

Notice

To Lodging Parties

18 November 2025 No. 274

Amendments to the *Real Property Act 1886* and the *Law of Property Act 1936*

I refer to Customer Information Bulletins [397](#) and [400](#) which provided details regarding the previously proposed Real Property (Miscellaneous) Amendment Bill 2024 (the 2024 Bill).

While the 2024 Bill did not proceed some of the proposed changes to the *Real Property Act 1886*, along with some changes to the *Law of Property Act 1936*, have subsequently been incorporated into the Statutes Amendment (Planning, Infrastructure and Other Matters) Bill 2025 (the 2025 Bill).

I am pleased to advise that the 2025 Bill has now passed both houses of Parliament.

The Bill is likely to be assented to by Her Excellency the Governor before the end of November, with some provisions of the Bill to then commence either later this year or early in 2026.

The *Law of Property Act 1936* has been amended to:

- enable modern methods of execution for deeds (i.e. electronic signing rather than wet ink)
- enable the Minister to declare a body capable of holding easements in gross by notice in the Government Gazette (rather than this needing to be done by proclamation of the Governor with the advice and consent of the Executive Council)

The *Real Property Act 1886* has been amended to:

- enable electronic lodgement of division dealings
- expand the definition of 'executed' to provide clarity for stakeholders and to facilitate the electronic signing of documents
- require the provision of an email address for service when lodging a caveat
- remove exceptions (relating to when a caveat is lodged by a settlor or a beneficiary under a will or settlement) to when a caveatee may apply to the Registrar-General to have a caveat removed
- expand access to historical records pertaining to bringing land under the *Real Property Act 1886* at the discretion of the Registrar-General or where the record has been held by the Registrar-General for more than 80 years

Office of the Registrar-General

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Government of South Australia

Department for Housing
and Urban Development

- ensure consistency across execution of instruments that register, transfer and discharge mortgages and encumbrances
- update obsolete legislative and gendered references

Please note that while the legislative changes will enable electronic land division and caveat email provisions, system and form enhancements still need to be scoped and implemented before this functionality becomes available.

More comprehensive details regarding these changes are available via the [PlanSA website](#).

I will keep you informed of these changes through future Notices to Lodging Parties and the Land Titling Advisory Group.

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



Gemma Wallace
Registrar-General of South Australia

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