

When a dealing has been referred for correction, the Real Property Act 1886 allows four months for a dealing to be corrected by the relevant party and returned to Land Services SA. Two months prior to the expiration of time, Notices of Intention to Reject are sent to the correcting agent and all other parties relating to the dealing. Once the four-month period has expired, under the provisions of Section 220(e) of the Act, the dealing will be rejected and registration fees forfeited.

On this page you will find information relating to:

- Correction of Dealings
- Rejection of Dealings

CORRECTION OF DEALINGS

GENERAL INFORMATION

A dealing is sent for correction when it is determined by the registration officer that it is not in registrable form, or where the correcting agent has determined the dealing is incorrect and has requested in writing for the dealing to be referred for correction.

CORRECTION PROCESS

- The Registration Officer writes a Requisition Notice detailing all issues relating to the dealing that need to be resolved before registration can proceed. The series is then moved to 'Corrections' where the referred dealings are scanned.
- The scanned image is uploaded to SAILIS as an electronic record. All other dealings in series are filed in the hardcopy "Other Documents Retained" (ODR).
- A copy of the Requisition Notice is emailed to the Correcting Agent
- The referred dealing is sent out to the correcting agent via the LTO Delivery Boxes or by Registered Post. If the dealing is sent by registered post, a postage fee will be applicable.
- Corrected dealings can be returned to Land Services SA by scanning the dealing barcode at the designated "Returned Corrections" terminal in the Customer Service area at Land Services SA. A receipt for the returned correction will be printed.
- The dealing can also be returned by post to: Land Services SA, GPO Box 543 Adelaide SA 5001
- The returned corrections are matched up with the remainder of the series retained in the ODR and SAILIS is updated to reflect any amendments made to the dealing and then the series is returned to the Registration Officer.
- The Registration Officer will re-examine the dealing, and if it is now in registrable form, will proceed to register the series.
- Please Note: Due to various internal processes, dealings may take 24 hours before they are received by the Registration Officer.

REJECTION OF DEALINGS

GENERAL INFORMATION

Pursuant to Section 220 (e) of the Real Property Act 1886 (RPA), the Registrar-General may reject an instrument. The Act defines an instrument as:

‘instrument’ shall mean and include every dealing capable of registration under the provisions of any of the Real Property Acts, or in respect of which any entry is by any of the Real Property Acts directed, required, or permitted to be made in the Register Book.

NOTICE OF INTENTION TO REJECT

If the dealing is not returned within 2 months from the date of the original requisition, pursuant to Section 220(e) of the Real Property Act 1886 (the RPA) a ‘Notice of Intention to Reject’ will be sent to the correcting agent and all other parties to the dealing. This notice informs all parties that the corrections are still outstanding and if the correction is not attended to and returned to the LTO within the next two months, the dealing may be rejected.

If a plan of division has been lodged, the plan may also be rejected.

REJECTION PROCESS

SAILIS will determine all dealings that have been out for correction for two months and generate a Notice of Intention to Reject to be sent to the correcting agent and all other parties to the dealing.

A Correction Notice is also sent to the lodging agent of any dealings lodged in series after the affected dealing.

Once the expiration of the four months is reached, SAILIS will determine all dealings which are due for rejection.

- a. These dealings are moved to the Registration Officer to confirm the dealing is due to be rejected.
- b. The dealings are moved to the Unit Manager to update SAILIS and process the rejection.
- c. The dealing is rejected on the system and all Lands Titles Office fees will be forfeited.
 - Please Note: If a deposited plan is associated with the dealing subject to rejection, and no RDA has been lodged, then the deposited plan and all associated fees will also be forfeited.

IMPORTANT NOTE:

In extenuating circumstances, the time for rejection may be extended by written request to the Registrar-General. The onus is on the correcting party to ensure that a written request is made prior to the expiration of the two month period after receiving the Notice of Intention to Reject. The written request must:

- d. Be addressed to the attention of the relevant Registration Officer
- e. Include the reason why the correction cannot be complied with within that timeframe.
- f. Indicate the anticipated date when the correction will be complied with and the dealing returned to Land Services SA

This request will be attached to the series and form part of that dealing.

If a written request for an extension is not received before the expiration of time, the dealing will be rejected without further contact with any party.

ADDITIONAL INFORMATION

Notice to Lodging Parties No. 116

Notice to Lodging Parties No. 144



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