

# Eligible documents for paperless conveyancing

This document is to assist parties using an Electronic Lodgment Network (ELN). Not all titles and document types are supported in an ELN. Eligible transactions that can be completed via electronic conveyancing will meet the criteria as listed.

This document is correct as of 09 October 2023 and will be updated as new functionality is added to an ELN in future releases.

## Summary of updates as of 09 October 2023

- Transfers where the title is registered in the name of a person in capacity, such as executor, administrator, or trustee in bankruptcy, are now eligible.
- Transactions where a party is a minor are currently excluded.
- Minor grammatical changes.



## Important Note

- if a party in the transaction is considered an incapable person pursuant to a State Administrative Tribunal (SAT) order, the SAT order and statutory declaration must be uploaded and attached with the document. For more information on required evidence for incapable parties, please refer to [“CAP-02 Incapable Persons” in the Land Titles Registration Policy and Procedure Guides](#).
- if a party to the document is a company with an ACN (Australian company) and the status of the company is something other than “registered” (e.g. in receivership, in liquidation etc), then the evidence to support the transaction must be uploaded and attached to the document. For required evidence, please refer to [“SIG-04 Signing by a Liquidator, Administrator, Official Manager or Receiver” in the Land Titles Registration Policy and Procedure Guides](#).

## Title Scope

- title must not be manual.
- title must not have unstructured text in the tenancy type detail – e.g. LifeEstates.
- title must not be canceled or superseded.
- titles on Cocos (Keeling) and Christmas Island are excluded.
- titles where the name of the mortgagee cannot be returned are excluded.
- titles where the name is shown as senior, junior, or minor born, and the name requires a name change justification, such as John Smith incorrectly shown as John Smith junior, are excluded.

# Document types

## Caveat

- must be caveating a proprietor of the land, caveating a proprietor of an interest, including a crown lease, is not currently supported.
- if the caveat is over part of the land the land description must clearly state the part caveated, such as “part of Lot 1 on Plan 12345 as shown hachured on the attached plan”. Any plan or sketch must be uploaded and attached with the caveat.
- all caveators named in the caveat must be represented by the same Subscriber.
- if the caveat is over crown land, and consent is required, the consent must be uploaded and attached to the document in the ELN.
- caveats forbidding the bringing of land under section 223A of the *Transfer of Land Act 1893* (adverse possession) are excluded.

## Withdrawal of caveat

- a withdrawal of caveat must not include a removal of caveat by a party that is not a caveator.
- withdrawal of caveat must cover all the land in the caveat for that particular title. If the original caveat was over multiple titles, it can be withdrawn as to one title only.
- all caveators named in the withdrawal of caveat must be alive and represented by the same Subscriber.
- the name of the caveator represented must be the same or justified to be the same as the caveator on the title.

## Mortgage

- mortgage can be over all of the land in a title, all of a lot in a multi-lot title, or all of an interest on a title (e.g. a registered lease).
- all registered proprietors must be mortgagors.
- all titles included in the mortgage must have the same registered proprietors.
- all mortgagees named in the mortgage must be alive and represented by the same Subscriber.

## Transfer

- a transfer does not include mortgagees exercising power of sale, transfer of an interest, transfer under property (seizure and sale) order, transfer for sale for rates or transfer of the fee simple in crown land.
- transfer must include all the land described in a title.
- all registered proprietors must be named as transferors.
- all titles included in the transfer must have the same transferors and the same tenancy.
- the name of the transferor must be the same or justified to be the same as the registered proprietor.
- the transfer must have a consideration type that is either monetary, desire to make a gift, or natural love and affection.
- the transfer must be pursuant to a contract of sale or a written agreement.
- the duty transaction type must be eligible for electronic conveyancing. For a full list of eligible duty transactions please refer to the [RevenueWA website](#).
- transfers of crown land are currently excluded from electronic conveyancing.
- transfer where a party to the transfer, either as transferor or as transferee, has a name component of “minor born...” are excluded.
- if a restrictive covenant is registered on a title, and has expired, and is a type that is able to be removed by request, a letter requesting its removal can be uploaded and attached with the transfer document.

## Discharge of Mortgage

- the discharge of mortgage must discharge the mortgage from all of the land on that particular title or all of the interest that the mortgage effects on that title.
- the discharge of mortgage must include all of the mortgagees in the mortgage.
- all mortgagees named in the discharge of mortgage must be alive and represented by the same Subscriber.
- the name of the mortgagee represented must be the same or justified to be the same as the mortgagee on the title.

## Change of name

- maximum of one party changing their name per document.
- can amend the name of a proprietor of land or proprietor of an interest.
- represented party must not have the endorsement of “senior”, “junior”, or “minor born...” in their name.

## Survivorship Application

- must be an application for survivorship over a proprietor of the land, an application for survivorship for a proprietor of an interest is not currently supported.
- the evidence to support the application must be uploaded and attached to the application prior to lodgement.
- all surviving joint tenants must be represented as applicants and represented by the same Subscriber.
- there can be multiple deceased persons in the same application.

## Residual documents

- For information on residual document eligibility please refer to “[ELE-04-Residual documents](#)” in the Land Titles Registration Policy and Procedure Guides.