

Land Titles Update – February 2021

Title Watch is now available!

Title Watch is an online title subscription service that sends out a notification when an action is detected on a title. It can help prevent fraud happening to you or your client with daily and quarterly updates.

If you are a subscriber with a products account, you can subscribe to watch a specific title and receive email notifications when a search is performed on a title or instruments have been lodged. Otherwise, you can subscribe with your email and pay via a credit card. For more information or a user guide, please visit the [Access Canberra website](#).

National Mortgage Form - Mortgagor execution

If the full paper channel (Scenario 1) of the National Mortgage Form is used for lodgment at the Land Titles Office, appendix A in the Registrar-General's [Verification of Identity Rules](#), states that a Registry Instrument executed by a party, must have their identity verified. It also states that the Mortgagor must have their identity verified if a mortgage is executed by the Mortgagor.

APPENDIX A – CONVEYANCING DOCUMENTS AND PERSONS BEING IDENTIFIED

Conveyancing Document	Person Being Identified
A Client Authorisation authorising execution of a Registry Instrument when that Client Authorisation has been executed by a party to that Registry Instrument	The party to the Registry Instrument
A Registry Instrument executed by a party to the Registry Instrument	The party to the Registry Instrument
A caveat	The caveator
A mortgage	The mortgagor The mortgagee (if represented)
A Registry Instrument varying a mortgage	The mortgagor The mortgagee (if represented)
A Conveyancing Document listed above, executed by an Attorney of a party to a Registry Instrument, unless that Attorney is a Legal Practitioner of the party	The Attorney
A Client Authorisation authorising execution of a Registry Instrument when that Client Authorisation has been executed by a party to that Registry Instrument	The party to the Registry Instrument

Whilst the National Mortgage Form specifications are being updated to add the certifications for the mortgagor, this office will not accept any mortgage forms lodged after 1 April 2021 where the Mortgagor has executed the instrument and has not produced their verification of identity documents.

Further consultation will be sent out shortly on E-Conveyancing and updates to the National Mortgage Form specifications.

Verification of Authority

Section 9 of the Registrar-General's Verification of Authority Rules, identifies a few examples of documents that may be used to verify a person's authority to enter into a conveyancing transaction. The documents are also listed within the self-represented party lodgment pack.

This list is not exhaustive and reliance on any one document to verify authority is unlikely to satisfy the requirement to take “reasonable steps”.

VERIFICATION OF AUTHORITY DOCUMENTS

The following are examples of documents that may be used to verify a person’s authority to enter into a Conveyancing Transaction:

Capacity of Party	Documents
I am selling/the current owner of the property: Transferor Lessor Surviving Tenant Outgoing Trustee Registered Proprietor Owners Corporation Body Corporate Managing Agent Lessor Encumbrancer Mortgagor Developer Operator of Retirement Village Lessee (Application to Register a Crown Lease)	<ul style="list-style-type: none"> • current utility bills for the land • a current rates notice for the land • a current land tax assessment notice for the property • the mortgage granted by the mortgagor • loan documentation connecting the party to the land • a signed copy of the crown lease • a management statement
The property is coming into my name/ I am buying the property: Transferee Executor Beneficiary Incoming Trustee	<ul style="list-style-type: none"> • loan documentation connecting the party to the land • the contract of sale for the land • the will and probate • letters of administration
I have a registered interest on the land or applying to register an interest on the land: Mortgagee Lessee (Sublease) Lessor of Sublease Lessee of Sublease Chargee Caveator Encumbrancee Grantor (Servient Tenement) Grantee (Dominant Tenement)	<ul style="list-style-type: none"> • a lease signed by the lessor/lessee • the mortgage granted by the mortgagor • agreement

This list is not exhaustive and reliance on any one document to verify authority may not satisfy lodgment requirements

A title search should be obtained to check who is named as a registered interest holder to ensure the correct Person’s right to deal is being verified but should not be relied upon as the only document to be used as Verification of Authority.

Access Canberra Service Centre

The Land Titles Office would like to thank our customers for adhering to the social distancing requirements when attending the front counter at 480 Northbourne Avenue. Existing procedures on attendance at the counter and opening times remain in place until further notice.

Registration Timeframes

The Land Titles Office is currently registering dealings lodged 21st of January 2021. The [ACTLIS](#) website is updated daily with the registration timeframe. You can also perform a check search on the property to view the registration status of documents lodged.

Have a question or need assistance? Click the **Contact us form** button at the end of the ACTLIS home page or Telephone: 6207 0491