

Guide to Certificates of Title and Administrative Notices

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Introduction

This is a guide to the use, operation and role of the Certificate of Title (CT) and Administrative Notice in the Electronic Lodgment Network (ELN) and Victorian Online Titles System (VOTS).

The ELN is an electronic system that enables the preparation and lodgement of electronic instruments and documents. An example of this is PEXA, the national electronic conveyancing system.

Certificate of Title

The CT document is a conclusive certificate by the Registrar of Titles (the Registrar) of the information on a folio of the Register, as at the date and time the CT is issued by Land Victoria.

A CT is usually issued by Land Victoria after each registration affecting the interests on a folio. For example, following the registration of a transfer or mortgage.

Use or role of the CT

Under the *Transfer of Land Act 1958* the CT must be produced for most instruments lodged for registration at Land Victoria.

As part of the settlement process, the CT is passed from the party holding it to an incoming first mortgagee; or, if there is no mortgagee, the purchaser. This enables each incoming party to gain registration of their interest.

This use of the CT is central to the current conveyancing process.

Electronic conveyancing in Victoria

When electronic conveyancing was implemented in Victoria, several new processes and terms were introduced. These terms include:

- pCT – paper CT
- eCT – electronic CT
- Administrative Notice
- eCT Control – the party entitled to control the eCT.

The eCT

A pCT has no place in the ELN. Therefore, a replacement for the pCT was essential for use in the ELN.

An eCT was adopted for use in the ELN. The eCT acts in the same way as the pCT.

An Administrative Notice can be used to provide instructions to the Registrar about the way in which to deal with a CT.

Identifying an eCT

An eCT is identified by the notification on the respective folio of the Register, which identifies the eCT Control.

When the CT is electronic, the Register Search Statement (RSS) will provide the name of the eCT Control in the Additional information section, under ADMINISTRATIVE NOTICES.

Details of any current Administrative Notices will also appear in this section.

For further information and examples, please refer to Attachments A, B, C and D – the sample Register Search Statements later in this document

The eCT Control

The eCT Control is the party that has control of the corresponding eCT, as shown on a folio of the Register. Only subscribers to the ELN together with some government bodies and statutory authorities are able to hold eCT Control.

Holding CTs as eCTs

Subscribers will have the option to retain their CTs in the current paper format and convert individual pCTs only when they are required to support an electronic transaction. Alternatively, subscribers can convert some or all of their pCTs to eCTs.

If a subscriber's CTs are held as eCTs, costs and management activities are eliminated (it is costly to maintain a secure storage facility for pCTs and deal with lost or stolen pCTs).

Creating an eCT

An eCT can issue from either a paper or electronic transaction, be created independently or to support an electronic transaction, or be converted as part of a bulk conversion process.

These processes are detailed below. The Frequently Asked Questions later in this document also provide some scenarios for their use.

An eCT can issue from a transaction

An eCT can issue to an eCT Control from an electronic transaction if that subscriber has chosen to retain the CT in electronic format.

An eCT can also issue from a paper transaction when the party entitled to possession of the CT is a subscriber who provides their VOTS Customer Code, established for use in the ELN, for issuing purposes.

An eCT can be created using an Administrative Notice

There is electronic functionality available to enable an eCT to be created when required to support lodgement of an electronic transaction. In this circumstance, an eCT can be created using in PEXA the electronic Administrative Notice – Convert pCT and Nominate to Lodgement Case.

When an eCT is created, the subscriber making the request will become the eCT Control.

If a subscriber wishes to convert a small number of pCTs (up to 50) in their possession or control into an electronic format, this can be achieved using the Land Victoria paper form, Convert a paper Certificate of Title to an electronic Certificate of Title.

Bulk conversion of pCTs

If a subscriber wishes to convert more than 50 of their pCTs, this can be arranged by contacting the Registration Operations Manager at Land Victoria's Land Registration Services (LRS) to convert pCTs in a bulk conversion process.

The subscriber making this request must be in possession of each CT to be converted. Upon creation of the eCT, the subscriber making the request will become the eCT Control.

For further information please call Land Victoria's Registration Operations Manager on 03 8636 2010.

A pCT can issue from a transaction

A pCT can issue from a paper transaction to which an eCT has been nominated if the lodging party provides their VOTS Customer Code, which has not been established for use in the ELN. This customer code can also be used in a paper transaction supported by a pCT if the customer wishes to retain the CT in a paper format.

A pCT can issue from an electronic transaction if the pCT option is selected by the issuing party in the lodgement instructions.

Administrative Notices

Administrative Notices are used to request the Registrar to deal with a CT in a particular way. The Administrative Notice provides a set of instructions about the use, control and output of the CT.

Administrative Notices are recorded in a part of VOTS ancillary to the Register. A number is allocated to an Administrative Notice and they are dealt with in order of receipt.

An Administrative Notice can appear in two sections of the RSS: ACTIVITY IN THE LAST 125 DAYS and in the Additional information section, under ADMINISTRATIVE NOTICES.

For further information and examples, please refer to Attachments A, B, C and D – the sample Register Search Statements later in this document

If an eCT has been nominated to either a paper instrument or electronic transaction, it will be shown on a Final Search Statement.

For example:

FINAL SEARCH STATEMENT	Land Victoria		
Security No : 99999999999A			
Volume 99999 Folio 999A			
Produced 10/07/2013 11:15:20			
ACTIVITY IN THE LAST 125 DAYS			
NUMBER	STATUS	DATE	
AK1252533E	NOMINATION TO PAPER INST	completed	17/06/13

Types of Administrative Notices

Administrative Notices request the Registrar to act on the instructions of the person with control of the CT.

There are nine Administrative Notices: four of these are PEXA forms that must be lodged electronically via the ELN and five are paper-based Land Victoria forms.

Electronic Administrative Notices

Four Administrative Notices are electronic and can only be accessed via PEXA:

- Convert pCT and Nominate eCT to Lodgement Case
- Nominate eCT to Lodgement Case
- Nominate eCT to Paper Instrument

- Withdraw eCT Nomination.

These Administrative Notices can be created from the PEXA Workspace summary screen by selecting the 'Documents' tab then choosing either the 'Nomination' or 'Withdrawal of Nomination' option.

Three of these Administrative Notices enable the eCT to be provided to support lodgement of either an electronic Lodgement Case or paper instrument:

- Convert pCT and Nominate eCT to Lodgement Case
- Nominate eCT to Lodgement Case
- Nominate eCT to Paper Instrument.

The Withdraw eCT Nomination enables a prior eCT nomination to be withdrawn.

The following sections provide a short description for each electronic Administrative Notice.

Convert pCT and Nominate eCT to Lodgement Case

This type of Administrative Notice enables the CT Control to request the conversion of a pCT into an eCT, and its nomination to support lodgement of an electronic transaction in a Lodgement Case. These two processes cannot be decoupled.

In the ELN, a Lodgement Case is an electronic file used to submit an electronic transaction to Land Victoria for lodgement.

As part of this process, the subscriber is required to certify as to possession and destruction or invalidation of the pCT featured in the Administrative Notice. These certifications are included as part of the Administrative Notice.

Acceptable methods of destruction or invalidation

The subscriber can elect to either securely destroy a pCT or render it invalid.

An appropriate secure destruction method would be to shred the pCT and securely dispose of the shredding.

The appropriate method of rendering a pCT invalid is to stamp the pCT as 'INVALID – CANNOT BE USED FOR ANY LEGAL PURPOSE'.

If a client requires the return of the invalidated pCT for sentimental or other reasons, the subscriber will be responsible to ensure that the pCT is invalidated in such a way that it cannot be used.

Possession of the pCT to be destroyed or invalidated

The subscriber requesting the conversion and nomination of a pCT must have possession of that pCT at the time the conversion and nomination Administrative Notice is signed.

This Administrative Notice type cannot be used for a pCT that is lost, stolen or missing. The correct procedure in these instances is to lodge with Land Victoria an Application for a new Certificate of Title in place of one lost or destroyed under Section 31 of the *Transfer of Land Act 1958* available at www.dtpli.vic.gov.au/property>Forms, guides and fees.

Nominate eCT to Lodgement Case

If the CT is already held as an eCT, the eCT Control can use this Administrative Notice to nominate the eCT to support a Lodgement Case.

Nominate eCT to Paper Instrument

If an eCT is required to support lodgement of a paper instrument, this Administrative Notice is available for that purpose. This request can only be made by the eCT Control of the CT being nominated.

For information on attending a paper settlement that involves an eCT, please refer to Guide to attending a paper settlement when the Certificate of Title is in an electronic format available at www.dtpli.vic.gov.au/property>Forms, guides and fees.

Withdraw eCT Nomination

This Administrative Notice type can be used to enable the withdrawal of an eCT nomination from either a Lodgement Case or a paper instrument. This request can only be made by the subscriber who lodged the nomination Administrative Notice.

Completing electronic Administrative Notices

Electronic Administrative Notices, or nominations, can only be accessed by ELN subscribers.

The ELN provides functionality to create and withdraw these nominations, based on a series of selections and data values provided by the subscriber.

The ELN submits these documents to Land Victoria for processing.

For further information on completing nominations in the ELN please contact PEXA at www.pexa.com.au.

Paper Administrative Notices

To supplement the Administrative Notices available in the ELN, five paper Administrative Notice forms have been created by Land Victoria. These complete the framework necessary to successfully manage CTs:

- Convert an electronic Certificate of Title to a paper Certificate of Title
- Convert a paper Certificate of Title to an electronic Certificate of Title
- Transfer control of an electronic Certificate of Title
- Nominate a paper Certificate of Title to a paper instrument or electronic Lodgement Case
- Withdraw a nomination of a paper Certificate of Title.

These paper Administrative Notices are available at www.dtpli.vic.gov.au/property>Forms, guides and fees.

Paper Administrative Notices to support eCTs

The four Administrative Notices implemented in the ELN enable the nomination and withdrawal of nomination of an eCT. The additional functionality required to complete the eCT support framework is provided by the three paper Administrative Notices listed below.

These Administrative Notices deal with the management of eCTs and can only be used by subscribers to the ELN, or some government bodies and statutory authorities:

- Convert an electronic Certificate of Title to a paper Certificate of Title
- Convert a paper Certificate of Title to an electronic Certificate of Title
- Transfer control of an electronic Certificate of Title.

Paper Administrative Notices to support pCTs

The two Land Victoria Administrative Notices listed below deal with the nomination and withdrawal of nomination of a pCT to either a Lodgement Case or a paper instrument:

- Nominate a paper Certificate of Title to a paper instrument or electronic Lodgement Case
- Withdraw a nomination of a paper Certificate of Title.

This process replaces the former 'Made Available' system and the Administrative Notices can be used by Land Victoria customers with a VOTS customer code.

The following sections provide a short description for each paper Administrative Notice.

Convert an electronic Certificate of Title to a paper Certificate of Title

This paper Administrative Notice can be used by a subscriber to convert an eCT into a paper format. The applicant must be eCT Control of the CT featured in the request and the eCT must not be currently nominated to a Lodgement Case or paper instrument.

Convert a paper Certificate of Title to an electronic Certificate of Title

If a subscriber wants to convert a pCT independent of an electronic transaction, this Administrative Notice should be used.

The applicant must certify as to possession and destruction or invalidation of the CT being converted. Acceptable methods of destruction or invalidation were detailed in an earlier section under the heading Convert pCT and Nominate eCT to Lodgement Case.

The subscriber requesting the conversion of a pCT must have possession of that pCT at the time the Administrative Notice is signed.

Once processed, the applicant will be the eCT Control of the CT featured in the Administrative Notice.

This Administrative Notice can be used to convert up to 50 pCTs. If a larger number of pCTs require conversion, please refer to information under the heading Bulk conversion of pCTs.

Transfer control of an eCT

This Administrative Notice can be used to transfer control of an eCT between subscribers. The applicant must be the current eCT Control of the CT featured in the request.

The Administrative Notice must be completed, dated and signed by both the applicant and the subscriber to whom control is being transferred – the recipient.

Once processed, the recipient will be the eCT Control of the specified eCT.

Nominate a pCT to a paper instrument or electronic Lodgement Case

This Administrative Notice is used to nominate a pCT to either a Lodgement Case or a paper instrument. Formerly known as the 'Made Available' system, this Administrative Notice can be used by any Land Victoria customer with a VOTS customer code.

To assist the applicant, it is suggested that the party requesting the nomination complete this Administrative Notice and send it to the applicant. The applicant is the party who will be nominating the pCT to support lodgement of the paper instrument or electronic Lodgement Case.

The applicant must produce to Land Victoria a completed, signed and dated Administrative Notice form together with the pCT being nominated. All CTs cited in the Administrative Notice form must be nominated to the same transaction and, after registration of the transaction, issue to the same party.

Withdraw a nomination of a pCT

This Administrative Notice can be used to enable the withdrawal of a pCT nomination from either a Lodgement Case or a paper instrument. This request can only be made by the subscriber who lodged the nomination Administrative Notice.

Completing paper Administrative Notice forms

The points below assist in completing the five paper Administrative Notice forms.

Application to convert an eCT to a pCT

LODGED BY

This section is to be completed by the party lodging the application at Land Victoria.

Please insert the following:

- name, telephone number and postal address for contact details or return of any documents

- customer reference and Land Victoria customer code – this is the customer’s own file or matter reference and the lodging party’s Land Victoria customer code.

LAND

Insert volume and folio number(s) of affected CT(s), e.g. volume 12345 folio 125.

Multiple CTs, numbered consecutively, may be inserted as a single range entry, e.g. volume 12345 folio 125–132.

APPLICANT

Insert the full name of the applicant together with their VOTS customer code established for use in the ELN. The applicant must be the subscriber who is currently cited on the affected folio(s) as eCT Control.

DATED

Insert the date the form is signed by the applicant, i.e. DD/MM/YYYY.

SIGNATURE OF APPLICANT

The form must be signed by the applicant. No witness to the signature is required.

Application to convert a pCT to an eCT

LODGED BY

This section is to be completed by the party lodging the application at Land Victoria.

Please insert the following:

- name, telephone number and postal address for contact details or return of any documents
- customer reference and your Land Victoria customer code – this is the customer’s own file or matter reference and the lodging party’s Land Victoria customer code.

LAND

Insert volume and folio number(s) of affected CT(s), e.g. volume 12345 folio 125.

Multiple CTs, numbered consecutively, may be inserted as a single range entry, e.g. volume 12345 folio 125–132.

APPLICANT

Insert the full name of the applicant together with their VOTS customer code established for use in the ELN. The applicant must be a subscriber to the ELN.

DATED

Insert the date the form is signed by the applicant, i.e. DD/MM/YYYY.

SIGNATURE OF APPLICANT

The form must be signed by the applicant. No witness to the signature is required.

Application to transfer control of an eCT

LODGED BY

This section is to be completed by the party lodging the application at Land Victoria.

Please insert the following:

- name, telephone number and postal address for contact details or return of any documents
- customer reference and your Land Victoria customer code – this is the customer’s own file or matter reference and the lodging party’s Land Victoria customer code.

LAND

Insert volume and folio number(s) of affected CT(s), e.g. volume 12345 folio 125.

Multiple CTs, numbered consecutively, may be inserted as a single range entry, e.g. volume 12345 folio 125-132.

APPLICANT

Insert the full name of the applicant together with their VOTS customer code established for use in the ELN. The applicant must be a subscriber to the ELN and the eCT Control cited on the affected folio(s).

RECIPIENT

Insert the full name of the recipient together with their VOTS customer code established for use in the ELN. The recipient must be a subscriber to the ELN and, upon registration, will become the eCT Control of the affected folio(s).

DATED

Insert the date the form is signed by the applicant, i.e. DD/MM/YYYY.

SIGNATURE OF APPLICANT

The form must be signed by the applicant. No witness to the signature is required.

SIGNATURE OF RECIPIENT

The form must be signed by the recipient. No witness to the signature is required.

Application to nominate a pCT to a paper instrument or electronic Lodgement Case

To assist the applicant, the party requesting the nomination should complete the Land and Transaction panels, and send this form to the applicant.

Upon receipt, the applicant should complete the form.

LODGED BY

This section is to be completed by the party lodging the application at Land Victoria.

Please insert the following:

- name, telephone number and postal address for contact details or return of any documents
- customer reference and your Land Victoria customer code – this is the customer's own file or matter reference and the Land Victoria customer code of the lodging party.

LAND

Insert Volume and Folio number(s) of affected CT(s), e.g. volume 12345 folio 125.

Multiple CTs, numbered consecutively, may be inserted as a single range entry, e.g. volume 12345 folio 125–132.

APPLICANT

Insert the full name of the applicant together with their VOTS customer code. The applicant is the party who will be nominating the CTs to support lodgement of the paper instrument or electronic Lodgement Case.

ISSUING INSTRUCTIONS

Select one option only:

- return the Certificate(s) of Title to the applicant
- do not return the Certificate(s) of Title to the applicant.

If 'return the Certificate(s) of Title to the applicant' is selected, after registration of the instrument or electronic Lodgement Case, the CTs will issue in accordance with this instruction except when the folio(s) is/are cancelled by the instrument or electronic Lodgement Case. When this occurs Land Victoria's business rules will apply to determine which party the new CTs will issue to.

If 'do not return the Certificate(s) of Title to the applicant' is selected, Land Victoria's business rules will apply to determine to which party the CTs will issue.

For further details on Land Victoria business rules please refer to Guide to business rules for issuing Certificate(s) of Title available at www.dtpli.vic.gov.au/property>Forms, guides and fees.

TRANSACTION

Select one transaction type and insert the required instrument identifier.

DATED

Insert the date the form is signed by the applicant, i.e. DD/MM/YYYY.

SIGNATURE OF APPLICANT

The form must be signed by the applicant. No witness to the signature is required.

Application to withdraw a nomination of a pCT

LODGED BY

This section is to be completed by the party lodging the application at Land Victoria.

Please insert the following:

- name, telephone number and postal address for contact details or return of any documents
- customer reference and your Land Victoria customer code – this is the customer's own file or matter reference and the Land Victoria customer code of the lodging party.

LAND

Insert volume and folio number(s) of affected CT(s), e.g. volume 12345 folio 125.

Multiple CTs, numbered consecutively, may be inserted as a single range entry, e.g. volume 12345 folio 125–132.

APPLICANT

Insert the full name of the applicant together with their VOTS customer code. The applicant must be the party who signed the application nominating the affected pCT(s). The applicant's VOTS customer code must be the code cited in the application nominating the affected pCT(s).

DATED

Insert the date the form is signed by the applicant, i.e. DD/MM/YYYY.

SIGNATURE OF APPLICANT

The form must be signed by the applicant. No witness to the signature is required.

Sample Register Search Statement


The medium of a CT can be determined by obtaining a current Register Search Statement (RSS) of the corresponding folio and using the following process:

- locate the Additional information section of the RSS
- does this section contain the heading ADMINISTRATIVE NOTICES:
 - if no, then the CT is paper
 - if yes
- are details of an eCT Control provided under this heading?
 - if no, then the CT is paper
 - if yes, then the CT is electronic.

To provide additional clarification, samples of an RSS are provided on the following pages.

Attachment A


The CT is in a paper format, there has been activity in the last 125 days and there are no current Administrative Notices

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NUMBER		STATUS	DATE											
AN735367M	TRANSFER	Registered	06/03/2015											
AN735368K	MORTGAGE	Registered	06/03/2015											

Title 61204/620 Page 1 of 1


Attachment B

The CT is in an electronic format, the eCT Control is ABC Bank Ltd, there has been activity in the last 125 days and there is a current Administrative Notice to a pending paper transaction, e.g. a Discharge of Mortgage

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NUMBER	STATUS	DATE						
AN669382H (E)	NOMINATION TO PAPER INST. Completed	09/02/2015						


Attachment C

The CT is in an electronic format, the eCT Control is ABC Bank Ltd, there has been activity in the last 125 days and there is a current Administrative Notice to a pending electronic transaction, e.g. electronic Lodgement Case 20549

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958	Page 1 of 2	
VOLUME 80749 FOLIO 136	Security no : 524054339583P Produced 06/03/2015 11:54 am	
LAND DESCRIPTION		
Unit 4 on Strata Plan 000680 and an undivided share in the common property for the time being described on the plan. PARENT TITLE Volume 60375 Folio 917 Created by instrument D215568 07/11/1968		
REGISTERED PROPRIETOR		
Estate Fee Simple Sole Proprietor JONATHON CITIZEN of UNIT 4 850 BANDENONG ROAD SUNNYVILLE VIC 9999 AN109572N 03/01/2013		
ENCUMBRANCES, CAVEATS AND NOTICES		
MORTGAGE AN109573L 03/01/2013 ABC BANK LTD Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 12 Strata Titles Act 1967 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.		
DIAGRAM LOCATION		
SEE RP000680 FOR FURTHER DETAILS AND BOUNDARIES		
ACTIVITY IN THE LAST 125 DAYS		
NUMBER	STATUS	DATE
AN610417W (E)	NOMINATION OF ECT TO LC Completed	08/01/2015
-----END OF REGISTER SEARCH STATEMENT-----		
Additional information: (not part of the Register Search Statement)		
Street Address: UNIT 4 850 BANDENONG ROAD SUNNYVILLE VIC 9999		
ADMINISTRATIVE NOTICES		
AN610417W NOMINATION OF ECT TO LC 08/01/2015 ECT Nominated to Lodgement Case 20549 eCT Control ABC BANK LTD Effective from 07/01/2015		
OWNERS CORPORATIONS		
The land in this folio is affected by OWNERS CORPORATION PLAN NO. RP000680		
Title 80749/136		Page 1 of 2

Attachment D

The CT is in an electronic format, the eCT Control is Williamvale Shire Council, there has been no activity in the last 125 days and there are no current Administrative Notices

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<p>LAND DESCRIPTION</p> <p>Lot 6435 on Plan of Subdivision 058839. PARENT TITLE Volume 80517 Folio 641 Created by instrument AL644115X 27/01/2015</p>					
<p>REGISTERED PROPRIETOR</p> <p>Estate Fee Simple Sole Proprietor WILLIAMVALE SHIRE COUNCIL of CIVIC CENTRE 70 BUNDLE WAY, WILLIAMVALE VIC 9819 AL644115X 27/01/2015</p>					
<p>ENCUMBRANCES, CAVEATS AND NOTICES</p> <p>Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.</p>					
<p>DIAGRAM LOCATION</p> <p>SEE LP058839 FOR FURTHER DETAILS AND BOUNDARIES</p>					
<p>ACTIVITY IN THE LAST 125 DAYS</p> <table><thead><tr><th>NUMBER</th><th>STATUS</th><th>DATE</th></tr></thead></table> <p>-----END OF REGISTER SEARCH STATEMENT-----</p> <p>Additional information: (not part of the Register Search Statement) Street Address: 10 SAN JOSE DRIVE FLAMINGO BEACH VIC 3851</p>			NUMBER	STATUS	DATE
NUMBER	STATUS	DATE			
<p>ADMINISTRATIVE NOTICES</p> <p>NIL</p> <p>eCT Control WILLIAMVALE SHIRE COUNCIL Effective from 27/01/2015</p> <p>DOCUMENT END</p>					
<p>Title 31328/232</p>		<p>Page 1 of 1</p>			

Detailed example of processing a transaction

A detailed description of the following scenario is provided. This includes details of each processing step and a description of the RSS after each step is undertaken.

Scenario

- ABC Bank Ltd is a subscriber to the ELN
- ABC Bank Ltd holds a mortgage AB123456C over volume 12345 folio 123
- ABC Bank Ltd holds this CT in paper
- ABC Bank Ltd wishes to discharge their mortgage AB123456C using PEXA
- ABC Bank Ltd wishes to deliver a pCT to their customer after mortgage No AB123456C has been discharged

Processing steps

- Prior to the transaction commencing
 - the RSS will show a mortgage to ABC Bank Ltd – Mortgage Number AB123456C
 - the RSS will not contain any eCT Control details therefore the CT is paper.
- Create a Lodgement Case in PEXA
 - ABC Bank Ltd creates a Lodgement Case in PEXA for folio volume 12345 folio 123 – LC I2324
 - ABC Bank Ltd creates the discharge of mortgage instrument in LC I2324
 - the lodgement instructions are completed – in the lodgement instructions ABC Bank Ltd selects the ‘stay’ option after the registration of the instrument and the format of the CT as paper
 - there would be no change shown on the RSS.
- Convert pCT and Nominate eCT to Lodgement Case Administrative Notice
 - ABC Bank Ltd converts the pCT to an eCT and nominates it to Lodgement Case 12324 using the Administrative Notice, Convert pCT and Nominate eCT to Lodgement Case
 - there would be no change shown on the RSS.
- Convert pCT and Nominate eCT to Lodgement Case Administrative Notice
 - ABC Bank Ltd lodges the Administrative Notice, Convert pCT and Nominate eCT to Lodgement Case at 11:42 am on 11/09/2014
 - the application was completed at 11:43 am on 11/09/2014
 - the RSS at this time would show ABC Bank Ltd as the eCT Control and therefore the CT is electronic
 - the RSS would show in the Additional information section under the heading ADMINISTRATIVE NOTICES that the eCT had been nominated to Lodgement Case 12324
 - the RSS would show in the section ACTIVITY IN THE LAST 125 DAYS that the Convert pCT and Nominate eCT to Lodgement Case Administrative Notice was completed.
- Lodge the Lodgement Case containing the discharge of mortgage
 - ABC Bank Ltd lodges the Lodgement Case 12324 containing the discharge of mortgage at 12:13 pm on 11/09/2014
 - the discharge of mortgage instrument was registered at 12:14 pm on 11/09/2014 – Lodgement Case I2324

- the RSS will show that the mortgage has been removed
- because the Administrative Notice Convert pCT and Nominate eCT to Lodgement Case has been consumed, it will no longer appear in the Additional information section of the RSS under the heading ADMINISTRATIVE NOTICES
- the RSS will not contain any eCT control details; therefore, the CT is paper, which is as per the Lodgement Instruction details in Lodgement Case I2324 – the absence of any eCT Control establishes for the person reading the RSS that the CT is now paper, and it enables them to determine to whom it was delivered and when an Issue Search should be undertaken
- the RSS would show in the section ACTIVITY IN THE LAST125 DAYS that the application to convert the pCT to eCT and nominate it to the Lodgement Case was completed and the discharge of mortgage was registered
- the pCT is delivered to ABC Bank Ltd
- ABC Bank Ltd provides the pCT to its customer.

Frequently asked questions

How does ABC Solicitors, a subscriber to the ELN, nominate a pCT to a Lodgement Case?

ABC Solicitors can nominate a pCT to a Lodgement Case using in PEXA the electronic Administrative Notice, Convert pCT and Nominate eCT to Lodgement Case.

How does Conveyancing Pty Ltd, a subscriber to the ELN, nominate to a Lodgement Case an eCT over which it has eCT Control?

Conveyancing Pty Ltd can nominate the eCT to a Lodgement Case using in PEXA the electronic Administrative Notice, Nominate eCT to Lodgement Case.

Solicitors Pty Ltd, a subscriber to the ELN, has nominated an eCT to a Lodgement Case but now has instructions that the transaction is not proceeding. How can the nomination be removed?

Solicitors Pty Ltd can withdraw the nomination of an eCT from the Lodgement Case using in PEXA the electronic Administrative Notice, Withdraw eCT Nomination.

How does Lawyers Pty Ltd, which is not a subscriber to the ELN, nominate a pCT to support an existing Lodgement Case when their CTs are held in paper?

Lawyers Pty Ltd can nominate a pCT to a Lodgement Case using the Land Victoria paper form, Nominate a paper Certificate of Title to a paper instrument or electronic lodgement case (formerly known as 'Made Available' system), available at www.dtpli.vic.gov.au/property>Forms, guides and fees.

Lawyers Pty Ltd, which is not a subscriber to the ELN, has nominated a pCT to a Lodgement Case using a Land Victoria paper form, Nominate a paper Certificate of Title to a paper instrument or electronic lodgement case. It is now instructed that the transaction is not proceeding. How can the nomination be removed?

Lawyers Pty Ltd can remove the nomination by lodging the Land Victoria paper form, Withdraw a nomination of a paper Certificate of Title, available at www.dtpli.vic.gov.au/property>Forms, guides and fees.

What does ABC Bank Ltd, a subscriber to the ELN, need to do for a paper settlement when their CTs are held electronically?

ABC Bank Ltd will nominate the eCT to enable settlement of the transaction. ABC Bank Ltd can achieve this using in PEXA the electronic Administrative Notice, Nominate eCT to Paper Instrument. If the transaction being settled is a discharge of mortgage that is part of a transaction set for settlement, e.g. discharge, transfer and mortgage, ABC Bank Ltd will nominate the eCT to the paper discharge of mortgage.

Upon registration of the transaction, either a pCT or an eCT can issue from the transaction, as required.

For further information refer to Guide to attending paper settlement when Certificate of Title is electronic available at www.dtpli.vic.gov.au/property>Forms, guides and fees.

How does ABC Bank Ltd, a subscriber to the ELN, convert a large number of its pCT(s) into an electronic format?

ABC Bank Ltd can convert a large number of their pCT database into eCTs using a bulk conversion process. This can be arranged by contacting the Registration Operations Manager at Land Victoria on 03 8636 2010.

How does Conveyancing Pty Ltd, a subscriber to the ELN, convert one or more of their pCTs into an electronic format, independent of nominating the eCT to a transaction?

Conveyancing Pty Ltd can convert one or more of their pCTs into eCT(s) using the Land Victoria paper form, Convert a paper Certificate of Title to an electronic Certificate of Title. A maximum of 50 pCTs can be included in a request. If Conveyancing Pty Ltd wishes to convert more than 50 of their pCTs (a bulk conversion), they should contact the Registration Operations Manager at Land Victoria on 03 8636 2010.

How does Conveyancing Pty Ltd, a subscriber to the ELN, transfer control of an eCT to Solicitors Pty Ltd, another ELN subscriber?

Conveyancing Pty Ltd can transfer control of an eCT to which it holds eCT Control to another electronic conveyancing subscriber. Conveyancing Pty Ltd needs to complete the Land Victoria paper form, Transfer Control of an electronic Certificate of Title available at www.dtpli.vic.gov.au/property>Forms, guides and fees.

This form should be completed and signed by both Conveyancing Pty Ltd and Solicitors Pty Ltd.

Solicitors Jones and Jones are not subscribers to the ELN. They are acting on behalf of Samuel Smith who has purchased a property for cash. ABC Bank Ltd is the discharging mortgagee and a subscriber to the ELN. It holds the affected CT in an electronic format. How will Jones and Jones obtain a pCT to give to Samuel Smith after completion of the transaction?

ABC Bank Ltd will nominate the eCT to its paper discharge of mortgage using in PEXA the electronic Administrative Notice, Nominate eCT to Paper Instrument.

Jones and Jones will lodge the discharge of mortgage from ABC Bank Ltd and the transfer to Michael Smith.

Because Jones and Jones are not subscribers to the ELN, upon registration of the discharge from ABC Bank Ltd and transfer to Michael Smith, a pCT will issue to Jones and Jones. This can be handed to Samuel Smith by the lodging party

For further information refer to Guide to attending paper settlement when Certificate of Title is electronic available at www.dtpli.vic.gov.au/property>Forms, guides and fees.

How does Michael Jones, who is not a subscriber to the ELN, deal with his land when the CT is held as an eCT by ABC Bank Ltd for safe keeping?

There are two options available to Michael Jones. Depending on the circumstances of the proposed transaction.

Michael can request ABC Bank Ltd to nominate the eCT to the proposed transaction, in which ABC Bank Ltd may or may not be involved. ABC Bank Ltd can achieve this using in PEXA an electronic Administrative Notice. This could be either a Nominate eCT to Paper Instrument or Nominate eCT to Lodgement Case.

Alternatively, Michael can request ABC Bank Ltd to transfer control of the eCT to his conveyancer or lawyer, provided his representative is a subscriber to the ELN. ABC Bank Ltd can achieve this using a Land Victoria paper form, Transfer control of an electronic Certificate of Title.

How does Michael Jones, who is not a subscriber to the ELN, mortgage his land when he holds the CT as a pCT and the new mortgagee, First Bank Ltd, requires an eCT?

The person taking out the new mortgage would give the new mortgagee, First Bank Ltd, an executed paper mortgage and their pCT.

First Bank Ltd would create a Lodgement Case in PEXA for the new mortgage.

First Bank Ltd would create an application to convert the pCT to an eCT and nominate it to the Lodgement Case containing the new mortgage.

The mortgagee would lodge the application to convert the pCT to an eCT and nominate it to the Lodgement Case containing the new mortgage.

Following completion of the application, the RSS would show First Bank Ltd as the eCT Control and therefore the CT is electronic.

First Bank Ltd would complete lodgement instructions selecting the 'stay' option, i.e. 'return the eCT Control to the nominating Subscriber' and the format of the CT as electronic.

The mortgagee would lodge the Lodgement Case containing the new mortgage and the lodging instructions.

Following registration of the mortgage, the RSS would show that the mortgage had been registered.

The RSS would show the eCT Control details; therefore, the CT is electronic (as per the lodgement instructions).

How would the person searching a folio know to which instrument an eCT has been nominated?

The RSS would show under ACTIVITY IN THE LAST 125 DAYS that the Administrative Notice Convert pCT and Nominate eCT to Lodgement Case was completed. This advice alerts anyone searching the folio that a transaction is anticipated.

At this time Land Victoria does not have any information about the instruments in the Lodgement Case and nor should it; this is information that should only be known by the parties to the transaction.

Therefore, a person seeking further information about the contents of the Lodgement Case would need to contact the eCT Control, whose details appear in the Additional information section under ADMINISTRATIVE NOTICES.

If an Administrative Notice and a discharge of mortgage are lodged simultaneously, how can the person searching the folio be sure that the pCT hasn't already been nominated to another instrument?

Administrative Notices nominating a CT to either a paper instrument or electronic Lodgement Case must be lodged as a single stand-alone transaction prior to the lodgement of the nominated instrument. Upon lodgement of the Administrative Notice, one of the validations Land Victoria undertakes is to ensure a prior nomination has not been recorded against the folio. If there is, the Administrative Notice will be refused. This prevents the CT being nominated to another instrument.

Contact us

For location and contact details, refer to www.dtpli.vic.gov.au/property>Contact us.

www.delwp.vic.gov.au