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Transmission Applications

The NSW Government has committed to having all mainstream land transactions lodged electronically by 1 July 2019. Further information on what types of transactions must be lodged electronically can be found [here](#).

Over the next twelve months many other document types will be able to be lodged electronically. These new document types are not mandated and will give practitioners the choice between using the electronic or the paper channel. The first of these document types is Transmission Applications.

What is a Transmission Application?

A Transmission Application is an application for the transfer of title to land consequent on the death of a sole proprietor or tenant in common following the grant of probate or letters of administration. A Transmission Application comes in two forms – Transmission by a devisee, beneficiary or next-of-kin (hereinafter ‘Transmission to Beneficiary’) and Transmission to Executor.

When are Transmission Applications available to be done electronically?

From Monday 16 July 2018, both types of Transmission Applications will be available for use on PEXA. You’ll need to be registered with PEXA to be able to lodge Transmission Applications electronically.

Do I have to use Transmission Applications electronically?

No, Transmission Applications are not currently mandated. You have the choice of lodging Transmission Applications either electronically or in paper.

Is evidence of probate or letters of administration required when using Transmission Applications electronically?

One advantage that electronic Transmission Applications have over paper is that evidence of the grant of probate or letters of administration is not required to be attached or uploaded. Instead, a practitioner must certify that evidence supporting the Transmission Application is retained, and that reasonable steps were taken to ensure that the Transmission Application is correct and compliant with relevant legislation and any other requirements.

What limitations are there between paper and electronic Transmission Applications?

Transmission Applications cannot be lodged electronically in the same case with a Transfer. If such a transaction is required, both documents will need to be lodged individually in separate cases.

What is the role of the Office of the Registrar General?

The ORG carries out regular subscriber compliance audits and will assess the required evidence that support the certifications given by the practitioner. Where a false certification is given it may lead to the practitioner subscription to the electronic lodgment network being suspended or terminated.