

Notice

To Lodging Parties

13 November 2018 No 211

Simplify Bill *Real Property Act 1886* amendments

The Statutes Amendment and Repeal (Simplify) Bill 2018 (the Simplify Bill) was introduced into Parliament on 18 October 2018. The purpose of the Simplify Bill is to simplify the way the Government interacts with citizens, remove redundant legislation from the statute book, harmonise state laws with national laws and align regulatory practice with best practice.

Accordingly, 40 proposed amendments were included in the Simplify Bill, including amendments to the *Real Property Act 1886* (RPA), which will:

- ensure the Registrar-General has the power to mandate electronic conveyancing; and
- allow a revocation of power of attorney, or the death of a grantor of power of attorney, to be noted on the electronic copy of the duplicate or copy of a power of attorney.

The proposed amendments to the RPA are at clause 83, 84 and 85 of the Simplify Bill, which can be found on the 'Bills' page of the legislation.sa.gov.au website, or by following this [link](#).

The amendment to ensure the Registrar-General has the express power to mandate electronic lodgement of lands titles dealings enables the Registrar-General to approve the manner of lodgement, as well as the form, of the real property instruments. This clarifies the existing powers of the Registrar-General in light of the currently mandated real property dealings. No further policy decision in regards to further mandating of electronic conveyancing has been made.

Currently, the requirement to note a revocation of power of attorney or death of a grantor of power of attorney can only be made on a hardcopy duplicate or copy of the power of attorney. The insertion of a new section within the Act will enable the satisfaction of this requirement electronically.

These amendments will not come into operation until they are passed by both houses of Parliament and assented to by His Excellency the Governor.

Please direct any queries to DPTI.RegistrarGeneral@sa.gov.au



Graeme Jackson
REGISTRAR-GENERAL