

Residential and Commercial Purchaser Title Insurance

5 Easy Steps for Purchasers

The Residential & Commercial Purchaser Policy is available to purchasers of residential and commercial property and must be applied for prior to settlement.

Please find attached a copy of the Policy Order Form.

To determine the applicable premium, refer to our website www.stewartau.com or contact us on **1800 300 440** for a quote.

Follow these simple steps to apply for title insurance cover:

1. Complete all details in the **Policy Order Form** and return to us.
2. Once we have received your Order Form we may need to contact your solicitor or conveyancer to request copies of the relevant searches and/or documents from your conveyancing file.
3. Once we have processed your order, we will issue a **Policy Order Confirmation**. This confirms that we will provide cover for your property and sets out any exceptions and/or qualifications to our standard cover. A copy will also be sent to your solicitor or conveyancer.
4. Once settlement has occurred, you or your solicitor or conveyancer should notify us and send us a cheque for the premium within 14 days.
5. The **final policy** together with a tax invoice will be sent to your email or post settlement address.

There will be **no legally binding contract** of insurance until we receive notification of settlement and full payment of the premium.

Please note your obligations with respect to your duty of disclosure set out below. In accordance with these obligations, please notify us of any title defects or adverse matters affecting title or use of the property of which you have knowledge.

We thank you for choosing Stewart Title Limited.

Duty of Disclosure

Before you enter into a contract of general insurance with an insurer, you have a duty, under the **Insurance Contracts Act 1984**, to disclose to the insurer every matter that you know, or could reasonably be expected to know, is relevant to the insurer's decision whether to accept the risk of the insurance and, if so, on what terms.

Your duty however does not require disclosure of any matter:

- that diminishes the risk to be undertaken by the insurer;
- that is of common knowledge;
- that your insurer knows, or in the ordinary course of business, ought to know;
- as to which compliance with your duty is waived by the insurer.

Non disclosure

If you fail to comply with your duty of disclosure, the insurer may be entitled to reduce its liability under the contract in respect of a claim or may cancel the contract. If your non disclosure is fraudulent, the insurer may also have the option of avoiding the contract from its beginning.

Residential and Commercial Purchaser Policy Order Form

Please submit this form to Stewart Title Limited, Underwriting Department:

FAX | 1300 898
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EMAIL | OrderAU@stewart.com

MAIL | GPO Box 527 Sydney NSW 2001 or
DX 10504 North Sydney, NSW

Your order will be processed promptly. Business hours are Monday to Friday, 8:30am to 5:00pm AEST

YOUR DETAILS (PLEASE USE BLOCK CAPITALS)

Please list the full name of all buyers who will become owners of the property

Name(s)			
ABN/ACN (if applicable)			
Current Address			
Post settlement address			
Telephone		Email	

YOUR SOLICITOR / CONVEYANCER DETAILS (PLEASE USE BLOCK CAPITALS)

Company			
Address			
Contact Email			
Telephone		Contact Person	

PROPERTY DETAILS (PLEASE USE BLOCK CAPITALS)

Title Reference		Purchase Amount	\$	
Property Address				

Is the property strata? Yes No

Please select the type that best describes your property:	<input type="checkbox"/> House	<input type="checkbox"/> Office
	<input type="checkbox"/> Apartment / Unit	<input type="checkbox"/> Warehouse
	<input type="checkbox"/> Vacant land (residential)	<input type="checkbox"/> Shop
	<input type="checkbox"/> Vacant land (non-residential)	<input type="checkbox"/> Other commercial / industrial (specify) _____
	<input type="checkbox"/> Farm or rural land. Is the farm or rural land used as a commercial enterprise? <input type="checkbox"/> Yes <input type="checkbox"/> No	

Please tick to confirm these searches will be conducted prior to settlement:

Title Search Land Tax Council & Water (include usage) Strata/Body Corporate (if applicable)

Anticipated Settlement Date	
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DISCLOSURE DECLARATION

I / We declare that I / we do not know of any title defects or adverse matters affecting title or use of the property.

IMPORTANT NOTICE TO PURCHASER:

If you do know of any title defects or adverse matters affecting title or use of the property then you must disclose them by providing details with the order form. Title defects or adverse matters include illegal structures, survey/ boundary defects, encroachments, non-compliance with zoning & development laws, non-compliance with easements and covenants, lack of legal access, lack of a legal right of water supply or drainage, fraud, forgery & identity theft and outstanding rates, charges & taxes that will not be paid or reimbursed on settlement.

AUTHORITY

I / We hereby authorise my / our solicitor or conveyancer to provide to Stewart Title Limited all information and documentation necessary in relation to the above mentioned property for the purposes of policy cover.

Signature(s) Date

Privacy Statement

We are committed to handling your personal information in accordance with the Privacy Act. We recognise that any personal information we collect, use and disclose about you may only be collected, used and disclosed for the primary and related purposes for which it was collected and where you would reasonably expect us to.

We only collect information from you that is necessary for us to provide you with our services, including, but not limited to, assessing your request for title insurance, assessing any claim you may make under that policy and facilitating the payment or refund of premiums (if applicable).

Personal information is kept in a combination of paper and electronic format. Paper records, including general business records, are stored in our Australian head office. Access to personal information is restricted to Stewart employees and third party providers who require access for business purposes, such as:

- property valuers
- legal practitioners
- licensed conveyancers
- land surveyors
- building consultants
- other external and independent professional advisors who may be engaged by Stewart in the course of investigating, assessing and settling a claim

We transfer personal information (which may include electronic formats such as emails) for administrative, data back-up, processing (including claims administration) and reinsurance purposes to our head office, Stewart Title Limited United Kingdom, our affiliate, Stewart Title Guaranty Company Canadian Division, and/or our international head office, Stewart Title Guaranty, USA ("Other Jurisdiction Offices").

Personal information transferred outside of Australia may be accessible to regulatory authorities and enforcement agencies in accordance with the laws of the respective countries in the Other Jurisdiction Offices.

We take all reasonable steps to satisfy ourselves that our Other Jurisdiction Offices and our service providers are committed to complying with this Privacy Policy.

From time to time, certain information about your property, such as information about a known title defect or other adverse circumstances/issues affecting your property ("Known Risks"), may be disclosed to Stewart in the course of Stewart providing you with our services. Disclosure of Known Risks may result in Stewart issuing an exclusion, exception or condition on the cover it would normally provide to you. Such exclusions, exceptions and conditions are normally detailed in the Schedule B which forms part of your title insurance policy.

In the future, a prospective purchaser of your property may request similar services from Stewart. In those circumstances, Stewart may use the information relating to the Known Risks for the purposes of assessing any request for our services by a purchaser of your property. Stewart may for this purpose:

- disclose the existence of the Known Risks to the purchaser and/or their legal or conveyancing representatives
- apply the same exclusion, exception or condition on cover in respect of the Known Risks to any subsequent policy which is issued to a purchaser of your property by Stewart

By visiting our website, applying for any of our services, making a claim or providing us with your personal information, you consent to your personal information being collected, held, used and disclosed as set out in our Privacy Policy.

For a copy of our complete Privacy Policy (which may be amended from time to time), please visit our website at www.stewartau.com or contact our Privacy Officer at PrivacyAU@stewart.com