

Customer Information Bulletin

Bulletin No. 124
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INVITATION TO A FREE SEMINAR BEING HELD BY DOLA, OFFICE OF STATE REVENUE AND WATER CORPORATION

1. WITNESSING REQUIREMENTS - SIGNATURES, NAME ADDRESS & OCCUPATION

The Transfer of Land Act (Section 145) requires witnesses to the signature of parties to the documents to sign their name, using their usual signature.

Previously the usual signature of the witness was expected to be in English script, however this requirement has now been updated to reflect the multicultural community in which we live.

The witness must sign with their usual signature which may be by using English or other language script, thumb print or other mark, or by printing their name. The full name, address and occupation of the witness must be below the witness' signature and must be in English script and clearly readable by the Registrar and/or DOLA officers. The name, address and qualification of Justices of the Peace (JP) or Commissioners for Declarations (CD) are also required to be clearly shown when witnessing instruments.

To assist communication with witnesses, if necessary, it would be helpful if the telephone number at which the witness can ordinarily be contacted during business hours is added after his or her occupation or qualification.

In instances where the signature of a witness is printed, the Registrar will request confirmation that the witness did indeed witness the attestation of the document and that the signature on the document is the normal signature of the witness.

A significant number of documents are being lodged that do not comply with the above requirements, especially the requirement to clearly print their name. Problems may arise if the witness needs to be contacted and the particulars of the witness are not clearly shown.

Witnesses to Statutory Declarations who show their qualification as a JP or CD must clearly print their name and qualification. The addresses of JP's and CD's are also encouraged to be displayed on the Statutory Declaration form.

Documents presented for registration that do not comply with the above witness requirements may be stopped and a requisition fee applied.

2. LAND REGISTRATION CENTRE – ADVISORY SERVICE

The continuing high level of activity in the land and conveyancing industry results in equally high levels of enquiries being made with the advisory service within the Land Registration Centre.

Staff resources within this area are limited and as a result the response times to telephone calls and faxes are sometimes extending beyond response times previously experienced.

Surveys conducted by the Land Registration Centre indicate that a major source of enquiries are those from customers of the conveyancing and finance industry.

To assist DOLA staff in achieving effective service standards, customers are requested to research the enquiry before ringing DOLA for assistance.

In the interest of equitable and effective use of the Land Registration Centre Advisory Service, customers are reminded that the following enquiries should be conducted before phoning for advice.

1. Refer to the 'Land Titles Registration Manual' – available free of charge at DOLA's virtual shop front at www.landonline.com.au
2. Refer to document precedents that have been retained from previous registration practice.
3. Refer the enquiry to the Licensed Principal, Practitioner, Supervisor or other experienced person within the organisation.
4. Check DOLA's website at www.dola.wa.gov.au for information and publications.

If customers are able to satisfy the above requirements, then the service levels to customers should be able to be maintained to a satisfactory standard.

The Advisory Service is available Monday to Friday between the hours of 8.00am until 5.00pm. Enquiries peak between the hours of 9.30am and 3.00pm. If you need to contact the advisory service, the best time to call would be outside of these peak periods.

The contact telephone number for the Registration and Strata Advice Officers is 9273 7044.

3. DOLA WEBSITE – INFORMATION AND PUBLICATIONS AVAILABLE

Customers are reminded of the wealth of information that is available from DOLA's website at www.dola.wa.gov.au. Click on the publications section located along the bottom of the entry page.

The publications section contains many of DOLA's brochures and downloadable document forms including the following;

- A guide to Strata Titles
- Simple Transfer of Land
- Changing Names & Addresses
- Survivorship Application
- Application by Personal Representative
- Changing Names due to Marriage
- Transfer of Land following Divorce
- Transfer of Land adding a Spouse
- Replacing a Lost Duplicate Title
- Land Titles Registration Practice Manual
- Strata Titles Manual
- Crown Registration Guidelines

By clicking on the download buttons, you will be able to obtain the 'How To Brochure' and the document forms. Document forms have been included with the brochures and are available in a word template and a PDF document form.

Examples of completed document forms and Statutory Declarations are included in the brochures. The examples are useful reference material for completion of similar documents and / or Statutory Declarations.

4. CROWN LEASE CONVERSION TO DOCUMENT

Crown SmartRegister

As part of DOLA's strategic direction, Crown Titles will be captured by the HPA backcapture software and then processed in a digital environment via the SmartRegister system. This will bring Freehold and Crown processes into the same arena. This project commenced on 31 July 2002 with the backcapture of approximately 20,000 Crown Titles and is expected to take 2-3 weeks.

Change in Practice

Existing Crown Leases previously registered as a Title under the Transfer of Land Act are now to become a document registered against a Crown Title (similar to a lease of freehold land).

Reasons for Change

Changes were made to allow the capture of all issued Crown Titles, including titles with Crown Leases, into the digital Crown SmartRegister System. All existing Crown Leases with a live issued Crown Title will be converted to a document, bringing them in line with the current LAA practice.

New Practice

The new practice will see leases currently shown as Crown Lease 123/1999 or CL 123/1999 inserted into a Lease document cover, given a document number and then shown on the Crown Title as Lease I123456. The Lease and all its conditions will remain the same and all current actions or dealings will be captured on the digital Crown Title issued for the land.

The new practice will exclude Pastoral Leases, which will be converted at a later stage.

Duplicate Crown Leases will be converted on production. Nominal Index will show the State of Western Australia as the registered proprietor of the Crown Title and the current Lessee will be recorded in Nominal Index Interests. The digital Crown Title will show the Lessee as the Primary Interest Holder.

SmartPlan will show the new document number in lieu of the former Land Act 1933 number, as is the current practice for any new leases registered over crown land.

Enquiries on Crown Allotments will show the CL Number in the Current Register field as Dead and a Crown Title as the Register. The Lease Document number will be shown as live in the Current Tenure field and the former Land Act information will still be contained in History.

Document Registration Changes

Previously the transfer of proprietorship of Crown Leases and Freehold land was achieved by the registration of a standard land transfer document.

The conversion of Crown Leases to a document number identification has required DOLA to introduce a new form of transfer document for leasehold interests in Crown Titles.

The new transfer form is a T3C form and is available, without charge, from the Land Registration Centre. The form is available as an electronic word template and also in a paper format. The electronic version can be requested by email to lrc@dola.wa.gov.au. In cases where a T3C form is unavailable, a T3 form may be used.

To enable a more efficient and quicker document registration process with Crown Titles, it will no longer be possible to register transfers of land that contain leasehold and freehold interests together, as the processing requirements are distinctly different for each type of interest. The new practice requires the registration of a transfer of land for the freehold land and a transfer of lease for the crown land.

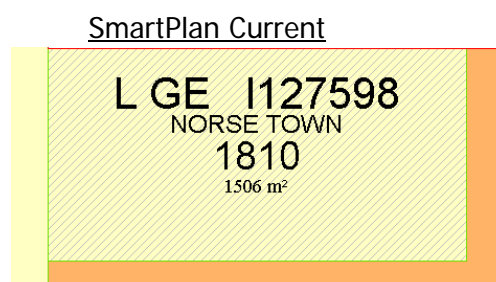
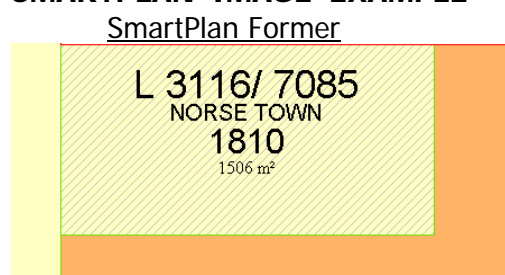
Conveyancers are also reminded that assignments of leases are not permitted under the Transfer of Land Act.

The following Land Act leases show how their appearance will vary on Crown Allotment, Nominal Index and SmartPlan

Land Act No.	Old Crown Lease	Document No.	Old SmartPlan	New SmartPlan
LA P/1554	CL 750/1963	I123374	L P/1554	L PU I123374
LA 37/929	CL 1718/1989	I126334	L 37/929	L GO I126334
LA 39/5	CL 420/1996	I135558	L 39/5	L AB I135558
LA 42/683	CL 2726/1922	I122083	L 42/683	L GE I122083
LA 153/3753	CL 439/1917	I126372	L 153/3753	L GE I126372
LA 332/1761	CL 916/1989	I126348	L 332/1761	L GE I126348
LA 333/434	CL 1220/1936	I121920	L 333/434	L GE I121920
LA 338/20578	CL 649/1995	I134662	L 338/20578	L PU I134662
LA345B/2542	CL 362/1995	I131346	L 345B/2542	L PU I131346
LA 347/18093	CL 267/1979	I123584	L 347/18093	L PU I123584
LA 3116/9165	CL 179/1985	I123611	L 3116/9165	L GE I123611
LA 3117/1566	CL 1422/1936	I121919	L 3117/1566	L GE I121919
LA 3117A/4143	CL 88/1997	I134852	L 3117A/4143	L RO I134852

Code Notes for New SmartPlan : GE = General Lease, PU = Purchase Lease, RO = Road Lease, AB = Aboriginal Lease, GO = Government Lease

SMARTPLAN IMAGE EXAMPLE



Operation of New Practice

The operation of the new practice commenced on 31 July 2002 when crown titles began to be captured digitally.

BRUCE ROBERTS
A/MANAGER
REGISTRATION SERVICES BRANCH

15 August 2002

DOLA, Office of State Revenue and Water Corporation

INVITE YOU TO ATTEND A FREE SEMINAR ON

- **ELECTRONIC ADVICE OF SALE Version 2**
- **COMMON REASONS FOR STOPPED DOCUMENTS**
- **HOW TO SAVE TIME AND MONEY BY USING THE CRS NO CHARGE MENU**

These are issues that affect conveyancers so take this opportunity to find out what's happening in your Industry and see how your business processes may be improved by attending one of the following sessions:

<u>Venue</u>	<u>Date</u>	<u>Time</u>
1. Esplanade Hotel 46 Marine Tce Fremantle	Mon 19 August	6.00pm to 7.15pm
2. Hillarys Yacht Club Hillarys Boat Harbour	Tue 20 August	6.00pm to 7.15pm
3. Perth Ambassador Hotel 196 Adelaide Tce Perth	Wed 21 August	6.00pm to 7.15pm
4. Ascot Inn 1 Epsom Ave Ascot	Thur 22 August	6.00pm to 7.15pm

PLEASE NOTE THE SESSION AT THE PERTH AMBASSADOR HOTEL IS ALREADY FULLY BOOKED AND SEMINARS ARE BEING PLANNED FOR THE MAJOR COUNTRY CENTRES. DETAILS WILL BE MADE AVAILABLE SHORTLY.

Places are limited so confirm your attendance with Miss Skye Gilligan at DOLA by email at skye_gilligan@dola.wa.gov.au or by phone on 92737426

Light refreshments will b provided at the start of each session

OFFICE OF STATE REVENUE
DEPARTMENT OF TREASURY AND FINANCE

WATER
CORPORATION
ABN 28 003 434 917



Department of Land Administration
Government of Western Australia

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