

Customer Information Bulletin

Bulletin No. 138
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1 AMENDED FORM A6 – APPLICATION FOR NEW/BALANCE TITLE

A new panel (note 3) for the number of lots being created on a Deposited Plan excluding any vesting lots has been added to the Form A6, **APPLICATION for a NEW/BALANCE TITLE**. This panel is for the assessment of registration fees for document lodgement and must be completed.

2 MANAGEMENT STATEMENTS

Management Statements will no longer be accepted without the simultaneous or prior lodgement of the corresponding Strata/Survey Strata plan.

This new procedure is now required, as the past practice of examining Management Statements before the lodgement of the Strata/Survey Strata plan did not allow for a thorough examination to be completed. Changes to the Strata/Survey Strata plan after the lodgement of the Management Statement could result in conflicting registrations.

Management Statements lodged prior to the corresponding Strata/Survey Strata plan will be requisitioned and rejected or withdrawn from registration if the Strata/Survey Strata plan is not lodged within 14 days of the requisition being issued.

Customers are reminded that as a consequence of this change to practice and procedure, Management Statements will only be acceptable for registration between the inclusive dates of the Strata/Survey Strata plan lodgement and the Application for registration of the Strata/Survey Strata plan.

3 'PART LOT' CERTIFICATES OF TITLE

In 2001 The Department of Land Information adopted the practice to capture certain 'Part Lot' paper Titles as digital Title.

To facilitate the capture of a part lot Certificate of Title as a whole lot, the following statement is entered into the Second Schedule of the digital Title;

"THE EXTENT OF THE LAND CONTAINED HEREIN, EXCLUDES ALL PORTIONS OF THE ORIGINAL LOT OTHER THAN THE SKETCH OF THE LAND DEPICTED ON THE SUPERCEDED CERTIFICATE OF TITLE"

This note enables the Title to be captured as a digital Title "Whole Lot" for the extent of the land depicted on the paper Title at the date of creation of the paper Titles.

Conveyancers are reminded that the above statement must be included in the 'Limitations, Interests, Encumbrances and Notifications' panel of any instruments lodged for registration.

4 REQUESTS FOR ISSUE/NON ISSUE OF DUPLICATE CERTIFICATES OF TITLE TO BE IN AN APPROVED FORM

The Transfer of Land Act 1893 states that a request for the issue/non issue of a duplicate Certificate of Title ('CT') may be made within an approved form.

ALL Registered Proprietors must sign any instrument requesting the issue/non issue of the duplicate CT where the form allows.

If the form does not allow for the issue/non issue of a duplicate CT, the request should be made separately on the relevant application form.

- Application A7 – solely used to request the issue of a duplicate CT where one is currently not issued. If the CT is encumbered by a mortgage, consent is required from the First Mortgagee.
- Application A9 – this new form is used solely to request the non-issue of a duplicate CT where one is currently issued.

No registration fees apply to the above mentioned Applications.

Conveyancers should note that if a Transfer is lodged and previously the duplicate CT was not issued, no duplicate CT will issue unless specifically requested.

A T2 form should be used to authorise a duplicate CT to issue if no subsequent mortgages are being registered.

5 CONSENT TO INSTRUMENTS

Where an instrument or other document is presented at the Department of Land Information for registration and the duplicate Certificate of Title has **not been issued** by an earlier request, the consent of the First Mortgagee is required where appropriate.

The Commissioner of Titles has approved the consent form shown in *Appendix A* of this Customer Information Bulletin for First Mortgagees.

This now replaces the “third party production receipt” form for a non-issued duplicate Certificate of Title and will contain similar information relating to the authorisation of the dealings that may be registered by the Registrar of Titles.

6 CHANGE OF OPERATING SYSTEMS AT DLI

The Department of Land Information is changing its computer operating systems.

From mid-June 2004, DLI will change its desktop workstations to Windows XP, and its servers to a combination of Windows 2000 and Windows 2003.

The agency has previously operated under a Windows NT4 server and desktop environment. DLI is also upgrading all its Microsoft products from Office 97 to Office XP.

These changes will occur over a period of only two to three months.

DLI will ensure the transition creates minimal disruption to work practises and to our customers.

When the changes come into effect however, it is important that customers inform their DLI contact if they are unable to receive data from Office XP. This way, DLI officers will be able to save documents/spreadsheets according to the customer's preference.

In the near future a telephone number will be available to answer any questions customers may have and further updates will be provided.

7 REGISTRATION FORMS NOW AVAILABLE ONLINE

DLI receives many requests for our registration and application forms to be e-mailed to our customers in PDF format. As a result, we are pleased to announce that the majority of our registration and application forms are now available as a free download from our DLI website;

<http://www.dli.wa.gov.au/corporate.nsf/web/Registration+Forms>

All the forms are in the Adobe Acrobat format and allow the customer to type all necessary details directly into the documents without upsetting its print layout.

Please remember that DUPLEX printing is required when printing the forms, that is, printing on both sides of the page.

BRUCE ROBERTS
REGISTRAR OF TITLES
A/MANAGER
REGISTRATION SERVICES
31 March 2004

8 APPENDIX A – EXAMPLE CONSENT FORM

EXAMPLE CONSENT FORM
(LETTERHEAD required)

Consent to Subsequent Lodgment

(Replacing production of CT for non-issued CT dealings)

| |
|--|
| |
| |
| |
| |

Date: _____

Ref: _____

CT number/s _____

Attn: Registrar of Titles
(Company name), as mortgagee of mortgage # _____ hereby consents to the
registration of the following documents:

lodged by: _____

in favour of: _____

(Company name) requests that, in accordance with the request by the Registered Proprietor/s to the Registrar of Titles in the above mortgage, NO duplicate Certificate of Title be issued at the conclusion of this transaction.

For all enquiries, contact _____

Yours faithfully

(Original Signature required – not a faxed copy)

For and on behalf of
(Company name and ABN number)