

Notice

To Lodging Parties

5 May 2017 No 198

National Mortgage Form

Amended Transition Period

National Mortgage Form

Following extensive national consultation, the Australian Registrars' National Electronic Conveyancing Council (ARNECC) have published the National Mortgage Form which is to be introduced in paper in all participating jurisdictions in May 2017.

The National Mortgage Form is a significant national initiative which standardises the content and presentation of Mortgages lodged for registration through all lodgement channels with land registries in all Australian States and Territories.

The National Mortgage Form (Smartform) Version is available on [National Land Registry Forms](#) portal.

Given the Smartform cannot currently be downloaded for local use, I have published the following editable and saveable National Mortgage Form dealings for South Australia.

New Form	Dealing Name	Signed By	Replaces Form
NMF1	National Mortgage Form	Mortgagee only	M1
NMF1A	National Mortgage Form	Mortgagee and Mortgagor	M1A

The National Mortgage Form (form NMF1A in South Australia) which includes a Mortgagor's execution, can be considered by the Mortgagee to represent a Mortgage on "the same terms" as that lodged for registration, provided the form is properly executed.

The paper lodgement of the National Mortgage Form will be introduced in South Australia from **Monday 29 May 2017**, with a 7 month transition period. The electronic version of the National Mortgage form is targeted for introduction in South Australia on 24 July 2017.

Transition Period

To deal with work in progress and to ensure sufficient lead time for Mortgagees to update their form templates, it is the Registrar-General's intention to extend the existing transition period for Mortgages and Discharge of Mortgage dealings until **31 December 2017**.

During this transition period, the Registrar-General will accept for registration Mortgage and Discharge of Mortgage dealings which are lodged in the format:

- in force prior to the introduction of the *Real Property (Electronic Conveyancing) Amendment Act 2016* (the old format)

Land Services

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- in force prior to the introduction of the National Mortgage Form (the existing format)
- of the National Mortgage Form (the new format)

During the extended transition period, where clients continue to lodge old format Mortgage or Discharge of Mortgage dealings, signing “*Certified correct for the purposes of the Real Property Act 1886*” will be taken by the Registrar-General to represent that the certifier has complied with the legislative requirements relating to:

- Verification of Identity;
- Client Authorisation;
- Evidence retention;
- Correctness and compliance of the dealing with relevant legislation and any Prescribed Requirements (including Verification of Authority); and
- Holding a Mortgage granted by the Mortgagor on the same terms (if applicable).



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