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Property and Conveyancing Best Practice: Vendor Disclosure Searches and Settlements and Electronic Conveyancing

Tuesday 28 October 2014

9.00am –12.30pm

UNSW CBD Campus, Level 6, 1 O'Connell St Sydney

Course cost includes tuition, materials and refreshments **\$440** ☐I cannot attend please provide the papers cost **\$165** ☐**Payment Options** (We do not accept American Express)I enclose a cheque payable to “**CLE, UNSW**”,or Payment by credit card ☐ Mastercard ☐ Visa

Card number: _____

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Please return this registration form with your payment to:**CLE,
Faculty of Law, UNSW,
Sydney NSW 2052**

Tel: (02) 9385 2267 or (02) 9385 2195

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Email: cle@unsw.edu.au | Website: www.cle.unsw.edu.au

Programme Variation: The Director of CLE retains the right to vary the programme to deal with unforeseen circumstances. This includes cancelling or re-scheduling a programme and changing speakers or content if occasion obliges us to do so.**Cancellation Policy:** Cancellations will be accepted up to two weeks prior to the commencement of the course. Withdrawal after this time and before the commencement of the course will result in a cancellation charge of \$100. Cancellations after the commencement of the course will not be eligible for a refund.**Privacy note:** The information you have provided on this form will only be used by UNSW to distribute information about University courses and activities to you.**You can now REGISTER ONLINE go to www.cle.unsw.edu.au**

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Never Stand Still

Faculty of Law

Continuing Legal Education

Continuing Professional Development

Property and Conveyancing Best Practice: Vendor Disclosure Searches and Settlements and Electronic Conveyancing

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Audience

Solicitors in General Practice
Commercial Property Lawyers
Property Lawyers
Conveyancing Specialists
Senior Executives of Financial & Property Corporations
Precedent managers

Objective

This seminar will assist practitioners involved in conveyancing transactions to stay up to date. The seminar is aimed at providing practitioners with practical advice and guidance when dealing with contentious issues of disclosure, and be ready to settle on time.

CLE/CPD Points Three (3)

About CLE

The CLE/CPD programme is an important link between the Law School at UNSW and the professional community. The programme consists of a series of quality short courses assisting lawyers, accountants, financial planners, executives and other professionals whose work demands up-to-date knowledge of, and skills in, the relevant areas.

About the Presenter

Tony Cahill is widely regarded as an experienced property law commentator with an exceptional depth of understanding. With his guidance you will undertake a close review of issues in current and core areas of practical concern.

Tony Cahill is a part-time lecturer at the Northern Sydney Institute of TAFE in various law subjects. He has taught at the University of Technology, Sydney and served on Law Society committees. He is a leading and well respected expert in Property and Conveyancing Law.

9.00am Introduction from Facilitator, Tony CAHILL

Part 1 Vendor Disclosure

- Status of Caveat Emptor
- Requirements for disclosure and Statutory protection for purchasers
- General principles of Property Law
- When does disclosure need to be made?
- What needs to be disclosed?
- Timing issues in disclosure
- Disclosure of defects
- Implied terms on occupation certificates and encroachments
- The role of surveys and building certificates
- Interaction with planning law
- Home Warranty Insurance – the documents you should be putting in the Contract
- Swimming pools, asbestos, strata disclosure and other current issues
- Remedies available

10.30am Morning Tea

10.45am Part 2 Searches and Settlements

- Classification of investigations on behalf of vendors and purchasers
- Seeking information – timing and currency

- Special issues with off the plan transactions and other delayed settlements
- Requisitions and replies as an inquiry path
- Discharge of mortgage – changes to procedures where an “eCT” has issued
- Avoiding delays to settlement

Part 3: Electronic Conveyancing

- Scope of the National Electronic Conveyancing System
- Key concepts and acronyms
- The PEXA roadmap for implementation
- Issues emerging from mortgagee participation in Release 1.
- Optional participation – should my practice adopt eConveyancing?
- What to watch out for in electronic transactions
- Out-of-scope transactions
- eCT (Optional No CT) transactions
- Impact of new edition of Contract for Sale of Land
- Existing risks mitigated but potential new risks?
- When might it be prudent to “default to paper”?
- Practical tips for electronic settlements

12.30pm Q&A Close