

Title Registration Services Customer Information Bulletin

Edition 94 October 2006

INSIDE

- Victorian electronic conveyancing commences

ISSN 1441 - 1504
PP 349181/01650

Department of
Sustainability and
Environment

Title Registration Services
Land Victoria
Level 9, 570 Bourke Street
Melbourne VIC 3000
PO Box 500
East Melbourne VIC 3002

Tel (03) 8636 2010
Fax (03) 8636 2250

Victorian electronic conveyancing commences

The first stage of Victoria's new Electronic Conveyancing (EC) system commenced on 21 August 2006.

Stage one enables financial institutions to process and electronically lodge mortgages and discharges of mortgage.

Known as EC Subscribers, stage one participants access the system via the Internet. Victoria's electronic conveyancing system will be one of the first e-commerce systems in Australia to use digital certificates to sign documents electronically.

Stage two, scheduled for second half of 2007, will involve financial institutions, solicitors and conveyancers. It will introduce the other major parts of the electronic conveyancing system, transfers and financial settlement.

Further information on the EC system can be obtained from www.landexchange.vic.gov.au/ec.

This bulletin provides an explanation of the changes customers may see as a result of the commencement of EC.

eCT / pCT

Electronic Conveyancing introduces new terms for a Certificate of Title - pCT (paper) and eCT (electronic).

An eCT is achieved by means of a flag or notification on the relevant volume/folio in the titles Register which identifies the name of the subscriber who has control of the eCT.

The Register will indicate the format of the Certificate of Title.

Where the Certificate of Title is electronic, its status will be displayed as 'eCT' on register search statements (see attached example on page 3).

The Registrar will also record the eCT control; that is the party who Land Registry recognises as entitled to control. An eCT can result from a registration or from a request from the customer through an Administrative Notice to convert a pCT to eCT. It is also important to note that only an EC Subscriber can control an eCT.

Electronically lodged instruments

Electronically lodged instruments will receive a dealing number, as do paper instruments. As in the past, the dealing number should be used when enquiring on progress of the transaction.

Changes to title search (Register Search Statement - RSS)

To assist customers, some details about an eCT are shown in a new section on the RSS beneath the words 'This information is provided for customer information only'. These are the Administrative Notices and eCT Control details that relate to this title.

Note: In another enhancement project, a new Body Corporate flag will also be shown in this section. Unlike other information on the RSS, which has the benefits of the State guarantee of title, this information is not warranted.

Administrative Notices

An Administrative Notice is an electronic notice that provides direction to the Registrar of the use, control and output of the Certificate of Title when using the Electronic Conveyancing process. This notice can appear on an RSS in two sections - activity in the last 125 days section and in the customer information only section, under Administrative Notices.

There are five types of Administrative Notices -

1. Convert a pCT to an eCT

The paper Certificate of Title is to be converted to an electronic Certificate of Title.

2. Nominate an eCT to an electronic instrument

The electronic Certificate of Title is nominated to the electronic instrument in an Electronic Lodgement File (ELF). This Administrative Notice is used to link the eCT to a specified ELF.

3. Nominate an eCT to a paper instrument

The electronic Certificate of Title is nominated to a specified paper instrument.

4. Withdraw a nomination of an eCT

The instrument is not to proceed so the electronic Certificate of Title nomination is withdrawn.

5. Convert an eCT to a pCT

The electronic Certificate of Title is to be converted to a paper Certificate of Title.

Electronic instrument

The electronic instrument is formatted in a familiar way (see example of Instrument Report on page 4) and may be searched like any other instrument. A new feature is that unregistered electronic instruments may be searched.

A registered electronic instrument or Administrative Notice may be searched in the same manner as current instruments.

The major difference between the electronic and paper instrument is that electronic instruments contain certifications, justifications and a representation of the digital signature.

Justifications

Sometimes, the name of the person dealing is not the same as that of the Registered Proprietor. To accommodate these circumstances within EC, the concept of Justifications, whereby the parties to the electronic instrument can select an appropriate Justification has been introduced.

An example of a Justification would be 'marriage', where a change of name of the Registered Proprietor has occurred through marriage. This will appear on the Electronic Instrument Report in the section that is relevant to the name change, the appropriate registered proprietor.

Paper instrument lodged affecting an eCT

A paper instrument can be lodged affecting an eCT.

An Administrative Notice nominating the eCT to a specific paper instrument would need to be completed by the party holding eCT Control. This would appear in the appropriate section of the search statement. If the controlling party of the Certificate of Title after the instrument is registered is not a Subscriber, a pCT will issue.

Delivery of paper title for conversion to eCT

Following the submission of the Administrative Notice for the conversion from a pCT to an eCT, the paper certificate of title must be presented to Land Registry.

The delivery should be made to Level 9, 570 Bourke Street Melbourne at the Title Registration Services Reception desk.

Land Registry also requires the Subscriber to provide a covering letter clearly stating the purpose the pCTs are being presented (i.e. conversion of pCT to eCT). This letter should be on the company/organisation letterhead to enable Land Registry to return the pCTs to the correct party and location in the event the conversion does not proceed.

In the letter please state -

'The following paper Certificate/s of Title are being presented to Land Registry Victoria for conversion to electronic Certificate/s of Title (eCT).

List of title volume and folios included in the Administrative Notice are'

Help desk operations

For all registration and search enquires, please contact the Land Registry Customer Service Centre on (03) 8636 2010.

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

REGISTER SEARCH STATEMENT Land Titles Office, Victoria Page 1

Security no : 124018907537H

Volume 10964 Folio 040

Produced 03/10/2006 09:00 am

LAND DESCRIPTION

Lot 1 on Title Plan 892190A.

Created by Application No. 124781Y 12/09/2006

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

JOHN CITIZEN of 570 BOURKE STREET MELBOURNE VIC 3000

Application No. 124781Y 12/09/2006

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP892190A FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AP124781Y	NON-SURVEY CONVERSION	Registered	12/09/2006
AE569215W	AMEND eCT TO pCT	Registered	12/09/2006
AE569217S (E)	CONVERT TO ECT	Completed	12/09/2006

The following information is provided for customer information only.

ADMINISTRATIVE NOTICES

NIL

eCT Control MIDLANDS BANK
570 BOURKE STREET
MELBOURNE VIC
3000

Effective from 12/09/2006

STATEMENT END



**Department of
Sustainability and Environment**

Electronic Instrument Report

Page 1 of 1

Produced: 13/09/2006 11:33:11 AM

Dealing Number: **AE569225T**

**DISCHARGE OF MORTGAGE
Section 84M Transfer of Land Act 1958**

Date and Time Lodged: 12/09/2006 04:10:10 PM
Responsible Subscriber: MIDLANDS BANK
Reference:
Customer Code: 12782V
Status: **Unregistered**

The mortgagee discharges the land described from the moneys or annuity secured by the mortgage

Land: (*volume and folio reference*)
10964/041

Mortgage or Charge number:
AE569216U

Registered Mortgagee(s):
MIDLANDS BANK

Applicant:
MIDLANDS BANK

Certifications:

The subscriber certifies that the subscriber is a party to an EC System Rules Representation Agreement with the Mortgagee it represents or by the Mortgagee's attorney



The subscriber certifies that, where the subscriber is representing another, the subscriber has complied with the relevant Registrar of Title's Identity Guidelines to verify the identity of the Mortgagee it represents and the corresponding Mortgagor.



The subscriber certifies that, where the subscriber is not representing another, it is a party to this transaction and has signed all relevant instruments for this transaction in its own right and behalf and has complied with the relevant Registrar of Title's Identity Guidelines to verify the identity of the Mortgagor.



The subscriber certifies that the subscriber holds all supporting documentation and evidence of the certifications given and that these will be retained for the period specified by the Registrar of Titles.



Dated: 12/09/2006

Signed by: BILL BLOGGS for (MIDLANDS BANK LTD) on behalf of
MIDLANDS BANK

File Notes:
NIL

This is a representation of the digitally signed Electronic Instrument certified by Land Registry.

Statement End.

LAND VICTORIA, 570 Bourke Street Melbourne Victoria 3000
P.O. Box 500 East Melbourne Victoria 3002, DX 250639
Telephone: (03) 8636 2010 Facsimile: (03) 8636 2005
ABN 90719052204



Customer Information Bulletin on email

If you'd like to receive the *Customer Information Bulletin* electronically or to unsubscribe, send your request via email trs.enquiries@dse.vic.gov.au, telephone (03) 8636 2812, or fax (03) 8636 2250.

Authorised by the Victorian Government,
Melbourne

Printed by Patterson Press, Richmond VIC

© The State of Victoria, Department of
Sustainability and Environment 2006

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.