

CONVEYANCING RULES WAIVER

New South Wales Section 12E *Real Property Act 1900 (NSW)*

Title

This instrument is Conveyancing Rules Waiver CR 3/2017 – NMF Transition.

Enabling Provisions

1. Under section 12E of the *Real Property Act 1900* (RPA), the Registrar General (“Registrar”) has determined and published Version 3 of the Conveyancing Rules which came into effect on and from 22 July 2017.
2. Section 12E(10) of the RPA permits the Registrar to waive compliance with all or any provisions of the Conveyancing Rules if the Registrar is satisfied that granting the waiver is reasonable in all the circumstances.

Affected Requirement

Conveyancing Rule 10.1.10.

Explanatory Statement

The National Mortgage Form (“NMF”) was introduced in paper on 27 May 2017 and electronically on 22 July 2017. Rule 10.1.10 of the Conveyancing Rules states that people must lodge Mortgages using a NMF from 1 January 2018.

The transition period in which people can elect to use the current mortgage forms or the NMF was to end on 31 December 2017. ARNECC has granted an extension of the transition period to several banks from 31 December 2017 to 2 March 2018.

The Registrar has determined to extend the transition period across the board to all ADI’s, non-ADI’s and anyone else lodging a mortgage.

Waiver

The Registrar grants a waiver of the obligation to comply with Conveyancing Rule 10.1.10 until 2 March 2018.

Commencement

This waiver commences on 31 December 2017.

Period during which this waiver applies

This waiver operates until.

- (a) 2 March 2018; or
- (b) the commencement of an amended version of the Conveyancing Rules which contains the above as a specific exemption from the obligation to lodge instruments electronically; or

(c) the publication of a revocation of this waiver by the Registrar.

Dated: 18 December 2017

Signed by:

A handwritten signature in blue ink, appearing to read 'J. Cox', is written over a faint, circular stamp or watermark.

**Jeremy Cox
Registrar General**