

SIG-01 Signing of Documents

Version 1 - 30/06/2017

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1 Overview

The following information relates to documents executed in Australia. For the signing and witnessing of land transaction documents outside of Australia, please refer to [SIG-07 Signing and Witnessing of Documents by a Person Overseas](#) .

Instruments under the Act signed by any person and attested by one witness are duly executed under section 145(1)(a) of the T LA, where:

- the witness is not a party to the instrument
- the witness has signed the document
- the witness is an adult and there appears on the instrument the full name, address and occupation of the witness, in English script below the witness' signature. The details of the witness must be able to be clearly read by the Registrar of Titles
- the instrument is signed within Australia or a Territory of Australia including the Cocos (Keeling) Islands or Christmas Island

and

- the signature of each person is separately attested.

Signatures must be in ink. The use of black or blue ballpoint or felt tips pens is recommended when signing.

A party to a document must sign using their usual signature, which may be by printing the name, or using English or other language script, thumb print or other mark. To assist communication with witnesses, if necessary, it would be helpful if the telephone number at which the witness can ordinarily be contacted during business hours is added after his or her occupation.

The Registrar expects signatures to be written, not printed, and the presence of a printed name on

a document raises the question of whether the document has been signed. Where the printed signature is duly witnessed, the witness is testifying that the document has been signed, but where the printed signature is that of the witness there is a possibility of a later denial, both as to the witness and the party to the document. In cases where the signature of a witness is printed the Registrar will request confirmation that the witness did indeed witness the attestation of the document, and that the signature on the document is the normal signature of the witness.

Where an instrument is executed but not witnessed in the manner provided above and the genuineness of the signature and handwriting of the person signing is proved to the satisfaction of the Registrar, by the statutory declaration of a person well acquainted with the person signing, who:

- identifies the instrument for which the declaration is required or supplied
- declares positively that the signature thereon is the true signature and handwriting of the person executing the instrument, and
- states how and over what period the declarant has obtained a sufficient knowledge of the signature and handwriting of that person,

then the instrument may be accepted for registration by virtue of s.145(3) of the T LA.

2 Also see

- [SIG-02 Signing by Mark or Cross](#)
 - [SIG-03 Signing by a Corporation](#)
 - [SIG-04 Signing by a Liquidator, Administrator, Official Manager or Receiver](#)
 - [SIG-05 Signing by an Incorporated Association](#)
 - [SIG-06 Signing of Electronic Documents](#)
 - [SIG-08 Signing by an Attorney under \(Enduring\) Power of Attorney](#)
 - [SIG-09 Signing by a Local Government](#)
 - [SIG-10 Signing by a Minor](#)
 - [SIG-11 Signing by a Partnership](#)
 - [SIG-12 Signing by a Registered Friendly Society](#)
 - [SIG-13 Signing by Aboriginal and Torres Strait Islander Corporations](#)
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