

**Office Circular No. 1/2022**

**DATE: 9 FEBRUARY 2022**

**CIRCULAR MEMORANDUM: 1/2022**

**DISTRIBUTION: GENERAL**

**SUBJECT: ALTERATIONS OF APPLICATIONS, DEALINGS, AND ANNEXURES**

On 1 January 2022 the *Land (Miscellaneous Amendments) Act 2021* came into effect. Office Circulars were issued late last year foreshadowing the changes that would take place.

Lodging parties are encouraged to familiarise themselves with the new requirements brought in by the amendments.

Attention is particularly drawn to the amendments to regulation 13 of the *Land Titles Regulations 2012*, which introduced sub-regulations 13(3)(c) and 13(3A).

Sub-regulation 13(3)(c) provides that alterations to applications, dealings, or annexures must be initialled and dated. This confirms existing LTO policy of requiring alterations to be initialled and dated.

Sub-regulation 13(3A) requires that where an alteration is made by a person on behalf of the signatory the person who made the alteration—and initialled and dated it—must also write his or her full name, and the capacity in which he or she was acting on behalf of the signatory. Sub-regulation 13(3A) also allows the Recorder to rely on the representation that the person who made the alteration had full legal authority to date and initial it.

This Circular has been necessitated by the considerable number of applications and dealings lodged since 1 January 2022 which do not comply with the requirements, and by the considerable number of enquiries in relation to this matter.

By way of clarification it is stressed that these new requirements apply to all applications, dealings, or annexures lodged with the LTO **on or after 1 January 2022**. Any that are lodged on or after that date are required to comply with sub-regulations 13(3)(c) and 13(3A).

Attention is also, however, drawn to section 50(3) of the *Land Titles Act 1980*, which gives the Recorder discretion to register a dealing notwithstanding an error or omission therein. Conscious of the lifespan of transactions which may have commenced prior to 1 January but in respect of which, relevant dealings and applications are only now being lodged, the Recorder may, in appropriate circumstances and at his discretion, not require strict compliance with sub-regulation 13(3A) for a short transition period.

**ROBERT MANNING**  
**Recorder of Titles**

**Contact**

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