

Personal Representative

A guide to preparing the documents

Last updated February 2025



This guide is designed to show you how to prepare and lodge an **Application by Personal Representative (Transmission)**. Once registered, changing the ownership of the property to each beneficiary of the deceased owner via a Transfer of Land can be carried out.

Preparing an Application by Personal Representative

This step-by-step guide is designed to show you how to prepare and lodge an Application by Personal Representative.

This application should only be used when a sole proprietor/owner, or a proprietor owning a share as tenant in common, passes away. The effect of this application is to show the name of the executor or administrator on the title (in the capacity of executor or administrator) replacing the name of the deceased proprietor.

This application must be registered to enable the property to be sold or to transfer the ownership to the person(s) named as a beneficiary of the deceased proprietor's estate.

It is important to read through the whole of this information guide. Being familiar with the information provided in the guide will assist if you need to contact Landgate to clarify any part of the process. Useful contacts are listed on the back page.

What you should know about a Certificate of Title

Certificates of Title are created by Landgate usually as a result of registration or approval of a subdivisional plan. Original titles are always kept as Landgate.

Some limitations or encumbrances may prevent the registration of a transfer or other interests on a Certificate of Title. For this reason, it is recommended that a copy of the original Certificate of Title be obtained from Landgate, to assist in completing the transfer of land form and application. We commonly refer to this as a 'title search'. A title search will show the spelling of the names of the registered proprietors/owners.

For a fee, you can conduct a [title search](#) and obtain a copy of a Certificate of title.

The Transmission Application process

When a sole proprietor or tenant in common landowner dies, a specific process needs to take place so that the land can be transferred by their executor or administrator, also known as their Personal Representative(s).

The executor or administrator would apply to the Probate Office to be appointed as an executor or administrator of the deceased proprietor's will or estate. When satisfied with the documentation provided, the Probate Office will then issue a Grant of Probate or Letters of Administration. This is the legal document that is must to be produced as evidence along with the Application by Personal Representative Form (Transmission e-Form or paper Form A1), enabling the name of the executor(s) or administrator(s) to be placed on the deceased proprietor's Certificate of Title.

The Application by Personal Representative must be lodged to enable the executor/administrator(s) to deal with the land of the deceased proprietor prior to transferring the property to the beneficiary or selling it. Probate is still required if the application is lodged along with transfer of land form which includes selling the property or transferring the property to the person(s) named as a beneficiary of the deceased proprietor's estate.

What do I need for my application?

- Verification of Identity (VOI) – the identity of the person/s signing as applicants must be verified
- Original Grant of Probate or Letters of Administration
- Title Search (recommended) – used to complete the application and statutory declaration form
- Forms: Transmission e-Form (or paper Form A1) and Statutory Declaration Form B3
- Registration Fees payable to Landgate

Verification of Identity – (VOI) Identifying the applicant(s)

All natural person/s (executors or administrators) signing the application document are required to have their identity verified by an independent party in line with [Landgate's VOI practice](#).

When opting for professional representation they will complete the Verification of Identity on your behalf and will lodge the land transaction/s. If the land transactions are returned to you to self-lodge, you will be considered as self-represented and will not be able to use the VOI Statement provided by the industry profession. Lodgement may also be refused.

If opting for self-representation, you are required to download the Verification of Identity Form – Self-Represented Party (Western Australia) from policy and procedure guide [VOI-02 Western Australian Registrar and Commissioner of Titles Joint Practice: Verification of Identity and Authority. Paper Based Transactions – How to Complete a Verification of Identity](#). The form is not available at Australia Post outlets.

Once you have attended a participating outlet and you have your receipt, you can complete the VOI Statutory declaration that will accompany the Transfer of Land.

- Persons residing overseas cannot be self-represented party and must seek professional representation.

The original Probate or Letters of Administration issued by the Probate Office

Landgate will require the original probate or original Letters of Administration document to be lodged as evidence with the application.

Importantly, a copy of the probate or letters of administration document certified by a Justice of the Peace or a similarly qualified person is NOT acceptable.

Landgate is required to sight the original Probate/Letters of Administration document. If the applications is lodged in person, the original Probate/Letters of Administration will be returned at the time of lodgement. If the application is posted to Landgate, the original Probate/Letters of Administration will only be returned when the registration process is completed. A copy certified by Australia Post, a licensed settlement agent or a legal practitioner will also be accepted (refer to Land Transactions Policy and Procedure Guide DOC-04 Statutory Declarations and Supporting Evidence" & CIB 337).

Title Search – A copy of the current Original Certificate of Title

A title search is optional, however highly recommended, as the search provides you with a complete up to date copy of the title at the date and time the title search is conducted.

For a fee, you can conduct a title search online and [obtain a copy of a Certificate of Title](#).

A Transmission e-Form (or paper Application by Personal Representative Form A1) and a Statutory Declaration Form B3

The Transmission e-Form and the Statutory Declaration Form B3 are available online via Landgate's [Land Titling Forms](#) web page. Alternatively, paper versions (Application by Personal Representative Form A1 and Form B3) are available from Landgate office.

A statutory declaration is required identifying the deceased if the name and address as shown on the Grant of Probate or Letters of Administration differ in any way from those shown in the Certificate of Title. However, if the Grant of Probate or Letters of Administration correctly identifies the address and name of the deceased proprietor on the title and the Will, no further proof is required.

A separate statutory declaration is not required if e-Form is used as statutory declaration is incorporated in the e-Form.

Where the name of an Executor or Administrator shown in a Grant of Probate or Letters of Administration differs to that shown in a transmission application, a new or amended Grant of Probate or Letters of Administration will be required from the Probate Office. Where a formal change of name is made after the date of the grant, proof will be required along with a statutory declaration as to the correct name and the reason for the error in the grant before an application for transmission can be entered.

Please note that only original signed forms can be lodged for registration and all forms must be printed on white A4 size paper in duplex style, so both sides of the paper are printed upon.

Registration Fees

View the current Registration and Search Fees that can be paid by cash, credit card, EFTPOS, or by cheque/money order made payable to Landgate. Fees must be paid when lodging the document in person or included if posting the documents to Landgate.

Further Reading

For further information on this transaction type and further document requirements, please see the following links:

- [Land Titles Policy and Procedure Guides](#)
- A guide to basic requirements for the preparation of paper documents "[Getting it Right –Reference Guide](#)"
- [Land Transaction Hub](#)

Steps to lodging an application

1. Complete the application and statutory declaration forms by using the title search. Type or print legibly in dark ink pen (preferably black) to complete the application and statutory declaration forms, using the examples in this guide to assist you.
2. Ensure the original Probate or original Letters of Administration issued by the Probate Office are provided with the application.
3. Ensure there are original Verification of Identity (VOI) receipts issued by Australia Post provided for each of the natural persons signing the application document.
4. Registration fees will need to be paid when the document is presented for lodgement, documents cannot be accepted without fee payment. Payments over the counter are available by cheque/money order, credit card or cash. If posting document/s to Landgate it is important to include any registration fee payable. Please feel free to use our [Postal Lodgement Coversheet](#) which enables you to review and select one of the payment options available.
5. Lodge the original signed application, statutory declaration form, Probate/Letters of Administration (together with other evidence that may be required) with Landgate, **ensuring the registration fee payment is enclosed if lodging by post.**
 - In person at one of Landgate's lodgement offices. NOTE: any person can lodge the application document with Landgate; the lodging party does not need to be one of the person(s) named in the application document.
 - By post to:
Landgate Document Lodgement Section PO Box 2222
MIDLAND WA 6936

NOTE: Original evidence being returned by post will be posted in the normal mail. If you wish to have the original evidence returned by registered post, you will need to provide a self-address, pre-paid registered post envelope to Landgate with the application document.

Refer to the next page for a completed example.

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

WESTERN AUSTRALIA

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

REGISTER NUMBER 1580/P22396	
EDITION 4	DATE DUPLICATE ISSUED NA

B VOLUME 3332	C FOLIO 339
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REGISTRAR OF TITLES

This example is for paper forms only. Please refer to Landgate's **Land Titling Forms** web page for the equivalent e-form.

If the application affects only one proprietor where two or more proprietors are on the title, the share of the deceased shown on the title must be shown next to the Land Description "A".

A LOT 1580 ON DEPOSITED PLAN 22396

E FRANK PETER WHISKEY
13 CROWN STREET, ALLANBROOK

(T M149404) REGISTERED 31 SEPTEMBER 2018

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. M149565 RESTRICTIVE COVENANT BURDEN, REGISTERED 31.9.2018.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimension or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

END OF CERTIFICATE OF TITLE

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 3332-339.
PREVIOUS TITLE: 3332-000.
PROPERTY STREET ADDRESS: 344 ROLLING CIRCUIT, HELENA HILLS
LOCAL GOVERNMENT AREA: CITY OF SWAN

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

FORM A1

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

APPLICATION BY PERSONAL REPRESENTATIVE
TO BE THE REGISTERED PROPRIETOR OF LAND BY TRANSMISSION

DESCRIPTION OF LAND (Note 1)

A

Lot 1580 on Deposited Plan 22396

EXTENT

Whole

VOLUME

3332

FOLIO

339

B

C

APPLICANT (Note 2)

D

Neil Frederick Goods of 145 Wide Road, West Cannington

DECEASED PROPRIETOR (Note 3)

E

Frank Peter Whiskey, formerly of 13 Crown Street, Allanbrook, late of 344 Rolling Circuit, Helena Hills.

DATE OF DEATH (Note 4)

F

Twenty Third March Two Thousand and Twenty

DATE OF GRANT (Note 5)

G

Thirtieth August Two Thousand and Twenty

The APPLICANT as Personal Representative of the above named deceased HEREBY APPLIES to be registered as the proprietor of the Interest of the said deceased in the land above described.

H

Dated this day of Year

I

SIGNATURE OF APPLICANT/S (Note 6)

Applicant/s Signature

SAMPLE ONLY. ACTUAL TEXT WILL VARY

Completing the Statutory Declaration

If applicable, a Statutory Declaration is required by a person making the Application by Personal Representative. A separate statutory declaration is not required if e-Form is used as statutory declaration is incorporated in the e-Form.

The following should be included:

- Your capacity to act for the deceased proprietor
- Identification of the land by its land description, volume and folio numbers taken from your copy of the Certificate of Title. See references A, B and C on the sample title
- Name of deceased tenant/s and reference to proof of death supplied, either Letters of Administration or Grant of Probate reference date on sample title

	FORM B3 WESTERN AUSTRALIA TRANSFER OF LAND ACT 1893 OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005	
	STATUTORY DECLARATION	
D	I/WE Neil Frederick Goods of 145 Wide Road, West Cannington, Personal Trainer. <small>(name, address and occupation of person(s) making the declaration)</small> sincerely declare as follows -	A To be copied from Certificate of Title
	I am the executor (or administrator) of the will of Frank Peter Whiskey, deceased, who died on 23 March 2020. Probate was granted to me on 30 August 2020.	B To be copied from Certificate of Title
	The said Frank Peter Whiskey was registered as the proprietor of the land being Lot 1580 on Deposited Plan 22396, being the whole of the land in Certificate of Title Volume 3332 Folio 339, wherein he was shown at a former address of 13 Crown Street, Allanbrook.	C To be copied from Certificate of Title
J	The Frank Peter Whiskey of 13 Crown Street, Allanbrook as shown on Certificate of Title Volume 3332 Folio 339 is one and the same person as Frank Whiskey of 244 Rolling Circuit, Helena Hills as described on the Grant of Probate document.	D Full name and address of application executor/s or administrator/s
	I make this declaration in support of my application to be registered as the proprietor of the land in Certificate of Title Volume xx Folio xx by Transmission.	E Full name and address of deceased as shown on Certificate of Title
		F Date of Death in words
		G Date of grant in words
		H Date application signed
		I Signature of executor(s) or administrator(s) No witness required
		J Substitute relevant details, using the Volume and Folio and address from your copy of the title
K	This declaration is <u>true</u> and I / WE know that it is an offence to make a declaration knowing that it is false in a material particular. This declaration is made under the <i>Oaths, Affidavits and Statutory Declarations Act 2005</i> at (place) _____ on _____ day of _____ 20 _____	K Date to be shown
L	by - _____ Signature of person(s) making the declaration (sign in the space above)	L Signature of declarant(s)
M	In the presence of - _____ Signature of authorised witness (sign in the space above) <small>(Print the full name, address and qualification of authorised witness in the space above)</small>	M Signature of witness (before signing, check list of competent witnesses on back of Statutory

Changing the ownership of the property to each beneficiary of the deceased owner (Transfer of Land)

A Transfer of Land document is required to be registered to change the property ownership to each beneficiary of the estate of the deceased proprietor.

The transfer document can be lodged with the Application by Personal Representative or any time after the application has been lodged.

If you are completing the forms yourself, we advise you to exercise great care as the documents involved are legally binding. A competent professional, such as a solicitor or a licensed settlement agent, should always be considered when preparing any land transfer document.

What do I need for my land transfer?

- Verification of Identity (VOI) – the identity of the person(s) signing as transferor(s) and transferee(s) must be verified (the executor/s or administrators and beneficiaries)
- Title Search (recommended) – used to complete the Transfer of Land Form
- Forms – Transfer of Land Forms T1 or T2
- If the property is subject to a mortgage, ensure you have obtained a signed letter of consent from the financier
- 'Certificate of Duty' or document stamped - Obtained from Revenue WA for the assessment of (stamp) duty
- Registration fees payable to Landgate

Verification of Identity – (VOI) Identifying the transferors and transferees

Refer to the identification requirements set out under the heading Verification of Identity.

If the transfer is being lodged at the same time or within 12 months as the application by personal representative, then the VOI receipt issued by Australia Post is sufficient for both documents.

Title Search – A Copy of the current Certificate of Title

A title search is optional, however highly recommended, as the search provides you with a complete up to date copy of the titles at the date and time the title search is conducted.

For a fee, you can conduct a title search online using an address and order a [copy of a Certificate of Title](#).

The original Grant of Probate or Letters of Administration issued by the Probate Office

If transferring the property to the beneficiaries of the deceased proprietor, Landgate will require the original probate or original letters of administration document (with Will annexed) to be lodged as evidence with the application.

If the deceased proprietor passed away without leaving a Will, the Probate Office will issue Letters of Administration only (without a will annexed). Where this occurs, the administrator should seek legal advice and assistance to complete the transfer process.

Landgate is required to sign the original Probate or Letters of Administration document. This document will be returned at the time of lodgements of the application if lodged in person, however, if the application is posted to Landgate the original Probate or Letters of Administration document will be returned to the customer with their receipt. A copy certified by Australia Post, a licensed settlement agent or a legal practitioner will also be accepted" (refer to [Land Transactions Policy and Procedure Guide DOC-04 Statutory Declarations and Supporting Evidence](#)" & [CIB 337](#)

Copy of the Probate or Letters of administration document certified by a Justice of the Peace or a similarly qualified person is not acceptable.

A Transfer of Land Form – Forms T1 or T2

A [Form T1](#) is a one page form used when there are no more than two transferors and/or two transferees named in the document. Certificate of Title issuing instructions cannot be altered while using this form. Status quo remains.

A [Form T2](#) is a two page form that has larger information panels and can be used when there are more than two transferors and two transferees or if more information is required in any panel on the transfer document.

Freehold land registration forms are available from a Landgate office or online from the [Landgate website](#).

Revenue WA (OSR) – for the assessment of (stamp) duty

When the transfer form has been completed and signed, the original signed form must be presented to State Revenue at the Department of Finance for (stamp) duty assessment.

NOTE: All transfers must be presented to Revenue WA for duty notation before the transfer can be lodged with Landgate. The transfer form will either be 'Stamped' or a 'Certificate of Duty' will be issued

Contact Details for Revenue WA are listed on the back page.

Registration Fees

View the current [Registration and Search Fees](#) that can be paid by cash, credit card, EFTPOS, or by cheque/money order made payable to Landgate. Fees must be paid when lodging the document in person or included if posting the documents to Landgate.

Steps to lodging a Transfer

1. Complete the transfer form by using the title search. Type or print legibly in dark ink pen (preferably black) to complete the panels in the transfer form using the examples in this guide to assist you.
2. Ensure the transfer has been assessed for duty by Revenue WA and a duty certificate is provided, or duty is noted on the original transfer form.
3. Ensure there are original Verification of Identity (VOI) receipts issued by Australia Post provided for each of the natural persons signing the transfer document.
4. Lodge the original signed transfer form (together with any other evidence that may be required) with Landgate, **ensuring the registration fee payment is enclosed if lodging by post.**
 - In person at one of Landgate's lodgement offices. Note: any person can lodge the transfer document with Landgate; the lodging party does not need to be one of the persons named in the transfer document.
 - By post to:
Landgate Document Lodgement Section
PO Box 2222
MIDLAND WA 6936

NOTE: Original evidence being returned by post will be posted in the normal mail. If you wish to have the original evidence returned by registered post, you will need to provide a self-addressed pre-paid registered post envelope to Landgate with the transfer document.

Terms of Use

Disclaimer of Liability

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Important

The information in this document should not be regarded a legal advice, In all matters users should seek legal advise from an independent legal practitioner.

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

REGISTER NUMBER 1580/P22396	
DUPLICATE EDITION 4	DATE DUPLICATE ISSUED NA

WESTERN AUSTRALIA

RECORD OF CERTIFICATE F TITLE
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

B VOLUME
C FOLIO

A LOT 1580 ON DEPOSITED PLAN 22396

LAND DESCRIPTION:

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

F FRANK PETER WHISKEY
13 CROWN STREET ALLANBROOK

(T M149404) REGISTERED 28 AUGUST 2020

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. M149404 RESTRICTIVE COVENANT BURDEN. REGISTERED 28.8.2020.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimension or area of the lot is required.
*Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

END OF CERTIFICATE OF TITLE

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for the relevant documents or for local government, legal, surveying or other purposes.

SKETCH OF LAND: 3332-339.
PREVIOUS TITLE: 3332-000.
PROPERTY STREET ADDRESS: 344 ROLLING CIRCUIT HELENA HILLS
LOCAL GOVERNMENT AREA: CITY OF SWAN

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

A To be copied from Certificate of Title

B To be copied from Certificate of Title

C To be copied from Certificate of Title

D Insert the word "whole".

E Show "fee simple" if the Transfer affects the share on the deceased where two or more proprietors are on the Title, the share of the deceased must be shown as "fee simple as to - share of the deceased"

F Show full names and capacity [as executor(s) or administrator(s)] of the will of the deceased

G To be stated in words

H Show full names and address(es) of transferee(s). If more than one person, show the tenancy as "joint tenants" or "tenants in common" with shares stated e.g.: "tenants in common in equal shares"

I Date to be shown

J Transferor(s) [executor(s) or administrator(s)] sign their usual signature

K Witness signs under transferor/transferee. Witness must then print their full name, address and occupation.

L Transferee(s) sign their usual signature

FORM T1

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893

TRANSFER OF LAND

DESCRIPTION OF LAND (Note 1)

A Lot 1580 on Deposited Plan 22396

EXTENT

Whole

VOLUME

3332

FOLIO

339

ESTATE AND INTEREST (Note 2)

E Fee Simple

TRANSFEROR (Note 3)

F Neil Frederick Goods as executor (or administrator if applicable) of the will of Frank Peter Whiskey deceased

CONSIDERATION (Note 4)

G Terms of the will of Frank Peter Whiskey deceased

TRANSFeree (Note 5)

H Neil Frederick Goods of 145 Wide Road WEST CANNINGTON WA 6017

The TRANSFEROR for the consideration herein expressed transfers to the TRANSFeree the estate and interest herein specified in the land herein described, subject to the Limitations, Interests, Encumbrances and Notifications as shown on the Certificate of Title and/or otherwise affect the land under the Transfer of Land Act 1893.

I Dated this day of Year

TRANSFEROR/S SIGN HERE (Note 6)

TRANSFeree/S SIGN HERE (Note 6)

J Signed by
K In the presence of

J Signed by
K In the presence of

L Signed by
K In the presence of

L Signed by
K In the presence of

SAMPLE ONLY. ACTUAL TEXT WILL VARY

Contact List

Landgate Contacts

Landgate Office Hours 8.30am to 4.30pm
(Lodgement Hours 8.30am to 4.30pm)

Landgate – Midland Head Office
1 Midland Square
MIDLAND WA 6056

TEL +61 (0)8 9273 7373

Email: customerservice@landgate.wa.gov.au

Website: www.landgate.wa.gov.au

Postal Address: PO box 2222, MIDLAND WA 6936

Document Lodgement Sites

Document lodgement hours strictly 8.30am to 4.30pm

Landgate – Midland Head Office
1 Midland Square
MIDLAND WA 6056

Landgate – Perth Business Office
200 St Georges Terrace
PERTH WA 6000



Other Useful Contacts

**Department of Finance
Revenue WA**
3rd Floor, 200 St George Terrace
PERTH WA 6000
Tel: +61 (0)8 9262 1100
Website: www.wa.gov.au

Department of Planning
140 William Street
PERTH WA 6000
Tel: +61 (0)8 6551 9000
Website: www.planning.wa.gov.au

Family Court
150 Terrace Road
PERTH WA 6000
Tel: +61 (0)8 9224 8222
Website: www.familycourt.wa.gov.au

Probate Office
11th Floor, 28 Barrack Street
PERTH WA 6000
Tel: +61 (0)8 9421 5152
Website: www.supremecourt.wa.gov.au

Registry of Births, Deaths and Marriages
141 St Georges Terrace
PERTH WA 6000
Tel: +61 1300 305 021
Website: www.bdm.dotag.wa.gov.au

State Administrative Tribunal
6th Floor 565 Hay Street
PERTH WA 6000
Tel: +61(0)8 9219 3111
Website: www.sat.justice.wa.gov.au