

## STATUTORY DECLARATION

I \_\_\_\_\_  
[FULL NAME]  
of \_\_\_\_\_  
[ADDRESS]  
\_\_\_\_\_  
[OCCUPATION]

make the following statutory declaration under the **Oaths and Affirmations Act 2018**:

1. I act for [applicant name(s)] who is/are one of the following:
  - the registered proprietor(s);
  - the survivor(s) of the deceased registered proprietor(s);
  - the executor(s) of the deceased registered proprietor(s);
  - the administrator(s) of the deceased registered proprietor(s);
  - the trustee(s) in bankruptcy of the registered proprietor(s); or
  - the mortgagee in possession.
2. I am instructed by the applicant(s) that the paper certificate of title has been lost and that they seek to make an application under section 31 of the *Transfer of Land Act 1958*.
3. I have carried out the mandatory inquiries with both of the parties below:
  - the applicant(s); and
  - the party to whom the certificate of title last issued or their successor [but, where applicable, I was unable to locate the party to whom the certificate of title last issued or their successor].
4. I have carried out inquiries with each of the parties below if it is possible that they may have held the paper certificate of title:
  - any Australian Legal Practitioner, Law Practice or Licensed Conveyancer;
  - any financial institutions, accounting firms or accountants;
  - any caveator if a caveat alleging a charge or mortgage affects the land the subject of the application; and
  - the person that purportedly last held the certificate of title, if not one of the above.
5. I have received confirmation from the parties described in paragraphs 3 and 4 that:
  - a. each has carried out the required searches;
  - b. the certificate of title could not be located; and
  - c. the missing certificate of title has not been deposited as a security or lien.
6. I have conducted the required searches and confirm that the certificate of title could not be located.
7. To my knowledge the certificate of title has not been deposited as a security or lien.

**I declare that the contents of this statutory declaration are true and correct and I make it knowing that making a statutory declaration that I know to be untrue is an offence.**

x

\_\_\_\_\_  
**Signature of person making this declaration** [to be signed in front of an Authorised Witness]

Declared at \_\_\_\_\_ [place] in the State of Victoria

on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ [date]

**I am an authorised statutory declaration witness and I sign this document in the presence of the person making the declaration:**

**x**

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**Signature of authorised statutory declaration witness**

on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ [date]

*[Full name of authorised statutory declaration witness in legible writing, typing or stamp]*

*[Personal or professional address of authorised statutory declaration witness in legible writing, typing or stamp]*

*[Qualification as an authorised statutory declaration witness]*

A person authorised under section 30(2) of the **Oaths and Affirmations Act 2018** to witness the signing of a statutory declaration.

*\* I confirm that reasonable modifications were used in preparing this statutory declaration and that the contents of this statutory declaration were read to the person making the statutory declaration in a way that was appropriate to the person's circumstances.*

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Signature of authorised statutory declaration witness

\* ~~strikeout~~ if not applicable