

# CUSTOMER INFORMATION

# BULLETIN



No. 14, 21st December, 1988

In this issue:

- A. The W.A. Teachers Financial Society Limited - Transfer of Engagements.
- B. Extension of Mortgage.
- C. Access to Advice Officers.
- D. Directors Message.

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A. THE W.A. TEACHERS FINANCIAL SOCIETY LIMITED - TRANSFER OF ENGAGEMENTS

The W.A. Teachers Financial Society Limited transferred its engagements to the Rural and Industries Bank of Western Australia as is evidenced by notice in Government Gazette of the 9th December 1988.

Under Section 37G of the Credit Unions Act the property vests without any conveyance, transfer or assignment therefore no vesting application is necessary. Discharges of mortgages and Power of Sale transfers will show in the Mortgagor/Transferor boxes the following:

The Rural and Industries Bank of Western Australia of 108 St. Georges Terrace Perth to whom the engagements of the W.A. Teachers Financial Society Limited formerly The W.A. Teachers Credit Society Limited were transferred on 8th December 1988.

The Transfer of Engagement Certificate has been filed in this office. No other evidence is required.

B. EXTENSIONS OF MORTGAGES

Following submissions to this Office, certain changes have been made to procedures regarding the registration of Extensions of Mortgages. The printed form "E1" contains no reference to the words "subject to the encumbrances notified hereunder" yet the Practice Manual at paragraph (e) requires that encumbrances must be noted. The form does however, contain after the signatures the following statement:

"This extension shall not affect any dealing registered subsequent to the above mortgage unless the person in whose favour such dealing was registered consents hereon".

An extension drawn in recital form should not refer to encumbrances in the body of the document but should contain the warning statement above.

In future the following will apply:

1. Encumbrances need not be shown on the Extension.
2. Absolute caveats must be withdrawn and if necessary may be relogged after the extension. (Section 139 of the Transfer of Land Act prevents registration where there is an absolute caveat, except in the circumstances described in that Section).
3. Where a subject to claim caveat has been filed against the land then and if it is not being removed, there must appear in the body of the form (that is, above the signatures) a statement to the effect that "This instrument is subject to the claim of the caveator in Caveat....."
4. If the land is subject to a notice of intention to resume, then the consent in writing of the Minister for Works and Services must be obtained (Section 17(3) of the Public Works Act).
5. Requisitions will not issue, if consent to the extension by subsequent registered encumbrances, is not endorsed on the extension.

In all other aspects the details shown in the Practice manual still apply.

C. ACCESS TO ADVICE OFFICERS

The Customer Service Centre has now installed an Access 500 phone system to accommodate requests for advice on Titles Office matters. This phone will be attended by a receptionist who will control access to the Advice Officers by persons requiring information by personal visitation or phone.

Those persons wishing to seek an interview with an Advice Officer should phone for an appointment. Failure to do so may result in unnecessary delays.

Information sought by phone will be directed to the Advice Officer if available. Where the Advice Officer sought is not readily available the call can be held or your number taken and the call returned as soon as possible.

The Advice Officers are senior officers of the Department.

D. DIRECTOR'S MESSAGE

The Office of Titles is well advanced in the task of adjusting to the very different business environment in real estate activity which has developed in the last twelve months. Unprecedented demand has been recorded for our title searching services, record business levels in our registration areas, and subdivisional activity and plan lodgements have shown big increases above the usual levels. To handle the pressure of business, new work practices have been introduced and the office restructured and redesigned, to accommodate client needs. Management and staff are appreciative of the patience and forbearance shown by our clients while these changes were taking place. We are pleased with the results which are now emerging and look forward to continuing to improve the services available, as resources are redeployed, and our practices are further streamlined.

On behalf of myself and the management and staff of the Office of Titles, I would like to take this opportunity to wish you all the best for the coming festive season.



D.L. Mulcahy  
DIRECTOR  
LAND TITLES