

REGISTRAR-GENERAL'S NEWSLETTER

30 NOVEMBER 2000



Office of the Registrar-General: Land Titles Office - Titles Production - Births, Deaths and Marriages - General Registry
Northern Territory Attorney-General's Department

NEW LAND TITLE ACT UPDATE

POSSIBLE DISRUPTIONS TO SERVICE

There may be some delays in registration services over the next 2 weeks as the new legislation comes into force. Due to changes in office processes and testing of the alterations to the LAIS computer system it may not always be possible to meet our usual 24 hour turn around times. These changes are necessary in order to meet the requirements of the new Act and in particular are designed to strengthen system security now that duplicate titles will not automatically be issued. We apologise for any inconvenience and will endeavour to return to normal service as soon as possible.

AVAILABILITY OF NEW PANEL FORMS

There have been some changes made to the forms that were first published, for example, the Mortgage Form now requires the signature of the mortgagee on the right hand side of the form. As a result a new CD will be sent out free of charge to those persons who have already purchased the first copy. Please replace all your existing forms with the altered forms. For specific details of the changes, please ring Wendy Endenburg on 8999 5318. The CD will become available at the end of next week. If you have previously purchased a copy of the CD and you do not receive your second copy within 2 weeks; OR for clients who have received their forms on disk, please contact Wendy for a replacement. Please note, instruments prepared using the earlier published forms (other than mortgages) will still be accepted for registration during the first 3 months after commencement.

TRAINING SESSIONS

All scheduled training sessions have now been conducted for Darwin and Alice Springs. If anyone has a need for further training sessions, please contact Wendy Endenburg as soon as possible.

REGISTRAR-GENERAL'S DIRECTIONS

The first Registrar-General's Directions will be gazetted on 30 November 2000.

The Directions include provisions for the following:

- approved forms and their compulsory use
- a schedule of persons approved to witness an instrument executed by a natural person

For the purposes of the schedule relating to witnessing instruments, please note that forms which do not comply with these requirements will not be accepted for lodgement. This means that forms that are witnessed according to the approved requirements of another state or territory (for example, by persons over the age of 18

years) may not be accepted for registration. The rationale for this Direction is to tighten up on the verification of parties to instruments now that the requirement for certification has been removed and the issue of a duplicate title is now optional. A copy of the Registrar-General's Directions will be placed on the Notice Board in the Darwin Office and will be available at the Alice Springs counter. They may also be purchased from the Government Printing Office.

DOCUMENTS PREPARED UNDER THE REAL PROPERTY ACT

There has been some confusion as to the requirements for registration where an instrument has been prepared in accordance with the *Real Property Act* but not registered before 1/12/00.

Essentially, the transitional arrangements that have been implemented fall into two categories:

1. Section 217(2) of the *Land Title Act* provides that if within 12 months prior to 1/12/00 an instrument is executed in accordance with the law then in force, the Registrar-General MUST register the instrument. Registration can occur at any time provided this requirement is met.
2. If the requirements of section 217(2) have not been met in full, then registration is at the discretion of the Registrar-General. To assist you in the transition, there will be a moratorium period of 3 months for instruments prepared in the old form before 1/12/00 even if not fully executed prior to that date. By way of example, the witnessing requirements in place prior to the commencement date and the old forms will continue to be acceptable during the moratorium period for those instruments. Instruments prepared on or after 1/12/00 must be in the new form.

LISTS OF FEES AND FORMS

Concise lists are being compiled for the following:

- List of forms, their numbers and fees applicable to each transaction
- Witnessing requirements under the Act and the Registrar's Directions

The lists will be made available in the Settlement Room, Darwin and Alice Springs and at the Land Titles counter.

RENOVATIONS IN ALICE SPRINGS

There has been some disruption to service due to renovations in the Alice Springs Office in order to accommodate the Ombudsman's Office. We thank you for your patience and hope that the new layout of the Office will be appreciated by all.