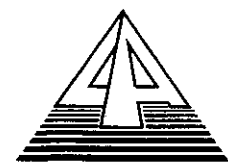


CUSTOMER INFORMATION

DOLA

BULLETIN



Department of LAND ADMINISTRATION

BULLETIN NO. 91
11th SEPTEMBER 1997

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A. STOPPED DOCUMENTS

The number of documents that are lodged by the Conveyancing Industry and subsequently requisitioned is of major concern to DOLA.

The Registration Branch has recently conducted surveys on documents that are not in a registerable form and found that over 11% of all documents lodged had to have some form of remedial action.



Whilst the examiners contacted the lodging party and were able to amend approximately 3% of the documents as part of the examination process, the rest had to be forwarded to the stopped document section.

Not only is this high number of errors impacting upon the operations of the Land Titles Division, it is also creating a poor image for the Conveyancing Industry within Western Australia.

Once a document is sent to stopped documents, you only have 14 days to comply with the requisition. After that time the documents are rejected by DOLA. In one week, 100 documents were withdrawn by the lodging party or rejected by DOLA. This is a disturbingly high statistic.

As you will be aware, registration is fundamental to the "Torrens" system and if a document has not been lodged, withdrawn or rejected, then the parties to the action have no protection under the Transfer of Land Act, even though settlement has already occurred and the monies dispersed.

The issue of the high number of stopped documents has been previously raised with representatives of the Conveyancing Industry, however, there has been no immediate improvement on the quality of documents being lodged.

Conveyancers must take more responsibility for their actions. It is imperative that organisations involved in conveyancing address this issue and undertake additional training and professional development of their staff.

If improvements are not forthcoming, then alternative approaches will need to be considered by DOLA.

B. DOCUMENT LODGEMENT PROCEDURE

DOLA has had problems in prioritising documents, incomplete assessment slips and fees. Care should be taken because documents lodged out of sequence may not have the priority in time to ensure protection for purchasers, mortgagees etc. under the Transfer of Land Act.



If lodging parties adhere to the following procedure for document lodgement certainty and clarity will prevail.

1. Assess your fees
2. Complete assessment slip by indicating document type, fee, lodging party and any reference (if required).
3. Serialise the documents in a dealing.
e.g. Discharge (1[3])
Transfer (2[3])
Mortgage (3[3])
4. List all items such as duplicate titles and evidence on the document, DOLA is not responsible for the loss of unlisted items.

I trust that this is of assistance to you.

C. REQUIREMENTS FOR PLANS AND SPECIFICATIONS ON MANAGEMENT STATEMENT

Management Statements lodged for registration of staged developments require extra information to be lodged at DOLA. Regulation 37 details the requirements for plans and specification information accompanying management statements for staged developments.

In processing the management statements, it has been noted that large and cumbersome architectural plans are being lodged to satisfy the regulation. This places irrelevant and unnecessary information on the Register, is consuming considerable resources to process and is confusing people when searches are conducted.

The following requirements for plans and specifications on management statements are therefore provided to assist in the preparation of the statements.

All information lodged as part of the management statement should be clear and legible and at a scale acceptable to the Registrar of Titles. It needs to include:

- ◆ Proposed location plan of the completed development
- ◆ Proposed floor plan of the completed development
- ◆ Licensed valuers certificate Form 27
- ◆ Architectural plans of the buildings (including every storey)
- ◆ Two front elevations
- ◆ One or more longitudinal sections



- ◆ The height of every storey
- ◆ Levels of the ground
- ◆ Relative levels of the ground on which the buildings are to be constructed in relation to the street or lot
- ◆ Specifications to include description of materials of the walls, floor and roof.

The specifications should detail the materials and standards of the building shell. ***Specifications and plan details of the interior are not required.***

The information is to be submitted in A4 or A3 size paper and if possible printed on the front and back side of each page. Every page or annexure (front and back) must be clearly numbered.

If a plan is larger than A3 it can be broken down to A3 size with clearly marked joining points so they could fit together to form a composite plan if needed.

D. CHANGES FOR ELECTRONIC ADVICE OF SALE (EAS) USERS

There has been a minor change to the screen where you Enter Agency Requirements.



When you complete the lodgement and submit a FAX job via PF12 [Esc/=keys], a message will appear asking you to **"Confirm Your Intention to Lodge This Job"**. All that is required of you is to press PF12 [Esc/=keys] again and the lodgement will be completed.

This change will become effective from Thursday 11 September 1997.

For any enquiries, please contact the Land Enquiry Centre on (08) 9273 7343 or (08) 9273 7344.

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LAND TITLES DIVISION