

Regulation of the land titles registry

About this report

The land titles registry is a collection of registers established under the *Real Property Act 1900* and related legislation. It is the source of truth for land and property ownership in NSW and underpins significant economic activity.

The registry is owned by the NSW Government. From 1 July 2017, a private operator has operated and maintained the registry under a 35-year concession granted by the NSW Government.

The Office of the Registrar General is the regulator of the private operator's activity under the concession. It is a business unit in the Department of Customer Service.

This audit examined the effectiveness of the regulator in overseeing and monitoring the operation and maintenance of the registry to ensure its integrity and security.

Conclusion

The Office of the Registrar General has implemented an effective system and supporting processes to oversee and monitor the integrity and security of the land titles registry.

However, the audit found opportunities for the Office of the Registrar General to improve how it conducts its regulatory functions.

Recommendations

The audit recommended that the Office of the Registrar General should:

1. develop and publish its approach to exercising its regulatory functions and powers
2. publish a regulatory charter to ensure greater regulatory transparency
3. review the skills and capabilities required to regulate the land titles registry
4. ensure greater clarity on the rights to use data, and the application of privacy legislation
5. ensure compliance with the NSW Cyber Security Policy, including the requirements relating to third parties
6. perform an audit of the subscriber compliance process.

Fast facts

\$2.6 billion

paid by the private operator for the rights to operate the land titles registry for 35 years

>11,000

plans registered by the private operator each year

>800,000

dealings lodged for registration with the private operator each year

\$2.8 trillion

total value of land in NSW as of 2023

~172

audits conducted by the ORG on registered plans each year

~1%

of registered plans contain an error