

Notice

To Lodging Parties

15 March 2021 No 244

Release of Electronic Residual Dealings and Regulated Certification Exemption Changes

Release of Electronic Residual Dealings

New residual dealings are now available for electronic lodgement by Property Exchange Australia (PEXA) Subscribers. These are in addition to those outlined in [Notice to Lodging Parties #235 and #240](#). A notice will be provided when available to Sympli Subscribers.

Revocation and Exercise of discretion under section 273(2) of the Real Property Act 1886

On 12 June 2019, the Registrar-General exercised discretion under section 273(2) of the *Real Property Act 1886* (the Act) to exempt all of the classes of instrument prescribed by regulation under Part 4 Regulation 12(2) of the *Real Property Regulations 2009* (the Regulations) from all of the certification requirements under section 273(1) of the Act.

The Registrar-General has now revoked that exercise of discretion and, pursuant to section 273(2) of the Act, exempts only the classes of instrument listed in the attached Schedule and the [Revocation and Exercise of Registrar-General's Discretion](#) document (from those classes of instrument prescribed by regulation under Part 4 Regulation 12(2) of the Regulations) from all of the certification requirements under section 273(1) of the Act.

This will enable a number of classes of instruments to be lodged electronically either in this current release, or in the future. These instruments include:

- Registrar-General's Caveats and Withdrawals of Registrar-General's Caveats (relating to notices of intention to acquire land under the *Land Acquisition Act 1969*), and
- Applications to Register/Note Agreements and Applications to Vary, Terminate or Rescind Agreements under the *Development Act 1993*, *Aboriginal Heritage Act 1988*, *Heritage Places Act 1993*, *Native Vegetation Act 1991*, *Recreational Greenways Act 2000* and *River Murray Act 2003*.

Please note that in keeping with the policy of alignment, these requirements will apply to both paper and electronic instruments. Any paper instruments “in the pipeline” will be accepted in the old format, however, from 14 June 2021 onwards, any non-compliant instruments must be accompanied by a letter providing an explanation and requesting they be accepted.

User Guide

A User Guide, outlining the residual dealings available for electronic lodgement and any supporting evidence/document requirements for each type, has been published on the Land Services SA [Electronic Conveyancing webpage](#).

Residual Dealings will continue to be introduced, with notice being provided to industry as additional dealings become available.

For further information, please contact Land Services SA Customer Support on 08 8423 5000 or email customersupport@landservices.com.au.



Jenny Cottnam
REGISTRAR-GENERAL

Schedule

- (a) applications for amalgamation of land (except where the benefit of an easement is extended to other land upon the amalgamation);
- (b) applications for division of land where deposit of the plan of division in the Lands Titles Registration Office will not—
 - (i) vest an estate or interest in land in any person, except for the following:
 - (A) a street, road, thoroughfare, reserve or other similar open space that vests in a council or other authority or reverts to the Crown; or
 - (B) an easement that vests in an authority or entity under section 223LG of the [Real Property Act 1886](#) (RPA); or
 - (ii) discharge or extinguish an estate or interest;
- (c) applications for the issue of a summons by the Registrar-General;
- (d) applications for new certificates of title;
- (e) applications to withdraw an instrument from registration;
- (f) applications to withdraw plans of survey;
- (g) applications to withdraw a Registrar-General's caveat (excluding applications under section 14 [Land Acquisition Act 1969](#) (LAA));
- (h) requests to the Registrar-General by the Minister responsible for the administration of the [Crown Land Management Act 2009](#), under that Act or any other Act;
- (j) applications to rectify certificates of title by consent pursuant to section 223J of the RPA;
- (m) closed road title certificate issued pursuant to section 26 of the [Roads \(Opening and Closing\) Act 1991](#);
- (n) informal documents issued pursuant to section 247 of the RPA;
- (o) notices of acquisition under the LAA;
- (q) notifications of declaration by councils of public roads under the [Local Government Act 1999](#);
- (r) Registrar-General's caveats (excluding caveats entered under section 14 LAA);
- (s) documents registered or recorded by the Registrar-General under section 55 of the RPA;
- (u) an instrument relating to an alteration to the South Australian Heritage Register under the [Heritage Places Act 1993](#).