

Guide to attending a paper settlement when the Certificate of Title is electronic

Land Victoria requires a Certificate of Title (CT) to support lodgement of most conveyancing transactions. Two types of CTs are accepted by Land Victoria for this purpose – the paper CT (pCT) and the electronic CT (eCT).

The pCT is traditionally provided at settlement to enable lodgement of the conveyancing transaction.

It is, however, also possible to attend settlement when the CT is an eCT. In this case, the party that controls the eCT Control nominates the eCT to the paper transaction prior to settlement.

It is important to become familiar with the characteristics of the eCT as its use becomes more common.

Only subscribers who are authorised to lodge electronically via an Electronic Lodgment Network (ELN) – e.g. PEXA subscribers – can hold or control eCTs. These subscribers are known as eCT Controls. All ELN subscribers are known and verified Land Victoria customers.

Whether a CT is an eCT, it can be ascertained from a Register Search Statement (RSS) of the relevant folio. When the CT format is eCT, the RSS will show the name of the eCT Control and that party's VOTS customer code. It will also provide details of any current Administrative Notice(s), including nomination.

Administrative Notices are used to request the Registrar to deal with a CT in a particular way. The Administrative Notice provides a set of instructions about the use, control and output of the CT.

Details of the Administrative Notice can appear in two sections of the RSS – 'ACTIVITY IN THE LAST 125 DAYS' and in the Additional information section.

For example, if the transaction being settled is a discharge of mortgage that is part of a transaction set for settlement, i.e. discharge, transfer, mortgage – the RSS would show the following in the Additional information section.

Administrative notices

AK1252533E NOMINATION TO PAPER INST.

eCT Nominated to Discharge of Mortgage TO ABC Bank Ltd


eCT Control 12345X ABC BANK LTD

Effective from 17/06/2013

The RSS will indicate if a CT is an eCT by providing the name of the eCT Control and that party's VOTS customer code. An Administrative Notice should be recorded stating that the eCT has been nominated by the eCT Control to support the lodgement of the transaction being settled.

A Final Search Statement (FSS) will indicate if a CT is an eCT by providing the name of the eCT Control and that party's VOTS Customer Code. If an Administrative Notice has been lodged in the preceding 125 days, the FSS will also show that the eCT has been nominated by the eCT Control to support the lodgement of the transaction being settled.

Prior to attending settlement, a RSS or FSS should be obtained to confirm the format of the CT. If it is an eCT, the RSS or FSS should be checked to see who is the eCT Control. If a nomination to a paper instrument has not been recorded, the eCT Control should be requested to nominate the eCT to the transaction. Contacting the eCT Control early in the process will help ensure the nomination is made well in advance of settlement.



In summary, when attending a settlement involving an eCT, an incoming mortgagee and/or purchaser's representative should:

- obtain an FSS confirming that the nomination has been recorded
- collect the relevant transaction documents (e.g. discharge of mortgage or transfer of land) at settlement; however, there will not be a paper Certificate of Title to collect.

The settlement process can then continue in the usual manner.

Lodging at Land Victoria

At lodgement, Land Victoria will confirm that the CT is an eCT and a nomination has been recorded. The lodgement process can then continue unimpeded.

After the transaction is registered, the new CT will generally issue to the lodging party. Whether it is an eCT or pCT will be determined by the lodging party's VOTS customer code. If the VOTS customer code provided has been established for use in an ELN, e.g. PEXA, the CT will issue as an eCT. If the VOTS customer code has not been established for use in an ELN, the CT will issue as a pCT.

Contact us

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