

Customer INFORMATION Bulletin

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Victoria The Place To Be

TITLE REGISTRATION SERVICES (Land Registry)

No 79 July 2001

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FOLIO SEARCH – NEW FEATURES

Land Registry is currently converting the Register from paper-based titles to computer folios.

The long-term strategy is to convert the textual components of the title (proprietor, land description, encumbrances, etc.) to a database and the diagram components to a plan-base. This means that a search will result in an ALTS Search Statement and an image of the plan. However, as conversion is being undertaken, some titles that have had their text converted may not have had their associated plans imaged, due to their size, complexity and condition. Such plans will require extensive work before they can be supplied to customers as part of a search.

For these titles in the interim, Land Registry will supply customers with an ALTS Search Statement and an image of the original paper title. The title image being supplied is for diagram purposes only, and is to be used to determine boundaries, dimensions, easements etc. It will always be current, whilst the textual information on the imaged title may NOT be up-to-date and consequently must NOT be used for searching purposes. The imaged title will have statements to this effect in the form of a 'watermark'.

Please note that the standard encumbrance notations on the ALTS Search Statement relating to easements have also been updated.

The table below sets out the four ways in which searches will be provided until the entire Register is converted.

1 – ALTS SEARCH	2 – TITLE IS DIAGRAM	3 – IMAGE FOLIO	4 – PAPER FOLIO
ALTS Search Statement and image of plan	ALTS Search Statement and image of diagram on title	Image of paper folio	Copy of paper folio
'ALTS Search Statement and plan to be supplied.'	'ALTS Search Statement and imaged folio (for Diagram only) to be supplied.'	Message on Search Receipt Will Read:	
		'Imaged folio (for text and Diagram) to be supplied.'	'Document to be supplied'. If the document is in a dealing the message will read: 'The document is fitted to dealing W 123456K'.
Content of Search			
ALTS Search Statement and Imaged Plan providing the diagram to be supplied. Same format as provided from the ALTS system since 1989.	ALTS Search Statement AND imaged folio with watermark supplied. Watermark will show. *WARNING – DIAGRAM ONLY TO BE USED: The text of this Folio has been converted to a computer Folio and any dealing registered since the text conversion will appear on the computer Folio. This diagram provides further details and boundaries of the land described in the computer Folio*.	A print of the imaged folio will be provided.	Original document provided for perusal or a photocopy supplied the next day.
Additional Information			
Encumbrances, Caveats and Notices Section will read: 'See <Plan Number> for further Details and Boundaries.'	Encumbrances, Caveats and Notices Section will read: 'See Diagram on Imaged Folio Volume XXXXX Folio XXX for Further Details and Boundaries.'		If the document is in a dealing, a search may be made of that dealing.

If you require further information on the above matters, please contact John Macnish on phone 9603 5371.

GENERAL LAW CONVERSION SUBSIDY FINISHING

The subsidy that has been payable in respect of privately commissioned searches used in General Law conversion applications will cease on 30 June 2001.

However, applicants involved in transactions that are in progress at that date may still receive a subsidy. A subsidy will continue to be paid in respect of conversion applications lodged after 30 June that rely on a privately commissioned search completed prior to that date.

As available funding is limited, this arrangement will continue only until funding is exhausted or 28 September 2001, whichever is earlier. Eligibility will be determined by lodging order.

If you require further information about this matter, please contact Peter Gribbin on phone 9603 5260.

CHANGE OF LODGEMENT PRACTICE

In accordance with Land Registry's commitment to improving customer service, Land Registry is centralising its lodgement activities.

From now on, applications for the following are to be lodged at the Plan Lodgement Area on the ground floor at 283 Queen Street, Melbourne, where Plans of Subdivision and Consolidation are currently lodged:

- Adverse Possession (Section 60 'Transfer of Land Act')
- Amendment of Title (Sections 99 and 103 'Transfer of Land Act')
- Removal of Warning (Section 26P 'Transfer of Land Act')
- Creation and removal of Easements (Sections 72 and 73 'Transfer of Land Act')

If you require further information about this matter please contact Andrew Hilton of Plan Lodgement on phone 9603 5189.

APPROVED FORMS AND THE ILLEGAL USE OF PHOTOCOPIES

Some of the reasons for having documents prepared in an approved format are to ensure consistency in documents presented to this office and to control the quality of the paper documents.

Parties granted a licence to print and use their own approved forms give a written undertaking to the Registrar to print documents "only in the manner approved". Licensed parties must use either laser or commercial quality printing in the preparation of these documents.

The written undertaking therefore precludes the use of a photocopier in document preparation.

The onus is on the licensed party to comply with the undertaking. If a licensed party uses a photocopy form and it is detected by this office the Registrar may refuse to accept it for registration or call for a written explanation as to its preparation and use and levy a \$31 special sealing fee.

Also of concern is the practice of some unlicensed parties simply purchasing a single approved form from either this office or one of the commercial suppliers and proceeding to photocopy from this original a quantity of forms for their own use.

It should be noted these types of copies are easily detected and are in clear breach of Section 119 (g) of the Transfer of Land Act, 1958 which reads as follows:

"Every person who without being authorised under this act to do so, makes representation of the Seal of the Office of Titles shall be guilty of an indictable offence and liable to a penalty of not more than 25 penalty units or imprisonment for a term of not more than three years or to both such penalty and imprisonment."

Note: All approved forms carry the Seal of the Office of Titles.

For any enquiries regarding the above or any related forms matters please contact Robert Quinn on 9603 5478.

IDENTITY OF PRIVATE CAVEATORS

There is concern that some caveats lodged by private individuals are not lodged for legitimate reasons. In some instances the name of the caveator or the lodging party or both are fictitious.

Identity checks are to be introduced enabling this office to be able to contact a private caveator or the private representative who lodged on behalf of a private caveator. These checks will be made at the time of lodgement for either the caveator or the lodging party as appropriate.

Satisfactory proof of Identity will include :

Any one of – Passport
Drivers Licence
Shooting Licence

Any two of – Bank Book
Credit Card
Birth Certificate
Marriage Certificate
Medicare Card

This practice will not affect regular users of the office.

If you require further information about this matter please contact Neil Oliver on phone 9603 5437.

SUBDIVISION (BODY CORPORATE) REGULATIONS 2001

The 'Subdivision (Body Corporate) Regulations 2001' came into operation on 17 April 2001 and replaced the 'Subdivision (Body Corporate) (Interim) Regulations 2000'.

Regulations 219 and 220 relate to the making of rules of a body corporate. Regulation 219 states that the standard rules apply to all bodies corporate. The standard rules can be found in Form 1 in the Schedule to the Regulations. It appears that a body corporate cannot amend or revoke any or all of the standard rules.

Sub-Regulation 220(1) allows a body corporate to make additional rules ie rules that are in addition to the standard rules. Pursuant to Sub-Regulation 220(2), any additional rules may be later amended or revoked. The making, amending or revoking of additional rules requires a special resolution of the body corporate and does not come into effect until recorded in the Register. Any application to do this should be made on a Form 2, also found in the Schedule.

A plan creating a body corporate or merging bodies corporate may be accompanied by the body corporate's proposed rules (per Section 27(2C) of the Subdivision Act 1988). As a result of the new Regulations, such proposed rules will be the standard rules plus any additional rules.

If you require further information about Body Corporate matters, please contact the Department of Infrastructure on phone 9655 6666 or at Level 20, Nauru House, 80 Collins Street, Melbourne.

COMBINED TRANSFER (T1) AND NOTICE OF ACQUISITION FORM

The combined form pilot commenced in May 2001 and the first forms have come through the conveyancing process and been successfully processed in Land Registry.

Industry bodies were consulted extensively on the layout and content of the form prior to the beginning of the pilot and this has contributed greatly to the smooth introduction of the form.

Initial feedback to the combined form has been positive and suggests that a considerable number of customers are starting to use the new form. In particular, customers have taken advantage of its online availability and have downloaded the form directly onto their own system for immediate use.

Conveyancers should consider using the combined form for the majority of 'standard' transfers. The form provides only for the transfer of a single title/parcel (except where there is an accessory unit to a flat/apartment) and a maximum of two transferors/transferees. The pilot will not

cater for those special case transactions where the transferee is acting as a trustee or where only part of the land is being transferred.

The pilot will continue for six months when a formal review will be undertaken. During the pilot, both internal and external user comment is invited on areas for improvement or difficulties in use.

Forms and instructions may be obtained from the office or by downloading from the Land Channel (www.land.vic.gov.au/titles) or the State Revenue Office web site (www.sro.vic.gov.au).

You can contact Adam Putnins (ph) 9603 5406 if you require additional information or wish to obtain a copy of the form or instructions either on disk or in paper format.

SELF SERVICE SEARCH

Early this year, regular Search Hall clients were briefed on preliminary plans for the introduction of self-service order entry and retrieval.

The plans involve adaptation of Landata screens as well as changes to the printing infrastructure.

The service will be introduced into the Search Hall in stages commencing in August, and will be refined for the move to VOTS and to Marland House in November.

Search Hall users will be briefed further in July and invited to comment on test screens and proposed work flow arrangements.

If you have further enquiries about the above matter please contact David Wille on 9603 5208.

UPDATE OF CONTACT DETAILS

To ensure that important Land Registry information reaches you successfully (this will include your issued documents) you may wish to update your contact details. If you would like your details updated please advise us in writing, on your company letterhead.

The information required is:

- Name
- Title or Position
- Company name
- Postal Address
- Telephone
- Facsimile
- Email address

Please forward the information to:

John Macnish
Manager Customer Service Centre
Title Registration Services
Land Registry
PO Box 500
East Melbourne 3002

Customer Information Bulletin
on E-Mail

If you are currently on the mailing list to receive the Title Registration Services (Land Registry) *Customer Information Bulletin* but would like to receive it electronically by e-mail, please contact Sally Lynch of Land Registry's Communications Unit on sally.lynch@nre.vic.gov.au, telephone 9603 5480 or fax 9603 5400.

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