

Fact Sheet

Lands Titles Office

Verification of Identity Requirements for Self-Represented Parties

On 28 April 2014 the Registrar-General implemented Verification of Identity (VOI) Requirements - necessitating that parties to a Lands Titles Office (LTO) Registry Instrument have their identity verified. These requirements reduce the risk of land title fraud and any other improper dealings with land in South Australia.

What is a Self-Represented Party?

Self-Represented Parties are individuals who choose to prepare their own documentation to be lodged in the Lands Titles Office (LTO), rather than employing the services of a Registered Conveyancer or Legal Practitioner.

What does this mean for me?

As a Self-Represented Party entering into a 'conveyancing transaction' you are responsible for verifying your identity in accordance with the VOI Requirements.

How do I verify my identity?

You are required to show your evidence (as per the attached Table 1) to a Justice of the Peace, Proclaimed Police Officer, Legal Practitioner, Registered Conveyancer or a Notary Public (see Table 3 for their contact information).

These authorised persons will then need to fill in a Certification (See Table 4) and endorse photocopies of the evidence as "true copies of the originals sighted".

What do I need to lodge at the Lands Titles Office?

You will need to attach the endorsed copies of the above mentioned evidence together with the completed Certification to the Real Property Dealing before lodgement in the LTO.

The LTO will then check the evidence produced and the Real Property dealing before accepting the lodgement.

Should you require further information or assistance, please contact our Client Advice Officer on **8226 3983**

TABLE 1 – IDENTIFICATION DOCUMENT CATEGORIES

The first categories of evidence must be utilised if you can comply, before looking at the next categories of minimum requirements of evidence.

Category	Minimum Original and Current Document Requirements
	For persons who are Australian citizens or residents:
1	<ul style="list-style-type: none"> • An Australian Passport* or • A Foreign Passport plus • Australian Driver's Licence or • Proof of Age Card (Photo Card)
2	<ul style="list-style-type: none"> • An Australian Passport* or • A Foreign Passport plus • Full Birth Certificate or • Citizenship Certificate or • Descent Certificate plus • Medicare Card or • Centrelink Card or • Department of Veterans' Affairs Card
3	<ul style="list-style-type: none"> • Australian Driver's Licence or • Proof of Age Card (Photo Card) plus • Full Birth Certificate or • Citizenship Certificate or • Descent Certificate plus • Medicare Card or • Centrelink Card or • Department of Veterans' Affairs Card

**An expired Australian passport which has not been cancelled and was current within the preceding 2 years may be produced.*

NOTE: If your name has since changed a Change of Name or Marriage Certificate, issued by the Births, Deaths and Marriages Registration Office, would also need to be produced.

TABLE 1 – IDENTIFICATION DOCUMENT CATEGORIES continued

Category	Minimum Original and Current Document Requirements
	For persons who are Australian citizens or residents:
4a)	<ul style="list-style-type: none"> • An Australian Passport* <li style="text-align: center;">or • A Foreign Passport <li style="text-align: center;">plus • Another form of Government Issued <i>Photographic</i> Identity Document
4b)	<ul style="list-style-type: none"> • An Australian Passport* <li style="text-align: center;">or • A Foreign Passport <li style="text-align: center;">plus • Full Birth Certificate <li style="text-align: center;">plus • Another Form of Government Issued Identity Document
5a)	<ul style="list-style-type: none"> • Identifier Declaration <li style="text-align: center;">plus • Full Birth Certificate <li style="text-align: center;">or • Citizenship Certificate <li style="text-align: center;">or • Descent Certificate <li style="text-align: center;">plus • Medicare Card <li style="text-align: center;">or • Centrelink Card <li style="text-align: center;">or • Department of Veterans' Affairs Card <p>When using this category, the Identifier Declaration will need to be made by a person that has known you for at least 12 months make a declaration of this fact.</p>
5b)	<ul style="list-style-type: none"> • Identifier Declaration <li style="text-align: center;">plus • Medicare Card <li style="text-align: center;">or • Centrelink Card <li style="text-align: center;">or • Department of Veterans' Affairs Card <p>When using this category, the Identifier Declaration must be made by a person specified in Table 2 (who has known you for at least 12 months)</p>

	<p>Please note: when using Category 5a) or 5b)</p> <p>If you cannot comply with the minimum identity document requirements as specified in <u>Category 1-4</u>, you will need to rely on someone who has known you for at least 12 months, who does have the required evidence. They then will make a declaration in regards your identity.</p> <p>That “declarant” would then need to produce their identity documentation when they attend the interview with the Authorised Persons (as identified in Table 3). The declarant CANNOT be a **relative, must be an adult and cannot be party to the transaction.</p> <p>Refer to the Appendix A for excerpt of Requirement Clause 6.3 for details of what is required to be stated in the declaration. A blank pro-forma of the information to be provided within the declaration is enclosed.</p>
	<p>For those people that are not Australian Citizens or Residents, you will need to utilise Category 6a or 6b.</p>

**An expired Australian passport which has not been cancelled and was current within the preceding 2 years may be produced.*

***The definition of a ‘relative’ is: a person’s spouse or domestic partner or a child, grandchild, sibling, parent or grandparent of the person or of the person’s spouse or domestic partner.*

TABLE 1 – IDENTIFICATION DOCUMENT CATEGORIES 6a & 6b

	For persons who are not Australian citizens or residents:
6a)	<ul style="list-style-type: none"> • Foreign Passport plus • Another form of Government Issued Photographic Identity Document
6b)	<ul style="list-style-type: none"> • Foreign Passport plus • Full Birth Certificate plus • Another form of Government Issued Identity Document

**NOTE: If your name has since changed a Change of Name or Marriage Certificate, issued by the Births, Deaths and Marriages Registration Office, would also need to be produced.*

APPENDIX A – IDENTIFIER DECLARATION

The Identifier Declaration is required when category 5 is used. The declarant must be satisfied before providing a statutory declaration to support the identification of the person being identified.

Excerpt from Clause 6.3 within the Verification of Requirements (“Identifier Declaration”)

The Declarant is to provide the Verifier with a statutory declaration in which the Declarant declares the following:

- a) the Declarant’s name and address; and
- b) the Declarant’s occupation; and
- c) the Declarant’s date of birth; and
- d) the nature of the Declarant’s relationship with the Person Being Identified; and
- e) that the Declarant is not a Relative of the Person Being Identified; and
- f) that the Declarant is not a party to the Conveyancing Transaction; and
- g) the length of time that the Declarant has known the Person Being Identified; and
- h) that to the Declarant’s knowledge, information and belief the Person Being Identified is who they purport to be

TABLE 2 – WHEN USING CATEGORY 5(B) TO VERIFY YOUR IDENTITY

The following people are authorised to make the declaration to verify your identity:

- **Bank Manager** (a person appointed to be in charge of the head office or any branch office of an Authorised Deposit-Taking Institution (ADI) carrying on business in Australia under the *Banking Act 1959* (Cth)).
- **Community Leader** (Aboriginal Elder, Member of Aboriginal Council, Member/Staff of Torres Strait Regional Authority, Member/Staff of the Board of Indigenous Business Australia or Indigenous Land Corporation and Member/Staff of Aboriginal Land Council)
- **Court Officer** (a Judge, Master, Magistrate, Registrar, Clerk or Chief Executive Officer of any Court in Australia)
- **Medical Practitioner** (a person registered under the Health Practitioner Regulation National Law (South Australia) Act 2010 (SA) or corresponding law in another state, to practise in the medical profession (other than a student))
- **Land Council Officeholder** (A Chairperson or Deputy Chairperson of an Australian Land Council or Land & Sea Council established under Commonwealth, State or Territory Law)
- **Local Government Officeholder** (Chief Executive Officer or Deputy CEO of a metropolitan or regional council established under the Local Government Act 1999 (SA) or corresponding law of another state)
- **Nurse** (a person currently registered under the *Health Practitioner Regulation National Law (South Australia) Act 2010* (SA) or a corresponding law of another State, to practise in the nursing and midwifery profession as a nurse (other than as a student)).
- **Public Servant** (a person currently employed in the Public Service under the *Public Sector Act 2009* (SA) or a corresponding law of another State or the Australian Public Service under the *Public Service Act 1999* (Cth)).
- **Legal Practitioner** (a person currently entitled to practise the profession of law under the *Legal Practitioners Act 1981* (SA) or a corresponding law of another State).
- **Conveyancer** (a person currently registered under the *Conveyancers Act 1994* (SA) or a corresponding law of another State, to carry on a business that consists of or involves the preparation of conveyancing instruments for fee or reward).
- **Police Officer** (a member of South Australia Police under the *Police Act 1998* (SA), or the police force of another State under a corresponding legislation, or the Australian Federal Police under the *Australian Federal Police Act 1979* (Cth)).

TABLE 3 – CONTACT DETAILS OF AUTHORISED PEOPLE THAT CAN VERIFY YOUR IDENTITY DOCUMENTS (FOR SELF-REPRESENTED PARTIES)

1	Justice of the Peace	<p>Justice of the Peace Services</p> <p>Attorney-General's Department</p> <p>Level 4, 91-97 Grenfell Street Adelaide 5000 jpservices@agd.sa.gov.au</p> <p>To locate a JP in your area http://jp.agd.sa.gov.au/JPPublicWeb/</p>
2	Proclaimed Police Officer	<p>Proclaimed Police Officers, can be found at most South Australian police stations.</p> <p>It is advisable to call the police station before attending to ensure there is a Proclaimed Police Officer available when you attend.</p> <p>https://www.police.sa.gov.au/contact-us/find-your-local-police-station</p>
3	Legal Practitioner or Registered Conveyancer	<p>Legal Practitioner - Law Society of South Australia http://www.lawsocietysa.asn.au/index.asp</p> <p>Registered Conveyancer - Australian Institute of Conveyancers http://www.aicsa.com.au/</p> <p>Consumer and Business Services http://www.cbs.sa.gov.au/</p>
4	Notary Public	<p>To find a Notary who is a member of the Notaries' Society of SA - http://notaries-sa.org.au/</p>

**TABLE 4 –
SELF-REPRESENTED PARTY – AUTHORISED PERSON CERTIFICATION**

I, [full name of natural person who is an Authorised Person], of [address of natural person who is an Authorised Person] being a [capacity in which natural person is an Authorised Person eg Justice of the Peace] hereby certify that:

- a) The identification relates to [full name of the Person Being Identified]; and
- b) The identification was carried out on [date]; and
- c) The original and current identification documents listed below were produced to me and copies of these documents endorsed by me as true copies are attached to this certification; and
- d) The verification of identity was conducted in accordance with the Registrar-General’s Verification of Identity Requirements currently in force; and
- e) *I witnessed [full name of the Person Being Identified] execute the completed [list Registry Instrument(s) eg transfer/lease etc.].¹

Date.....
.....
Authorised Person Authorised Person’s contact

List of identification documents produced - see (c) above:

Description of identity documents produced and endorsed	Page number in set of copies
[Eg Australian Passport]	1

**Note: Point “e” is not required for the Declarant of the Identifier Declaration*

**Please find a blank pro-forma enclosed*

¹ Delete if no instruments executed.
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IDENTIFIER DECLARATION

I(full name of declarant)

of(address)

Do solemnly and sincerely declare

My occupation:.....

My date of birth:.....

That I know the applicant by way of:.....

and that I have known them for a period of:.....

Furthermore I declare that we are not related, I am not party to this conveyancing transaction and that to the best of my knowledge and belief the Person Being Identified is who they purport to be

.....
(state the name of the person being identified)

.....
(declarant signature)

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1936

Declared and subscribed

at.....

by the said.....

this day of 20..... before me:

.....
Signature and capacity of
authorised functionary