Changes to Verification of Identity (VOI) Requirements for Mortgagees

Standard for verification of identity

The *Real Property Act 1900* requires a mortgagee to take reasonable steps to confirm the identity of a mortgagor. Clause 16 of the *Real Property Regulation 2014* provides that for mortgages executed on or after 1 January 2015, a mortgagee is considered to have taken reasonable steps if the mortgagee has complied with the steps set out in the Verification of Identity Standard.

The Verification of Identity Standard is set out in Schedule 8 of the NSW Participation Rules for Electronic Conveyancing. It applies to all mortgagees whether or not they participate in electronic conveyancing. The Registrar General has amended Schedule 8 in the latest version of the NSW Participation Rules which take effect on 9 November 2015.

Changes to the Verification of Identity Standard

From **9 November 2015**, an amended table of minimum document requirements for verification of identity will take effect. A new category has been added to the table at number 4. Some minor changes to terminology have also been made. The amended Schedule 8 table is set out on the next page.

Where the Verification of Identity Standard is used, the verification of identity must be conducted during a face-to-face in-person interview. At that interview, the identity verifier must ensure that the person being identified produces original documents in one of the categories in the table, starting with Category 1. The identity verifier must be reasonably satisfied that a prior category cannot be met before using a subsequent category.

More information

For further information on the Verification of Identity Standard under the Participation Rules, see ARNECC's Model Participation Rules Guidance Note 2.

NSW Participation Rules for Electronic Conveyancing Version 3 is published on the LPI website.

NSW Participation Rules for Electronic Conveyancing (Version 3) Schedule 8 Table

Category	Minimum Document Requirements
	For Persons who are Australian citizens or residents:
1	Australian Passport or foreign passport plus Australian drivers licence or Photo Card plus change of name or marriage certificate if necessary
2	Australian Passport or foreign passport plus full birth certificate or citizenship certificate or descent certificate plus Medicare or Centrelink or Department of Veterans' Affairs card plus change of name or marriage certificate if necessary
3	Australian drivers licence or Photo Card plus full birth certificate or citizenship certificate or descent certificate plus Medicare or Centrelink or Department of Veterans' Affairs card plus change of name or marriage certificate if necessary
4	(a) Australian Passport or foreign passport plus another form of government issued photographic identity Document plus change of name or marriage certificate if necessary (b) Australian Passport or foreign passport plus full birth certificate plus another form of government issued identity Document plus change of name or marriage certificate if necessary
5	(a) Identifier Declaration plus full birth certificate or citizenship certificate or descent certificate plus Medicare or Centrelink or Department of Veterans' Affairs card plus change of name or marriage certificate if necessary (b) Identifier Declaration by a Person specified in Verification of Identity Standard paragraph 4.4(e) plus Medicare or Centrelink or Department of Veterans' Affairs card plus change of name or marriage certificate if necessary *Note: Refer to Verification of Identity Standard paragraph 4.*
	For Persons who are not Australian citizens or residents:
6	(a) Foreign passport plus another form of government issued photographic identity Document plus change of name or marriage certificate if necessary (b) Foreign passport plus full birth certificate plus another form of government issued identity Document plus change of name or marriage certificate if necessary.