



The Hon Terry Redman MLA
Minister for Regional Development; Lands;
Minister Assisting the Minister for State Development

Our Ref: 39-28065

Ms Kelly O'Dwyer MP
Chair, Standing Committee on Economics
Parliament of Australia
House of Representatives
PO Box 6021, Parliament House
CANBERRA ACT 2600

Dear Ms O'Dwyer

POSSIBLE RECOMMENDATION TO RECORD CITIZENSHIP STATUS ON TITLE TRANSFERS

Thank you for the opportunity to comment on the House of Representatives' Standing Committee on Economics proposal that the residency and citizenship status of all new owners of residential property be recorded as part of the title transfer process.

You may be aware that the Western Australia Treasurer the Hon Mike Nahan MLC recently advised the Federal Treasurer the Hon Joe Hockey MP of his in principle support for the establishment of a register of foreign ownership in land subject to some issues being resolved.

The WA Land Titles Register, administered at Landgate, exists to secure and protect real property rights. That system of registering titles has served us well for over one hundred years and provides confidence and guarantees regarding the integrity of title which has been essential for the development of this State and elsewhere in Australia. That system has been improved and modernized particularly in recent years and now Landgate offers modern land registry services through the identification, recording and management of any rights, restrictions and responsibilities that affect the use and enjoyment of real property. Landgate ensures that there is sufficient contextual data, via a range of location information, to provide certainty, security and confidence when decisions affecting property rights are made.

The collection, storage and reporting of additional information relating to the owners of land such as citizenship or residency status does not, however form part of the information required to carry out a land transaction. That is not the purpose of our titles system which is as I have indicated is focused on the integrity of title. Additionally you will also be aware that ownership of land is not restricted to persons and the registration of titles does not require an interrogation of company or other structures to identify whether a property is foreign owned. Again such a process would not seem to be consistent with the function of our system of registration. If there was to be a notation relating to ownership we would need to understand what flows from that and how the accuracy of information contained in any notation is maintained.

While again the Western Australian Government is prepared to give in principle support to these issues there is a need for further discussion and consideration of issues such as funding.

Finally in considering these issues the Western Australian Government would need to be satisfied that this matter is not better addressed through foreign investment review processes.

Yours sincerely

HON TERRY REDMAN MLA
MINISTER FOR LANDS

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