

Circular

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Revised Conveyancing Rules

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. This version will replace Version 1 from Saturday 26 November 2016. 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:

- Priority Notices will be available from 28 November 2016, but may only be lodged electronically
- 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), stand-alone discharges of mortgage or mortgages to which the National Credit Code applies, signed on or after 1 March 2017 must be lodged electronically
- Where both discharging and incoming mortgagees are ADIs, refinance transactions signed on or after 1 August 2017 must be lodged electronically.

Version 2 also includes notes that indicate where changes have been made from Version 1. For example:

- Version 1 of the Conveyancing Rules standardised formal verification of identity and authority requirements across all conveyancing in New South Wales
- Version 2 makes some changes to clarify the operation of the requirements for Verification of the Identity (VOI) of persons who are given Certificates of Title. It is made clear that the VOI requirement does not operate in settlement situations.

More information

[Conveyancing Rules – Version 2](#)

[Conveyancing Rules – Version 1](#) (superseded)

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

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