

**CUSTOMER INFORMATION****DOLA**

Department of LAND ADMINISTRATION

**BULLETIN**

Bulletin No.78

30 May 1996

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**A. EXPIRY DATES ON COVENANTS**

Customer Information Bulletin's 53 and 54 issued in November and December 1992 were of a significant assistance in clarifying what constituted a Restrictive Covenant and the process and procedure that was to be adopted by the Registration Branch when dealing with covenants. The Bulletins also gave guidance to the conveyancing industry on Departmental acceptance procedures and requirements.

Customers that are not familiar with the above Bulletins may obtain copies from the Customer Education Centre in DOLA Midland for future reference.

Since the publication of these Bulletins the Land Titles Registration Practice Manual has been updated resulting in staff and the conveyancing community having clear and unambiguous direction in the interpretation and processing of restrictive covenants.

The guidelines for practice and procedure of examination of Transfers containing restrictive covenants will be modified following consideration by Parliament of the Transfer of Land Amendment Bill, It is envisaged that the majority of estate covenant deeds will be lodged with the plan or diagram of subdivision.

The Land Titles Division in order to rationalise processes will no longer endorse the expiry dates of covenants on Certificates of Title as from 13 May 1996.

Please note that this action will require all conveyancers to obtain a copy of the document in all instances where there is a covenant shown as an encumbrance, thereby ensuring full awareness of the covenant contents and conditions.

**B. TLA AMENDMENT ACT 1996, APPROVED FORMS PRODUCTION BY PRINTER AND WORD PROCESSING.****Transfer of Land Amendment Act 1996**

The new Transfer of Land Amendment Bill is currently being considered by Parliament. As a result of the amendments contained in the Bill to the Transfer of Land Act, some changes are anticipated, which will require amendment to existing forms. The new amendments will give DOLA customers in certain instances the choice of non issuance of a duplicate certificate of title ( totally at the customers direction )when recording dealings on the Register.

In the majority of forms, the changes will be minor, however, as a result of the removal of certain schedules to the existing Act, some new forms will be required to be created. Any new form created as a result of the amendments will be produced in the familiar panel format to compliment the existing processes.

### **Form Package**

Currently the proposed drafts of the new document formats are being completed by a specialised working party. On completion the proposed forms will be packaged and distributed to DOLAs major industry group representatives for comment. The form packages will be distributed by the end of May.

### **New Colour and Paper Weight**

In compliance with customers requests and to align this State with the national trend towards the introduction of a standard format, DOLA will also be introducing a change to the colour and paper weight specifications of the forms. The new specifications will be introduced in conjunction with the implementation of the new document forms.

### **New Form Specifications - Monochrome ( Black and White )**

**From the date of implementation the colour and paper weight specifications of the forms will be:**

- A. For documents currently being produced by word processing technology.  
**Monochrome format, black text on white A4 size, 80 GSM bond paper.**
- B. For documents being printed by commercial printing methods.  
**Paper: White Bond 80 GSM**  
**Ink: Black Text**  
**Typeset: Arial Font, with 10% Screen Background output to Bromide 120 Lines per square inch**

### **Form Approval**

Customers electing to have the approved forms printed by a commercial printer are reminded that the panels of the forms are to be delineated by the use of shaded borders similar to the format currently in use.

Customers are also reminded that form approval is still required for self production of the new document forms. Approval for any form production is received by reference to the Manager Examinations, Registration Branch on Tel 2737347.

DOLA customers that are still requiring form approvals from the Land Titles Division should take into consideration the format and specification changes, as well as the major changes to the forms required as a result of the proposed amendments. Customers should also be aware of the pending changes in format and specifications when reviewing their current form stocks.

### **Flat File Document Lodgement**

DOLA is also presently investigating the possible introduction of a Flat File Document Lodgement system as an alternative to the present folded document lodgement system. This system is currently in use in some of the other Australian States and appears to be an effective and efficient method of handling and processing large volumes of documents. With the intending reduction in paper weight for the new documents, the Flat File lodgement method introduces the ability to better protect documents from wear and tear prior to being imaged and filed.

### **New Form Implementation**

The implementation for these changes is expected to occur in the third quarter of 1996. As with the last major change to the forms, e.g. the change from foolscap to A4 size etc., there will be a run out period for the old forms. The run out period will be **four months** (4) from the date of implementation, old styled forms that comply with the new TLA amendments and signed prior to the above date will be accepted.

For further information or comment regarding the specifications of the monochrome format, please contact Steve Crowe of the Registration Branch Forms Design Committee, Land Titles Division on phone 273 7250 or fax 273 7661

### **C. Amendment for Bulletin No.77**

Re : Management Statements

Please note that the second line on page 2 of Bulletin No.77 contains a statement :

“ Need either WA Planning Commission or Local Authority Approval”.

It is not correct to say that approval is required. A requirement for approval was deleted from the Bill during its passage through Parliament. A requirement that the WA Planning Commission or Local Authority, as applicable, provide a statement that it had no objection to certain items in the management statement was substituted. A correct statement would occur by deleting the word “approval” and substituting the words “statement under section 5c(3)(b)”.



**GEOFF SACH**  
**DIVISIONAL MANAGER**  
**REGISTRAR OF TITLES**

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