

# **COVID-19 Temporary lodgment option of Paper Dealings electronically through PEXA**

The NSW Government and NSW Land Registry Services (NSW LRS) are working together to ensure the safety of the people of New South Wales (NSW) during the COVID-19 situation. To assist customers who are unable to attend the NSW LRS Lodgment Office, a temporary lodgment process has been implemented to allow all remaining documents that are not currently enabled for electronic lodgment, to be lodged electronically.

The new lodgment process, referred to as 'COVID-19 residual lodgment' will be available in two phases from 11 May 2020 through the Electronic Lodgment Network known as PEXA. COVID-19 residual lodgment provisions for paper documents will need to be submitted for lodgment at NSW LRS via the PEXA platform as a PDF document. The PDF document will be treated and examined as if it were lodged in paper at the NSW LRS Lodgment Office.

#### Phase 1

From 10 May 2021, this procedure will be superseded by the final delivery for Residual documents. Please refer to the <u>Guidance for lodging a Paper Dealing document</u> for more information on this option.

From **11 May 2020**, PEXA subscribers will be able to lodge paper Real Property Act dealings with a Land Title Reference through COVID-19 residual lodgment via the PEXA workspace. This will include dealings which are not currently available for electronic lodgment as well as mandated documents currently lodged in paper pursuant to Conveyancing Rules Exemptions. Please see appendix A for a list of paper dealings enabled for Phase 1.

#### Phase 2

From **25 May 2020**, paper documents which don't have a Real Property Act Land Title Reference or where the Land Title is not electronically tradable will be enabled for electronic lodgment using a prescribed value, referred to as NO/REF/99999.

Please see Appendix A for a list of paper documents enabled for Phase 2.

For more information on COVID-19 residual lodgment, please visit PEXA.



### **Contents**

What is COVID-19 residual lodgment?	4
What paper dealings or documents can be lodged?	4
Can paper dealings with a conveyancing rules waiver be lodged using COVID-19 residua	
Can I lodge a dealing currently available through PEXA together with a paper dealing via /ID-19 residual lodgment?	
Can I lodge Water Access Licence dealings using COVID-19 residual lodgment?	4
Can any of these dealings be lodged in paper over the counter?	5
Where can I lodge my paper dealings using COVID-19 residual lodgment?	5
Where can I find instructions for PEXA lodgment?	5
Who can utilise COVID-19 residual lodgment?	5
I'm not represented by a solicitor or licensed conveyancer; can I still lodge my dealings	
What if I have a mandated dealing with the combination of non-mandated dealing in or ment case?	
What happens if I have unusual circumstances not mentioned in the Conveyancing es waivers or this FAQ and the dealings cannot be lodged electronically?	5
My client has asked me to lodge a mandated dealing and I am not registered as a scriber with an ELNO. Can an exemption be granted for the mandated dealing to be lodge aper in this case?	
How long will COVID-19 residual lodgment be available?	6
Are there any changes to how I would normally complete the dealing in paper if I utilise I/ID-19 residual lodgment?	
Can I still lodge my dealing by post?	6
How do I get my dealing stamped by Revenue NSW?	6
How do I lodge a dealing if it does not have a valid title reference?	7
How do I know if a title is electronically tradeable?	7
What happens if one (or more) of the titles in a transaction is not electronically eable?	7
Can I still lodge a dealing if it affects more than 20 titles?	7
Can a dealing currently available electronically in PEXA still be done in COVID-19 dual lodgment if the dealing isn't mandated? (e.g. Leases)	8
How do I complete a Notice of Sale for COVID-19 residual lodgment?	8
Do I still have to attach identity documentation for dealings such as a Change of Name 8	?
How do I lodge a statutory declaration for a Lapsing Notice?	8
Can I lodge a dealing through the Virtual Lodgment Office?	8
How do I uplift/relodge a dealing?	8
	What paper dealings or documents can be lodged?  Can paper dealings with a conveyancing rules waiver be lodged using COVID-19 residual ment?  Can I lodge a dealing currently available through PEXA together with a paper dealing via //ID-19 residual lodgment?  Can I lodge Water Access Licence dealings using COVID-19 residual lodgment?  Can any of these dealings be lodged in paper over the counter?  Where can I lodge my paper dealings using COVID-19 residual lodgment?  Where can I find instructions for PEXA lodgment?  Who can utilise COVID-19 residual lodgment?  I'm not represented by a solicitor or licensed conveyancer; can I still lodge my dealings tronically?  What if I have a mandated dealing with the combination of non-mandated dealing in or ment case?  What happens if I have unusual circumstances not mentioned in the Conveyancing as waivers or this FAQ and the dealings cannot be lodged electronically?  My client has asked me to lodge a mandated dealing and I am not registered as a scriber with an ELNO. Can an exemption be granted for the mandated dealing to be lodgaper in this case?  How long will COVID-19 residual lodgment be available?  Are there any changes to how I would normally complete the dealing in paper if I utilise //ID-19 residual lodgment?  Can I still lodge my dealing stamped by Revenue NSW?  How do I get my dealing stamped by Revenue NSW?  How do I lodge a dealing if it does not have a valid title reference?  How do I know if a title is electronically tradeable?  Can I still lodge a dealing if it affects more than 20 titles?  Can I still lodge a dealing if it affects more than 20 titles?  Can a dealing currently available electronically in PEXA still be done in COVID-19 dual lodgment if the dealing isn't mandated? (e.g. Leases).  How do I lodge a statutory declaration for a Lapsing Notice?  Can I lodge a dealing through the Virtual Lodgment Office?  Can I lodge a dealing through the Virtual Lodgment Office?



	28.	Will I receive a copy of the registered dealing?	. 8
	29.	Will I need to lodge the original dealing at a later date?	. 9
	30.	Can multiple dealings be lodged in the same workspace?	. 9
	31. lodgm	What are the processing times for dealings lodged through COVID-19 residual ent?	. 9
Exe	cution.		. 9
	32.	Can a paper dealing be digitally executed?	. 9
	33. the cli	Can I as a Subscriber sign the paper document on my client's behalf if they have signe ent authorisation with me?	
Cer	tificate	of Title	. 9
	34.	How do I produce the Certificate of Title to NSW LRS for COVID-19 residual lodgment?	9
	35.	How do I lodge a consent if I did not add it in the original completed workspace?	10
	36. LRS' I	Will the Certificate Authentication for pre 2004 Certificate of Titles' take place if NSW Lodgment Office closes?	10
Req	Juireme	ents	10
	37.	What are the requirements for the COVID-19 residual lodgment cover sheet?	10
	38.	Do the details on the cover sheet have to match the dealing attached?	11
Con	nparisc	on between Phase 1 and Phase 2	11
Pow	er of A	Attorney and Old System Deeds	12
	39. or Old	Do I need to complete a Deeds Index Particulars form when lodging a Power of Attorned System Deed?	
	40. docun	For lodgment of Old System Deeds and Power of Attorney, how do I get my original nent marked with a registration stamp with the Book and Number?	12
	41. registi	Will LRS send me a certified copy of the registered deed after lodgment and ration?	12
	42.	Can Power of Attorney and Old System deeds be electronically signed?	12
	43. Syster	Do I need to retain the Registration Copy and the original Power of Attorney or Old m Deed?	12
Req	uisitior	าร	13
	44. requir	How is my dealing marked by Revenue NSW where a requisition has been raised and es alterations?	13
	45.	How will I receive requisitions for dealings lodged using COVID-19 residual lodgment?	13
	46.	How to I pay a requisition fee?	13
С	ontact	us	13
Арр	endix /	A – Schedule of Dealings and Documents	14
aaA	endix I	B - COVID-19 residual lodgment cover sheet	18



#### **Frequently Asked Questions for Lodgment**

#### **General**

#### 1. What is COVID-19 residual lodgment?

In response to the restrictions imposed by the COVID-19 situation, NSW LRS has developed a temporary lodgment process. The COVID-19 residual lodgment will enable PEXA subscribers to electronically lodge paper dealings which were not previously eligible for electronic lodgment.

#### 2. What paper dealings or documents can be lodged?

From 11 May 2020, PEXA subscribers will be able to lodge all 95 paper dealings listed in the Registrar General's Guidelines, provided the title is electronically tradeable. The paper dealings are scanned and uploaded to the PEXA workspace accompanied by a cover sheet completed in the same workspace then lodged to NSW LRS. These are known as Phase 1.

For dealings which are now available as <u>Residual documents</u>, Subscribers are no longer required to complete and attach a paper dealing form.

From 25 May 2020, PEXA subscribers will be able to lodge all other documents which were usually lodged over the counter at NSW LRS' Lodgment Office including Old System Deeds, Power of Attorney and paper dealings affecting titles which are not electronically tradeable. The paper documents are scanned and uploaded to the PEXA workspace accompanied by a cover sheet completed in the same workspace then submitted to NSW LRS for lodgment. These are known as Phase 2.

For a schedule of all the dealings and documents available, see Appendix A.

For more information on the requirements of the accompanying cover sheet for both Phase 1 and 2, see Appendix B.

WAL dealings are currently not available and must be lodged at the NSW LRS Lodgment Office using our 'drop & go' service.

# 3. Can paper dealings with a conveyancing rules waiver be lodged using COVID-19 residual lodgment?

Yes. Similar to lodging the paper dealings in person at the NSW LRS Lodgment Office, these dealings are required to be accompanied with a Conveyancing Rules Exemptions form selecting the appropriate waiver. In PEXA these dealing types will be identified with a suffix as a paper dealing i.e. Transfer (Paper Version).

### 4. Can I lodge a dealing currently available through PEXA together with a paper dealing via COVID-19 residual lodgment?

No, a lodgment case must either contain all electronically created dealings or, all paper dealings scanned and uploaded to the PEXA workspace to be lodged using COVID-19 residual lodgment.

#### 5. Can I lodge Water Access Licence dealings using COVID-19 residual lodgment?

No. WAL dealings are currently unavailable and must be lodged at the NSW LRS Lodgment Office using our 'drop & go' service.



#### 6. Can any of these dealings be lodged in paper over the counter?

Paper dealings will continue to be accepted over the counter via our 'drop and go' service while the NSW LRS Lodgment Office remains open.

For more information see: https://nswlrs.com.au/About/About/Announcements/76

#### 7. Where can I lodge my paper dealings using COVID-19 residual lodgment?

COVID-19 residual lodgment can be lodged through PEXA.

For more information, please visit PEXA.

#### 8. Where can I find instructions for PEXA lodgment?

For information on how to use PEXA, please see <a href="https://www.pexa.com.au/">https://www.pexa.com.au/</a>

NSW LRS' requirements for electronic dealing can be found here: <a href="https://rg-guidelines.nswlrs.com.au/e-dealings">https://rg-guidelines.nswlrs.com.au/e-dealings</a>

#### 9. Who can utilise COVID-19 residual lodgment?

Any Subscriber enabled in PEXA.

For more information on Subscribers, please see <a href="https://www.pexa.com.au/lawyers-conveyancers">https://www.pexa.com.au/lawyers-conveyancers</a>

### 10. I'm not represented by a solicitor or licensed conveyancer; can I still lodge my dealings electronically?

No, you must be represented by a solicitor or licensed conveyancer who is a PEXA Subscriber to lodge your dealings through an ELNO such as PEXA. However, you can still lodge your paper dealings through our 'drop and go' service while the Lodgment Office remains open.

## 11. What if I have a mandated dealing with the combination of non-mandated dealing in one lodgment case?

All of the dealings in the lodgment case must be lodged together. The whole lodgment case can either be, lodged electronically using COVID-19 residual lodgment or lodged utilising the 'drop and go' service if the NSW LRS Lodgment Office remains open. Any changes to our Lodgment Office availability will be notified on the COVID-19 Updates section of our website.

### 12. What happens if I have unusual circumstances not mentioned in the Conveyancing Rules waivers or this FAQ and the dealings cannot be lodged electronically?

If you have an unusual circumstance or scenario affecting your dealing please provide information to NSW LRS in writing to <a href="mailto:EConveyancingNSW@nswlrs.com.au">EConveyancingNSW@nswlrs.com.au</a> and we can advise you on what to do.



# 13. My client has asked me to lodge a mandated dealing and I am not registered as a Subscriber with an ELNO. Can an exemption be granted for the mandated dealing to be lodged in paper in this case?

No. Not being registered with an ELNO is not a valid reason to receive an exemption to lodge the dealing in paper. The relevant party should consult another solicitor or conveyancer who is registered with an ELNO to complete the transaction electronically.

#### 14. How long will COVID-19 residual lodgment be available?

Phase 1 of COVID-19 residual lodgment will continue to operate after the pandemic. However, work will continue to make every dealing a structured document more suitable for eConveyancing. These are known as "residual documents" and more information about that can be found <a href="here">here</a>. Please note that the delivery of the residual documents will be delayed by several months as a result of the COVID-19 pandemic.

The operation of Phase 2 of COVID-19 residual lodgment is intended to cease once the pandemic period has passed. The Registrar General will publicise the date when documents able to be lodged under Phase 2 will cease.

### 15. Are there any changes to how I would normally complete the dealing in paper if I utilise COVID-19 residual lodgment?

No. The paper dealing is to be completed the same way as it normally is. NSW LRS will examine the paper dealing according to the rules for paper dealings as stated in the Registrar General's Guidelines.

For more information on the paper dealing requirements, please see the <u>Registrar General's</u> Guidelines.

For more information on electronic signatures and witness requirements, please see the <u>NSW</u> Office of the Registrar General's Information Sheet and Guidance Notes.

#### 16. Can I still lodge my dealing by post?

Dealings can still be lodged by post in the usual manner. Industry professionals and business entities are not eligible to lodge documents by post with NSW LRS.

A private individual living outside the Sydney metropolitan area who has difficulty lodging dealings in the approved manner may lodge their dealings by mail provided the dealings are:

- one of the prescribed dealings listed as acceptable by post <u>Dealings acceptable to be</u> lodged by post
- lodged in order for registration together with the correct lodgment fee and
- accompanied by a letter explaining the circumstances as to why they cannot be lodged by hand.

#### 17. How do I get my dealing stamped by Revenue NSW?

The same process is used as a paper dealing. A Duties Assessment Number (DAN) which is shown on the Duties Notice of Assessment is required, a copy of which should be lodged with the dealing. There is no requirement to physically stamp the instrument.



Any dutiable instrument not processed in an electronic lodgment network must still be physically stamped in accordance with the Duties Act 1997. Examples of these types of transactions include:

- those dutiable transactions eligible under the Registrar General's waivers to conduct a paper settlement
- dutiable instruments not transferring property title at Land Registry Services such as declarations of trust over dutiable property.

For more information see: <a href="https://www.revenue.nsw.gov.au/electronic-duties-for-professionals/electronic-stamping-procedure">https://www.revenue.nsw.gov.au/electronic-duties-for-professionals/electronic-stamping-procedure</a>

#### 18. How do I lodge a dealing if it does not have a valid title reference?

A valid and current Land title Reference is required unless it is a dealing that doesn't require a land title. In this instance, a prescribed Reference to Title NO/REF/99999 may be used for lodgement.

The prescribed Reference to Title NO/REF/99999 must be used for the following documents:

- Memorandum
- Power of Attorney
- Old System Deeds
- Miscellaneous Document
  - Dealings affecting a Lease Folio
  - Dealings affecting a lot not created in ITS
  - Dealings affecting a reference to title which is not electronically tradeable

For more information, see Appendix A.

#### 19. How do I know if a title is electronically tradeable?

A title is electronically tradeable when, with respect to a Folio of the Register, the title is not excluded from electronic transactions by rules of the Registrar General.

For more information on what tiles are electronically tradeable see: <a href="https://rgguidelines.nswlrs.com.au/e-guidelines.nsw

#### 20. What happens if one (or more) of the titles in a transaction is not electronically tradeable?

The lodgment case can be lodged using COVID-19 residual lodgment. The prescribed Reference to Title NO/REF/99999 must be used. "Miscellaneous Document" is selected and the prescribed Reference to Title NO/REF/99999 must be used and be the only reference to title referred to in the workspace. The actual title references are stated in the PDF copy of the dealing.

#### 21. Can I still lodge a dealing if it affects more than 20 titles?

A dealing which affects more than 20 titles may be lodged using COVID-19 residual lodgment. "Miscellaneous Document" is selected and the prescribed Reference to Title NO/REF/99999



must be used and be the only reference to title referred to in the workspace. The actual title references are stated in the PDF copy of the dealing.

### 22. Can a dealing currently available electronically in PEXA still be done in COVID-19 residual lodgment if the dealing isn't mandated? (e.g. Leases).

Any paper dealing lodged in person at NSW LRS can be lodged using COVID-19 residual lodgment.

#### 23. How do I complete a Notice of Sale for COVID-19 residual lodgment?

An eNOS must be completed online through the NSW LRS Online Portal.

#### 24. Do I still have to attach identity documentation for dealings such as a Change of Name?

Yes, the requirements for COVID-19 residual lodgment are the same as the lodgment of a paper dealing.

For more information, see: <a href="https://rg-quidelines.nswlrs.com.au/land">https://rg-quidelines.nswlrs.com.au/land</a> dealings/dealings involving/verification of identity table

#### 25. How do I lodge a statutory declaration for a Lapsing Notice?

All correspondence documentation such as statutory declarations for lapsing notices can be lodged through our Virtual Lodgment Office available on the home page of our website next to the COVID-19 Update link on the NSW LRS homepage.

#### 26. Can I lodge a dealing through the Virtual Lodgment Office?

No. Dealings cannot be submitted through this channel. Dealings can be lodged electronically through an ELNO, or the 'drop and go' service at the NSW LRS Lodgment Office. The Virtual Lodgment Office is only for the submission of correspondence documents such as letters requesting urgency, consents etc.

#### 27. How do I uplift/relodge a dealing?

As a dealing lodged through the COVID-19 residual lodgment is a scanned copy of the original, it cannot be uplifted. The subscriber would be in possession of the original paper dealing.

Where a requisition has been raised, a scanned copy of the dealing can be relodged through Secure Upload Portal link.

#### 28. Will I receive a copy of the registered dealing?

No, deliverable originals and dealings lodged through this channel will not be returned to the Subscriber. This is because the Subscriber is still in possession of the original dealing, only a copy of the original document was uploaded into PEXA and registered.

The exception to this is Power of Attorney and Old System deeds lodged through Phase 2. Upon lodgment, a digital registration seal containing the Book and Number is affixed on the face of the digital copy of the Deed, referred to as the 'registration copy'. After registration, the registration copy of the deed will be emailed to the subscriber in a PDF format

A copy of all registered dealings are available for purchase through the NSW LRS Online Portal.



#### 29. Will I need to lodge the original dealing at a later date?

No. However the subscriber must retain all evidence of the transaction for seven years in accordance with the ARNECC Model Participation Rules Guidance Note 5 – Retention of Evidence.

For more information see: https://www.arnecc.gov.au/publications/mpr\_guidance\_notes

#### 30. Can multiple dealings be lodged in the same workspace?

Multiple Phase 1 documents can be lodged in the same workspace. Only one Phase 2 document can be lodged in a workspace. A Phase 1 and Phase 2 document cannot be lodged together in the same workspace.

#### 31. What are the processing times for dealings lodged through COVID-19 residual lodgment?

The processing times for dealings lodged through COVID-19 residual lodgment are the same as if it were lodged in paper.

#### **Execution**

#### 32. Can a paper dealing be digitally executed?

Yes. During the COVID-19 pandemic, electronic signatures are acceptable for paper dealings. This applies whether the paper dealing is lodged under the temporary COVID-19 residual lodgment process, or at NSW LRS via the 'drop and go' service.

More information on electronic signatures and witness requirements can be found here.

### 33. Can I as a Subscriber sign the paper document on my client's behalf if they have signed the client authorisation with me?

No. A paper dealing must be executed in accordance with the Registrar General's Guidelines as if it were lodged over the counter at NSW LRS.

For more information about the Registrar General's guidelines for the execution of dealing forms see: <a href="https://rq-quidelines.nswlrs.com.au/land\_dealings/execution\_dealing\_forms">https://rq-quidelines.nswlrs.com.au/land\_dealings/execution\_dealing\_forms</a>

For more information on electronic signatures and witness requirements, please see the <u>NSW</u> <u>Office of the Registrar General's Information Sheet and Guidance Notes</u>.

#### **Certificate of Title**

#### 34. How do I produce the Certificate of Title to NSW LRS for COVID-19 residual lodgment?

There are three ways to produce a Certificate of Title depending the type of title:

<u>CoRD Title - Similar</u> to consenting to a paper transaction, a CoRD Holder Consent must be completed and lodged through PEXA to provide consent for registration.

• If the CoRD holder is a party to the transaction, see <a href="Transacting party consent">Transacting party consent</a> for requirements. A Transaction party consent can only be used where the consent is lodged together with the document in the same PEXA workspace and cannot be lodged as a standalone.



• If the CoRD holder is not a party to the transaction, see <u>Third party consent</u> for requirements.

<u>Certificate of Title with a mortgage</u> - A CoRD Holder Consent must be completed and lodged through PEXA to provide consent for registration.

<u>Unencumbered Certificate of Title issued prior to 1 January 2004 -</u> The certificate of title must be produced in person or by registered post at NSW LRS before the dealings can be lodged electronically. The Production Receipt number is then entered in the CoRD Holder Consent.

For more information on CoRD Holder Consents, see <u>Advice of CT production for electronic registry instruments.</u>

#### 35. How do I lodge a consent if I did not add it in the original completed workspace?

A standalone third-party consent must be lodged in a separate workspace. A transacting party consent cannot be used where the consent is a standalone.

### 36. Will the Certificate Authentication for pre 2004 Certificate of Titles' take place if NSW LRS' Lodgment Office closes?

There are currently no plans for the certificate authentication of pre 2004 Certificate of Titles (CTs) to take place. Under the Registrar General's Guidelines, original Certificates of Title dated prior to 2004 must be physically delivered to NSW LRS before a transaction on that title can occur.

Due to current social distancing requirements and remote work policies, customers and lodging parties can provide original Certificates of Title to NSW LRS by registered post or document exchange delivery:

- Registered Post to GPO Box 15, Sydney NSW 2001
- Document exchange delivery to DX 17 Sydney
- Marked Attention: Productions, NSW LRS Lodgment Office.

We ask that customers ensure that the accompanying form is completed correctly and includes the lodging party's contact details. Lodging parties will receive a production receipt number when the document is received by NSW LRS.

Customers and lodging parties can continue to lodge original pre 2004 Certificates of Title in person at the NSW LRS Lodgment Office via our 'drop and go' service.

For more information see: https://nswlrs.com.au/About/About/Announcements/76

### Requirements

#### 37. What are the requirements for the COVID-19 residual lodgment cover sheet?

Dealings lodged through COVID-19 residual lodgment are accompanied by a cover sheet which is generated when a document in created in the PEXA workspace.

The cover sheet will include:

- Lodger/Subscriber Details
- Dealing Name The respective dealing type available is selected from a list of Real Property Act dealing forms



- Land Title Reference(s) affecting the dealing
- Applicant The lodging party of the paper dealings
- Certification Statements
- Attachment The dealing/document to be attached must be the same as the Dealing Name selected. The paper dealing/document must be completed adhering to the rules specified in <u>Registrar General's Guidelines</u> for that particular dealing/document
- Execution

#### 38. Do the details on the cover sheet have to match the dealing attached?

Yes. The dealing type and title reference on the cover sheet must match the dealing attached. The applicant on the cover sheet must be a party to the dealing.

### Comparison between Phase 1 and Phase 2

	Phase 1	Phase 2
Lodgment	Dealings are lodged through PEXA and assigned a dealing number.	Dealings are presented through PEXA. The dealing is then lodged by NSW LRS and a dealing number is assigned.
Title Reference	Must be electronically tradeable (insert hyper	Not electronically tradeable (insert hyper link) or affects over 20 titles references.
	link). All affected title references on the dealing must match the cover sheet.	The prescribed value NO/REF/99999 is entered into the PEXA workspace and does not appear on the cover sheet.
Type of dealing	All Real Property Act dealings with an electronically tradeable land title.	Memorandum, Resumption of Non-RPA Land/Primary Application, Old System Deed, Power of Attorney and Miscellaneous Document (being any Real Property Act dealing with a title which is not electronically tradeable or affects over 20 title references).
NSW LRS status when lodged through PEXA	Lodged and marked as unregistered on title.	Presented, not lodged.
Dealing Number	Assigned at lodgment from the PEXA workspace. The dealing number appears in the PEXA workspace.	A new dealing number is allocated NSW LRS after lodgment from the PEXA workspace. The dealing number is different from what appears in the PEXA workspace.
Number of documents which can be lodged in the same workspace	Multiple Phase 1 documents can be lodged in the same workspace.	Only one Phase 2 document can be lodged in a workspace.



NSW LRS Fees	All standard lodgment fees are paid in the PEXA workspace	A standard lodgment fees will be raised by NSW LRS at lodgment and the invoice will be emailed to the Subscriber. Payment must be paid to NSW LRS directly
Registration	Registered dealings are not sent to the Subscriber.	Only Power of Attorney and Old System Deeds are emailed to the subscriber after registration.

#### **Power of Attorney and Old System Deeds**

# 39. Do I need to complete a Deeds Index Particulars form when lodging a Power of Attorney or Old System Deed?

Yes, a Deeds Index Particulars form is required to be prepared and presented with all Powers of Attorney and Old System deeds to be recorded in the General Register.

For more information, see: <a href="https://rg-quidelines.nswlrs.com.au/deeds/deeds">https://rg-quidelines.nswlrs.com.au/deeds/deeds</a> index particulars form

### 40. For lodgment of Old System Deeds and Power of Attorney, how do I get my original document marked with a registration stamp with the Book and Number?

Upon lodgment, a digital registration seal containing the Book and Number is affixed on the face of the digital copy of the Deed, referred to as the 'registration copy'. After registration, the registration copy of the deed will be emailed to the subscriber in a PDF format. This copy must be retained with the original wet-signed document at all times.

#### 41. Will LRS send me a certified copy of the registered deed after lodgment and registration?

Yes. After registration, the digital copy of the deed with the digital registration seal will be emailed to the subscriber in a PDF format.

#### 42. Can Power of Attorney and Old System deeds be electronically signed?

Regarding Powers of Attorney, Revocation, Renunciation, Appointment of Substitute & any other document related to the Power of Attorney and Guardianship:

- The principal, attorney and witness signatures must be wet signed
- The act of witnessing is currently permissible via audio visual link, see <u>Part 2B Division 1</u> <u>Electronic Transactions Act 2000</u> and <u>section 14G Electronic Transactions Act 2000</u> for more information about how a witness may confirm having witnessed a signature in these circumstances.

All other Old System Deeds can be electronically signed.

### 43. Do I need to retain the Registration Copy and the original Power of Attorney or Old System Deed?

Yes, the registration copy, cover sheet and original document must be retained together at all times.



For more information, please refer to the <u>information sheet</u> on electronic Powers of Attorney and Old System deeds.

#### Requisitions

### 44. How is my dealing marked by Revenue NSW where a requisition has been raised and requires alterations?

Where a dealing is requisitioned the subscriber can either:

- Complete a substitute dealing, get it re-assessed by Revenue NSW and re-lodge the dealing as a substitute dealing or,
- Send the amended original dealing to Revenue NSW, get it re-assessed, and re-lodge the dealing along with the new notice of assessment

#### 45. How will I receive requisitions for dealings lodged using COVID-19 residual lodgment?

Requisitions will be sent to the Subscriber via a lodgment correspondence email. The requisition will include a link to the NSW LRS Requisition Secure Upload Portal. Subscribers will be able to upload any PDF document required to satisfy their requisition electronically directly to NSW LRS using this Portal.

For more information on the NSW LRS Requisitions Secure Upload Portal, please see <u>COVID-19</u> Requisition Secure Upload Portal Information Sheet.

#### 46. How to I pay a requisition fee?

Follow the steps below to make payment;

- 1. Go to: <a href="http://myinvoice.nswlrs.com.au">http://myinvoice.nswlrs.com.au</a> Please use either the Google Chrome or Firefox search engines
- 2. Click on Services > My Invoice > Pay an invoice now
- 3. Enter your Invoice Number (this number will appear on the requisition emailed)
- 4. Enter your Customer Number (this is the Subscriber's SAP number without the alpha character)
- 5. Enter your details and make payment

#### Contact us

For further questions about COVID-19 residual lodgment, please email the NSW LRS eConveyancing team at: EConveyancingNSW@nswlrs.com.au

You can also find more information by,

- Visiting the <u>ORG website</u>
- Email ORG at ORG-eConveyancing@customerservice.nsw.gov.au
- Subscribe to ORG newsletters
- Contact PEXA



### **Appendix A – Schedule of Dealings and Documents**

#### Phase 1 - From 11 May 2020

From 10 May 2021, this procedure will be superseded by the final delivery for Residual documents. Please refer to the <u>Guidance for lodging a Paper Dealing document</u> for more information on this option.

All Real Property Act dealings with an electronically tradeable Land Title Reference:

Document Name	Paper Form Name
Action Affecting Crown land	19MA
Amendment of Development Contract	21CSD
Amendment of Management Statement	21CSM
Amendment of Strata Development Contract	15SA
Annulment of Bankruptcy	04BAN
Application for Preparation of Lapsing Notice	Available as an electronic dealing
Application for Replacement Certificate of Title	12PV
Application for Road Action Affecting a Western Lands Lease	19MB
Application to Dispense with Production of Certificate of Title Lost After Settlement	12AL
Application to Record a New Registered Proprietor	04RP
Application to Record Writ	Available as an electronic dealing
Bankruptcy Application	Available as an electronic dealing
Cancel Recording of Writ	Available as an electronic dealing
Cancellation of Caution	17CC
Cancellation of Recording of Abandoned Easement	20EA
Cancellation or Extinguishment of Easement	Available as an electronic dealing
Caveat (Paper Version)	08X
Change of Address of Association	Available as an electronic dealing
Change of Address of Owners Corporation	Available as an electronic dealing
Change of Name	Available as an electronic dealing
Charge	Available as an electronic dealing
Conservation Agreement	13NP
Consolidation/Change of By-Laws	Available as an electronic dealing
Covenant Charge	Available as an electronic dealing
Discharge of Charge	Available as an electronic dealing
Discharge of Mortgage (Paper Version)	05DM
Extinguishment of Obsolete Restrictive Covenant	13RCE



Foreclosure	04FM
Instrument of Conversion	21CE
Instrument of Severance	21CIS
Lease (Paper Version)	07L
Lease by a Crown Land Manager	07LC
Lease by a Reserve Trust	07LR
Modification of Easement	20EM
National Mortgage Form (Paper Version)	National Mortgage Form
Native Title Determination	17NT
Notice of Change of Address for Service of Notices or Name of Caveator	Available as an electronic dealing
Notice of Conversion of Strata Lot to Common Property	15CD
Notice of Death (Paper Version)	02ND
Order Affecting a Strata Scheme	15SO
Partial Release or Extinguishment of Restriction on the Use of Land	13EU
Payment of Balance of Purchase Money	09PO
Positive Covenant	Available as an electronic dealing
Positive Covenant Affecting Land Vested in a Prescribed Authority	Available as an electronic dealing
Possessory Application	04YA
Postponement of Mortgage	05PM
Property Seizure Order	09PS
Property Vegetation Plan	13VP
Record a Registered Deed on a Qualified Title	17QD
Record a Subsisting Interest on a Qualified Title	17QS
Record the State of NSW as Registered Proprietor of Fee Simple	19MR
Release or Extinguishment of Positive Covenant	Available as an electronic dealing
Release or Extinguishment of Restriction on the Use of Land	Available as an electronic dealing
Removal of Housing Act Restriction	17BD
Removal of Restrictions	13KR
Request	Refer to here for availability
Restriction on the Use of Land	Available as an electronic dealing
Restriction on the Use of Land by a Prescribed Authority	Available as an electronic dealing
Restriction on the Use of Land Vested in a Prescribed Authority	Available as an electronic dealing



Retirement Village Notification	11RN
Sublease	07SL
Surrender of Lease	07DL
Termination of a Strata Scheme	15ST
Transfer (Paper Version)	01T
Transfer Altering Tenancy	Available as an electronic dealing
Transfer and Road Closure	01TX
Transfer by a Joint Tenant	01JI
Transfer by a Local Council	01TS
Transfer by Chargee Under Power of Sale	01CT
Transfer by Mortgagee Under Power of Sale	01TP
Transfer by Way of Discharge of Mortgage	01DT
Transfer Creating a Profit à Prendre or Forestry Right	Available as an electronic dealing
Transfer for Public Reserve or Drainage Reserve	01TD
Transfer Granting Easement	Available as an electronic dealing
Transfer Granting Easement etc Over Own Land	Available as an electronic dealing
Transfer Including Covenant	01TCV
Transfer Including Easement	01TE
Transfer of a Statutory Easement in Gross	Available as an electronic dealing
Transfer of a Timeshare	01TF
Transfer of an Estate-In-Remainder	01TK
Transfer of Lease, Mortgage or Charge (Paper Version)	01TL
Transfer of Minerals or Coal	01TQ
Transfer of Profit à Prendre or Forestry Right	01TI
Transfer Releasing Easement	01TR
Transfer Severing Joint Tenancy	Available as an electronic dealing
Transfer Without Monetary Consideration (Paper Version)	01TWC
Transmission Application by Devisee, Beneficiary or Next of Kin (Paper Version)	03AD
Transmission Application by Executor, Administrator or Trustee (Paper Version)	03AE
Variation of Easement	20EV
Variation of Electricity Network Assets Lease	07VA
Variation of Lease	Available as an electronic dealing
Variation of Mortgage	Available as an electronic dealing



Variation or Modification of Positive Covenant	Available as an electronic dealing	
Variation or Modification of Restriction on the Use of Land	Available as an electronic dealing	
Withdrawal of Caveat (Paper Version)	08WX	

#### Phase 2 - From 25 May 2020

Paper documents which don't have a Real Property Act Land Title Reference and all Phase 1 dealings where the Land Title is not electronically tradable will be enabled for electronic lodgment using a prescribed value referred to as NO/REF/99999.

Document Name	Form Name
Memorandum	16LM
Resumption of Non-RPA Land/Primary Application	00RA
Old System Deed	
Power of Attorney	
Miscellaneous Document	

Examples of where the prescribed value NO/REF/99999 would be used:

Where a Phase 1 dealing is lodged and the title is not electronically tradeable including:

- Lease folios, Lot in an Auto Consol, Sub-Folio Base Title, , for more information see <a href="here">here</a>.
- The land title NO/REF/99999 is entered into the workspace and Miscellaneous Document is selected
- A PDF of the dealing is attached to the document with the correct title references stated on the dealing

Where at least one title in the transaction is not electronically tradeable – e.g. a transfer affecting 20 titles, and 1 title is not electronically tradeable:

- The land title NO/REF/99999 is entered into the workspace and Miscellaneous Document is selected
- A PDF of the transfer is attached to the document with the correct title references stated on the dealing

Where the dealing does not have a title reference – e.g. Mortgage Memorandum

- The land title NO/REF/99999 is entered into the workspace and Memorandum is selected
- A PDF of memorandum is attached to the document

When lodging any of the above Phase 2 documents - e.g. a Power of Attorney

- The land title NO/REF/99999 is entered into the workspace and Power of Attorney is selected
- A PDF of the completed Deeds Index Particulars form together with the Power of Attorney is attached to the document



### Appendix B - COVID-19 residual lodgment cover sheet

Item	Rule
Dealing Name	The dealing name selected must be the same as the dealing name of the paper dealings to be attached
Land Title Reference(s) affecting the dealing	The Land Title Reference(s) specified must be the same as the Land Title Reference(s) specified in the paper dealing to be attached
Applicant	Must be the subscriber or a party to the paper dealing to be attached