



Legislation Review Committee

Correspondence received in response to the Legislation Review Committee
Digest No. 28 - 23 March 2021



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The Hon. Victor Dominello MP
Minister for Digital
Minister for Customer Service

Our reference: COR-01927-2021

Ms Felicity Wilson MP
Chair
Legislation Review Committee
By email: legislation.review@parliament.nsw.gov.au

Dear Ms Wilson

Thank you for your correspondence about the *Real Property Amendment (Certificates of Title) Bill 2021* (the Bill). I appreciate the Legislation Review Committee's (the Committee) feedback and comments on the Bill.

I agree with the Committee's preference for legislation to commence on a fixed date or on assent, noting, however, that a flexible start date may assist with implementation. This is particularly so for the current Bill, which will require significant technical work for the reforms to be realised. It will also require careful coordination between the land registry, the electronic lodgment network operators and financial institutions. The Office of the Registrar General will ensure that all technical aspects of the reform are fully implemented and capable of handling the change before proclaiming a date for commencement of the provisions.

A flexible start date will also provide an opportunity for the Office of the Registrar General to implement a solid and extensive communications program before certificates of title are cancelled and the CoRD framework is removed. As you would expect, industry will require guidance as a result of the changes. The community at large, who may hold paper certificates of title, will also need to be informed of the new procedures so they can adjust expectations.

The Committee also notes that the Bill includes powers for the Registrar General to destroy or deliver paper documents. These powers exist under the current *Real Property Act 1900* and have just been moved to a different part via this Bill. These powers do not trespass on any property rights. The purpose of the powers is to allow the land registry to manage paper dealings that have been filmed or reproduced at the land registry. It will also enable the land registry to destroy or deliver paper certificates of title that might be in its possession after the cancellation date, when they are no longer considered legal documents.

If you have any further queries, please contact Sandrah Mikha, Lawyer eConveyancing, Office of the Registrar General on (02) 8226 0044 or sandrah.mikha@customerservice.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Victor Dominello', written over a horizontal line.

Victor Dominello MP
Minister for Digital
Minister for Customer Service

Date:

26-4-21



The Honourable Kevin Anderson MP
Minister for Better Regulation and Innovation

Our reference: COR-01877-2021

Ms Felicity Wilson MP
Chair
Legislation Review Committee
By email: legislation.review@parliament.nsw.gov.au

Dear Ms Wilson

Felicity

Thank you for your correspondence setting out the Legislation Review Committee's views on the *Strata Schemes Management Amendment (COVID-19) Regulation (No 2) 2020* (the **Regulation**).

I am pleased to note that the Regulation has allowed strata schemes to respond promptly and safely to the COVID-19 pandemic in allowing altered meeting arrangements for convening and voting at meetings, an alternative approach to affixing the seal of an owners corporation, and an extension of certain time periods. I welcome the Committee's view that this has been a reasonable measure in light of the ongoing risk of COVID-19 to the community.

The Department of Customer Service is currently undertaking a statutory review of the operation of the *Strata Schemes Management Act 2015* (the **Act**). The discussion paper for the review has sought feedback on the operation of these temporary measures, with a view to finding permanent solutions to the issues addressed by the Regulation. The Government's intention would be to amend the Act to better enable strata schemes to access alternative means of meeting, voting, and executing documents.

Thank you for bringing these matters to my attention and for the Committee's ongoing work in reviewing legislation in NSW.

Yours sincerely

Kevin Anderson MP
Minister for Better Regulation and Innovation

Date:

27.4.2021