

# Customer Information Bulletin

BULLETIN No. 157  
DECEMBER 2005

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**CONTENTS:**

1. STOPPED DOCUMENT REQUISITION FEE	1
2. NEW TITLE PRIORITY	1
3. OUTSTANDING STOPPED DOCUMENT FEES	2
4. LANDGATE LAND ENQUIRY ON PROGRESS OF A DEALING	2
5. APPLICATIONS UNDER PART 4A OF THE TLA TO DISCHARGE OR MODIFICATION OF A RESTRICTIVE COVENANT OR AN EASEMENT UNDER PART 4A OF THE TLA.	3
6. CHRISTMAS MESSAGE	3

## 1. STOPPED DOCUMENT REQUISITION FEE

The \$35.00 reduced requisition fee was introduced to encourage the efficient correction of errors in land transaction documents. This fee only applies where the mistake in the document can be corrected within 24 hours of receipt of the stopped document requisition notice. If the reduced requisition fee is not paid within 24 hours of receiving the requisition then the **full requisition fee shown will apply**.

Where a mistake of fact is discovered in a Document, a Requisition Notice (LT14) will be sent to the parties to the Document (as shown on the lodgment and preparing parties panel) with a credit card account debit authorization form attached.

The parties to the Document or their representative must rectify the matter by Close of Business (COB) on the following business day. That is parties contacted at any time of day, say 10:30am on 5 April would have until 5:00pm 6 April to rectify their error to be eligible for timely correction requisition fee of \$35.00. If not rectified by COB of the following business day the standard requisition fee of \$60 and the 14 day requisition period applies (see DLI practice noted below).

## 2. NEW TITLE PRIORITY

The \$30.00 Fast Tracking of documents fee per case does not apply to Applications for the issue of new titles.

Priority processing of these applications is provided for within the planning and subdivision process and are identified as Special Area Subdivisions.

All other requests for the urgent processing of applications for new titles will require a written request detailing the urgency. Urgent requests must contain evidence supporting the need for urgency. In most instances the best evidence will be a contract of sale stipulating a definitive settlement date.

***Contracts stipulating clauses such as within 14 days of issue of titles are not considered to be sufficient evidence of urgency.***

### 3. OUTSTANDING STOPPED DOCUMENT FEES

Where a document is stopped and a requisition notice issued it attracts a requisition fee of \$60.00 per requisition raised as set out in the Regulations. Previously where a document was rejected or withdrawn from registration and the requisition fee not paid, the balance of fees refundable were allocated to the outstanding requisition fee. Any deficit owing on the requisition fee was written off. This practice is in contravention of the Regulations and has now ceased.

Document examiners will be strictly adhering to the Transfer of Land Act 1893 supporting Regulations regarding issuing of Requisition Notices for imperfect dealings and payment of requisition fees. Documents that are withdrawn or rejected will now be retained by DLI and not returned to the lodging party until the outstanding requisition fees have been paid.

### 4. LANDGATE LAND ENQUIRY ON PROGRESS OF A DEALING

The new Landgate 'Land Enquiry' contains an option called 'Dealing Progress' located under the 'Other Enquiry' enquiry option.

This option enables you to find out information on the progress of a document that has been lodged with DLI or to find out why a Certificate of Title is "Subject to Dealing".

It also enables you to establish the location of the dealing in DLI, what type of documents were registered in the dealing, which certificates of title are affected by the Dealing and/ or when the dealing was completed.

**NOTE:** When lodging a number of documents, the case number of the dealing is the first document lodged in that particular transaction. For example if you lodged a Discharge of Mortgage, Transfer of Land and Mortgage the case or dealing number is the number allocated to the Discharge of Mortgage.

There are three options to choose from when performing an enquiry on the progress of a dealing:

- Dealing / Case Number
- Document Number
- Certificate of Title

For more information on how to use “Dealing Progress” please either complete the Enquiry Options in the Computer Based Training Modules – located under Tools/ Training or consult the Land Enquiry User Manual located under Publications/ Manuals/ Land Enquiry User Guide section 6.2.5.

## **5. APPLICATIONS UNDER PART 4A OF THE TLA TO DISCHARGE OR MODIFICATION OF A RESTRICTIVE COVENANT OR AN EASEMENT UNDER PART 4A OF THE TLA.**

This entry sets out a supplemental amendment to Customer Information Bulletin 155 dealing with applications being made under Section 136J of the Transfer of Land Act 1893 to discharge or modify easements or restrictive covenants under Part 4A of the TLA.

Where a survey creates more than one easement or restrictive covenant the application to discharge or modify must specifically identify the easement by referring to the easement purpose. In the case of restrictive covenants they must be identified by referring to the DLI instrument registration number shown on the survey.

The consent required to be lodged with the application from persons with a registered interest or who are caveators must also contain a full description of the easement by reference to its purpose and in the case of a restrictive covenant by reference to its DLI instrument registration number.

## **6. CHRISTMAS MESSAGE**

This year has been a challenging one as the Property Industry continues to experience record levels of activity. DLI Management and staff are appreciative of the participation, patience and understanding shown by all our customers during this year with the heavy workloads that we have experienced. We look forward to working together with all of you as DLI moves toward becoming a Statutory Authority in 2006.

On behalf of myself the management and the staff of DLI I would like to take this opportunity to wish you all a Merry Christmas and a prosperous New Year

**BRUCE ROBERTS  
REGISTRAR OF TITLES  
A/MANAGER  
REGISTRATION SERVICES BRANCH**

**13 December 2005**