

## Eligible documents for paperless conveyancing

This document is to assist parties using the Electronic Lodgement Network (ELN). Not all titles and document types are supported in the ELN. Eligible transactions that can be completed via electronic conveyancing will meet the criteria as listed.

This document is correct at 4 December 2018 and will be updated as new functionality is added to the electronic lodgement network in future releases.

### Title scope

- title must relate to fee simple interest in land only;
- all registered proprietors must be recorded on the title without reference to any legal capacity, eg a registered proprietor of the land held on behalf of another person or entity who is the beneficial owner of that property, such as executors, administrators of estates and trustees of a trust
- title must not be manual
- title must not have unstructured text in the tenancy type detail – eg Life Estates;
- title must not be cancelled or superseded
- title must be freehold not leasehold, perpetual lease, road, reserve under management order, reserve without management order or unallocated crown land
- land title reference verification response will include a single report detailing the outcomes of its verification check
- titles on Cocos (Keeling) and Christmas Island are excluded
- titles held in capacity eg executors or administrators are excluded
- share titles are excluded
- titles where the name of the mortgagee cannot be returned are excluded
- titles where an encumbrance is held in capacity are excluded.

### Document types

#### Caveat

- the claim type must be available in the ELNO
- no party in the transaction is considered an incapable person pursuant to a State Administrative Tribunal order
- the caveat must affect all of the land in a title
- all caveators named in the caveat must be represented by the same subscriber
- all registered proprietors must be affected by the caveat.

## Withdrawal of caveat

- no party in the transaction is considered an incapable person pursuant to a State Administrative Tribunal order
- A withdrawal of caveat must not include a removal of caveat by a party that is not a caveator
- withdrawal of caveat must cover all of the land in a title
- All caveators named in the withdrawal of caveat must be represented by the same subscriber
- The name of the caveator represented must be the same or justified to be the same as the caveator on the title.

## Transfer

- no party in the transaction is considered an incapable person pursuant to a State Administrative Tribunal order
- a transfer does not include transmission or survivorship applications, mortgagees exercising power of sale, transfer of an interest, transfer under property (seizure and sale) order or transfer for sale for rates
- transfer must include all of the land described in a title
- all registered proprietors must be named as transferors
- all titles included in the transfer must have the same transferors
- the name of the transferor must be the same or justified to be the same as the registered proprietor
- the transfer must have a consideration type that is either monetary, desire to make a gift, or natural love and affection
- the transfer must be pursuant to a contract of sale or a written agreement
- the WA Revenue Online System must be used to assess the stamp duty to be paid on the transfer. The State Revenue Office transaction criteria are listed at [https://www.finance.wa.gov.au/cms/State\\_Revenue/Revenue\\_Online/Revenue\\_Online.aspx](https://www.finance.wa.gov.au/cms/State_Revenue/Revenue_Online/Revenue_Online.aspx)

## Mortgage

- no party in the transaction is considered an incapable person pursuant to a State Administrative Tribunal order
- must be over all of the land in a title
- all registered proprietors must be mortgagors
- all titles included in the mortgage must have the same registered proprietors
- all mortgagees named in the mortgage must be represented by the same subscriber.

## Discharge of mortgage

- no party in the transaction is considered an incapable person pursuant to a State Administrative Tribunal order
- the discharge of mortgage must discharge the whole mortgage from all of the land in a title
- the discharge of mortgage must discharge all of the mortgagees in the mortgage
- all mortgagees named in the discharge of mortgage must be represented by the same subscriber
- the name of the mortgagee represented must be the same or justified to be the same as the mortgagee on the title.