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| Land Use Victoria Customer Information Bulletin 166, June 2017 |

# New forms

Land Use Victoria (LUV) has published new versions of approved forms containing new options for signing.

The forms are found at [www.propertyandlandtitles.vic.gov.au/forms-guides-and-fees](http://www.propertyandlandtitles.vic.gov.au/forms-guides-and-fees).

All forms are in PDF format and can be partially completed, saved locally and finalised later. You must have the latest version of Adobe Reader installed on your computer to access the forms.

Included at the end of this bulletin are examples of:

* a *Transfer of Land*, signed by an Australian Legal Practitioner on behalf of the transferor and signed by a licensed conveyancer on behalf of the transferee
* an *Application by surviving proprietor*, signed by an Australian Legal Practitioner on behalf of the applicant.

Each example contains the required certifications.

LUV is also working with the major forms package providers, who intend to provide the new forms templates to their customers. As per the transition period detailed below, forms that have been previously approved (i.e. do not contain certifications) can continue to be used during the transition period. All variations to form templates after 26 May 2017 must include certifications and adhere to the standardised layout set out in the Registrar’s requirements.

## National mortgage form

Victoria will publish its national mortgage form in July 2017. Until then, customers can use the ARNECC National Mortgage Form available at www.arnecc.gov.au>Publications>Forms – select the link to the National Land Registry Forms portal (under the heading ‘National Land Registry forms’).

## Guides for new forms

Revised LUV guides for the new forms are currently underway and will be progressively published on our website at [www.propertyandlandtitles.vic.gov.au/forms-guides-and-fees](http://www.propertyandlandtitles.vic.gov.au/forms-guides-and-fees).

A new guide about signing options is also being prepared and will soon be available.

## Client Authorisations and certifications

The Registrar’s requirement for Client Authorisations for paper conveyancing transactions came into effect on 26 May 2017. A Client Authorisation authorises a conveyancer or lawyer to act as their client’s agent and sign paper conveyancing transactions on their client’s behalf.

The Registrar’s requirement for certifications for paper conveyancing transactions also commenced on the 26 May 2017. This requires a conveyancer, lawyer, an ADI and a PEXA subscriber to provide certifications for each paper conveyancing transaction they sign.

Client Authorisation and certification requirements are already in place for electronic conveyancing transactions. The Registrar’s requirements for paper conveyancing transactions are available at www.propertyandlandtitles.vic.gov.au/publications.

Certifications must form part of an approved form and cannot be placed on annexure sheets.

## Transition period

Customers are encouraged to start using Client Authorisations from 26 May 2017. This means that a conveyancer or lawyer must have a Client Authorisation in place if they need to sign either an electronic or paper instrument on behalf of their client.

However, there is a transition period from26 May to 31 December 2017 for using Client Authorisations and certifications. During that time, transactions can be lodged in one of the following two ways:

* using the new LUV forms (which contain certifications) supported by a Client Authorisation (if applicable)
* using forms approved by the Registrar prior to 26 May 2017 (which do not contain certifications).

From 1 January 2018, the following will apply:

* LUV will accept forms that contain certifications supported by a Client Authorisation (if applicable)
* LUV will accept forms approved by the Registrar prior to 26 May 2017, when parties have signed on or before 31 December 2017.

When parties have signed on or after 1 January 2018, LUV will not accept forms that do not contain certifications.

The Client Authorisation form is available on the [ARNECC](https://www.arnecc.gov.au/publications/forms" \t "_blank" \o "ARNECC website) website at www.arnecc.gov.au>Publications>Forms.

# Transition to 100% digital lodgement

The following sets out the requirements and timelines for transitioning to 100% digital lodgement.

## 2017

### 26 May

* National Mortgage Form implemented.
* Client Authorisations required for paper conveyancing transactions.
* Certifications required for paper conveyancing transactions, including mortgages under section 74(1A) of the *Transfer of Land Act 1958*.

Note: there is a transition period from 26 May to 31 December 2017 for implementation of the National Mortgage Form, Client Authorisations and Certifications.

### July

* A second bulk conversion of paper Certificates of Title to electronic Certificates of Title will be undertaken. Details will be provided in the next CIB.

### 1 August

* Commercial mortgages, refinance transactions (including commercial mortgages) to be lodged electronically when the mortgagee is an ADI (or mortgagees are ADIs). This requirement applies to ADIs, and conveyancers and lawyers acting for an ADI.

### November

* Survivorship application functionality will be available in PEXA.

### 1 December

* Standalone caveats and withdrawals of caveat to be lodged electronically. This requirement applies to conveyancers and lawyers acting for a party or for themselves, and PEXA subscribers.
* Non-ADI standalone discharges of mortgage, standalone mortgages and refinance transactions are to be lodged electronically. This requirement applies to conveyancers and lawyers acting for a non-ADI and non-ADIs who are PEXA subscribers.

## 2018

### 1 January

* Transition period ends for the national mortgage form, Client Authorisations and Certifications.

### 1 March

* All survivorship applications and standalone transfers must be lodged electronically. This requirement applies to conveyancers and lawyers acting for a party or themselves, and PEXA subscribers.

### 1 October

* All combinations of transactions available in PEXA to be lodged electronically. For example, a case comprising a withdrawal of caveat, discharge of mortgage, transfer and mortgage. This requirement applies to conveyancers and lawyers acting for a party or themselves, and PEXA subscribers.

## 2019

### 1 August

* All transactions to be lodged electronically. This requirement applies to conveyancers and lawyers acting for a party or themselves, and PEXA subscribers.

The exception will be when there is an existing paper instrument that has been signed prior to the date when electronic lodgement of that class of instrument or transaction is required.

# New process enables five-day subdivision registration

In response to customer feedback about Land Use Victoria (LUV) trialling a new system that aims to improve timeframes for registration of subdivisions of 10 or more lots (refer Customer Information Bulletin 164, April 2017), LUV provides the following information to clarify the circumstances when these plans will be subject to the standard registration timeframes.

Lodged plans that require any of the following will lose their accelerated status and be subject to the standard registration timeframes:

* re-certification
* consent to an amendment by a council
* answers to any other requisitions; or, any other amendments to the plan or associated documents, not satisfied within 24 hours.

The performance target for standard registration timeframes is 15 business days from lodgement.

Customers are also advised to contact [subdivision.branch@delwp.vic.gov.au](mailto:subdivision.branch@delwp.vic.gov.au) in circumstances where a 10 or more-lot plan is dependent on a leader plan with less than 10 lots, once the 10 or more-lot plan has been successfully lodged. Upon receiving this advice, the Subdivision Branch will examine the plans together, in accordance with the conditions of the new system.

The new system is on trial until the end of June. It will then be reviewed.

Land Use Victoria encourages everyone involved in lodging plans of subdivision to carefully check all details of the plans and associated documents to avoid them being requisitioned.

# Reminder – new website for Land Use Victoria

Our new website (www.propertyandlandtitles.vic.gov.au) was launched on 8 May, with easier to use functionality.

The new site was created following consultation across Victoria to gain an understanding of what DELWP customers want from the DELWP website.

Specific features you will find in the new website are:

* easy to navigate [forms, guides and fees](https://www.propertyandlandtitles.vic.gov.au/forms-guides-and-fees/overview) pages at [www.propertyandlandtitles.vic.gov.au/forms-guides-and-fees](http://www.propertyandlandtitles.vic.gov.au/forms-guides-and-fees)
* a drop-down menu on the top right-hand of each page that takes you to all the most popular locations
* a search box.

Any Land Use Victoria pages you bookmarked from the previous website should continue to work; however, we strongly recommend updating your bookmarks to the new URLs.

If you have any enquiries, please contact Land Registry Services on 8636 2010.

# Land Use Victoria is moving

After more than 15 years at 570 Bourke Street, Land Use Victoria is moving to 2 Lonsdale Street. The move is scheduled to occur in August but more information will be provided in future editions.

# Contact us

For [location and contact details](http://www.dtpli.vic.gov.au/property-and-land-titles/contact-us), go to [www.propertyandlandtitles.vic.gov.au/contact-us](http://www.propertyandlandtitles.vic.gov.au/contact-us).

# Subscribe

To receive the Customer Information Bulletin online, please send an email to lv.cib@delwp.vic.gov.au with SUBSCRIBE in the subject line – include your name and email address in the body of the email.

# Example Forms

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