

Customer Information Bulletin

Title Registration Services

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NEW DEPARTMENT

Following the recent State election the Government announced that the Department of Natural Resources and Environment was to be split into two departments, the Department of Sustainability and Environment and the Department of Primary Industries. Land Registry is now located within the Department of Sustainability and Environment.

TITLE PLANS

Title plans were initially introduced by Land Registry in 1989 to provide a plan based diagram for computer based folios. With the conversion of the paper Titles Register to computer folios as part of the Titles Automation Project the number of title plans increased significantly with approximately 500,000 title plans being prepared.

During the conversion process Title Plans were prepared to provide:

- a new land description in the format "Lot on Title Plan";
- the diagram for a folio.

"Lot on Title Plan" Description

"Lot on Title Plan" descriptions have been allocated in accordance with the requirements of the Standard Parcel Identifier (SPI) project and the VOTS system design.

These new descriptions are created when:

- a land description contains a "part" description;
- a land description contains 3 levels eg Lot 1 Block 2 Section 6 on LP234567 or Crown Allotment 5 Section 7 Block 4 Parish of Gonzaga;
- a folio contains many parcels, and at least one parcel is allocated a new "Lot on Title Plan" description. The VOTS design requires that all the land parcels are allocated "Lot on Title Plan" descriptions. This generally occurs where a folio contains a part crown allotment and one or more whole crown allotments or a part lot and one or more whole lots;
- a folio diagram, for a plan based folio, has metric dimensions and the plan of subdivision or consolidation has imperial dimensions.

When a new "Lot on Title Plan" description is allocated the existing land description becomes a former land description and the

"Lot on Title Plan" description becomes the legal land description.

To assist with searching and parcel identification, Title Plans that were prepared during the Titles Automation Project also contain the former land description.

Retaining the Crown Allotment Description with the Title Plan as the Diagram Location Only

If a crown allotment description did not require the allocation of a new "Lot on Title Plan" description, eg Crown Allotment 5 Parish of Jika Jika, a Title Plan number has been allocated for use as the Diagram Location only.

If the Title Plan is available for search it will be identified under DIAGRAM LOCATION on the folio search.

The Title Plan number is the "Diagram Location" only and does not form part of the land description.

Retaining the "Lot on Plan" Description with the Title Plan as the Diagram Location Only

Where it is not feasible to use the plan of subdivision or consolidation to replace the folio diagram, a Title Plan number was allocated as the Diagram Location.

In these cases the land description on the imaged folio is retained e.g. Lot 353 on Plan of Subdivision 042598.

The Title Plan number is not part of the land description, and if the Title Plan is available it will be identified under DIAGRAM LOCATION on the folio search. It is important in this situation that the Title Plan is used for the diagram of the land in the folio and not the Plan of Subdivision. The Plan of Subdivision may not contain all of the relevant easement information or depth limitations.

Interpretation of Land Descriptions

As Title Plans have been created for a number of purposes it is important that the land description and the Diagram Location for the land in the folio are confirmed from the folio search. Interpretation of the land description from the Title Plan may result in an erroneous land description being identified.

Colour Coding

Where text on a Title Plan refers to a colour eg "As to the land coloured blue - The easements for drainage and sewerage" the colours on the diagram have been colour coded.

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Y DEALING NUMBERS

Y dealing numbers are used on VOTS folios in a number of situations:

Non Compatible VOTS Dealing Numbers

If a paper folio being converted to VOTS contains an endorsement with a dealing number not compatible with VOTS, a Y dealing number is allocated as a replacement.

Examples of VOTS non compatible dealing numbers are:

- memo numbers;
- correspondence numbers;
- application numbers with a section component;
- ACT 391 numbers.

The date that is used for the Y dealing number is the date of the endorsement on the paper folio.

A Y instrument is prepared that contains the full wording of the endorsement on the paper folio, including the VOTS non compatible dealing number. This instrument is imaged.

Endorsements with No Dealing Numbers

If a paper folio to be converted to VOTS contains an endorsement with no dealing number, a Y dealing number is allocated.

This situation generally occurs where the endorsement has been derived from the general law system.

A Y instrument is prepared that contains the full wording of the endorsement on the paper folio. This instrument is imaged.

Folio Derivatives for Crown Grants

If the balance land in a Crown Grant requires the allocation of a new "Lot on Title Plan" description eg Lot 1 on Title Plan 815873F (formerly known as part of Crown Allotment 6 Parish of Sandhurst) a Y dealing number is allocated as the derivation of the land.

Y dealing number is output under the LAND DESCRIPTION heading on the VOTS folio.

The date that is used for the Y dealing number is the date of the Crown Grant.

A Y instrument is prepared to denote that the Y dealing number has been allocated as a land derivation for the purposes of VOTS conversion. This instrument is imaged.

General Law Encumbrances

Where a folio is prepared under the Transfer of Land Act for General law land, and the land is affected by an encumbrance, such as an easement or covenant, a Y dealing number will usually be allocated to the instrument that created the encumbrance. This is so, whether or not the encumbrance had previously been registered under the General law.

If the encumbrance is an easement, reference to the Y dealing number will not appear on the folio, but will be found in the easement table on the Title Plan. With other encumbrances, the Y dealing number will appear in the encumbrance panel on the folio.

A Y instrument is prepared, which contains a photocopy of the General law deed that created the encumbrance. This instrument is imaged, providing improved access to information and reducing the need to retrieve General law documents from archives.

USE OF POST OFFICE BOX AS ADDRESS FOR BODY CORPORATE

Please note that a Post Office Box or a care of address will no longer be recorded as an address for a body corporate as from 1 April 2003.

This is in line with Land Registry's practice relating to other registered proprietors addresses.

The reason for this change is that if necessary it is not possible to serve Court papers on a Post Office Box.

STRATUM TITLE SERVICE COMPANY SHARES

In the conversion of the Register from paper based folios to computer folios, certain information that previously appeared on the paper folio now appears on the plan of subdivision or title plan for the land.

One instance that has prompted a number of customer queries is stratum title service company shares. Previously, on a paper folio, the land description would usually be followed by a reference to shares in the service company which were sold or issued with the Lot eg: "Shares numbered 101 to 200 (both inclusive) in 25 Wright Street Pty. Limited which are filed with C647109 are included herein."

Following conversion to computer folio, all shareholdings in the service company are shown in a table on the plan of subdivision, with the corresponding Lot number and instrument number with which the shares are filed. An example of a table follows:

Table of Shares

In: 25 Wright Street Proprietary Limited

Lot	From	To	Filed with
1	1	100	C712409
2	101	200	C647109
3	201	300	D114146
4	301	400	C721973
5	401	500	C863189
6	501	600	C863189

Customers interested in a stratum title Lot should ensure they check the plan for the relevant shareholding information.

CHANGE OF CUSTOMER NAMES IN VOTS

Customers are advised that when a change to their details occurs through amalgamation, change of name or address, that would be used in the Customer file data, the Registrar of Titles is to be informed in writing of the change and the date to take effect to enable updating of the VOTS System.

When amalgamation takes place, the customer should indicate in their letter the lodging code they prefer to use. This is to allow for all other codes allocated to them to be deactivated to ensure the correct delivery of notices and documents.

Customers are also advised that all documents presented for registration must be headed with the correct customer name, telephone number, address and lodging code. It may also be useful to set out the customer reference. If a customer has offices in more than one location, they can apply for separate lodging codes for each office but care must be taken to ensure the correct code is used when presenting dealings for registration.

If the correct procedures are not adopted, it may lead to the documents being refused when presented for registration, particularly where Land Registry cannot be certain of the instructions set out on a document.

GOVERNMENT GAZETTES

Government Gazettes are now available through Self Service Search (SSS).

Click on the Government Gazettes tab, which will provide access to the data. The system is very user friendly, however staff will be available if you require assistance.

The information is initially being supplied at no cost while we continue to evaluate and test the system.

Your feedback during this evaluation stage would be very much appreciated.

Contact David Wille for enquiries or further information on (03) 8636 2026

LAND REGISTRY CUSTOMER SERVICE COMMITTEES

Land Registry operates three Customer Services Committees across a cross-section of our clients. Basically these groups encompass:

- Searchers and Surveyors;
- Solicitors and Conveyancers;
- Banks and Financial Institutions.

Each group has representation designed to offer feedback on how Land Registry is perceived from a service delivery viewpoint and acts as a sounding board and communication for new initiatives being proposed.

The latest meetings were conducted in February 2003 and discussed topics such as:

- An overview of the Land Exchange project;
- The customer enquiry notification process for Registration and Search;
- Issues Log for customer enquiries and its progress, sign off and explanations.

Contact Natalie Brotherston for enquiries or further information on (03) 8636 2248.

CERTIFICATION OF A PROBATE OR LETTERS OF ADMINISTRATION

Land Registry will now accept a certification of a Probate or Letters of Administration by a Legal Executive, provided they are a member of the Institute of Legal Executives and are either in the sole and permanent employ of a Solicitor or are a current member of the Australian Institute of Conveyancers (Victorian Division).

The following execution clause should be used in the certification :

Certified by

Signed Name

Being a current Fellow of the Institute of Legal Executives (Victoria) and either

- being in the sole and permanent employ of XYZ Solicitors of (address);

or

- being a current member of the Australian Institute of Conveyancers (Victorian Division);

- Strike out whichever is not applicable.

Customer Information Bulletin on email

Many of you have provided your email address to enable us to send you the Title Registration Services (Land Registry) Customer Information Bulletin electronically. If you have not already done so, and you would like to receive the Bulletin via email, please forward your details to Nancy Mazza, email nancy.mazza@hre.vic.gov.au, telephone (03) 8636 2812 or fax (03) 8636 2250.

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