

Notice

To Lodging Parties

30 July 2026

No. 279

Commencement of amendments to the *Real Property Act 1886*

I refer to [Notice to Lodging Parties \(NTLP\) No. 274](#) which provided details of the *Statutes Amendment (Planning, Infrastructure and Other Matters) Act 2025* (the Amendment Act).

Amendments to the *Real Property Act 1886* (RPA) as set out in Part 6 of the Amendment Act commenced operation on 30 July 2026 (excluding sections 70(2) and 70(3) which will commence on a later date).

Summary of amendments

Lodging parties should familiarise themselves with these amendments and their practical implications. In summary, the amendments provide:

- A new expanded definition of 'execution' with references to an instrument or document being 'signed' substituted with the term 'executed' throughout the RPA.
- The removal of the prohibition on the use of client authorisations in respect of applications for the division of land under Part 19AB.
- For the Minister for Planning to approve applications or instruments of a kind specified by the Minister and notified in the *Government Gazette* to be lodged by electronic means, despite section 7 of the *Electronic Conveyancing National Law* (ECNL).
- Expanded access to historical records pertaining to bringing land under the RPA where the record has been held by the Registrar-General for more than 80 years, or at the discretion of the Registrar-General.
- Greater consistency in relation to the execution of instruments that register, transfer and discharge mortgages and encumbrances.
- Updates to obsolete references to legislation and gender.

Flexibility for paper division dealings

Of particular significance, the amendments now permit applicants and consenting parties to instruct a practitioner to execute paper division dealings on their behalf under client authorisation.

Accordingly, legal practitioners and registered conveyancers may now:

- Execute land division applications (such as forms RTC and RTU) and community division/strata applications (such as form ACT) on behalf of an applicant (including the community or strata corporation) under a client authorisation.

Office of the Registrar-General

GPO Box 1815 Adelaide

South Australia 5001

<https://dhud.sa.gov.au/our-department/office-of-the-registrar-general>

T: (08) 8423 5000

E: customersupport@landservices.com.au

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- Execute certificates of consent of other interested parties to land division and community division/strata applications under client authorisation, noting all four certifications may apply to certificates of consent only when executed under client authorisation.

Verification of Identity (VOI) and Verification of Authority (VOA) requirements continue to apply including where certificates of consent are executed under client authorisation. Practitioners must also retain the necessary evidence of a completed client authorisation, which may be subject to audit under the existing Subscriber Compliance Program.

Paper division dealings executed under client authorisation, together with any required certificates of consent, must continue to be lodged for registration in paper. The application and any certificates of consent must be the original physically executed documents (wet ink execution).

Consistent with current requirements:

- The electronic lodgement of registry instruments through an Electronic Lodgment Network continues to require digital signing by a subscriber pursuant to the ECNL.
- Where instruments are required or permitted to be lodged in paper, it will remain necessary for the instrument to be a physically executed (wet ink) original. Copies of physically or electronically executed documents will not be accepted.

For the avoidance of doubt:

- **Applicants may continue to execute personally.**
- **Certificates of consent may continue to be executed personally by the consenting party.**

These amendments form part of broader reforms aimed at modernising the RPA and improving administrative flexibility. The commencement of these provisions relating to paper documents is intended to provide greater flexibility to industry whilst government continues to consider longer-term solutions for the electronic lodgment of division dealings.

Guidance material

Updated panel forms and guidance notes, incorporating the expanded provisions, are available on the [Land Services SA website](#). The updated panel forms reflect both available options described above and will therefore require editing to align with the chosen method of execution. Further detail is provided in the guidance notes.

For further information, please do not hesitate to contact the Office of the Registrar-General by email to DHUD.RegistrarGeneral@sa.gov.au.



Gemma Wallace
Registrar-General

Office of the Registrar-General

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South Australia 5001

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