

# Registrars of Title Conference 2017

Edinburgh

Developments with Electronic Conveyancing



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Land Use Victoria



Environment,  
Land, Water  
and Planning

- Mortgages and Discharges June 2013
- Caveats and Withdrawals June 2014
- Transfers and financial settlement January 2015
- 70% of instruments able to be lodged electronically
- 2% of instruments lodged electronically in 2014/15
- Electronic examination
- Electronic conveyancing fully supported by Bank CEOs and Australian Bankers

- Loan origination
- Mortgage processing
- Settlement
- Discharge processing
- Refinance



Silo art trail Western Victoria

- Review business processes
- Undertake business risk assessment
- Undertake business process re-redesign
- IT development and system changes
- Undertake legal risk assessment

Solution - make compliance requirement

Registrar's requirements for paper conveyancing – published 30 September 2015

- 1 March 2016 – discharges of mortgage to be lodged by mortgagee or its representative
- 1 August 2016 – discharges of mortgage and retail mortgages to be lodged electronically where the mortgagee is an Authorised Deposit-taking Institution (ADI)

6% of instruments lodged electronically in 2015/16



# Wider industry consultation 2016




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AIC  
AUSTRALIAN  
INSTITUTE OF  
CONVEYANCERS

Electronic  
Conveyancing  
Accreditation



ECA



# Timeline for 100% digital lodgement

Progressive timeline agreed in February 2017 and Registrar's requirements published

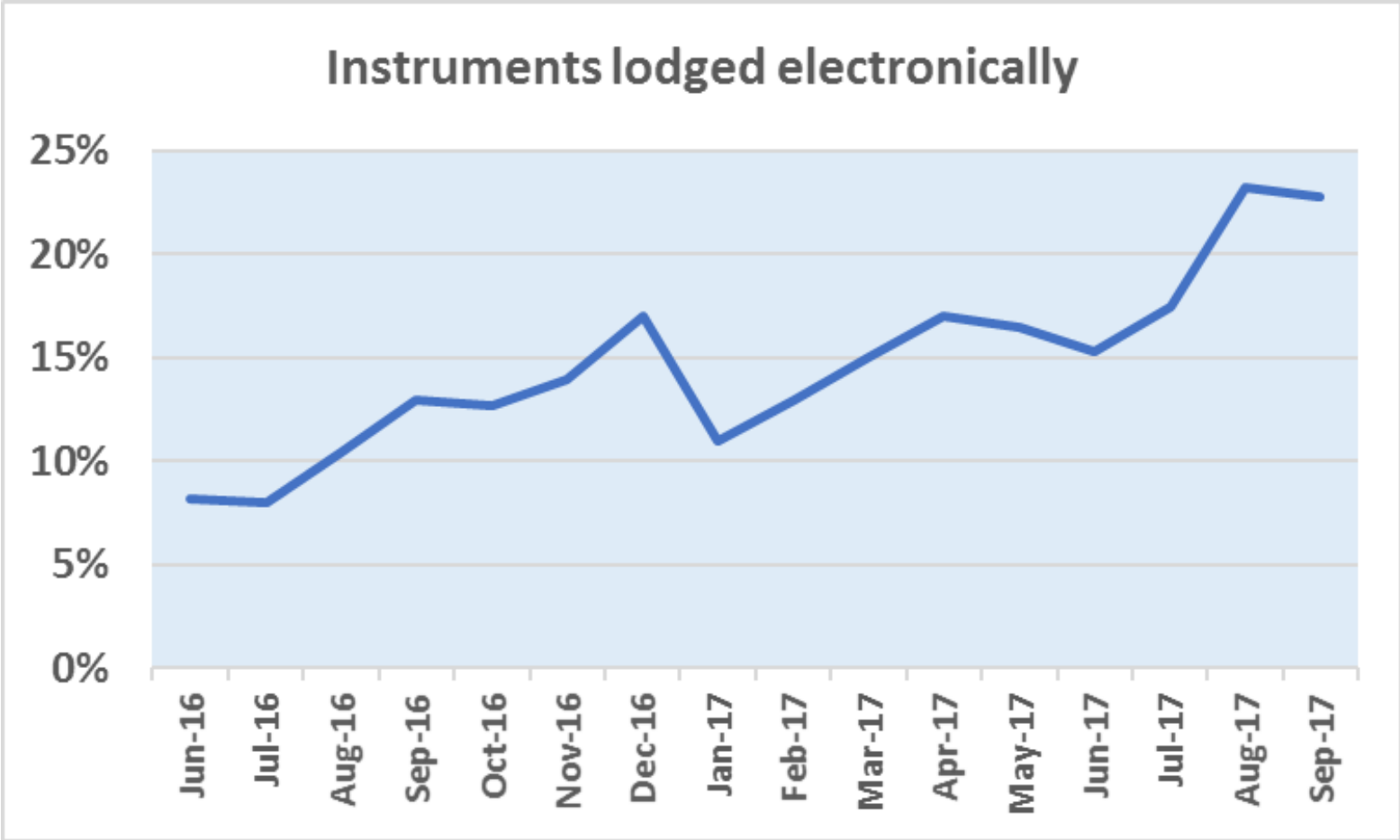
- 1 August 2017 – commercial mortgages, refinance transactions to be lodged electronically where mortgagee is an ADI. Also applies to conveyancers and lawyers acting for an ADI
- 1 December 2017 – caveats and withdrawals of caveat to be lodged electronically
- 1 December 2017 – lawyers and conveyancers representing non-ADIs to lodge discharges of mortgage, mortgages and refinance transactions electronically

# Timeline for 100% digital lodgement

- 1 January 2018 – client authorisations and certifications required for paper conveyancing transactions
- 1 March 2018 – standalone transfers and survivorship applications to be lodged electronically
- 1 October 2018 – all combinations of transactions available to be lodged electronically. For example, a case comprising a withdrawal of caveat, discharge of mortgage, transfer and mortgage
- 1 August 2019 – all transactions to be lodged electronically



# Instruments lodged electronically



# Instruments lodged electronically

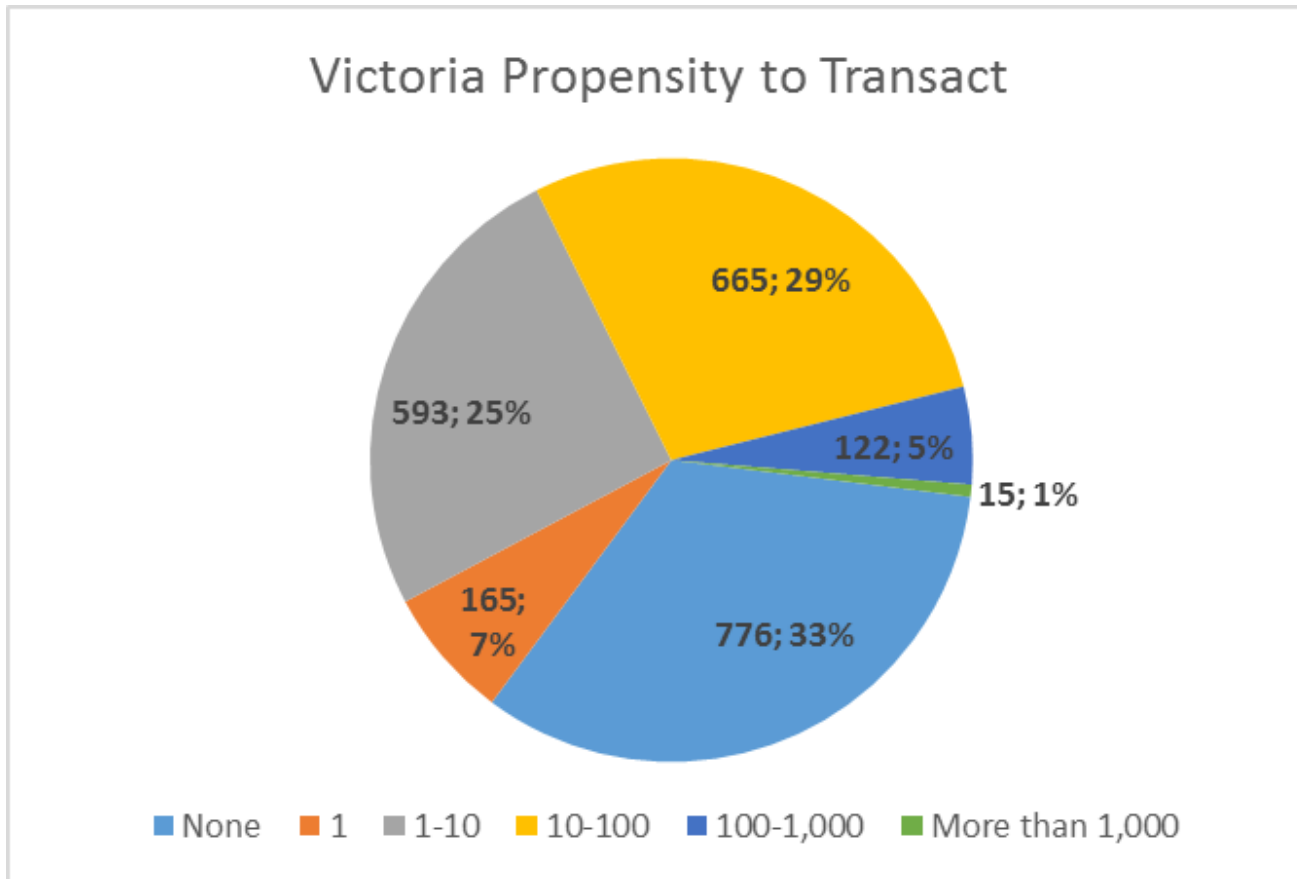
	Discharge	Mortgage	Transfer	Caveat	Settlement/ Priority Notice	Total
NSW	62,510	47,961	6,658	3,442	1,311	<b>121,882</b>
Queensland	22,687	17,106	151	416	1,446	<b>41,806</b>
SA	9,318	6,416	573	283	0	<b>16,590</b>
<b>Victoria</b>	<b>65,889</b>	<b>47,716</b>	<b>4,236</b>	<b>21,429</b>	<b>352</b>	<b>139,622</b>
WA	18,897	12,997	1,761	632	0	<b>34,287</b>
<b>National</b>	<b>179,301</b>	<b>132,196</b>	<b>13,379</b>	<b>26,202</b>	<b>3,109</b>	<b>354,187</b>

(rolling 12 month totals to 30 September 2017)

# Practitioners & financial institutions registered

Jurisdiction	Registered Practitioners				Registered FIs	Registered Other	Total
	Major Account	PEXA Direct	Other	Total			
ACT*							
NSW	123	1,478	586	2,187	160	3	2,350
NT*	23	45	21	89	138	1	228
Qld	94	369	247	710	158	2	870
SA	63	198	171	432	159	3	594
Tas*	22	51	25	98	137	1	236
<b>Vic</b>	<b>117</b>	<b>1,326</b>	<b>602</b>	<b>2,045</b>	<b>156</b>	<b>6</b>	<b>2,207</b>
WA	106	385	131	622	158	3	783
No Jurisdiction**						3	3
Total	548	3,852	1,783	6,183	1,066	22	7,271
Less: Non-activated Jurisdictions				187	275	2	464
Less: Multi-Jurisdictional Subscribers				1,271	624	6	1,901
<b>Total Activated Subscribers</b>				<b>4,725</b>	<b>167</b>	<b>14</b>	<b>4,906</b>

at 30 September 2017



Functionality required for another 150 instruments to enable 100% digital lodgement

- Instrument structure
  - Electronic instrument
  - Electronic instrument plus image instrument
  - Electronic instrument and supporting document
  - Electronic instrument plus image instrument and supporting document
- Plan and survey based applications to be added to plan lodgement system



- Other 150 instruments assigned to one of the following five instrument types
- Instrument types 
  - Change proprietor
  - Record
  - Vary
  - Remove
  - Action by the Registrar

- Use categories and drop down lists (or elastic search) to build instruments
- **Record** 
  - Agreement
  - Charge
  - Covenant
  - Easement
  - Notice
    - **Notice** 
      - Carbon credit
      - Intention to acquire land
      - Pipeline
      - Planning and Environment
      - Retirement village

# Standardised data elements

- Lodger details
- Instrument type
- Jurisdiction
- Privacy collection statement
- Estate
- Land title reference
- Instrument and/or legislation
- Applicant/parties
- Consideration
- Terms & conditions (free text)
- Operative words
- Certifications and execution

## Lodger Details

Lodger Code:  
Name:  
Address:  
Lodger Box:  
Phone:  
Email:  
Reference: <Reference Value>

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## APPLICATION TO RECORD AN INSTRUMENT

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**Jurisdiction:** VICTORIA

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### Privacy Collection Statement:

The information from this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

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### Estate and/or interest

<Estate and interest>

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### Land Title Reference

<Land>

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### Instrument and/or legislation

<Description including legislative basis>

Copy Instrument [*provided/attached*]

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### Applicant/Parties

Given Name(s)	< Applicant's first name>
Family Name	< Applicant's family name>
Address	< Applicant's address>

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### Consideration

<Consideration>

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### Terms and Conditions

<MCP>

The Applicant requests the recording of this Instrument in the Register.

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### Applicant Execution

< Certification List>

Executed on behalf of  
Signer Name  
Signer Organisation  
Signer Role  
Execution Date

- Functional model for instruments
- IT development program
- Revenue Office support
- Competing for resources
- Industry training and education
- Practitioner registration
- Ongoing industry support
- DIY conveyancing