

# Notice

To Lodging Parties

30 June 2017 No 199

## Transition Period

## Compliance Program Update

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### Transition Period

The amendments to the *Real Property Regulations 2009* to extend the transition period for Mortgages and Discharge of Mortgages until **31 December 2017** has now been gazetted and is available at [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

Please see [Notice to Lodging Parties #198](#) for further information as to what will be accepted for registration during the transition period.

### Compliance Program Update

The Compliance Program was introduced into South Australia in September 2016 to monitor the obligations and practices that support the certifications made by Industry Representatives are being met.

During the period 1 January 2017 to 31 March 2017, the LTO Compliance Team examined a total of 81 dealings from 27 different Industry Representatives. Of these 81 dealings, 82% resulted in a successful outcome, with 18% resulting in an unsatisfactory result.

The Compliance Program has highlighted that the most common errors relate to:

- **Verification of Authority (61.9%)**
  - Unable to produce any form of evidence outside of Government Searches
  - Provide insufficient forms of evidence
  - Unable to produce any form of evidence
- **Client Authorisation (23.8%)**
  - Minor omissions such as not clearly specifying and completing the transaction details panel and type of transaction
  - Incorrectly inserting the name of natural persons where the Transferor/Transferee is a company. In such instances, the legal entity must be named as the client.
  - Discrepancy between the Representative Name/ACN on the Client Authorisation and the representative firm making the Certifications on the corresponding dealing.
- **Verification of Identity (14.3%)**
  - Unable to produce any form of evidence
  - Provide insufficient form of evidence

Although these results are encouraging, I am committed to supporting industry to see an even greater level of compliance. If you require additional information regarding the Compliance Program please refer to [Notice to Lodging Parties #193](#) or alternatively you can visit [www.sa.gov.au/landservices](http://www.sa.gov.au/landservices) or contact the Compliance Team at [LTOCompliance@sa.gov.au](mailto:LTOCompliance@sa.gov.au).



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