

**Customer Information Bulletin 231**

December 2024

Christmas and New Year closure

Secure Electronic Registries Victoria’s (SERV) office will close for the end-of-year holiday period from 3.30 pm Tuesday, 24 December 2024 and reopen at 8.30 am on Thursday 2 January 2025. Registration, call centre services and appointment bookings will be unavailable during this period. The SPEAR Service Desk will also be closed during this time.

Customer queries will be responded to from 2 January 2025.

Online services, including electronic lodgment and search, will continue to be available during this period.

New guides available

Guide to Creating Restrictions in Plans

LUV has published a ‘[Guide to creating restrictions in plans](https://www.land.vic.gov.au/__data/assets/word_doc/0027/724356/Guide-to-Creating-Restrictions-in-Plans-_NOV2024_.docx)’ under the *Subdivision Act 1988* (*Subdivision Act*) and it is available online at land.vic.gov.au.

The guide sets out the requirements of a plan that creates a restriction. It incorporates the updated requirements as set out in [Registrar’s requirements for paper conveyancing transactions version 9](https://www.land.vic.gov.au/land-registration/publications). Customers are encouraged to refer to the guide when creating new restrictions in plans.

To view the full guide, visit the ‘Useful links and information’ section on the [Plans of subdivision and consolidation (land.vic.gov.au)](https://www.land.vic.gov.au/land-registration/for-professionals/plans-of-subdivision-and-consolidation) page.

Guide to Acceptable Easement Purposes

LUV has published a ‘[Guide to acceptable easement purposes](https://www.land.vic.gov.au/__data/assets/word_doc/0019/470134/Guide-to-Acceptable-Easement-Purposes_NOV2024_.docx)’, which is available online at land.vic.gov.au. This guide contains a table of acceptable easement purposes for new easements to be recorded/registered under the *Transfer of Land Act 1958* (TLA) or the *Subdivision Act 1988*.

These are grouped by category and include further notes on any specific requirements or further qualifications that may be required for each specific purpose.

The easement purposes listed in this guide are not exhaustive. Other easement purposes may be acceptable. However, they will require further examination by LUV prior to recording/registering. Customers are encouraged to refer to this guide when creating new easements.

To view the full guide, visit the ‘[Useful links and information](https://www.land.vic.gov.au/land-registration/for-professionals/plans-of-subdivision-and-consolidation)’ section on the [[Plans of subdivision and consolidation (land.vic.gov.au)](https://www.land.vic.gov.au/land-registration/for-professionals/plans-of-subdivision-and-consolidation)](https://www.land.vic.gov.au/land-registration/for-professionals/plans-of-subdivision-and-consolidation) page.

Revised guides

LUV has updated a number of its guides with current information about the nomination process and issuing instructions for certificates of title. The following guides have been revised:

* [Guide to withdrawal of caveat](https://www.land.vic.gov.au/__data/assets/word_doc/0037/469459/Guide-to-withdrawal-of-caveat-2024-469459.docx)
* [Guide to applications for a new Folio of the Register](https://www.land.vic.gov.au/__data/assets/word_doc/0018/470124/Guide-to-applications-for-a-new-Folio-of-the-Register-2024-470124.docx)
* [Guide to applications by legal personal representative](https://www.land.vic.gov.au/__data/assets/word_doc/0034/493963/Guide-to-applications-by-legal-personal-representative-2024-493963.docx)
* [Guide to caveat](https://www.land.vic.gov.au/__data/assets/word_doc/0035/469457/Guide-to-caveat-2024-469457.docx)
* [Guide to discharge of mortgage or charge](https://www.land.vic.gov.au/__data/assets/word_doc/0018/470115/Guide-to-discharge-of-mortgage-or-charge-2024-470115.docx)

Removal of Aged Nominations

Most electronic certificates of title (eCTs) nominated for an anticipated transaction are taken up by the lodgment of the transaction within days or weeks of the nomination. However, some eCTs sit in 'nomination' status in land registry systems for an extended period, which can result in confusion for customers as well as being a security risk. Accordingly, LUV is removing all unused nominations of electronic certificates of title (eCTs) more than 12 months old. eCT Control will remain with the nominating Subscriber.

In line with the phasing out of paper certificates of title, LUV is also removing all unused nominations of paper certificates of title and converting them to eCTs. The eCT Control of these folios will go to the last nominating party, if that party is an ELN Subscriber. Otherwise, eCT Control will be held by the Registrar of Titles.

Reminder: select the 'STAY' or 'GO' option for eCT Control within the lodgment instructions

In a transaction requiring the nomination of an eCT that does not result in the cancellation of the folio, the lodgment instructions provided in the Administrative Notice determine the eCT Control (i.e. STAY or GO) following registration of the transaction.

The eCT Control outcomes resulting from the STAY and GO options are as follows:

STAY: eCT Control remains with the nominating Subscriber.

GO: eCT Control transfers to the lodging party of the instrument and is no longer held by the nominating Subscriber.

[Please refer to the Guide to Certificates of Title and Administrative Notices for further information.](https://www.land.vic.gov.au/__data/assets/word_doc/0030/711498/Guide-to-Certificates-of-Title-and-Administrative-Notices-August-2024.docx)

Changes to lodging Generic Residual Document

An upcoming PEXA Release 21.01 will introduce minor changes to lodging the Transfer of Land Act – Section 104 document (Generic Residual Document). Subscribers will now be required to:

* list the folio reference(s) transacted in the attached paper instrument(s)
* identify the relevant document or dealing name from the provided list.

The [electronic submission of paper instruments](https://www.land.vic.gov.au/land-registration/for-professionals/our-electronic-lodgment-program/electronic-submission-of-paper-instruments) will be updated to reflect these changes.

These changes have been implemented to reduce errors and create further efficiencies in the lodgment and registration process.

Reminder: Lodging of multiple cases within one Generic Residual Document

Further to [Customer Information Bulletin 224](https://www.land.vic.gov.au/land-registration/customer-information-bulletins/2023/224), customers must only submit a single case when lodging using the Generic Residual Document. For example, a discharge of mortgage, transfer and mortgage affecting the same folio(s), and involving the same parties, is considered one case.

Conversely, when multiple instruments affect the same folio(s) but involve different parties such as leases or subleases, these must be treated as individual cases and cannot be submitted within a single Generic Residual Document.

Updated Model Participation Rules Guidance Notes

The Model Participation Rules (MPR) Guidance Notes have been updated in line with Version 7 of the MPR and are now available on [ARNECC website](https://www.arnecc.gov.au/publications/mpr_guidance_notes/).

ARNECC publishes these Guidance Notes based on the MPR to assist Subscribers in understanding their obligations under the Registrar’s Participation Rules in each jurisdiction.

Contact us

For location and contact details, please go to <http://www.land.vic.gov.au/contact-us>.