

Practice Note 21 – Australian Property documents

1. Queensland Land registry documents (transfers , mortgages, etc) must be accompanied by a completed Identity/Witnessing Certification, known as Form 20, Version 2. This will usually be provided by the law firm or conveyancer from whom the instructions issue but, if not ,you can print one using this link <https://www.titlesqld.com.au/wp-content/uploads/2021/05/titles-form-20-overseas-witness-certification-electronic.pdf> The form has the following requirements:
 - One form is to be completed for each signatory;
 - Not only are you required to see evidence of the authority of the signatory to sign the document (e.g. rates demand, utility invoice, purchase contract, etc.) but subclause (d) of the form requires you to “*sign, date and endorseas true copies*” copies of the identification **and also** of the evidence to sign, and to provide those copies to the signatory. Your confirmation to this effect is contained in subclause (h) of the form;
 - The list of documents at the base of the page should include details of not only the identity verification, but also the evidence of authority to sign, referred to above.

2. With all regulated form documents intended for registration in Australian Land Registries, it is your choice whether or not to attach a notarial certificate. If you intend to do so, first check with the instructing firm that the relevant land registry will accept a notarial certificate affixed to the transfer/mortgage/Power of Attorney document in the usual manner of New Zealand notaries. An alternative is to take a copy of the signed document, attach your notarial certificate to the copy and amend the notarial certificate accordingly. This can be handed to the signatory with the other documents to be returned to the instructing party, leaving the original document to be registered without any pages affixed to it.