

Notice

To Lodging Parties

10 October 2019 No 223

Amendments to Real Property Act 1886

Notice to Lodging Parties [No 211](#) previously advised that the [Statutes Amendment and Repeal \(Simplify\) Bill 2018](#) (Simplify Bill) was introduced into Parliament on 18 October 2018 which contained proposed amendments to the [Real Property Act 1886](#) (RPA), amongst other amendments.

The Simplify Bill has now passed both houses of Parliament and was assented to by His Excellency the Governor on 3 October 2019, thereby enacting the [Statutes Amendment and Repeal \(Simplify\) Act 2019](#) (the Simplify Act).

Sections 83, 84 and 85 of the Simplify Act have resulted in the following amendments being made to the RPA:

- the definition of 'appropriate form' in section 3 has been updated to include electronic forms;
- section 54 has been amended to provide the Registrar-General with the express power to mandate electronic conveyancing; and
- section 160A has been added to enable a revocation of a power of attorney, or the death of the grantor of a power of attorney, to be noted on the electronic copy of the duplicate or copy of the power of attorney.

Customer Information Bulletin [No 329](#) identified a number of matters that required resolution or reasonable mitigation prior to further mandating of electronic conveyancing. The amendments to sections 3 and 54 of the RPA resolve one of the matters identified. Work continues on progressing the outcomes of Australian Registrars' National Electronic Conveyancing Council's security review, removing barriers to a competitive market, ensuring clarity of market operation and completion of the Intergovernmental Agreement review. The Office of the Registrar-General will continue to provide updates to industry on the progress of these matters and any decisions made in relation to the implementation of a timeframe for mandating in the future.

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



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DEPUTY REGISTRAR-GENERAL