

Circular

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Conversion of remaining manual Torrens titles and Old System land parcels to the Integrated Titling System

Land and Property Information (LPI), a Division of the Department of Lands, is embarking on a two year project to convert remaining manual Torrens Titles and Old System parcels of land to LPI's Integrated Titling System (ITS).

This will see the automation of an estimated 70,000 manual titles which are, in the main, share titles, lease titles and titles for part lots. Share titles will be converted as sub folios. For example, where share titles currently exist for lot 1 in DP560321 in Volume 14000 Folio 27 (for one half share) and Volume 15256 Folio 8 (for the other half share), they will be converted as 1/560321A and 1/560321B.

The estimated 15,000 remaining parcels of Old System land will be converted not only by continuing the existing conversion based on Primary Applications, Official Searches, Old System Deposited Plans, and Retained Deeds, but also by mass conversion on a Local Government Area basis. The mass conversion to ITS will be carried out following identification of the current owner(s), the acquiring deed and any affecting encumbrances disclosed by search. A conversion action (CA) will be raised, a new folio of the Register created and a letter and statement of title particulars sent to the owner(s). Where applicable, a letter will also be sent to the mortgagee informing them of the conversion.

A feature of mass conversion is that the Registrar General will compulsorily convert Old System land, so that if a statement of title particulars is not supplied to LPI, LPI will create a qualified title. The qualification will state (*i.a.*) "the Title was created using Department of Lands records in accordance with Section 28E of the Real Property Act 1900. Delivery of the Certificate of Title and/or registration of any dealing will require lodgment of a Statement of Title Particulars supplying complete ownership details." This will prevent registration of Real Property dealings or Deposited Plans without prior lodgment of a statement of title particulars by the owners.

To further safeguard the interests of owners, a search facility will be provided to disclose the lodgment of any CA over the land in the deed. In addition, it is proposed to note the CA number on the Office copy of the registered deed evidencing ownership, and continue the practice of noting the CA on the Department's reference map system, the Digital Cadastral Database. The usual practice of deferring conversion action until after a settlement will continue.

Prior to commencing Old System conversion action in any Local Government Area, it is intended to notify the appropriate Regional Law Societies so that local solicitors can be kept up to date on progress of the programme.

Major benefits of the Conversion Project are:

- The provision of a single title system has always been an objective of government, especially LPI (and its predecessors), to simplify conveyancing and enable the provision of a State guarantee for every parcel of land.
- Equity issues associated with added expense for consumers who are required to deal with an Old System title (ie buying, selling, leasing, or mortgaging) will be resolved.
- Extra costs in supplying manual and Old System searches to LPI customers will be eliminated as all searches will be provided online.
- Old and new form Torrens Registers will be imaged, achieving further substantial digitisation of LPI records, and enabling online access.
- The development of an integrated Land Information System for NSW will be facilitated through the synchronisation of LPI's key datasets, made possible through this project.
- Over 300 government agencies that deal with land in their day to day business will derive benefits from a complete, accurate and totally digitised Land Register.

This exciting LPI initiative is scheduled to be completed by the 4th quarter 2006.

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