

Notice

To Lodging Parties

4 July 2016

No 190

Implementation of Electronic Conveyancing and New Conveyancing Requirements

Monday 4 July 2016 marks a significant day for the Real Property industry in South Australia, with the commencement of the *Real Property (Electronic Conveyancing) Amendment Act 2016* and the introduction of National Electronic Conveyancing.

A copy of the Act, as well as the amended subordinate legislation can be found at www.legislation.sa.gov.au.

For those who may have missed some of our communications around the various reforms, below is a summary of publications for your convenience:

New Conveyancing Requirements

A summary of the changes being introduced with the Act are published in [Notice to Lodging Parties \(NTLP\) #189](#). This includes the removal of Duplicate Certificates of Title and Tenants Copies of Crown Lease.

Transition Arrangements

As outlined in [NTLP #188](#) there will be a four month transition or probationary period for full compliance with the new conveyancing requirements. The transition period will commence on Monday 4 July 2016 and end on Friday 4 November 2016.

The acceptance of Mortgage and Discharge of Mortgage instruments lodged in the existing form will be extended to 4 July 2017.

Client Authorisation

Information relating to the Client Authorisation is published in [NTLP # 187](#).

I have adopted the Client Authorisation Form prescribed under the *Electronic Conveyancing National Law (South Australia) Act 2013* and as such the terminology is specific to the electronic lodgement channel. However this form is to be used for both paper and electronic transactions and the terminology should be considered interchangeable, for example the term "Subscriber" would apply to a person/entity (i.e. legal practitioner, registered conveyancer, legal firm etc.) acting as the client's representative in a paper conveyancing transaction.

Land Services

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Verification of Identity Requirements (Version 3) and Verification of Authority Guidelines

The Registrar-General's [Verification of Identity Requirements](#) (Version 3) and [Verification of Authority Guidelines](#) will be effective from Monday 4 July 2016.

These are published in [NTLP #186](#).

Changes to the Priority Notice

Changes were made to the South Australian Priority Notice to align with the development of a national Priority Notice. These changes are outlined in [NTLP #185](#).

South Australia's Operating Requirements and Participation Rules

The South Australian Operating Requirements and Participation Rules are published in [NTLP #184](#) and come into effect Monday 4 July 2016.

These Operating Requirements and Participation Rules align with Version 3 of the Model Operating Requirements and Model Participation Rules developed by the Australian Registrars' National Electronic Conveyancing Council (ARNECC).

Introduction of Title Watch

In May 2016, the Title Watch service was introduced. Title Watch is a 12 month renewable online subscription service that monitors activity against selected Certificate of Titles. When an activity is detected, SAILIS will automatically trigger an email notification and SMS alert to the relevant subscriber. More information can be found in [NTLP #185](#).

The intention of this notice is to assist clients to easily access the information which has been published regarding the various reforms. For comprehensive information see www.sa.gov.au/landservices and www.legislation.sa.gov.au.



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