



Guide to Completion and Preparation checklist
for the Form 7 — Lease/Sublease (version 7)



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Introduction

This guide to completion and checklist contains general information to assist lodgers to complete the updated Form 7- Lease (version 7) and is intended as an interim measure until the changes to Part 7 of the Land Title Practice Manual (**LTPM**) are published.

It is recommended that a current title search for the relevant lot(s) be undertaken to confirm the currency and location of any prior leases which may affect the new lease.

Item 1 - Lessor

Insert the full name of lessor or, in the case of a sub-lease, the full name of the lessee under the head-lease.

If the lessor is a body corporate under a community title scheme, then insert 'Body Corporate for [name of scheme] community titles scheme [scheme number]' e.g. 'Body Corporate for Seaview community titles scheme 1234'.

If the lessor holds on trust or as a personal representative, then this must be stated, e.g. '[name of lessor] as trustee' or '[name of lessor] as personal representative'.

Item 2 - Lot on Plan Description and Title Reference

2.1 Freehold Description

The description of the relevant lot/s should always read 'Lot [no.] on [plan reference]'. Plan references must contain the appropriate prefix (e.g. 'SP' for a survey plan, 'RP' for a registered plan, 'BUP' for a building units plan, 'GTP' for a group titles plan or the relevant letters for Crown plans). The area of the lot/s is not shown.

The entire panel of Item 2 must be completed.

e.g.	Lot on Plan Description	Title reference
	Lot 27 on RP204939	11223078

Item 2 must contain the description of the lot or lots and the title reference or references for the land that is affected by the lease, for example:

- for a multi-lot title, include only the descriptions of the lot or lots that the lease area spatially affects;
- where the lease is of part of a building and the building is situated on more than one lot, or one title, include only the lot or title that the lease area spatially affects.

2.2 Water Allocation Description

A water allocation should be identified as 'Water Allocation', 'Allocation' or 'WA'. All plans referring to water allocations are Administrative Plans. Administrative Plan is abbreviated to AP as the prefix of the plan identifier.

All information needed to complete Item 2 will appear on a search of the water allocation title.

e.g.	Lot on Plan Description	Title reference
	WA 27 on AP7900	46012345

Item 3 - Lessee

Insert the lessee's full name and tenancy if there is more than one lessee.

If holding as tenants in common, the share each lessee intends to hold must also be shown as a fraction.

If the lessee is to be recorded as a trustee, the words 'as trustee' must be inserted after the lessee/s name/s in Item 3. There is no requirement for a Trust Details Form to be deposited or other details of the trust instrument to be provided. See LTPM Part [7-2060].

For example:

3. Lessee		
Given name(s)	Surname/Company name and number	Tenancy/Capacity
JOHN JAMES	PRESTON	AS TRUSTEE

If the lessee is a body corporate under a community title scheme, then insert 'Body Corporate for [name of scheme] community titles scheme [scheme number] e.g. 'Body Corporate for Seaview community titles scheme 1234'

Item 4 - Interest being leased

Insert 'FEE SIMPLE' or 'WATER ALLOCATION' or, if a sub-lease, the dealing number of the head lease must also be completed.

Item 5 - Description of premises being leased

The fields which need to be completed in Item 5, will depend upon the type of premises that is being leased e.g. 'whole of the land' or 'part of a building'.

This section is comprised of various sub-headings which correspond with the available fields in Item 5.

Example of Item 5, showing the fields that can be completed:

5. Description of premises being leased (delete statements with a * if not applicable)

Lease extent:

Land description:

*Part of land area description:

*Building premises designation:

*Building level:

*Building identifier:

*Building sketch reference:

Hint: click on any field in the example above for more information.

The first step in completing Item 5, is to identify which of the fields need to be completed. Statements in Item 5 of the Form 7 that are marked with an "*" and are not applicable to the type of premises being leased, can be deleted or ruled through.

Where only one premises is being leased, complete the relevant fields to provide the description of the premises.

Where there are multiple premises being leased, a separate description (Item 5) for each leased premises must be provided. A Form 20 – Enlarged Panel should be used in these instances. Refer to LTPM Part [20-2020].

5.1 – Which Fields in Item 5 need to be completed?

The table below shows which fields in Item 5 may be required for each type of leased premises:

Example Number	Type of Leased Premises	Item 5 Fields					
		Lease Extent	Part of Land Area Description	Building Premises Designation	Building Level	Building Identifier	Building Sketch Reference
1	Whole of the land	✓					
2	Part of the land	✓	✓				
3	Whole of a building • only building on title	✓		⊙		✓	⊙
4	Whole of a building: • more than one building on title	✓		✓		✓	✓
5	Part of the building: • only building on title • whole level being leased	✓		⊙	✓	✓	⊙
6	Part of the building: • only building on title • part of level being leased	✓		✓	✓	✓	✓
7	Part of the building: • multiple buildings on title • whole level being leased	✓		✓	✓	✓	✓
8	Part of the building: • multiple buildings on title • part of level being leased	✓		✓	✓	✓	✓

✓ Must Complete

⊙ Complete if a sketch is deposited which includes this information.

Examples

The examples of the various lease types which have been included below show the fields which should be completed for each premises type. In these examples, the inapplicable statements have been deleted entirely.

Example 1 - Whole of the Land:

Where the lease is for the **Whole of the Land** (a lease of the whole of one or more lots) the following fields must be completed:

5. **Description of premises being leased** (delete statements with a * if not applicable)

Lease extent: Whole of the land

Land description: Lot 1 on SP789101

Example 2 - Part of the Land

Where the lease is for **Part of the Land** (a lease of part of one or more lots), the following fields must be completed:

5. **Description of premises being leased** (delete statements with a * if not applicable)

Lease extent: Part of the land

*Part of land area description: Lease A on SP123456

Land description: Lot 1 on SP789101

Example 3 - Whole of a Building - Only building on the Title

Where the lease is for the **Whole of a Building**, if the lease is the only building on the relevant title the following fields will need to be completed:

5. **Description of premises being leased** (delete statements with a * if not applicable)

Lease extent: Whole of a Building

*Building identifier: the only building

Land description: Lot 1 on SP789101

Example 4 - Whole of a Building - More than one building on the Title

Where the lease is for the **Whole of a Building**, if the lease is not the only building on the relevant title the following fields will need to be completed:

5. **Description of premises being leased** (delete statements with a * if not applicable)

Lease extent: Whole of a Building

*Building premises designation: Building 3

*Building identifier: Building 3

*Building sketch reference: MPS 1345 v1

Land description: Lot 1 on SP789101

Example 5 – Part of a Building – Only Building on Title – Whole level being leased

Where the lease is for **Part of a Building + Only building on the title + Lease of whole level** the following fields will need to be completed:

5. Description of premises being leased (delete statements with a * if not applicable)

Lease extent: Part of a Building

*Building level: Ground Floor

*Building identifier: the only building

Land description: Lot 1 on SP789101

Example 6 – Part of a Building – Only Building on Title – Part of Level being leased

Where the lease is for **Part of a Building + Only building on the title + Lease of part level** the following fields¹ will need to be completed:

5. Description of premises being leased (delete statements with a * if not applicable)

Lease extent: Part of a Building

*Building premises designation: Shop 5

*Building level: Ground Floor

*Building identifier:¹ the only building

*Building sketch reference: MPS 1345 v1

Land description: Lot 1 on SP789101

¹ Insert a specific Building identifier if one is completed on the sketch (e.g. Building A)

Example 7 – Part of a Building – Multiple Buildings on Title – Whole level being leased

Where the lease is for the **Part of a Building + Multiple buildings on the title + Lease of whole level** the following fields¹ will need to be completed:

5. Description of premises being leased (delete statements with a * if not applicable)

Lease extent: Part of a Building

*Building level: Ground Floor

*Building identifier: Building A

*Building sketch reference: MPS 1345 v1

Land description: Lot 1 on SP789101

Example 8 – Part of a Building – Multiple Buildings on Title – Part of a Level being leased

Where the lease is for the **Part of a Building + Multiple buildings on the title + Lease of part level** the following fields will need to be completed (*indicates an optional field for this example):

5. Description of premises being leased (delete statements with a * if not applicable)

Lease extent: Part of a Building

*Building Premises Designation: Shop 5

*Building level: Ground Floor

*Building Identifier: Building A

*Building sketch reference: MPS 1345 v1

Land description: Lot 1 on SP123465

5.2 Land Description

Complete the Land Description for the parcel of land containing the premises being leased.

The 'Land Description' must only include the 'Lot on Plan Description' for the land containing the premises being leased. Although the 'Lot on Plan Description' may be identical to that inserted in Item 2, it is not permissible to insert the words 'See item 2'.

Lease Extent Example	Land Description Example	Form to be Completed
Whole of the land	Lot 1 on SP789101	Only on Form 7
Whole of a Building	Lots 1-2 on SP789101	Only on Form 7
Multiple premises over multiple lots		
• Part of the Land and	Lot 1 on SP12345	Form 7
• Part of the Building	Lot 2 on SP12345	Form 20 – Enlarged Panel

If there are multiple premises (e.g. part of the land and part of a building), the whole of Item 5 must be repeated for each of the premises being leased using a Form 20 – Enlarged Panel (refer to LTPM Part [20-2020]).

5.3 Lease extent

Where the whole of every lot or the whole of every water allocation in the title(s) described in Item 2 is being leased, insert 'Whole of the land', or 'Whole of the lot(s)' or 'Whole of the water allocation(s)'.

Where only part of the land is being leased, insert 'Part of the land'.

If the whole of a building is being leased, insert 'Whole of a building'.

If only part of a building is being leased, insert 'Part of a building'.

5.4 Part of land area description:

For use only for leases of part of the land (and not leases of part of a building).

If only part of the land described in Item 2 is being leased, insert in Item 5 'Lease [identifier] on SP [number] (must be a survey plan that has been registered or lodged)'.

5.5 Building premises designation:

For use only for leases of buildings (and not for leases of land).

Describes the part of the building being leased – e.g. 'Shop 5'.

Optional for leases of the whole of a level unless there is a building premises designation specified in the lease sketch.

When completing the field insert the description of the leased premises as shown in the description on the lease sketch (e.g. 'Shop 5').

The 'Building premises designation' in item 5 and that identified in the lease sketch must be identical.

5.6 Building level:

For use only for leases of part buildings (and not for leases of land or of whole buildings).

Describes the level of a building being leased e.g. 'Level 3'. The Building level in item 5 and that identified in the lease sketch must be identical.

5.7 Building identifier:

For use only for leases of buildings (and not for leases of land).

Describes the building being leased – e.g. ‘Building A’.

Complete with ‘the only building’ for leases of the only building on a lot, unless a building identifier is included in the lease sketch.

Where there are multiple separate buildings on the land and each building has been given an identifier, insert the identifier that corresponds to the premises being described.

In either case, the ‘Building identifier’ in Item 5 must be consistent with the lease sketch.

5.8 Building sketch reference:

For use only for leases of buildings (and not for leases of land) where a lease sketch is attached.

This refers to the Building sketch reference allocated to the lease sketch e.g. ‘MPS 1345 v1’

The Building sketch reference must be identical to that allocated to the lease sketch.

Item 6 - Term of Lease

Complete the commencement and expiry dates in full e.g. 16/10/2024 and/or include details of the event(s) on which the lease commences and/or expires.

For the expiry details, do not insert the expiry date into the event field. If the lease expires upon an event, the event must be in writing e.g. ‘death of tenant.’

The details of the option/s must be completed. Where the lease does not contain an option/s, insert Nil.

Example:

6. Term of lease

Commencement date/event: 22/10/2024

Expiry date: 21/10/2029 and/or Event:

Options: Nil

Item 7 - Lease Details

The fields that can be completed in Item 7 have been addressed separately in the below headings.

7.1 Rental/Consideration

Provide information about the rent or other consideration in the space provided. The details may also be set out in a Form 20 – Schedule attached to the Form 7, or a supplementary document that is deposited with the lease. In this case, the words ‘See Schedule’ should be inserted.

7.2 Lease Type

Include the Lease Type in the space provided. The available lease types will be – Residential; Commercial; Commercial and Residential; Government and Water. No other lease types will be permitted. Note that ‘Commercial’ encompasses office, industrial and retail tenancies.

If the lease is a combination of lease types, repeat Item 7 on the Form 20 – Enlarged Panel.

7.3 Area/Volume

Include the Area/Volume in numerals of the total area being leased in the space provided.

The available Area options are – Square Metres and Hectares. Only one of these options is to be used for the area.

The available Volume options are Cubic Metres and Megalitres (for leases of Water Allocations). If the lease combines different options show each option (e.g. for a lease of land and a water allocation include 450 hectares and 500 megalitres).

If the lease is a combination of area and volume measurements, repeat Item 7 on the Form 20 – Enlarged Panel.

Item 8 - Terms and Conditions

Complete the relevant statement in part (a) or (b), or both; and provide a dealing number of the relevant Standard Terms Document and/or an attached Form 20 Schedule setting out the terms and conditions of the lease. Statements that are not applicable should be deleted.

Example:

8. Terms and Conditions (delete statements with a * if not applicable)

- (a) Document Reference - Nil;
 - (b) Additional terms and conditions: *the attached schedule
-

Item 9 - Previous Leases

Item 9 must be completed in all circumstances. The purpose of Item 9 is to confirm that there is no conflict in the leased area in the lease being registered and any lease that is currently registered on title (including unregistered dealings).

If there is a conflict between an existing leased area and the leased area in the lease being lodged, one or more of the first 3 statements must be completed. In these circumstances complete each of the statements which is relevant.

If there is no conflict in the leased area between the lease being registered and a lease that is currently registered on title, only the final statement in Item 9 will apply, and the first 3 statements should be deleted.

Note on Subleases: If the lease is a sublease, there will be no conflict in the leased area with the head lease. You should only complete one of the first 3 statements if there is a conflict of the leased area with another lease or sublease.

Example where a conflict exists (single statement):

9. Previous Leases (delete statements with a * if not applicable)

The Lessor confirms that:

*the time for the exercise of the option in a registered Lease has ended and the option has not been exercised for Lease no. 712365410

Example where a conflict exists (multiple statements):

9. Previous Leases (delete statements with a * if not applicable)

The Lessor confirms that:

*the time for the exercise of the option in a registered Lease has ended and the option has not been exercised for Lease no. 712365410

*this lease of the premises described in item 5 will surrender by operation of law registered Lease no. 723219860

Example where no conflict exists:

9. Previous Leases (delete statements with a * if not applicable)

The Lessor confirms that:

*the premises described in Item 5 are not, either wholly or partly, the subject of any other lease currently lodged or registered.

Item 10 - Grant/Execution

The Lessor(s) and Lessee(s) are required to execute the lease in the spaces provided. If there is insufficient space, a Form 20 – Enlarged Panel should be used. For further information on execution and witnessing refer to Part 61 of the [Land Title Practice Manual](#).

Note: all executions must be completed with an original, wet signed signature, for more information refer to Part [59-2000] of the [Land Title Practice Manual](#).

Checklist for Completion of Form 7 – Lease (version 7)

Items

Item 1

- Does the name of the lessor (including ACN/ARBN if required) agree with that recorded on the title? The capacity (e.g. personal representative or trustee) must be shown.

Item 2

- Do the details agree with the title? Ensure that the title reference provided is for the current title for the lot(s).
- If the lease is only over one lot in a multi lot title, is only the specific lot identified?

Item 3

- Is the lessee an entity capable of holding an interest in land? Is the lessee's name shown correctly and the tenancy (and shares if required) shown? **Note:** tenants in common must not have a lease which expires on the death of the lessee.
- If the lessee is to hold as a trustee, is 'as trustee' shown?

Item 4

- Is the interest being leased shown-for example Fee Simple, Water allocation, State Tenure, Lease No...?

Item 5 – Fields that must be completed

- Have the fields that need to be completed been identified and have the fields that are not required been deleted. Refer to Part 5.1 in the Guide to Completion.
- Has the Land Description been completed? Refer to Part 5.2 in the Guide to Completion.
- Is the lot containing the premises included in Land Description? If the lease is over multiple lots in a multi lot title, are all relevant lots identified?
- Is the Lease extent correctly described? Refer to Part 5.3 in the Guide to Completion.
- Do the descriptions of the Lease Extent /s shown in this item agree with those shown on the survey plan or on the attached sketch?

Item 5 – Fields that may need to be completed, depending on type of premises being leased

- Has the Part of Land Area Description field been completed? Refer to Part 5.4 in the Guide to Completion.
- Has the Building Premises Designation field been completed? Refer to Part 5.5 in the Guide to Completion.
- Has the Building Level field been completed? Refer to Part 5.6 in the Guide to Completion.
- Has the Building Identifier field been completed? Refer to Part 5.7 in the Guide to Completion.
- Has the Building Sketch Reference field been completed? Refer to Part 5.8 in the Guide to Completion.
- If lease is a sublease, is the subleased area already capable of precise definition, (e.g. for the whole of the head lease area) or is a new survey plan for the lease or lease sketch for the sublease and new unique identifier required (i.e. for a smaller area than the head lease)?

Item 6

- Are the commencement date and expiry date/event (that is definable) shown? Refer to Part 6 of the Guide to Completion.
- If the lease is to expire on the death of the lessee or the surviving lessee, is the expiry event field completed as 'or on the death of the lessee or the surviving lessee'?
- Is the option clause completed? Refer to Part 6 of the Guide to Completion.
- If the lessor is holding in a trustee capacity and the initial term plus options exceed 21 years, do the trust documents provide authority for the lessor to grant a lease?

Item 6 Continued

- If the lease is for part of the land and the initial term and options exceeds 10 years, has the relevant local authority consented (Form 18) to this lease?
- Is a Form 25—Foreign Ownership Information required? A Form 25 is required if:
 - A lessee of freehold land or sub-lessee of State leasehold land is a foreign person (see Part 25 of the Land Title Practice Manual); and
 - The term (including available options) of the lease/sub-lease exceeds 25 years.
- If lease is a sublease, does the term expire at least one day prior to the expiry of the head lease? **Note** – a sublease cannot be granted if the head lease terminates on “the death of the head lessor”.
- Is the lease being lodged within the initial term? If not a Form 13 Amendment is required to be lodged.

Item 7

- Is a rental amount or consideration stated? Refer to Part 7.1 of the Guide to Completion
- Has the lease type been completed? Refer to Part 7.2 of the Guide to Completion
- Has the Area/Volume been completed? Refer to Part 7.3 of the Guide to Completion

Item 8

- Are the non-applicable clauses deleted? Refer to Part 8 of the Guide to Completion
- If a schedule is referred to, is it attached to the lease form and all the pages numbered correctly?

Item 9

- Does any existing lease on title conflict with this lease? If no, delete the first 3 statements and leave the final statement.
- If an existing lease on title does conflict with this lease, complete the relevant statement (Refer to Part 9 of the Guide to Completion)

Item 10

- Is the form originally signed and dated by all parties?
- If executed under a power of attorney, is the attorney clause included, showing the principal's name, the attorney's name or the attorney's position and the Queensland registered power of attorney number. **Note:** the power of attorney must authorise the attorney to execute a lease.
- Is the witness qualified in accordance with Schedule 1 of the *Land Title Act 1994* and their full name shown?
- If executed under a common seal, is it legible and capable of being copied?
- If a company has executed without a common seal, are the company name and ACN/ARBN shown?
- Are the designations of the signatories for a company shown?
- If the lessor is not signing the document personally (e.g. it is being signed by a receiver/manager or mortgagee in possession), has the relevant evidence of their authority to sign on behalf of the lessor been attached?
- If executed by a Body Corporate for a community title scheme, has a Form 20 – BCCM Execution been used?

Sketch

Part of a Building

- Does the sketch comply with the Registrar of Titles Directions for the Preparation of Plans 5.2 and 5.3?
- If there are multiple buildings on the lot/site, building identifier/s are provided.
- Does Item 5 on the Form 7 exactly match the lease identifiers, level identifiers and if necessary, the building identifiers on the sketch?
- Is all information on the sketch plan legible?
- Is the lease sketch to scale at A4, and is not inserted into a Form 20?

Part of the Land (where applicable)

- Is a survey plan required to be lodged to precede the lease?
- Does the lease require an approval from a planning body on a *Form 18—General Consent* — for example a local government or Urban Land Development Authority?

Form and evidence

- Have the correct form and version been used?
- Are the lodger's details shown?
- Are all pages numbered consecutively and show at least one title reference?
- Is any supporting documentation required to be deposited — for example mortgagee's consent on Form 18—General Consent, or Minister's approval?
- Are prior registered leases that are current, expired or in option time addressed?
- If the registration of the lease will operate to surrender an existing registered lease by operation of law – has evidence of written notice given to each registered mortgagee or lessee of the existing lease been deposited? Refer to the Land Title Practice Manual [7-2110] for evidence requirements.