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Verification of Identity

Registrar-General

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Verification of Identity

The Registrar-General’s Verification of Identity Requirements provides a framework for legal practitioners, conveyancers or mortgagees to take reasonable steps to verify the identity of a party to a conveyancing transaction. The purpose of carrying out verification of identity (VOI) is to reduce the risk of identity fraud and the registration of fraudulent land transactions. VOI of Clients and mortgagors is considered to be part of the due diligence required of conveyancing professionals.

A standard for undertaking VOI in electronic conveyancing transactions is set out in the **[South Australian Participation Rules](https://www.landservices.com.au/businesses-and-property-industry-professionals/registrar-general/statutory-instruments/participation-rules)** (<https://www.landservices.com.au/businesses-and-property-industry-professionals/registrar-general/statutory-instruments/participation-rules>). This will apply to all conveyancing transactions that are conducted by a Subscriber to and Electronic Lodgement Network Operator (ELNO) and lodged with the land registry electronically.

For those paper conveyancing transactions that fall outside the scope of electronic lodgement through an ELNO, the requirements for VOI are specified in the current Registrar-General’s verification of Identity Requirements below.

Current Version

VERSION	EFFECTIVE
<p><u>Registrar-General’s Verification of Identity Requirements</u> <u>Version 8</u> <u>https://www.landservices.com.au/_data/assets/pdf_file/0023/6593/Verification-of-Identity-Requirements-Version-8.pdf</u></p>	<p>Effective from 12 April 2021</p>

Prior Versions

VERSION	EFFECTIVE
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Registrar-General's Verification of Identity Requirements
 (https://www.landservices.com.au/_data/assets/pdf_file/0022/6097/Verification-of-Identity-Requirements-Version-7.pdf)

Version 7

(https://www.landservices.com.au/_data/assets/pdf_file/0022/6097/Verification-of-Identity-Requirements-Version-7.pdf)

Effective
 from 10
 August
 2020
 to 11
 April
 2021

Registrar-General's Verification of Identity Requirements
 (https://www.landservices.com.au/_data/assets/pdf_file/0021/5862/Verification-of-Identity-Requirements-Version-6.pdf)

Version 6

(https://www.landservices.com.au/_data/assets/pdf_file/0021/5862/Verification-of-Identity-Requirements-Version-6.pdf)

Effective
 from 9
 April
 2020
 to 09
 August
 2020

Registrar-General's Verification of Identity Requirements
 (https://www.landservices.com.au/_data/assets/pdf_file/0026/4958/Verification-of-Identity-Version-5.pdf)

Version 5

(https://www.landservices.com.au/_data/assets/pdf_file/0026/4958/Verification-of-Identity-Version-5.pdf)

Effective
 from 13
 June
 2019
 to 8
 April
 2020

Registrar-General's Verification of Identity Requirements

Version 4

(https://www.landservices.com.au/_data/assets/pdf_file/0017/3167/Verification-of-Identity-Version-4.pdf)

Effective
 27 May
 2017
 to 12
 June
 2019

Registrar-General's Verification of Identity Requirements

Version 3

(https://www.landservices.com.au/_data/assets/pdf_file/0016/3166/Verification-of-Identity-Version-3.pdf)

Effective
 4 July
 2016
 to 26
 May
 2017

Registrar-General's Verification of Identity Requirements

Version 2

(https://www.landservices.com.au/_data/assets/pdf_file/0015/3165/Verification-of-Identity-Version-2.pdf)

Effective
 1
 February
 2016
 to 3 July
 2016

Registrar-General's Verification of Identity Requirements
 (https://www.landservices.com.au/_data/assets/pdf_file/0014/3164/Verification-of-Identity-Version-1.pdf)
Version 1
 (https://www.landservices.com.au/_data/assets/pdf_file/0014/3164/Verification-of-Identity-Version-1.pdf)

Effective
 27 April
 2015
 to 31
 January
 2016

Who is Responsible for Verifying Identity

Under the Registrar-General's Verification of Identity Requirements the following parties are responsible for verifying identity:-

Legal practitioners and conveyancers are responsible for verifying the identity of their clients

Mortgagees, lenders or their representatives are responsible for verifying the identity of the mortgagor or borrower

Self-represented parties

(https://www.landservices.com.au/_data/assets/pdf_file/0014/3245/Verification-of-Identity-Requirements-for-Self-Represented-Parties_Guidance-Note.pdf) are responsible for ensuring their own identity is verified by an independent authorised person - eg Justice of the Peace, proclaimed police officer

What Documents can be used as Proof of Identity

The person verifying identity should refer to the requirements for information about proof of identity and must be satisfied that the documents provided are current and authentic.

The person being identified must produce current and original proof of their identity - eg driver's licence, birth certificate or passport. Your conveyancer or solicitor can give you information on acceptable documents.

Dealings Executed Overseas

The Australian Registrars National Electronic Conveyancing Council (ARNECC) and the Department of Foreign Affairs and Trade (DFAT) have agreed to new arrangements that will be provided by an Australian Embassy, High Commission or Consulate for verifying the identity of persons overseas.

The new arrangements are for both electronic and paper conveyancing transactions and are set out in an update to ARNECC's MPR Guidance Note #2 on Verification of Identity (http://www.arnecc.gov.au/publications/mpr_guidance_notes).

These arrangements are available to both Australians and foreign nationals provided the transaction involves land in Australia. Fees for the service will apply as determined by DFAT.

Several aspects of the new arrangements are particularly important in ensuring their use is efficient for all parties, these are:

The practitioner or mortgagee making use of the arrangements must communicate and provide direction, in advance, to the person overseas regarding what original identity documents they have available for production at a consular office, and whether those documents are sufficient to have confidence in the person's identity.

In this regard, the categories of documents included in the Registrar-General's Verification of Identity Requirements provide guidance on acceptable combinations of documents.

Consular offices will not provide advice on what constitutes an acceptable verification of identity.

The practitioner or mortgagee making use of the arrangements must pre-prepare the certification and supply it in advance to the person overseas. This will then be completed by the consular office staff member who provides the service. A form for this purpose is included in the ARNECC **[MPR Guidance Note #2 on Verification of Identity](#)** (http://www.arnecc.gov.au/publications/mpr_guidance_notes).

The practitioner or mortgagee making use of the arrangements must provide the person overseas with written instructions of what they are to take to the consular office and the services they are required to obtain from the consular office.

The instructions must be taken to the consular office and provided to the consular office staff. If there is any uncertainty about what is required of the consular office, service may not be possible.

Consular Offices will not provide the certification and evidence directly to the practitioner or mortgagee as this will be handed to the person being identified. Therefore, it is essential that clear instructions be provided to the person overseas regarding the return of the completed documentation to Australia.

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