



CONVEYANCING RULES REVOCATION OF WAIVERS

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

Title

This instrument revokes the following NSW Conveyancing Rules waivers:

1. CR 1/2021 – Required Dealings Exceptions
2. CR 2/2018 – Non-Land Securities
3. CR 1/2018 – Non ELN-Enabled Jurisdictions

Enabling Provisions

1. Under section 12E of the *Real Property Act 1900* (RPA) the Registrar General (Registrar) has determined and published Version 6 of the Conveyancing Rules, which will come into effect on and from 11 October 2021 and which will replace Version 5.
2. Conveyancing Rules waiver CR 1/2021 commenced on 22 March 2021 and operates until the earlier of 22 March 2022 or the publication of a revocation by the Registrar.
3. Conveyancing Rules waivers CR 1/2018 and CR 2/2018 commenced on 15 May 2018 and operates until the earlier of:
 - a. 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
 - b. the publication of a revocation by the Registrar.

Explanatory Statement

On Friday 2 July 2021, the Registrar General declared the remaining list of land dealings, as published on the Registrar General's Schedule of eDealings webpage, to be Required Dealings under Rule 8.8 of Version 5 of the NSW Conveyancing Rules.

Rule 8.8 of Version 6 of the NSW Conveyancing Rules (which commence on 11 October 2021 and will replace Version 5) provides that from 11 October 2021, all dealings, caveats and priority notices must be lodged electronically using an Electronic Lodgment Network (ELN, irrespective of the date those documents were signed).

The *Real Property Amendment (Certificates of Title) Act 2021* (NSW) (Act), which will commence on 11 October 2021, makes various changes to the RPA and other legislation to require the electronic lodgment of land transactions in NSW, to allow for the cancellation of Certificates of Title, and to remove the control of the right to deal framework in the RPA. These amendments are reflected in Version 6 of the NSW Conveyancing Rules.

Consequently, as all dealings must be lodged electronically from 11 October 2021, the Conveyancing Rules waivers which waive the requirement to lodge dealings or caveats electronically will no longer be required after that date. Accordingly, the Registrar General has determined that the Conveyancing Rules waivers listed below should be revoked.

Commencement

The following Conveyancing Rules waivers are hereby revoked on and from 11 October 2021:

1. CR 1/2021 – Required Dealings Exceptions
2. CR 2/2018 – Non-Land Securities
3. CR 1/2018 – Non ELN-Enabled Jurisdictions

Dated: 30 August 2021

Signed by:



Jeremy Cox
Registrar General