



DOCUMENTING PROPERTY TRANSACTIONS IN AN E-CONVEYANCING WORLD

With electronic conveyancing having become mandatory in Western Australia on 1 December 2018, the days of paper documents being lodged at Landgate to evidence a transaction are numbered.

While there are exceptions to the rule (including ineligible titles, complex dealings or duty treatment), the following documents are now required to be lodged for registration electronically via an e-conveyancing platform such as PEXA, which is the only e-conveyancing platform currently approved to operate in Western Australia (with other e-conveyancing platforms waiting for approval):

- Transfers of Land;
- Caveats and Withdrawal of Caveats;
- Mortgages and Discharge of Mortgages,
(Mandatory Documents)

In addition to the Mandatory Documents, change of name applications and survivorship applications may also be lodged via PEXA.

In order to lodge documents through PEXA, parties wishing to deal with land need to be represented by a PEXA “subscriber” (a law firm or conveyancer), who is authorised by the party to lodge the documents on their behalf.

Before being able to lodge documents through PEXA, subscribers are required to:

- verify the identity of parties wishing to deal with land;
- ensure those parties have the right to deal with land; and
- be authorised by those parties to lodge documents on their behalf, by the parties signing a PEXA Client Authorisation Form (CAF).



CAFs can be prepared to give:

- a standing authority (with or without an expiry date) for lodgement of a range of documents (or specific documents only) over multiple properties, meaning that one CAF can cover a range of transactions; or
- a specific authority for lodgement of a particular document (or a range of documents) over a specific property, meaning that a new CAF will be required for any transactions not specified in that CAF.

For property developer clients or clients with large land holdings, a standing CAF will ensure there is ongoing authority to finalise transactions upon receiving instructions without the need for directors or other signatories to constantly sign documents.

For individuals who rarely deal with land (such as first home buyers), a specific (stand-alone) CAF is adequate.

For the avoidance of doubt, verification of identity is a separate and mandatory requirement of the certification process for registration of documents via PEXA with Landgate. For more information about verification of identity requirements, please see our previous article [Verification of Identity in a COVID-19 Environment](#).

For further information or assistance contact Murfett Legal on [+61 8 9388 3100](tel:+61893883100).

Note: The above is a summary for general information purposes only. It is not intended to be comprehensive or constitute legal advice. You should seek formal legal or other professional advice in relation to your particular circumstances before relying on the content of this article.

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