

Customer Information Bulletin 226

January 2024

**Version 9 of the Registrar’s Requirements for Paper Conveyancing (Registrar’s Requirements)**

On 22 January 2024 the Registrar of Titles determined Version 9 of the Registrar’s Requirements under section 106A of the Transfer of Land Act 1958.

Version 9 of the Registrar's Requirements was published on 25 January 2024 at <https://www.land.vic.gov.au/land-registration/consultation-papers#heading-1>.

Version 9 came into operation on 25 January 2024, effective as set out in the Registrar's Requirements.

Early in 2023, the Registrar conducted a review of version 8 of the Registrar’s Requirements and proposed a number of changes to further streamline processes, improve efficiencies and increase digital lodgments.

Land Use Victoria (LUV) provided its key industry stakeholders with a marked-up version 8 of the Registrar’s Requirements together with an explanation for each proposed change.

LUV engaged directly with some respondents, where requested, to ensure LUV has a complete understanding of the issues raised.

The Consultation Paper and LUV’s responses to stakeholder feedback can be found at <https://www.land.vic.gov.au/land-registration/consultation-papers#heading-1>.

LUV is still considering stakeholder feedback on two of its proposed changes relating to the recording of approved building envelopes and the content of mortgages and mortgage memorandum of common provisions (MCPs). LUV is not proceeding with these proposed changes in version 9 of the Registrar’s Requirements.

LUV has proceeded with all other proposed amendments. The substantive changes to the Registrar’s Requirements and the date each amendment is to be given effect are summarised in the table below:

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|  Amendment | Effective Date |
| Mandating electronic lodgment of all remaining instrument types capable of being lodged electronically as they become available. | 4 March 2024 |
| Requiring SPEAR Subscribers to use the SPEAR Electronic Lodgment Network (ELN) if an instrument type is capable of being lodged electronically through the SPEAR ELN | 4 March 2024 |
| Mandating the use of the SPEAR ELN for plan and survey-based applications. | 29 April 2024 |
| Clarification of requirements regarding the creation of restrictions in plans including that they are limited to a single plan page. | 4 March 2024 |
| Limitations on variations of easement - the term (length of time), land, parties or the nature/purpose of the easement cannot be varied. | 4 March 2024 |
| Removal of instruments as to part – only permitted from a whole folio or separately transferable parcel. | 4 March 2024 |
| Withdrawals of caveat when the caveator is deceased – are required to be signed by the caveator’s legal personal representative. | 4 March 2024 |
| Leases and sub-leases – cannot be accompanied by a separate paper/PDF lease. | 4 March 2024 |
| Concurrent leases – all relevant leases must be registered. | 4 March 2024 |

Information about how to register to become a SPEAR ELN Subscriber is available on the SPEAR website
<https://www.spear.land.vic.gov.au/spear/pages/lodging-parties/how-do-i-get-started.shtml>

If you lodge plan and survey-based applications infrequently and do not wish to become a SPEAR ELN subscriber, please consider using an existing SPEAR ELN subscriber. A list of all subscribers can be found under the heading “Registered Organisations” on the SPEAR website
<https://www.spear.land.vic.gov.au/spear/spearOrganisations/List.do>

If you have any queries about the above may be directed via [the online enquiry form.](https://urldefense.com/v3/__https%3A/servictoria.com.au/contact/submit-an-enquiry/__;!!C5rN6bSF!FP5tgbldSOqfn5SEj1TaF50HO-GIImhwFoyapCf4YgR5jDEz6us0bXpbRtHFQnMViu93zpEL49fPpZNfZ7N2wVEJK91mOeCnkk6ryAU4MPvldR4$)

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