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Lodgment of Standalone Discharges of Mortgage, Mortgages and Refinance Transactions by ADIs from 1 August 2017

The next stage of the NSW Government's work with industry to make all standard property transactions in NSW electronic by 1 July 2019 will begin.

In accordance with Rule 8.4 of the [Conveyancing Rules](#) (Version 3), from 1 August 2017:

- Standalone mortgages (whether or not the National Credit Code applies) involving Authorised Deposit-Taking Institutions (ADIs) must be lodged electronically.
- Refinance transactions involving ADIs must be lodged electronically.
- Paper certificates of title will no longer be issued to ADIs upon lodgment of paper documents.

Access the [full list of ADIs on the APRA website](#).

The requirement to lodge mortgages and refinances electronically is subject to exceptions that are explained in more detail below.

Exceptions

The Registrar General under section 12E(10) of the *Real Property Act 1900* has partially waived compliance with the provisions of Rule 8.4.2 in the following two circumstances:

1. Non ELN-enabled Jurisdictions

Certain transactions that fall within Rule 8.4 may involve land securities located in jurisdictions where land registries are not enabled for electronic lodgment through an ELN ("Non ELN-enabled Jurisdictions").

The Registrar General has given a partial waiver commencing on 1 August 2017 for these types of transactions. Please see refer to [Waiver No: CR 1/2017](#) for further information and when that waiver expires.

2. Non-Land Securities

Certain transactions that fall within Rule 8.4 may involve non-land securities (including, but not limited to, bank guarantees and water access licences) which cannot be traded electronically through an ELN.

The Registrar General has given a partial waiver commencing on 1 August 2017 for these types of transactions. Please see refer to [Waiver No: CR 2/2017](#) for further information and when that waiver expires.

1 August 2017 – Certificates of Title

Beginning 1 August 2017, ADIs will not be issued a paper certificate of title when a paper document is lodged. Instead, the ADI will be recorded on the relevant folio of the Register, as having control of the right to deal for that title.

However, if the title is not [electronically tradeable](#), a paper certificate of title will be issued.

For more information see Version 3 of the [Conveyancing Rules](#) or contact the Office of the Registrar General on org-econveyancing@finance.nsw.gov.au.