

Circular

No. 2017/01

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Conveyancing Rules – Electronic Lodgment

Stand Alone lodgment of Discharges of Mortgage and National Credit Code Mortgages by Authorised Deposit-Taking Institutions

On 28 October 2016, the Office of the Registrar General published Version 2 of the Conveyancing Rules on the Land and Property Information (LPI) website. The Conveyancing Rules are made under section 12E of the *Real Property Act 1900*.

Conveyancing Rules – Version 2

Version 2 of the Conveyancing Rules includes new rules in sections 7 to 9 to support the first stage of the move to a paperless conveyancing future in NSW. This reform was announced by the Minister for Finance, Services & Property on 4 July 2016.

In summary, the new Rules are:

A discharging mortgagee or its representative must lodge a stand-alone discharge of mortgage signed on or after 1 March 2017.

Where the Mortgagee is an Authorised Deposit-Taking Institution (ADI) the mortgagee or its representative must lodge electronically using an ELN:

- Stand-alone discharges of mortgage signed on or after 1 March 2017 except where the discharge of mortgage is to be lodged with any other dealings affecting the same folio of the Register.
- Stand-alone mortgages to which the National Credit Code applies, signed on or after 1 March 2017 except where the mortgage is to be lodged with any other dealings affecting the same folio of the Register.
- Refinance transactions where both mortgagees are ADIs, any combination of discharges of mortgage and mortgages signed on or after 1 August 2017 except where the discharges of mortgage and mortgages are to be lodged with any other dealings affecting the same folio of the Register.

A paper Certificate of Title will be issued on registration of a stand-alone discharge of mortgage and ADIs will receive an eCT on registration of an electronic Mortgage where they are 1st mortgagee.

From 1 August 2017 ADIs will receive an eCT on registration of paper transactions where they remain 1st mortgagee.

More information

[Conveyancing rules Version 2.0](#)

[LPI Circular 2016-03 Commencement of Conveyancing Rules and introduction of the National Verification of Identity Framework to paper conveyancing](#)

Enquiries may be made by email to EConveyancing@lpi.nsw.gov.au