Changes to lodging mortgages and discharges of mortgage

|  |
| --- |
| Land Victoria  Customer Information Bulletin  Edition 155 February 2016 |

From 1 March 2016, discharging mortgagees, their conveyancers, lawyers or lodging agents must lodge all stand-alone discharges of mortgage at Land Victoria.

The practice of providing a discharge of mortgage to the registered proprietor to lodge at Land Victoria should be stopped as soon as practicable, in readiness for the 1 March commencement date.

Further, from 1 August 2016, if the mortgagee is an authorised deposit-taking institution (ADI), all stand-alone discharges of mortgage and stand-alone residential mortgages (mortgages to which the National Credit Code applies) must be lodged electronically through the electronic lodgement network known as PEXA (Property Exchange Australia).

To ensure you are registered with PEXA and have completed the PEXA training prior to the commencement date, Land Victoria strongly recommends that all ADIs, their conveyancers and lawyers apply as soon as possible to become PEXA subscribers. Details can be found at [pexa.com.au/register](http://www.pexa.com.au/register).

For more information on the Registrar’s requirements for paper conveyancing go to [www.delwp.vic.gov.au/publications](http://www.delwp.vic.gov.au/publications).

Model Participation Rules (MPR) guidance notes

The Australian Registrars National Electronic Conveyancing Council (ARNECC) has recently published two model participation rules guidance notes:

* *MPR Guidance Note #4 – Right to Deal*
* *MPR Guidance Note #5 – Retention of Evidence.*

The guidance notes are [here](http://www.arnecc.gov.au/publications/mpr_guidance_notes) and available at [www.arnecc.gov.au/publications](http://www.arnecc.gov.au/publications)>Model Participation Rules Guidance Notes. ARNECC’s consultation feedback table is [here](http://www.arnecc.gov.au/resources/feedback) and available at [www.arnecc.gov.au/resources](http://www.arnecc.gov.au/resources)>Feedback.

Guidance notes are also available on client authorisation, verification of identity and certifications.

New verification of identity services for people overseas

ARNECC and the Department of Foreign Affairs and Trade (DFAT) have developed a new arrangement to verify the identity of people overseas. The verification of identity service will be provided by an Australian Embassy, High Commission or Consulate.

The new arrangement is set out in the updated *MPR Guidance Note #2 – Verification of Identity*. The guidance note is [here](http://www.arnecc.gov.au/publications/mpr_guidance_notes) and available at [www.arnecc.gov.au/publications](http://www.arnecc.gov.au/publications)>Model Participation Rules Guidance Notes.

The service can be used for both electronic and paper conveyancing transactions.

It is available to both Australians and foreign nationals, provided the transaction involves land in Australia. A fee for the service will apply, which is determined by DFAT.

Several aspects of the new service, including the following requirements, are particularly important to ensure its efficiency for all parties.

* The subscriber, practitioner or mortgagee using the service must arrange in advance with the person overseas which original identity documents they will use at a consular office and whether the documents are sufficient to have confidence in the person’s identity. The categories of documents included in the Verification of Identity Standard in the Model Participation Rules provide guidance on acceptable documents and their required combinations. Consular offices will not provide advice on what constitutes an acceptable number and combination of identity documents. The Model Participation Rules are available [here](http://www.arnecc.gov.au/publications/model_participation_rules) and at [www.arnecc.gov.au/publications](http://www.arnecc.gov.au/publications)>Model Participation Rules.
* The subscriber, practitioner or mortgagee using the service must pre-prepare the certification and supply it in advance to the person overseas for completion by the consular office staff member who provides the service. A form for this purpose is available [here](http://www.arnecc.gov.au/publications/forms) and at [www.arnecc.gov.au/publications](http://www.arnecc.gov.au/publications)>Forms.
* The subscriber, practitioner or mortgagee making use of the service must provide in advance to the person overseas written English instructions of what they are to take to the consular office and the service they are required to obtain from the consular office. The instructions must be taken to the consular office and provided to the consular office staff. If there is any uncertainty about what is required of the consular office, the service may not be possible.
* The written instructions provided to the person overseas should detail how the signed, dated and endorsed identity documents; the signed, dated and endorsed certification; and any signed, witnessed and endorsed documents given back to the person by the consular office are to be returned to Australia.

Historical aerial photographs

Land Victoria holds historical aerial photography of Victoria, from the 1930s to the 1990s. The hard copies are held at Land Victoria’s archive at 57 Cherry Lane, Laverton North.

For many areas there are photographs from each decade. About 20 per cent of the records have been imaged to provide good coverage of the state.

The photographs may be searched online through LANDATA® at [www.landata.vic.gov.au](http://www.landata.vic.gov.au). To view or purchase a photo you must register as a LANDATA® user.

Select ‘Historic Aerial Photos’ under ‘Most Popular Searches’ on the home page.

If you are already familiar with the LASSI version of Vicmap, you will recognise the search and navigation options. The difference is the map has a layer of air photo runs and in ‘build map’ you can select which decades to show and whether you want runs or just points. (You need to zoom out to at least a height of 500 metres to see the runs.)

Select a photo point on a solid line after clicking the ‘Identify Aerial Photograph’ button and a thumbnail of the image will display. (The dotted lines are fight runs that are not imaged.) If you like the thumbnail, you can purchase the archive quality image ($13.85 including GST). These are large image files to ensure you get nearest to photo quality that can be delivered.

For photos on runs that are not imaged, you can order them for delivery or go to the archive at Laverton and view a print to ensure it meets your requirements. You should only consider ordering un-imaged photographs online if the image point is very close to or directly below your target area. If you have any queries about navigating your search, call LANDATA® on (03) 8636 2464.

Whether you want to see your street 75 years ago or you’re studying environmental change and development, you will find these glimpses of history fascinating.

Lodging dealings by mail

This is a reminder that Land Victoria no longer accepts mailed lodgements from customers with a Victorian Online Title System (VOTS) Customer Code.

Since 1 January 2016, customers with a VOTS Customer Code have been required to lodge dealings in person, through a lodging agent or PEXA’s online system.

There is no fee to join PEXA and customers can register at [www.pexa.com.au/register](http://www.pexa.com.au/register).

Contact us

For [location and contact details](http://www.dtpli.vic.gov.au/property-and-land-titles/contact-us), go to [www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)>Property and land titles >Property information>Contact Land Victoria.

Subscribe

To receive the Customer Information Bulletin online, please send an email to lv.cib@delwp.vic.gov.au with SUBSCRIBE in the subject line – include your name and email address in the body of the email.

|  |  |
| --- | --- |
| © The State of Victoria Department of Environment, Land, Water and  Planning 2016  byThis work is licensed under a [Creative Commons Attribution 4.0 International licence](http://creativecommons.org/licenses/by/4.0/). You are free to re-use the work under that licence, on the condition that you credit the State of Victoria as author. The licence does not apply to any images, photographs or branding, including the Victorian Coat of Arms, the Victorian Government logo and the Department of Environment, Land, Water and Planning (DELWP) logo. To view a copy of this licence, visit <http://creativecommons.org/licenses/by/4.0/>  **Disclaimer** This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication. | **Accessibility**  If you would like to receive this publication in an alternative format, please telephone DELWP Customer Service Centre 136 186, email [customer.service@delwp.vic.gov.au](mailto:customer.service@delwp.vic.gov.au), via the National Relay Service on 133 677 [www.relayservice.com.au](http://www.relayservice.com.au). This document is also available on the internet at [www.delwp.vic.gov.au](http://www.delwp.vic.gov.au) |