

# National Mortgage Form Specification Consultation Feedback Table

This table contains the feedback from industry on the first version of the NMF Specification published on 23 May 2016 and the actions taken by ARNECC in publishing an updated Specification on 8 August 2016.

#	Reference	Industry Feedback	Action Taken and Commentary
1	<b>Implementation Date</b>	<p>Whilst receipt of the specifications is welcomed, it has been received well past the scheduled due date originally advised by ARNECC. Whilst deferral of the implementation date until May 2017 (from April 2017) is also welcomed, it gives the banks 12 months to understand the specifications, cost the NMF for all affected mortgage systems and platforms, obtain the necessary development funding approval, develop the templates and complete rigorous testing of the output. The bank has various systems release dates for its multiple mortgage platforms, and implementation is dependent upon meeting the early deadlines for the these releases.</p> <p>In addition, May is in the lead up to the end of financial year, which is a very busy time for the banks, and could adversely influence our ability to meet a May 2017 implementation date. We therefore request that consideration be given to pushing back the implementation date until after the end of the 2016 - 2017 financial year, say at least August 2017 or later</p>	Implementation is scheduled for May 2017 and included in PEXA Release 6.0
2	<b>Transitional approach</b>	In your email you advise that ARNECC is considering a transitional approach to NMF implementation. Could you please clarify what is meant by this statement.	There will be a transition or "overlap" period where current mortgage forms will still be able to be lodged. After the transition period is over, any mortgage signed will need to be on the National Mortgage Form. 31 December is when the transition period ends.
3	<b>Form Numbers and Version Dates</b>	For compliance reasons the bank currently uses form numbers and version dates on each of its security documents including all State and Territory mortgages. Will there be ability for banks to add their own form number and version date to the NMF?	<p>No. But you could use the "Reference" for this.</p> <p>The form "Number" will be "Mortgage Form" and the version will be as shown on the current form. There is no version date on the form.</p> <p>The aim of the NMF is to ensure all mortgages are the same, there is no requirement for banks to retain their "Approval to Print" numbers.</p>
4	<b>Lodger Details</b>	Presumably only required for Full Paper Only and Paper Lodgement Only scenarios? Can this be completed by hand by our lodging agents?	Lodger details will only be needed for forms that are actually lodged with the LR. They are added automatically when lodgement is via PEXA. They could be completed by hand on paper forms if that is the practice of your lodging agent although the preference is for this information to always be typed for clarity.
5	<b>Duty Details</b>	Given that NSW is the only State currently charging Mortgage Duty, and this is to cease from 1/7/2016, we assume this panel does not need to be built into the NMF?	Agreed - the duty details panel has been removed from the specification
6	<b>Estate &amp; Interest being mortgaged</b>	It appears that the NMF will replace existing Mortgage of Leases (in States such as NSW etc). Will it also be used for Mortgages over Water titles in NSW, Qld and Vic? If the NMF is replacing existing Mortgage of Leases, there doesn't appear to be a specific example for an ACT Mortgage of Sublease/Underlease. Will the description used be the same as that used in the example for the Northern Territory?	<p><b>ACT:</b> NMF will be used for mortgage of a lease in ACT</p> <p><b>NSW:</b> Not suitable for Water Access Licence as the form will have to include other items such as the relevant Act to the privacy note, operative clause, and certification, licence tenure type, Mortgagee's ASON. Please note that WAL mortgage is liable to stamp duty. Not suitable for a Mortgage of Lease if submitted through PEXA. If in paper the lease details could be written by hand.</p> <p><b>NT:</b> NMF will NOT be used for mortgages of lease in NT - these require a separate form. There are no water allocations or water titles in NT.</p> <p><b>QLD:</b> NMF will be used for mortgage of a lease and for mortgage of a Water Allocation in QLD</p> <p><b>SA:</b> NMF will be used for mortgage of a lease in SA</p> <p><b>TAS:</b> NMF will be used for mortgage of a lease in TAS</p> <p><b>VIC:</b> The NMF cannot currently be used for Water Shares but this is being investigated to see what needs to be done to accommodate this. The NMF can be used to mortgage a lease</p> <p><b>WA:</b> NMF will be used for mortgage of a lease in WA</p>
7	<b>Land</b>	It is unclear why the Jurisdictional Restrictions (Page 29) for SA & TAS are blank.	<p>SA details updated.</p> <p>TAS details updated</p>
8	<b>Mortgagor Address</b>	It is unclear why the Jurisdictional Restrictions (page 37) for TAS & WA are blank. It is noted that for WA, Landgate have recently advised that from 1 Aug 2016 Mortgagor addresses are no longer required. Will the specifications be updated?	<p>TAS details updated (address is mandatory)</p> <p>WA details updated</p>

#	Reference	Industry Feedback	Action Taken and Commentary
9	<b>Address Field Defined Lists</b>	<p>It appears that going forward, banks will need to use the Address Field Defined Lists on pages 99 &amp; 100. If so, this will be a considerable departure from how the bank currently record addresses, and will require significant changes to the banks systems, and training for lending staff.</p> <p>Also, it is unclear how the Defined List is to be used. For example, does this mean that an address previously stated as "1/22 Main St Sydney NSW 2000" needs to be shown as Unit 1, Main Street Sydney NSW 2000?"</p> <p>In what circumstances do we need to use a Unit Type or Floor type?</p>	<p>The lists are from the Australian Address Standard</p> <p>Each address field (in the mortgagor or mortgagee section) needs to be on a separate line.</p> <p>These are required when one of these types forms part of the address.</p> <p>The specification matches the Australian Standard</p>
10	<b>Mortgagors capacity</b>	<p>It is unclear why the Jurisdictional Restrictions (page 38) for TAS are blank. It is stated that the "Capacity" line (page 38) is not used in ACT, VIC, NT and NSW. Additionally, in the Jurisdictional Restrictions on the same page for NT it states "Not allowed – omitted". However, in the examples for NT of a company as mortgagor (page 39) and trustee as mortgagor (page 40) capacity has been included?</p>	<p>TAS details updated NT details updated QLD details updated WA details updated</p>
11	<b>Use of ACN or ARBN by companies</b>	<p>Given that the Australian Government recently proposed replacing ACN with ABN's, has thought been given to using ABN's instead of ACN's on the NMF?</p>	<p>ACNs (or ARBNs) are required to indicate that an entity is legally allowed to hold an interest in land. If ACNs are abolished, another way to achieve this will be needed.</p>
12	<b>Mortgagee address</b>	<p>It is unclear why the Jurisdictional Restrictions (page 46) for TAS are blank.</p>	<p>TAS details updated (address is mandatory)</p>
13	<b>Mortgagees Capacity</b>	<p>It is unclear why the Jurisdictional Restrictions (page 47) for TAS and WA are blank.</p>	<p>TAS details updated WA details updated</p>
14	<b>Operative Words and Terms and Conditions</b>	<p>Given that all States and Territories will be using a single set of Operative Words, will the PEXA mortgages be changed on the same date as the NMF is implemented?</p>	<p>Yes, but there will be an overlap period where the mortgage "version" will be able to be selected in PEXA to cater for mortgages where the mortgage granted by the mortgagor was signed on the old mortgage form.</p>
15	<b>Signing by Mortgagors</b>	<p>The NMF specifies mortgagor signing and witnessing requirements for mortgages that will be registered in paper form at the LTO's. Where the mortgagee lodges a mortgage electronically, it is suggested that the mortgagee will be required to ensure that the mortgagor signing and witnessing on the paper mortgage (which is not lodged) comply with the mortgagor execution and witnessing requirements for paper mortgages of the LTO in the jurisdiction where electronic lodgement occurs. Does this mean, in effect, the same mortgagor signing and witnessing requirements for mortgages that would be registered in paper form? We request clarification and confirmation of the position for mortgagor signing</p>	<p>You need to assure yourself that you have a valid (in the relevant jurisdiction) mortgage granted by the mortgagor. The Land Registries will not be specifying the requirements for this. It will be up to the mortgagee to determine.</p>
16	<b>Mortgagor Certifications</b>	<p>Page 61 refers to a Mortgagors Certification sub panel that appears in the Mortgagor Execution panel. The page then states the following rules apply to the <b>Mortgagee Certifications</b>. <u>Should this be Mortgagor rather than Mortgagee?</u></p>	<p>Yes, this will be corrected.</p>
17	<b>Full paper or electronic lodgement?</b>	<p>At the time the mortgage is initially prepared, it is unlikely that the mortgagee will know under which channel the mortgage will be registered. Therefore the mortgagee would need to err on the side of caution and prepare a mortgage using the full paper option in all instances.</p>	<p>That would certainly be a valid option. The electronic acceptance of the mortgage by the mortgagee also provides options which enable the mortgage to be lodged either electronically or in paper.</p>
18	<b>Paper Acceptance</b>	<p>It is noted from the table on page 58 that in NSW, Vic, SA &amp; WA the Mortgagee can lodge a paper mortgage signed by the Mortgagee only. We are not familiar with this option. What information is available on this option?</p>	<p>This is an option where the requirements for a paper form are aligned with those for an electronic form. Contact the relevant Land Registry directly.</p> <p><b>NSW:</b> Legislation is in place allowing the Registrar General to include in the Conveyancing Rules made under section 12E of the Real Property Act 1900 Rules about "the execution and attestation of paper documents that give effect to conveyancing transactions (including providing for certification, authentication or other alternatives to execution or attestation to prove or establish such transactions)". It is intended to use this authority to provide for paper mortgages following the same pattern as electronic mortgages, that is, lodged with an execution by the mortgagee only and a certification that the mortgagee holds a mortgage from the mortgagor on the same terms and conditions as the mortgage being lodged.</p> <p><b>SA:</b> <a href="http://www.sa.gov.au/topics/property-and-land/land-and-property-development/conveyancing-and-surveying-professionals/national-electronic-conveyancing">http://www.sa.gov.au/topics/property-and-land/land-and-property-development/conveyancing-and-surveying-professionals/national-electronic-conveyancing</a>.</p> <p><b>Vic:</b> See Registrar's Requirements for Paper Conveyancing. Implementation will be aligned with implementation of the NMF however if a mortgagee wants to implement prior to this we are happy to discuss this with them.</p> <p><b>WA:</b> Further impact assessments need to be carried out by Landgate to enable a policy position that will guide the implementation plan for this capability. Current planning suggests that Landgate's legislative program of work in 2017 will consider, amongst other things, the relevant legislative changes to support the Mortgagee only signing.</p>

#	Reference	Industry Feedback	Action Taken and Commentary
19	Electronic acceptance	The tables on pages 6 and 58 suggest that digital signing of the mortgage by the mortgagor will be available in all jurisdictions (other than ACT and NT) by the implementation date for the NMF. Is this allowed under current legislation, or is it only being considered at this time? It would be helpful to know what is the current status of the relevant State and Territory legislation which is intended to allow electronic acceptance by the mortgagor.	You need to assure yourself that you have a valid (in the relevant jurisdiction) mortgage granted by the mortgagor. The following is a list of jurisdictions, and their positions: <b>ACT:</b> N/A <b>NSW:</b> Legislation is in place; Conveyancing Rules need to be updated; Currently planned to be implemented with the National Mortgage. <b>NT:</b> Will try to align with other jurisdictions <b>QLD:</b> Nothing prevents this - FI to assure themselves they have a valid mortgage granted by the mortgagor. <b>SA:</b> Nothing prevents this - FI to assure themselves they have a valid mortgage granted by the mortgagor. <b>TAS:</b> Specification has been re-worded as TAS will not be implemented within PEXA by May 2017. <b>VIC:</b> Nothing prevents this - FI to assure themselves they have a valid mortgage granted by the mortgagor. <b>WA:</b> Current planning suggests that Landgate's legislative program of work in 2017 will consider, amongst other things, the relevant legislative changes to support electronic acceptance of a Mortgage.
20	Changes to existing Victorian Mortgage certifications	As part of Victoria's alignment of paper and electronic mortgages, new certifications were required for paper mortgages, although legislation was implemented allowing existing mortgagee signing clauses to be used until 3 April 2017. Given that the NMF will not be implemented before that date, do the banks need to change the certifications on the existing Victorian mortgage, or will Victoria change its legislation?	Victoria will align with the introduction of the NMF
21	Duplex or single sided printing	Concerns have been raised within the bank about the ability of a third party printer provider to easily issue the NMF printed as a single sided document. Duplex printing is OK, but experience has shown that due to software issues, printing in simplex requires changes to the specifications of the document to identify page breaks and insert a blank page to create a simplex style document. As such the question being asked is whether all States could adopt	No, most jurisdiction have high speed scanners that will only process single sided documents. Specification has been changed such that all jurisdictions now require single sided printing.
22	Overall Style Requirements	Page 9-10 WA is the only state with double-sided printing. Is there a way for WA to align print settings to be the same as the other States?	Changed to Single Sided printing throughout
23	Overall Style Requirements	Page 9-10 Should version be stated as "n.n" instead of "nn"?	Specification updated
24	Lodger Details	Page 12 Field rule variations across jurisdictions are significant for all fields in this section - can jurisdictions be streamlined to a standard per field/character lengths and parameters? i.e. a maximum across all. <i>What will occur if data is greater than 1 jurisdiction's maximum, will this be rejected?</i>	Most lodgers will not need to enter anything other than the lodger code, so the variations in the other fields are not relevant. The variations will be relevant for those lodgers that only operate in one jurisdiction, where they can choose the length for that jurisdiction. Lodgers in multiple jurisdictions can choose a suitable maximum that fits all jurisdictions.
25	Lodger Details - Lodger Code	Page 12 1. Can further alignment across jurisdictions be achieved? Can a standard minimum or maximum field length/field type, or standard character requirement be agreed across all States? <i>2. Is this field case sensitive?</i>	1. No alignment possible, you will need to use the lodger code provided by the relevant land registry. 2. If the jurisdiction that issued the Lodger code indicated that it was case sensitive when it was issued, then you should assume that it is.
26	Lodger Details - Name	Page 12 1. Can the maximum number of characters be used/agreed as a standard across all jurisdictions? 2. Can 1 field be used for all name types (i.e. First Name, Middle Name, Family Name) for all jurisdictions with an overall name field limit? 3. Is there a particular format that needs to be followed? Given Name followed by Family Name? 4. Will there be a future plan to have all lodgers to have a lodger code to avoid individual data	No, most lodgers will not need to enter anything other than the lodger code, so the variations in the other fields are not relevant, as the name will not need to be entered. The variations will be relevant for those lodgers that don't have a lodger code and only operate in one jurisdiction, where they can choose the length for that jurisdiction. Lodgers in multiple jurisdictions can choose a suitable maximum that fits all jurisdictions
27	Lodger Details - Address	Page 13 Lodger Details: Street Address: not aligned to Mortgagor/Mortgagee Address requirements (page36/45) - WA requires Aust Post layout standard, others max 3-4 lines text. Address format alignment required.	Most lodgers will not need to enter anything other than the lodger code, so the variations in the other fields are not relevant, as the address will not need to be entered. The variations will be relevant for those lodgers that don't have a lodger code and only operate in one jurisdiction, where they can choose the length for that jurisdiction.
28	Lodger Details - Address	Page 13 1. What is the rationale (what need is being met) by certain states having specific character spacing limitations (contrasting NT which has no restrictions)? 2. Can we utilise an Australia Post standard and source list across all address requirements? 3. Is PO Box address accepted? or physical address is always required? 4. 40 characters for QLD, ACT and VIC does not seem sufficient. What if the address exceeds beyond 40 Characters ? 5. The Post Code as part of the address, should it be updated with the State or just the Post Code ?	Most lodgers will not need to enter anything other than the lodger code, so the variations in the other fields are not relevant, as the address will not need to be entered. The variations will be relevant for those lodgers that don't have a lodger code and only operate in one jurisdiction, where they can choose the length for that jurisdiction.
29	Lodger Details - Address	Page 13 Is the form rejected if the address is invalid?	Most jurisdictions do not validate addresses, so the invalid address would only become apparent in the case where it had to be used.

#	Reference	Industry Feedback	Action Taken and Commentary
30	Lodger Details - Lodger Box	Page 13 Can this field be aligned across jurisdictions or must be jurisdictional based unique value?	No, this cannot be aligned - it is based on the physical boxes in the Land Registries
31	Lodger Details - Phone	Page 14 1. Can further alignment across jurisdictions be achieved? Can a standard minimum or maximum field length/field type, or standard character requirement be agreed across all States? 2. Why do we need to cater for outside of Australia phone numbers when only Australian lodging agents/companies can lodge a property? Can we reduce the field restrictions to Australian maximum only and align across all jurisdictions? 3. Can this be any type of phone number? are alphanumeric characters permissible? 4. What is the format of Phone Number ? Will the Country Code be included? (i.e. Country Code + Local Code + Phone Number) 5. Can this be a mobile number? Is there any requirement for landlines only? Is there any risk	Most lodgers will not need to enter anything other than the lodger code, so the variations in the other fields are not relevant, as the phone number will not need to be entered. The variations will be relevant for those lodgers that don't have a lodger code and only operate in one jurisdiction, where they can choose the length for that jurisdiction.
32	Lodger Details - Email	Page 14 1. Requirement is blank for ACT, NSW, NT, SA & TAS. Are there set rules for these states? QLD and VIC vary. (Qld 80 max, VIC 100 max). Can a standard across all states be set as a maximum or minimum requirement for this field? 2. Is it Upper case or Lower case? According to the General Rules for the Lodger details panel the font must be upper case , but all examples have email in lowercase. Please clarify.	Other jurisdictions do not allow email addresses. Format is case sensitive (both upper and lower are allowed) Specification updated
33	Lodger Details - Reference	Page 15 1. No restrictions: ACT, QLD, SA. Other jurisdictions range from max 25-30-60-250-255 characters. Can a standard across all states be set as a maximum requirement for this field? 2. Are all special characters allowed in the reference field ? 3. If these cannot be aligned, what happens we a state does exceed the maximum for their jurisdiction, is this rejected?	1. Feel free to restrict your reference numbers to a length allowed in all jurisdictions. Some mortgagees only operate in a limited set of jurisdictions, so the jurisdictional requirements are given for their benefit. 2. Qld will allow any characters 3. Suggest that lodgers that operate in multiple jurisdictions restrict their references such that they will suit all jurisdictions (i.e. choose the smallest as your maximum).
34	Lodger Details - Reference	Page 15 Position of Reference must be 10.4 from left edge of the Lodger Details Panel, but in the examples it seems to be 10.4 +0.65	The 10.4 measurement is from the edge of the panel, not the edge of the page. The panel is indented 0.65cm from the edge of the page.
35	For Office Use Only	Page 15 1. Does this need so much space? Can it be modified? Other fields in this section may need more character space (Name fields, Addresses, etc) which will wrap around to fit this box.	1. Yes, this amount of space is required. Other fields can wrap onto extra lines.
		2. Do all LTO offices use bar codes? Do LTO offices use bar codes on every occasion? What else is this box used for?	2. All LTO's use some means to add the dealing numbers etc to the form at or after lodgement.
		3. Can this be relocated to the header level of the form / away from the Lodger details as these will not always fit side by side.	3. No. This is currently how most forms operate and it has not been an issue. For the majority of mortgages, only the lodger code will be entered.
		4. Currently only used by TAS, WA, NSW potentially)	4. Qld also use this panel for barcode and lodgement details
36	Mandatory Items	Page 15 Where Lodger Code is not known it has been listed that no items are individually mandatory. The combination of details must "suitably identify" the lodger of the mortgage. When we say "Suitably identify" , this is ambiguous and might have different meanings in different jurisdictions.	No, all fields are not necessarily mandatory (e.g. a lodger might not want contact by phone). The requirement is that the LR must be able to identify the lodger and be able to contact them if necessary. This is current practice and has not been an issue.
37	Duty Details (NSW only)	Page 19 1. NSW only require this field. Can we hide/omit this section for other jurisdictions? 2. Has NSW Mortgage Stamp Duty been abolish as of 1st July 2016, therefore this section is no longer required? Understanding is this has been 'abolished'/waived for all mortgages whose purpose was to purchase or improve real estate. Borrowers sign a 'Stamp Duty Waiver' Stat Dec when this is the case. When the loan was for other purposes, this is when the Mortgage Stamp Duty applied. Need to clarify if this has changed or will be changing in the short term. 3. Is it correct to assume that the Transaction ID field is numeric? Is there a limit to the	Panel no longer required - has been removed from the specification
38	Duty Details (NSW only)	Page 19 The right side of the panel is to be left blank for the "duty stamp". Clarification required if the height of this panel is determined by the size of the Duty Stamp?	Panel no longer required - has been removed from the specification
39	Duty Details (NSW only)	Page 19 Since this panel appears only for NSW, do we need to explicitly state in the Panel Label- " ( NSW Only ) " ? Or ensure this is omitted from others and thus stating NSW only would not be beneficial.	Panel no longer required - has been removed from the specification

#	Reference	Industry Feedback	Action Taken and Commentary
40	Estate and/or interest being mortgaged	<p>Page 22</p> <p>Can the values options be aligned across all jurisdictions? Standard selection list or free text option?</p> <p>TAS / VIC are unique listings and no free text option.</p> <p>Other states will now have a "Free Text" which allows more than only "Fee Simple" loans to be supported by the form. More flexibility is currently required to cater for Leasehold, etc thus this is supported.</p> <p>- Is there an issue if a value is added that is not expected? I.e. Leasehold for a state which does not support this option?</p>	<p>No, different jurisdictions allow different interests to be mortgaged using a standard mortgage form.</p> <p>The mortgagee should know what the mortgage is over and not try to mortgage an interest that is not allowed in a jurisdiction.</p> <p>The examples show why a standard listing is not available in some (most) jurisdictions.</p>
41	Estate and/or interest being mortgaged	<p>Page 22</p> <p>Is Free text allowed along with FEE SIMPLE option?</p>	<p>Yes, although it then becomes free text (which happens to contain the text "FEE SIMPLE") and not just FEE SIMPLE, e.g. FEE SIMPLE FOR THE INTEREST OF JOHN CITIZEN</p>
42	Estate and/or interest being mortgaged	<p>Page 22</p> <p>In the graphical representation of this field, there are two rows for data field. Does that imply that only two lines are acceptable?</p> <p>- What is the maximum length of a free text field?</p>	<p>Free text allows enough text to describe the interest being mortgaged. More than 2 lines can be used if required.</p>
43	Estate and/or interest being mortgaged	<p>Page 22</p> <p>Are special characters allowed in Free Text?</p>	<p>If they are required to describe the interest</p>
44	Land Title Reference	<p>Page 26</p> <p>For Victoria, leading zeros do not need to be entered, is this consistent for all other jurisdictions?</p>	<p>Specification has been updated with examples. Vic require leading zeros for Folio. No other jurisdiction requires leading zeros.</p>
45	Land Description	<p>Page 28-31</p> <p>1. SA / TAS rules are blank - does this mean no restrictions or these are still to be provided?</p> <p>2. Can ACT be streamlined for consistency and reduction of complexity in rules in the form? If "Part Land Affected?" is "Y" for any, then this is mandatory, option if Land Indicator is blank.</p>	<p>1. SA/TAS rules added.</p> <p>2. ACT rules cannot be changed - they do not allow part land. However, since they do not allow part land, the rule is effectively the same as the others (i.e. only "Y" if part of the land is being mortgaged). QLD always requires the land description to be specified, regardless of the value of the part land indicator.</p>
46	Land Description	<p>Page 28-31</p> <p>For NSW, Part Lots being mortgaged - only acceptable with 1 lender, not 2 lenders. Does the same standard apply to all states?</p>	<p>NSW - Part being whole of a lot in an auto-consol is acceptable with one lender or more. Tenancy and shares will apply. This also apply to whole of the land and is not common with FIs. A mortgage of part is not acceptable unless it referred to a new lot in an unregistered plan.</p>
47	Land Description	<p>Page 33</p> <p>WA specific example at the bottom of this page - what is the rule on vertical text alignment? The 'Land Description' relating to Land Title Reference "2431-67" goes over 3 lines.</p>	<p>Preferred vertical alignment is for the fields to be top justified (i.e. not centre justified as in the last WA example shown).</p>
48	Mortgagor - Given Name(s) / Family Name / Name	<p>Page 34</p> <p>1. Can further alignment across jurisdictions be achieved? Can a standard minimum or maximum field length/field type, or standard character requirement be agreed across all States?</p> <p>2. Is there a particular format that needs to be followed ? Given Name followed by Family Name?</p> <p>3. Can the max length be set for the combination of Given / Family names to enable to cater for both single names and long multiple names? This will algin all jurisdictions. Remove</p>	<p>1. Feel free to restrict your reference numbers to a length allowed in all jurisdictions. Some mortgagees only operate in a limited set of jurisdictions, so the jurisdictional requirements are given for their benefit.</p> <p>2. The given names and family name are on separate lines, so no format is needed.</p> <p>3. See answer to 1. above</p>
49	Mortgagor - Address	<p>Page 36</p> <p>1. As this is from a static listing, who maintains the listing over time? What happens if an address is added which does not match the listing as the listing will not be the source in our systems. Will this be rejected?</p> <p>2. What happens if the address is just in 1 line and not in layout of data as requested, will the form be rejected?</p> <p>3. Not required for NSW, QLD and VIC, can alignment across jurisdictions be achieved?</p> <p>4. WA / TAS rules are blank - does this mean no restrictions or these are still to be provided?</p>	<p>1. Don't understand the question - what is a static listing?</p> <p>2. Adresses must be in the specified format</p> <p>3. No, some jurisdictions are not allowed to collect addresses.</p> <p>4. WA/TAS rules updated</p>
50	Mortgagor - Address	<p>Page 36</p> <p>Is the form rejected if the address is invalid?</p>	<p>Few jurisdictions validate addresses. Those that do may requisition a document if the information on it is incorrect.</p>
51	Mortgagor - Capacity	<p>Page 38</p> <p>TAS rules are blank - does this mean no restrictions or these are still to be provided?</p>	<p>TAS rules updated</p>
52	Mortgagor - Capacity	<p>Page 38</p> <p>Can this field not be aligned across jurisdictions?</p>	<p>No, not all jurisdictions record the capacity on the Register</p>
53	Mortgagor - Capacity	<p>Page 38</p> <p>Specification advises no allows for NT, but examples show this as being utilised for a trustee of a company (p38/39). Please clarify.</p>	<p>Specification updated to allow free text for NT</p>

#	Reference	Industry Feedback	Action Taken and Commentary
54	Mortgagor - Capacity	Page 38 Specification advises a set value listing for WA, but examples show free text in this field being utilised for a trustee of a company (p41/42). Please clarify. Is this a free text field, but only these options are allow, plus additional text is allowed? Is there a maximum characters <i>allows such as SA (max 250)?</i>	Specification updated to state that the field is free text to describe one of 3 circumstances.
55	Mortgagee - Given Name(s) / Family Name / Name	Page 42-44 1. Can further alignment across jurisdictions be achieved? Can a standard minimum or maximum field length/field type, or standard character requirement be agreed across all States? 2. Is there a particular format that needs to be followed ? Given Name followed by Family Name? 3. Can the max length be set for the combination of Given / Family names to enable to cater for both single names and long multiple names? This will algin all jurisdictions. Remove	1. Feel free to restrict your reference numbers to a length allowed in all jurisdictions. Some mortgagees only operate in a limited set of jurisdictions, so the jurisdictional requirements are given for their benefit. 2. The given names and family name are on separate lines, so no format is needed. 3. See answer to 1. above
56	Mortgagee - Tenancy	Page 44 1. QLD requires unique "inter-se" wording for mixed tenancies. Is there a way to stream line with other states? 2. Does the text "Tenancy (inc. share )" need to appear in the Mortgagee panel in the scenario where there is only one Mortgagee? 3. Is this a free text field or a preset listing to reduce variations? <i>This is currently not used in some jurisdictions.</i>	1. inter-se is required under QLD legislation 2. No, tenancy heading is not required if there is only one mortgagee 3. The values described in the specification are the required values
57	Mortgagee - ABN/ARBN	Page 45 1. ABN is currently also an option, is this no longer accepted and only ACN or ARBN? 2. Can the field name not be ABN/ARBN, instead of needing to change per which is provided? This is a standard for Financial Institutions.	ACNs (or ARBNs) are required to indicate that an entity is legally allowed to hold an interest in land. If ACNs are abolished, another way to achieve this will be needed.
58	Mortgagee - Address	Page 45-46 1. As this is from a static listing, who maintains the listing over time? 2. What happens if the address is just in 1 line and not in layout of data as requested, will form be rejected? 3. Not required for NSW, QLD and VIC, can alignment across jurisdictions be achieved? 4. WA / TAS rules are blank - does this mean no restrictions or these are still to be provided?	1. Don't understand the question - what is a static listing? 2. Addresses must be in the specified format 3. No, some jurisdictions are not allowed to collect addresses. 4. WA/TAS rules updated
59	Mortgagee - Address	Page 45-46 Is the form rejected if the address is invalid?	Few jurisdictions validate addresses. Those that do may requisition a document if the information on it is incorrect.
60	Mortgagee - Capacity	Page 47 WA / TAS rules are blank - does this mean no restrictions or these are still to be provided?	TAS rules updated WA rules updated
61	Mortgagee - Capacity	Page 47 Can this field not be aligned across jurisdictions? This is not used for most jurisdictions.	No, not all jurisdictions record the capacity on the Register. Those that do record the capacity require it to be stated.
62	Mortgagee - Capacity	Page 47-50 Specification advises a set value listing for QLD, but examples show free text in this field being utilised for a trustee of a company (p50). Please clarify. Is this a free text field, but only these options are allow, plus additional text is allowed? Is there a maximum characters allows, such	Specification updated. No limit on free text - sufficient to specify capacity.
63	Operative words and Terms and Conditions	Page 54-56 1. For NSW, confirm character format (alpha/numeric/alphanumeric) 2. <u>In terms of character limits and character tvoe. can alignment across jurisdictions be</u>	1. specification changed to be alphanumeric. Must be a NSW dealing number, so the format will be that of a dealing number 2. Feel free to set a limit that will be applicable in all jurisdictions. Some mortgagees only operate in one jurisdiction, so the individual limits are <u>useful for them.</u>
64	Mortgagor Certifications	Page 61 1. "The following rules apply to the Mortgagee Certifications:" Clarification if this is a typo-error and is meant to read "Mortagor" (and not mortgagee) 2. This only applies to NSW, is there a way to streamline with other states? 3. Is the Certification text alignment: left or right aligned? Or justified?	1. yes, updated. 2. no, NSW require this certification on paper mortgages lodged with the Land Registry 3. Left aligned - specification updated
65	Mortgagee Certifications	Page 61 Is the Certification text alignment: left or right aligned? Or justified?	Left aligned - specification updated
66	Mortgagor Witness Details	Page 66 Rules: The variation of the naming of this field across jurisdictions varies from Address, Contact . . ., Qualifications, and more. Can this Rule be a consistent reference across all	No, a standard description does not give the witness enough information to complete the form.
67	Mortgagor - Execution Date	Page 71-72 What is the date format to be used? (i.e. DD/MM/YYYY)	Not specified - it is likely to be hand written at the time the mortgage is signed.

#	Reference	Industry Feedback	Action Taken and Commentary
68	Mortgagor - Execution Date	Page 71-72 Examples shows only 1 Executed Date for all Mortgagor parties. Please confirm if the Execution Date applies once to the whole Mortgagor Execution panel or if it applies to each and every borrower?	Each mortgagor enters an execution date. Where a single mortgagor requires multiple signatories, only one date is required.  Most examples show multiple signatories for a single mortgagor. See QLD example of individual mortgagor signed by two attorneys for example of multiple dates.
69	Mortgagee Witness Executions	Page 82-83 Not required for SA / VIC. Variable for QLD/NT if a company. Not required for all other jurisdictions. Other jurisdiction requirements are not specified. Please clarify other states requirements. Can alignment across jurisdictions be achieved?	No, the witnessing requirements are in alignment with legislation
70	Mortgagee Signature Details	Page 87-89 Signer Organisation does not include ACN/ARBN. Please confirm if this is required?	Not required- the ACN?ARBN is given in the mortgagee panel, it does not need to be repeated in the execution.
71	Mortgagee - Execution Date	Page 92 What is the date format to be used? (i.e. DD/MM/YYYY)	Not specified - it is likely to be hand written at the time the mortgage is signed.
72	Mortgagee - Execution Date	Page 92 Please clarify if the Execution Date applies once to the whole Mortgagee Execution panel or if it applies to each and every mortgagee?	Each mortgagee enters an execution date. Where a single mortgagee requires multiple signatories, only one date is required.  Examples show multiple signatories for a single mortgagee.
73	Jurisdiction Specific Information Sheets - VIC	Page 101 No information sheet stated about VIC. Does this mean it's confirmed by VIC that no information sheet required or these are still to be confirmed with VIC?	No information sheet is required for Vic. This is stated at the top of the section, but a specific section has been added for Vic, stating that no information sheet is required.
74	Jurisdiction Specific Information Sheets - ACT	Page 101 Once available, please provide information sheet	Information sheet added
75	Jurisdiction Specific Information Sheets - NT	Page 103 Once available, please provide information sheet	Information sheet added
76	Other forms	Confirmation that other mortgage forms (caveats, consents, withdrawal of caveats, discharges, etc are all out of scope for updating and aligning to the new national form layout	Specification format only applies to the Mortgage, not other Land Registry forms
77		How strict will land registries be on the margins?	Fairly strict as some jurisdictions perform OCR based on panel areas.
78		There are defined lists for a number of the address fields. Are these absolutely critical and is there any possibility for abbreviations?	The lists comply with the Australian Standard
79		There are a number of blank fields throughout the document. Does this mean there are no restrictions or they are TBA? Note that there are a number of instances where the words "No restrictions" or "No limit" are used. Examples of blank fields below: * Pg. 14 - Email - ACT, NSW,NT,SA,TAS & WA are blank * Pg. 29 - Jurisdictional Restrictions - SA & TAS blank * Pg. 37 - Jurisdictional Restrictions - SA & WA blank * Pg. 38 - Jurisdictional Restrictions - TAS blank * Pg. 46 - Jurisdictional Restrictions - TAS blank * Pg. 47 - Jurisdictional Restrictions - WA & TAS blank	Fields Updated
80		Alignment of field level restrictions across all jurisdictions will enable one national form template to be implemented a. With the current level of jurisdictional variations for all name, address, phone, reference, lodger details, estate / interest, capacity, tenancy, witness rules. etc this will prohibit a national standard and still require us to maintain separate templates per	Feel free to restrict your field lengths to a length allowed in all jurisdictions. Some mortgagees only operate in a limited set of jurisdictions, so the jurisdictional requirements are given for their benefit.
81		Confirmation of NSW Stamp Duty removal will allow us to remove this panel for consistency	Panel removed from specification
82		The lodger details office use only box needs to be reconsidered for national purpose and placement	Panel is in the most appropriate position to meet all jurisdictional requirements
83		Alignment of execution requirements to reduce complexity (Understand the Legislative challenges in this respect)	This is likely to take place over time as jurisdictions continue to work together on National consistency issues
84		Missing specification requirements to be provided for completeness	Fields Updated
85		Confirmation from ARNECC as to their scope of the change (confirm from them this is for the Mortgage lodgement form only)	Correct - this is only for the paper form that is lodged with the Land Registry
86		Alignment of printing standards	Single Sided now standard throughout

#	Reference	Industry Feedback	Action Taken and Commentary
87		Timeline for updating smart form on ARNECC website to align with recent version of the specification	Smart form will be available well prior to the introduction of the NMF. The release will allow time for testing organisation implementations against the smartform output. Current target for Release of the smartform is September 2016.
88		Plan for updating Mortgage templates on LTO websites	All LTO websites will reference the smartform on the ARNECC website
89		How are Old System securities covered under the NMF	Very little of this left in any jurisdiction. Generally, this will need to be "converted" to Torrens Title before the mortgage can be lodged.
90	Scope confirmation	Can you please confirm if the Mortgage form signing Annexures will also be updated or out of scope? There is 1 per state	No Annexures will be needed - form "expands" over multiple pages to hold all mortgagors, mortgagees, additional terms etc.
91	Overall Style Requirements -Mortgage Form version	Page 9-10 Jurisdiction logos – will then no longer be required by the LTOs on the forms?	Jurisdictional logos no longer required - this is a national form
92	Overall Style Requirements -Mortgage Form version	Page 9-10 Where will the Approval to print number ("License") be located on the new form so that Banks can have a printable approved version or will this be no longer be required as long as the printed version meets the specifications?	No license to print number is required
93	Overall Style Requirements -Mortgage Form version	Page 9-10 Will these be a new form ID number, one for all jurisdictions? Which will replace the current ID numbers such as M1A, 2, 21, M1, 05M, 026-M, 33711111R)	The form ID will be "Mortgage Form"
94	Overall Style Requirements -Mortgage Form version	Page 9-10 Instead of asking for WA to remove the duplicated printing requirement, suggest to remove any printing restrictions and accept the forms in single or duplex as this should not a hindrance. Also, printing versions will be transitioned to electronic for WA in the future, therefore this seems irrelevant.	Single sided printing is mandatory in all jurisdictions. Most use high speed scanners that only process single sided documents.
95	Overall Style Requirements -Mortgage Form version	Page 13 WA form has just incorporated the VOI into the form. Has this now been removed again? Or will this be included for all jurisdictions?	Yes its has been removed. It is WA's preference is for all mortgages to be lodged electronically where in these cases the VOI certification from the MPR will be applied at the time of signing. A VOI certification that does not form part of the Mortgage Form will be required to be lodged with the Mortgage when lodged through the paper channel.
96		Page 13 TAS currently do not allow an approval to print therefore we have to use the TAS LTO site. Will this be changing?	TAS phased out approval to print as we moved towards the NMF. Some larger FIs still have a current approval to print form which the Recorder has approved for their use up to date NMF is implemented.
97	Section Requirements - Lodger Box	Page 13 Is the "M" reference to identify the form as a Mortgage form for indexing and LTO receipt no longer required?	No, the "M" is no longer required.
98	Mortgagee	Page 42-50 Is the "MW" reference on the NSW form no longer required?	No, the "MW" is no longer required in the mortgagee section.
99	Lodger Details - Address	Page 13 All addresses should be set to a maximum across all states for consistency. Highest Max is 4 lines/ 200 characters. All should be aligned to this, not the minimum as that impacts customers with more flexibility currently. Most meet address needs. Require 200 to meet standards on part 36. Remove set listings as these cannot be maintained.	Most lodgers will have a lodger code, and will therefore not need to enter the address. Those lodgers that do not have a lodger code can use whatever address format fits within the parameters of all the jurisdictions they lodge in. There are no "set listings" for the lodger address - all addressees for the lodger are free text.
100	Mortgagor Address	Page 36 Align to Lodger Details address standard for consistency. Require 200 to meet standards on part 36. Remove set listings as these cannot be maintained.	Cannot align to the lodger address, as those jurisdictions that require addresses for the mortgagor want structured addresses. 200 characters is the smallest maximum of the jurisdictions that require an address, so feel free to use this if you lodge in all jurisdictions. If a mortgagee only operates in a subset of jurisdictions, they can use whichever maximum is appropriate for the jurisdictions they operate in.
101	Mortgagee Address	Pages 45 Align to Lodger Details and Mortgagor address standard for consistency. Require 200 to meet standards on part 36. Remove set listings as these cannot be maintained.	Cannot align to the lodger address, as those jurisdictions that require addresses for the mortgagee want structured addresses. 200 characters is the smallest maximum of the jurisdictions that require an address, so feel free to use this if you lodge in all jurisdictions. If a mortgagee only operates in a subset of jurisdictions, they can use whichever maximum is appropriate for the jurisdictions they operate in.
102	Operative words & Terms & Conditions - Jurisdictional Requirements	Page 54 MCP reference standards are changing for some states, causing an impact on current system and IDs. Clarification why this is occurring and if this is final: A. SA must be 9 – currently 8 (i.e. 11431246) B. TAS must be 9 – currently 4 (i.e. M413) C. NSW must be 8 - currently 9 for WBC BLO (3 alpha, 6 numeric) AG439907V	SA - maximum of 9 characters (8 characters with optional alpha suffix). Spec updated. TAS - maximum of 9 characters. Spec updated. NSW - The last alpha is a check digit and is not needed.

#	Reference	Industry Feedback	Action Taken and Commentary
103	Execution Requirements - Matrix	Page 58 Scenario 1 signing rights have changed from current practise for WBC (therefore assume to be the same across all brands if this is the current LTO execution requirements): - ACT (currently Mortgagor & Mortgagee, ARNECC state only Mortgagor required moving forward) - SA (currently only Mortgagor, now ARNECC state Mortgagor & Mortgagee moving forward)	The ACT are changing their practices.  SA will no longer allow scenario 1 - this has been removed from the specification for SA.
104	Mortgagor Execution Panel	Page 59 States "in the "paper lodge" case, described in the execution requirements introduction this panel is not visible" (see image to the right). Why would the Mortgagor Execution panel be hidden in all paper lodgement versions (i.e. Scenario 1)?	"Paper lodge" refers to scenarios 1A and 3. "Full Paper" refers to scenario 1. Scenarios 1A and 3 never require a mortgagor execution panel.
105	Existing "Instructions / notes" - removed in new form	WA - "Instructions / notes": - Is this to be covered in the T&Cs section moving forward?	WA's preference is for nearly all mortgages to be electronically and therefore sees no need for instructions/notes on the NMF.
106	Existing "Instruct" box removed in new form	WA - "Instruct if any documents are to issue to other than lodging party box" - where will these instructions reside in the new form? This should be a standard across jurisdictions.	WA is in the process of abolishing duplicate CT's negating the need for this panel on the NMF.
107	Existing Declaration Box removed in new form	WA - "Titles, Leases, Declarations, etc Lodged Herewith" - declaration box - this is not covered. Is this to be removed and covered in a separate document / cover sheet moving forward?	As above
108	Existing Terms and Conditions removed in new form	WA - "Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 . . ." clause will need to be covered in new T&C's section. Confirm this is correct?	WA is of the contention that the Operative words and Terms and Conditions (page 53) can cater for this if required. That is the Terms and Conditions field is free text up to 4000 characters.
109	Office Use Only box removed in new form	WA - Examined box is not catered for on the new form. ACT - Office use only section is not catered for on the new form. - Will these details be covered by the Office Use Only box on the new form?	WA - new form office use only box will be used. ACT - Will try to use the new form - further review may be needed.
110	Header / Location removed in new form	WA - header note includes location, if mortgage is for "Cocos (Keeling) Islands" or "Christmas Island", will this be possible to state somewhere on the new form template. - Can we still reference this into the heading? - Alternatively, can we note on the form somewhere this land type? If so, where?	Mortgages for "Cocos (Keeling) Islands" or "Christmas Island" are not catered for in the NMF.
111	Prior Encumbrance removed in new form	NMF does not have any provision for prior encumbrances. Confirmation this is not applicable for any jurisdiction moving forward. - SA: Prior remaining encumbrances are required to be shown on Mortgage. (Notice To Lodging Parties 181 dated 15/12/2015 states this is no longer required and to be removed.) - Other states this is not required	This is confirmed - no jurisdictions require prior encumbrances to be listed on the new form.
112	Lodgement Fee Alignment Not covered	Mortgage lodgement fee is variable per jurisdiction. Assumed this would also be streamlined with the NMF? There is no reference of this being reviewed. Please confirm if this is to be included as an alignment for the NMF project and what the aligned fee will be an outcome.	No changes to lodgement fees are proposed at this stage. Fees are defined on a jurisdictional basis according to legislation and regulations. There are no plans at this stage to align lodgement fees nationally.