

# Guide to completing *Form 24—Property Information (Transfer)*

To be used with Land 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 (Department of Justice and Attorney-General) and smoke alarms (Department of Community Safety); and to update information held on the valuation and sales database and water management systems (Department of Environment and Resource Management), 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 Land 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 Land 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.

## 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 Land 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 (eg. 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 (eg. rate notice, valuation notice or land tax assessment).
- If the postal address is the same as the residential or the business address mark, **As above** [ ].

**(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**

- The *Foreign Ownership of Land Register Act 1988* only applies to land.
- If the transferee is a foreign person or foreign corporation as defined in the *Foreign Ownership of Land Register Act 1988*, a Form 25 is required to be completed and attached to the Form 24 when submitted to the Titles Registry.
- If not applicable, mark **N/A** [ ].

**Definitions of Foreign Person and Foreign Corporation**

**Foreign person** means:

- a foreign natural person; and
- a foreign corporation (including any body corporate); and
- a corporation in which, on its last accounting date, a foreign natural person or a foreign corporation holds a controlling interest; and
- a corporation in which, on its last accounting date, 2 or more persons, each of whom is either a foreign natural person or a foreign corporation, hold an aggregate controlling interest

**Foreign natural person** means a person:

- who is not an Australian citizen within the meaning of the *Australian Citizenship Act 2007 (Cwlth)*; and
- whose continued presence in Australia is subject to a limitation as to time imposed by law; or
- who is not domiciled in Australia.

**Foreign corporation** means a body (whether incorporated or unincorporated) that is formed outside Australia and its external Territories.

**A foreign person does not include persons who have permanent residency status in Australia and are domiciled in Australia.**

For more information contact the Department of Environment and Resource Management, Foreign Ownership of Land Register.

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

- Under the Land Tax Act 1915, 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 (eg. 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 (eg. 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.

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 Environment and Resource Management, State Valuation Service.

For more information relating to a water allocation contact the Department of Environment and Resource Management, Water Allocation and Planning.

**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 (eg. 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 .
- 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. (eg. '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 (eg. 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]**

- Do not separate the Goods & Services Tax component of the sale price (if any). GST must be included as part of the sales price.
- Inclusions that are being sold with the land (eg. furniture, dishwasher etc) should not be inserted in this item. See item 5(c).
- The interest being transferred (eg. ½ 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 Land Title Act 1994	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 about water allocations refer to water management publications available on the DERM website.

**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 Land 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 eg 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 (eg. 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 eg. furniture.
- Specify further inclusion/s in the 'Other' field where necessary.
- If not applicable, leave blank eg. transfer of only a water allocation.

For more information contact the Department of Environment and Resource Management, State Valuation Services.

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

- Mark the land use/s appropriate to the property.
- Where the relevant land use is not listed on form (eg. 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><b>Vacant Land:</b> Property/Land without visible improvement eg: structures.</p>	<p><b>Farming:</b> 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><b>Dwelling:</b> House used for single unit residential habitation usually by a family unit.</p>	
<p><b>Multi-unit:</b> A structure which has been registered as (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. The structure may be used for residential, industrial, commercial or mixed purposes.</p>	<p><b>Industrial:</b> 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><b>Flats:</b> 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 (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.</p>	

<p><b>Guest House/Private Hotel:</b></p> <p>An accommodation building where room only or room and meals are provided and having shared facilities (not a motel).</p>	<p><b>Commercial:</b></p> <p>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><b>Other, specify:</b></p> <p>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 Environment and Resource Management, 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 Environment and Resource Management, Water Allocation and Planning.

**(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 eg 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 Department of Justice and Attorney-General, 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 Rescue Service 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 Department of Community Safety, Queensland Fire and Rescue Service.

**Item 6 – Transaction Information**

**(a) Has an agreement in writing for the transfer of dutiable property been entered into? – 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 an agreement has been entered into**

- 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) Are the transferor and transferee related or associated at the date of the transfer? – Must be completed**

- A relationship includes by blood or marriage or de facto to the third degree (eg. 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 where the transferor and transferee are related or associated at the date of the transfer**

- 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 (eg. 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) Does this transaction form 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.

**Contact Details for Further Information**

<b>Queensland Treasury Office of State Revenue</b> www.osr.qld.gov.au	<b>Dept Environment and Resource Management</b> www.derm.qld.gov.au		<b>Dept of Justice and Attorney-General</b> www.justice.qld.gov.au	<b>Dept of Community Safety</b> www.emergency.qld.gov.au
<b>Client Contact Centre</b> Ph. 1300 300 734	<b>State Valuation Services</b> See note below	<b>Water Allocation and Planning</b> Ph. (07) 3330 6012	<b>Electrical Safety Office</b> Ph. 1300 650 662	<b>Queensland Fire and Rescue Service</b> www.fire.qld.gov.au Ph: 1300 369 003
	<b>Foreign Ownership of Land Register</b> Ph. (07) 3227 7262			

Note - For all enquiries related to information required for the valuation roll contact your local office of the Department of Environment and Resource Management and request to speak to a valuations administration officer.