

# Guide to verification of identity (VOI)

For people not using a conveyancer or lawyer –  
non-represented parties



Land Use Victoria



Environment,  
Land, Water  
and Planning

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## Verification of identity

All parties to a conveyancing transaction must have their identity verified. When a conveyancer or lawyer represents a client, the conveyancer or lawyer is responsible for verifying their client's identity. This guide sets out the requirements of a party not represented by a conveyancer or lawyer (a non-represented party).

## Who or what is a non-represented party?

A non-represented party is a person who is required to sign a Registry instrument in a conveyancing transaction document and is not using (represented by) a conveyancer or lawyer. A party may be an individual, a company, an owners corporation, an incorporated association, a council, a government body or statutory agency.

These requirements do not apply to you if you are a borrower (mortgagor) and the lender (mortgagee) is one of the following:

- an Authorised deposit-taking Institution (ADI), which includes most banks and other large mortgage lenders
- an ELN subscriber
- represented by a conveyancer or lawyer.

In those cases, the mortgagee or their representative or agent will be responsible for verifying your identity and the mortgagee will sign and lodge the mortgage in the approved form.

Note: VOI requirements for non-represented parties do not apply if a company, council, government body or statutory agency has appointed its in-house Australian Legal Practitioner or licensed conveyancer as its representative. In those cases, the *Registrar's requirements for paper conveyancing transactions* 3.1.2(a) applies. For details of the Registrar's requirements for paper conveyancing transactions see 'Further information' at the end of this guide.

## Why is VOI required?

Formal verification of identity requirements were introduced to reduce the risks of identity fraud and fraudulent property transactions. Verification of identity also ensures that the correct person is dealing with land.

The Registrar of Titles (the Registrar) issued the *Registrar's requirements for paper conveyancing transactions*, which, among other things, formalises verification of identity requirements. Requirement 3.1.8 requires a non-represented party to have their identity verified by Australia Post. The [Registrar's requirements for paper conveyancing transactions](http://www.propertyandlandtitles.vic.gov.au/publications) are available at [www.propertyandlandtitles.vic.gov.au/publications](http://www.propertyandlandtitles.vic.gov.au/publications).

## What are the VOI requirements

VOI requirements apply to Registry instruments in paper conveyancing transactions signed on or after 1 December 2015. Each non-represented party must separately have their identity verified and their signing of a Registry instrument witnessed by Australia Post. Examples of a Registry instrument are Transfer of Land, Caveat or Withdrawal of caveat, Application by surviving proprietor, Application by a legal personal

representative as well as a range of different forms with reference to the *Subdivision Act 1988* in the heading. All these instruments may sometimes be referred to as land registry transactions.

The requirements relate to all types of paper instruments that can be lodged with the Registrar of Titles under the *Transfer of Land Act 1958*, *Subdivision Act 1988* or any other legislation.

## **An individual**

If an individual is not using a conveyancer or lawyer, and is a party to a conveyancing document, they must:

- have their identity verified by Australia Post
- at the same time have Australia Post witness their signing of any Registry instrument or other document (e.g. Transfer of land, Application by surviving proprietor or other) and where there is provision for a witness signature on the instrument or document, the Australia Post Identity Verifier will also sign that document as a witness.

## **A company**

If a company is not using a conveyancer or lawyer and it is a party to a conveyancing document, it must:

- have the identity of each signatory verified by Australia Post
- at the same time have Australia Post witness the signing of any Registry instrument (e.g. Transfer of land, Application to register plan under the *Subdivision Act 1988*, etc.)
- ensure the form of execution by the company is only one of the following involving the company's appointed officers:
  - execution using a common seal – form signed by two directors, or a director and a secretary, or a sole director and secretary, or a sole director
  - execution without using a common seal – form signed by two directors, or a director and a secretary, or a sole director and secretary, or a sole director.

If the form of execution is not as above, the company will need to seek the assistance of a conveyancer or lawyer to complete the conveyancing transaction and conduct VOI of the signatories.

A current company search of a non-represented company must be provided with the conveyancing documents when lodged at Land Use Victoria.

## **A council, government body or statutory agency**

If a council, government body or statutory agency is not using a conveyancer or lawyer and is a party to a Registry instrument, it must:

- have the identity of each signatory verified by Australia Post; and
- at the same time have the Australia Post Identity Verifier witness the signing of any Registry instrument and, where there is provision for a witness on the instrument, sign the instrument as a witness.

Signatories completing a council's, government body's or statutory agency's execution may include a person who is required to sign a conveyancing document as an officer or delegate of the transacting party; or, a person who witnesses the affixing of a council's or other body's common seal in the usual manner.

A signatory who has had their identity verified by Australia Post (as above) within the previous two years need not be re-verified provided that on any subsequent Registry instrument signed by that signatory the following is provided below the execution – 'My identity has been verified by Australia Post on <date> - RECEIPT No. <Unique EIS No>'.

## An owners corporation

If an owners corporation is not using a conveyancer or lawyer and is a party to a Registry instrument, it must:

- have the identity of each signatory verified by Australia Post; and
- at the same time have the Australia Post Identity Verifier witness the signing of any Registry instrument and, where there is provision for a witness on the instrument, sign the instrument as a witness.

Signatories completing an owners corporation execution may include individual and corporate members of the owners corporation who are required to witness the affixing of the common seal; or, other individuals or corporations to whom the owners corporation has delegated any signing power or function, e.g. committee members, an owners corporation manager, a lot owner or office holder of the owners corporation.

Any corporate signatory must follow the above requirements for companies.

## An incorporated association

If an incorporated association is not using a conveyancer or lawyer and is a party to a Registry instrument, it must:

- have the identity of each signatory verified by Australia Post; and
- at the same time have the Australia Post Identity Verifier witness the signing of any Registry instrument and, where there is provision for a witness on the instrument, sign the instrument as a witness.

Signatories completing an incorporated association's execution may include office holders, public officers, or committee members executing with a common seal or without a common seal in accordance with the *Associations Incorporation Reform Act 2012* and the rules of the incorporated association. [Customer Information Bulletin Edition 141 June 2013](#) (available at [www.propertyandlandtitles.vic.gov.au](http://www.propertyandlandtitles.vic.gov.au) >Customer information bulletins) contains information on acceptable forms of execution for incorporated associations).

# How to have your identity verified at Australia Post

For any Registry instrument that is signed by you on or after 1 December 2015, you must do all of the following.

- Download and complete the [Non-represented party \(Victoria only\) Land title verification of identity form \(Land Title ID Check express service post offices only\)](#) available at [www.propertyandlandtitles.vic.gov.au](http://www.propertyandlandtitles.vic.gov.au) >Forms, guides and fees>Verification of identity. Do not sign the form. Do not use any other identity verification form for use by a person represented by a conveyancer or lawyer, or for any mortgagee's purposes.
- Choose an Australia Post Land Title ID Check express service post office outlet that provides a verification of identity service for Land Use Victoria. You can find your nearest [Australia Post Land Title ID Check express service post office outlet](#) at [www.auspost.com.au](http://www.auspost.com.au). Enter your postcode and select 'search'. No appointment is necessary.
- Attend a face-to-face interview at your chosen express service Australia Post outlet, where you will need to have the following with you:
  - your Registry instrument(s) – **not signed** by you
  - the completed *Non-represented party (Victoria only) Land title verification of identity form* – not signed
  - your original identity documents – photocopies of identity documents will not be accepted for identification purposes.

You must produce the minimum identity documents in one of the categories of identification documents as set out in the *Non-represented party (Victoria only) Land title verification of identity form (Land Title ID Check express service post office only)*.

If you are an Australian citizen or resident, category 1 should be used first, then 2, then 3, then 4 (category 5 is not to be used for a non-represented party). You must begin by trying to satisfy category 1. If you cannot satisfy category 1, then try to satisfy category 2, then category 3 and finally category 4.

- If you are not an Australian citizen or resident, then category 6 must be used.
- Sign the *Non-represented party (Victoria only) Land title verification of identity form (Land Title ID Check express service post offices only)* and your Registry instrument(s) in front of an Australia Post Identity Verifier.

## What Australia Post will do

Australia Post will verify your identity and will witness you signing the conveyancing document(s). Where there is provision for a witness to sign the Registry instrument (s), Australia Post will sign the instrument(s) as the witness.

### Step by step

Australia Post will:

- verify your identity against the identity documents you produce
- witness you signing at least one Registry instrument
- sign the Registry instrument(s) as witness, if there is provision for a witness on the instrument(s)
- take a photograph of you
- scan your identity document, the signed Registry instrument(s) and the photograph
- return to you your identity documents and the completed Registry instrument(s)
- witness you signing the *Non-represented party (Victoria only) Land title identity verification form*, complete the Australia Post use only section of the form and return the form
- provide Land Use Victoria with the scanned image of your identity documentation, the signed Registry instrument(s) and your photograph
- charge you a fee for completing the verification of identity process and give you a Land Title EIS ID Check/Verification of Identity Check receipt for the payment of fees.

Please note: Australia Post and Land Use Victoria comply with all privacy laws relating to your personal information.

## What if Australia Post will not verify your identity?

Australia Post will not verify your identity if you:

- cannot meet categories 1, 2, 3, 4 or 6 of the identification documents
- are outside Australia
- are an attorney under a power of attorney.

In these cases, you will need to seek the assistance of a conveyancer or lawyer to complete your conveyancing transaction and conduct your verification of identity.

The conveyancer or lawyer may personally verify your identity or arrange for your identity to be verified by an identity agent.

## Finalising the transaction at Land Use Victoria

You need to attach the Land Title EIS ID Check/Verification of Identity Check receipt, or a copy of the receipt, to your Registry instrument(s) and then lodge your document(s) at Land Use Victoria. If there is more than one non-represented party required to sign a Registry instrument each non-represented party must separately have their identity verified and their signing of an instrument witnessed by Australia Post. The original or a copy of each Land Title EIS ID Check/Verification of Identity Check receipt must be attached to the document(s) lodged at Land Use Victoria. Australia Post will provide the Registrar with evidence that the identification(s) has occurred.

If the transaction involves another party, it may be their role to lodge the documents. In any case, the document(s) lodged with Land Use Victoria must have attached to them the Land Title EIS ID Check/Verification of Identity Check receipt(s) or a copy of the receipt(s).

For further information on a particular Registry instrument, please refer to the relevant [guide](#) available at [www.propertyandlandtitles.vic.gov.au/property-forms](http://www.propertyandlandtitles.vic.gov.au/property-forms).

## Retaining supporting evidence

You must retain any evidence supporting a Registry instrument for at least seven years from the date the documents are lodged at Land Use Victoria. The medium and means in which documents supporting the conveyancing transaction are retained should be determined in light of the possible need to produce those documents as evidence to a court or when requested by the Registrar. Regardless of the way in which it is stored, evidence should be accessible, legible and secure.

This may include:

- any contract signed by you
- a copy of the Registry instrument(s) or other document(s) signed by you
- the original identity documents provided to Australia Post
- the original Land Title EIS ID Check/ Verification of Identity Check receipt, or a copy of a receipt
- any evidence required by the State Revenue Office
- any evidence supporting your or any other party's right to enter into the conveyancing transaction.

The Australian Registrars' National Electronic Conveyancing Council (ARNECC) has produced a useful guidance note on retention of evidence. The link to this document is provided in the 'Further information' section below.

## Further information

*Registrar's requirements for paper conveyancing transactions* under Section 106A of the *Transfer of Land Act 1958* at [www.propertyandlandtitles.vic.gov.au/publications](http://www.propertyandlandtitles.vic.gov.au/publications)

*Guide to verification of identity for conveyancers, lawyers and mortgagees conducting paper conveyancing transactions* at [www.propertyandlandtitles.vic.gov.au/property-forms>Overview](http://www.propertyandlandtitles.vic.gov.au/property-forms>Overview), under Verification of identity

*Australian Registrars' National Electronic Conveyancing Council's Model Participation Rules MPR Guidance Note 5 – Retention of Evidence* at [www.arnecc.gov.au](http://www.arnecc.gov.au)>Publications>MPR Guidance Notes



## Contact us

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