REGISTRY FORM NUMBER AND NAME	DEALING TYPE REFERRED TO IN TED	GUIDANCE
Form 14 – General Request	• Change Individual Owner Name • Change Individual Owner Name of an Interest (e.g. lease) • Change Company Name • Change Company Name of an Interest (e.g. lease) • Correct Individual Owner Name • Correct Individual Owner Name of an Interest (e.g. lease) • Correct Company Name • Correct Company Name of an Interest (e.g. lease) • Appointment of Administrator • Change of Body Corporate Address	See Part 14

[60-2010-2] Lodging using TED

TED can be accessed on the Titles Queensland website. Information about using TED is provided in Part [60-2020] below, and on the Titles Queensland website.

[60-2010-3] Retention and Destruction of Documents after Lodgement

The use of TED requires the lodger to retain the original documents that form part of the dealing until the lodger has been notified they are required to be destroyed.

Where the lodger has been notified that original documents should be destroyed, the lodger must destroy those documents in accordance with instructions received from the Registrar unless they are required by law to retain them, or unless the Registrar otherwise agrees in writing.

[60-2020] Document Requirements

Any document uploaded in TED must comply with the document requirements set out in this part.

[60-2020-1] Original Documents

Any titles form uploaded must be an image of the original, wet signed paper form. Any supporting evidence or documentation must be an original and comply with the requirements set out in Part [60-1030-3].

Lodgers must retain the original documents (including supporting evidence), until the dealing has been Registered and Titles Queensland provides the Customer with written instructions that the original documents can be disposed of, see Part [60-2010-3].

The registrar may require a lodger to provide the original documents to the registrar in the manner specified by the registrar.

[60-2020-2] Quality of Scan or Image Uploaded

All scans or images of a document must be:

- framed appropriately, with the whole page visible;
- clear and legible, with no parts of the document blurry, obstructed or difficult to read;
- have sufficient light to show the document clearly with no shadows;
- aligned with the document, both vertically and horizontally (not taken on an angle); and
- an image of the document only, so that no person (including hands, fingers etc), or personal items are visible.

[60-2020-3] Size, Type and Name of Uploaded File

File Size:

There is a maximum file size of 15MB per file, multiple files can be uploaded.

File Type (Format):

The following file types are able to be uploaded using TED:

- .pdf
- .tiff

File Name:

The file name cannot contain any special characters, and must only contain:

- Letters;
- Numbers;
- Dots;
- Underscores; or
- Hyphens

[60-2020-4] Single Files, Multiple Files and Order of Upload

Lodgers must ensure they do not submit duplicates or conflicting versions of documents when they upload. Where multiple files are uploaded, they must be submitted in the correct order.

Instrument or Document (Form):

Titles registry forms including annexures (e.g. Form 20 – Declaration) must be uploaded using the '**Add/Remove Titles Form(s)**' option. Single files or multiple files may be uploaded for each dealing.

Supporting Evidence:

Supporting evidence must be uploaded in a separate file(s) to the instrument or document under the '**Add/Remove Supporting Documentation**' option. For more information on the requirements for supporting evidence, see Part [60-1030].

[60-2030] Responding to Requisitions using TED

TED is the primary channel for customers to respond to requisitions that have issued for dealings lodged via TED or eConveyancing, and for some dealings lodged by post. See Parts [60-0010] to [60-0030] generally, and specifically [60-0031].

[60-8000] Fees

Section 12 of the *Queensland Future Fund (Titles Registry) Act 2021* authorises the Titles Registry to collect fees for titles registry functions performed under a titles registry Act.

Fees payable to the Titles Registry are subject to an annual review. Refer to the Titles Fee Calculator available online.

[60-9000] Cross References and Further Reading

Part 62 – eConveyancing.