

ACT Land Titles Update – 9 October 2023

Instrument Requirements

A reminder that this office will only accept Instruments that are lodged in original form with signatures being clear and legible in permanent, dense, rapid drying black or blue ink.

There are some exemptions as follows:

- Documents signed by an officer of the ACT Government.
- Form 042-Consent to Register.
- There is an alternate electronic lodgment process available such as an Access Canberra SmartForm or Electronic Conveyancing; and/or
- An approved request for exemption has been previously applied for and accepted.

Copies of Instruments will continue to be accepted for documents that require consent signed by a delegate of the planning and land authority and removal of statutory charge signed by a delegate of the commissioner.

The requirements to lodge Instruments in original form and in permanent ink only relate to Instruments lodged at the Land Titles Office. There are no requirements of the Land Titles Office for documents not lodged such as mortgage acceptance or Client Authorisation Forms to be signed and kept in hard copy. For example, it is acceptable for the Client to sign, scan and send the Client Authorisation by email to the Legal Practitioner or to sign electronically by utilising digital signature technology.

Transfers lodged by Electronic Conveyancing

Where a Transfer instrument is lodged electronically and is not in registrable form, the Transfer will be requisitioned. To rectify the requisition, a paper Transfer will need to be completed and signed in full and lodged with this office. All paper Transfers completed to satisfy a requisition, can be emailed through to ACTLIS@act.gov.au.

Note: the paper instrument will replace the electronic version. No fees will be payable if lodged within 2 months of the date of the requisition.

Paper Instrument Certifications

Where a legal practitioner is a certifier on a Land Titles Instrument, the certifier must state the firm of where they are practicing. If the legal practitioner does not work at a firm and is known as an “in house” solicitor or counsel, that legal practitioner must state the jurisdiction of where they hold a practicing certificate in. An example is provided below:

John Smith
Legal Practitioner

ACT & NSW Practicing Certificate

on behalf of the Transferor

Compliance Examinations

All ELNO Subscribers and paper instrument Certifiers are reminded that they must comply with a Compliance Examination notice issued by this office. Please note that a failure to comply may result in the Subscribers access to an ELNO being suspended.

Guidance Notes

The Access Canberra Website will be updated shortly to include a new version of guidance notes for each form. Please familiarise yourself with these guidance notes to avoid potential requisitions.

The guidance notes are of a general nature and are not intended to, and cannot, replace the advice of a Legal Practitioner.

National Mortgage Form Addendum

The Land Titles Office is still updating the online National Mortgage Form and the publishing of the National Mortgage Form Addendum on the ARNECC website. Given the minor delay, Mortgages lodged on the current form will now be accepted until 29 February 2024.

Registration Timeframes

The Land Titles Office is currently registering dealings lodged 21 September 2023. The [ACTLIS](#) website is updated with the registration timeframe. You can also perform a check search on the title to view the registration status of documents lodged.

Access Canberra Website

The [Access Canberra Website](#) and the [ACTLIS front page](#) will continue be updated with information, updates to forms, new versions of guidance notes, and any updates to e-conveyancing.

Have a question or need assistance? Click the Contact us form button at the end of the ACTLIS home page or Telephone: (02) 6207 0491.