



# Circular

Division: Land and Property Information  
No: 2010/01  
Date: March 2010

## Introduction of electronic notice of sale (eNOS)

The Land and Property Management Authority is officially registered in the Australian Business Register and also registered for GST. Its ABN is 33 537 762 019.

Customers will be able to complete and lodge notices of sale (NOS) online from Monday 12 April 2010, using LPI's new electronic notice of sale form (eNOS).

eNOS will be accessible via LPI's Online Shop at [www.lpma.nsw.gov.au](http://www.lpma.nsw.gov.au). It will also be available via LPI's network of approved information brokers, listed at [www.lpma.nsw.gov.au/land\\_titles/property\\_search/information\\_brokers](http://www.lpma.nsw.gov.au/land_titles/property_search/information_brokers). Users will be able to create, update, view and print eNOS using this facility.

The dealing types that must be accompanied by a notice of sale at lodgment are listed at [http://rqdirections.lands.nsw.gov.au/faqs/land\\_title/notice\\_of\\_sale\\_or\\_transfer\\_of\\_land](http://rqdirections.lands.nsw.gov.au/faqs/land_title/notice_of_sale_or_transfer_of_land).

No LPI fees will apply to use of the eNOS system.

## Completing eNOS forms

To complete a new notice of sale online, select 'Create eNOS' from the Online Shop eNOS menu, then enter information in the fields as required. The information required is virtually the same as that needed to complete a paper NOS form. However, in eNOS it is collected in a different order in a series of screens.

Detailed instructions for completing eNOS are available in each screen. The information entered is progressively saved as the user moves on to the next screen. Mandatory fields in each screen must be completed. The last screen includes a button to submit the completed eNOS to LPI once all required data has been entered. Partly completed eNOS will be stored by LPI and can be retrieved at any time via the 'Update eNOS' option in the menu to add or modify information before it is ready to submit. eNOS can be submitted to LPI before settlement, but must be updated to include settlement date before lodgment of related dealings.

When an eNOS is submitted to LPI, an eNOS summary report displaying all the information included in the eNOS will be presented to the user. See attached sample. This summary can be printed for the user's own records.

eNOS incorporates features that pre-populate and validate some information. When the title reference is entered, the matching property address will be automatically inserted by

LPI if available. Users will also be directed to the data fields they need to complete according to the type of property transaction involved.

### **eNOS ID and passkey**

Users creating an eNOS will receive an eNOS ID and passkey by return email as soon as they complete the first screen in eNOS. It is important to keep a record of these codes so that further updates to the eNOS can be made if required. A current email address is also essential.

The user who created the eNOS can also provide details of the eNOS ID to other parties to the transaction so that they can view and print the eNOS. Both the eNOS ID and passkey can be supplied to other parties when it is expected that they will need to update details in the eNOS. The codes are unique to the property transaction, not to the user who creates the eNOS. New codes are issued for each new eNOS created.

The eNOS ID must also be recorded on the relevant dealing lodged for registration at LPI. All dealing forms that must be accompanied by a notice of sale now contain a section which must be completed and signed by the transferee, their solicitor or agent stating:

'The transferee/ transferee's solicitor /transferee's agent, certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No:.....'.

### **Certification of eNOS**

Legislative amendments to provide for eNOS were passed in November 2009 in the *Real Property Amendment (Land Transactions) Act 2009 No 71*. The amendments include a requirement for certification to the effect that the eNOS is in registrable form and is correct for the purposes of the Act. The certification must be made by the person lodging the relevant dealing, a party to the dealing or the solicitor or agent acting for the person lodging or party to the dealing. This requirement will come into effect on 12 April 2010.

The eNOS system will give practical effect to these provisions by requiring the eNOS creator to agree to the terms and conditions set out and displayed online before completion of the eNOS can commence. It is effectively the eNOS creator that will certify to LPI that the information submitted is accurate, unless responsibility is transferred to another party via the 'Transfer eNOS' menu item.

### **Settlement procedures**

An eNOS summary report can be printed in hard copy for sighting at settlement, although this may not be necessary if all parties to the settlement can access it on-line. The eNOS ID should be recorded on the related dealing before or at settlement. Arrangements should also be made to ensure that the settlement date and any other missing data is entered on the eNOS prior to lodgment. This may entail supplying the eNOS ID and passkey to the lodging party if they do not already have access.

### **Dealing lodgment procedures involving eNOS**

It is not necessary to lodge a hard copy eNOS with related dealings. LPI's data information systems will use the eNOS ID and title reference recorded on the dealing to verify that the required eNOS information has been submitted. If the dealing and eNOS are in registrable form, registration will proceed. If not, normal workflow procedures will apply.

Customers should note that lodgment of incomplete eNOS will result in the issue of requisitions. This is because the *Real Property Act 1900* has been amended to identify that NOS forms, both electronic and paper, are now classified as registrable forms. LPI will provide a kiosk facility at its Queens Square Sydney office for lodging parties to update or complete eNOS immediately prior to lodgment.

Once the dealing is registered, no changes can be made to the relevant eNOS.

### **Paper notice of sale forms**

While LPI expects that the many benefits of eNOS will see widespread take up by customers, use of the eNOS system is voluntary. Paper NOS forms will continue to be accepted as an alternative to eNOS.

Customers wishing to continue using paper NOS forms should note that the form currently in circulation is being revised to incorporate the certification clause provided for in recent amendments to the *Real Property Act 1900* outlined above. However, LPI will accept paper NOS forms that do not include the certification clause until 1 June 2010.

Customers can exchange stocks of the outdated form with copies of the new hard copy form at no cost at LPI's customer service counter on the ground floor of its Queens Square Sydney office.

### **Scope of eNOS**

eNOS is available for land transactions involving Torrens title land only. For Old System transactions involving a change in ownership of land the paper NOS form will continue to be required at lodgment.

### **Further Inquiries**

For further inquiries on how to use eNOS contact LPI Customer Services on T: 1300 052 637 or through our website to [http://www.lpma.nsw.gov.au/lpi\\_enquiry](http://www.lpma.nsw.gov.au/lpi_enquiry).

Alternatively, for information on the research and development strategies used in the design of eNOS contact the Project Manager, Neil Hindmarsh on (02) 8258 7544 or [neil.hindmarsh@lpma.nsw.gov.au](mailto:neil.hindmarsh@lpma.nsw.gov.au).

Des Mooney  
General Manager, Land and Property Information



HOME	VIEW	<b>ONLINE SHOP</b>	EXPLORE	CONNECT	SUPPORT	SERVICES
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Torrens / Old System Searches	<b>Land and Property Information Searches</b>
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Inquiries	PAGE TRAIL: <a href="#">Information</a>   <a href="#">Create eNOS</a>
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Document Image Requests	<b>Create eNOS</b>
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Land Value Searches	Lodgment of an eNOS application.
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Cadastral Records	<b>Search Costs and Payment Method</b>
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eNOS	There is no charge for this service.
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<b>Create eNOS</b>	<a href="#">(Printable Version)</a>
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<a href="#">Update eNOS</a>	<b>Summary eNOS Report</b>	<a href="#">Select to print summary</a>
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<a href="#">View eNOS</a>	eNOS ID: 3291
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<a href="#">Collect Settlement Date</a>	Email Address: SOLICITORS@SMITHWESTON.COM.AU
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<a href="#">Transfer eNOS</a>	Title Reference: 4/DP7654321
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<a href="#">Lost eNOS/Passkey</a>	Status Date/Time: 11/02/2010 10:17:39 AM
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<b>Select Update eNOS to change details. eNOS ID and Passkey required.</b>	<b>eNOS Status: COMPLETE</b>
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<b>Property Details</b>
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Property Description: 41	
Street Name: PREMIER ST	
Suburb: GYMEA	Postcode: 2227
Area: 700 SQUARE METRES	
Property Type: RESIDENCE	Tenant Type: TO THE TENANT

<b>Name and Address for Service of Notices</b>
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Address same as Property Address: Y	Owner/Agent: OWNER
Name: MR JD SALINGER	
Address:	
Suburb:	
Country:	Postcode:

<b>Transaction Details</b>
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Category: SALE	Purchase Price: \$700000
Contract Date: 2/02/2010	Settlement Date: 23/03/2010
Other Items Included: N	Other Land Included: N
Acquisition Date:	Acquisition Type:
Transfer of Shares:	

<b>Agent Details</b>
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Name: SMITH WESTON ASSOCIATES	
Address: 1 PRINCE STREET	
Suburb: SUTHERLAND	Postcode: 2232
DX Number:	DX Exchange:
STD Code: 02	Phone: 95451234
Reference: JD SALINGER	

<a href="#">Select to create another eNOS form</a>	<a href="#">(Printable Version)</a>	<a href="#">Select to print summary</a>
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