

# MORTGAGE ELECTRONIC EXECUTION SUMMARY

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Level 14, 111 Eagle Street  
Brisbane 4000

## Mortgage Electronic Execution Summary

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Mortgage of Land Requirements (applies to both freehold and leasehold)

**Legend:**



Allows for Electronic Execution/Lodgement



















May Not Allow for Electronic Execution/Lodgement in Certain Circumstances



Does Not Allow for Electronic Execution/Lodgement

## Individuals

Applicable Law	Is a witness required?	Electronic Lodgement Permitted	Requirements for Electronic Signing	Requirements for Electronic Lodgement
ACT	PEXA - No. PAPER – Yes.	Yes, if eligible transaction	 Electronic execution without the need for a witness only if permitted if settling electronically.  If paper settlement, a wet signed and witnessed mortgage is required.	 Mortgages can now be lodged via PEXA if 'simple' refinances and purchases (i.e. no unusual notations on title). Mortgages over a lease is outside PEXA scope and must be a paper settlement.  Transactions outside the scope of PEXA can be found here:  <a href="#">E-conveyancing for lawyers and banks - Access Canberra (act.gov.au)</a>
NSW	No	Yes	 Electronic execution is permitted.	 Electronic lodgement is mandated unless exception applies.  Mortgage over lease is an exception and is lodged as a 'dealing with exception' via PEXA.
NT	Yes	No	 Electronic execution is not permitted as the original mortgage must be witnessed.	 Electronic lodgement not yet permitted as the Territory has initiated PEXA operability but not yet live.
QLD	PEXA transaction and electronically signed mortgage - No. PAPER – Yes.	Yes	 Electronic execution without the need for a witness only permitted if settling electronically.  If paper settlement, a wet signed and witnessed mortgage is required.	 Electronic lodgement is mandated unless exception applies.  Mortgage over lease must be conducted as a paper settlement.  Change of Name's and Mortgagees exercising Power of Sale are exceptions.
SA	No	Yes	 Electronic execution is permitted if settling electronically.  Wet signed execution of mortgage over lease is recommended due to paper settlement requirement.	 Electronic lodgement is mandated unless exception applies.  <b>N.B</b> Electronic lodgement of mortgages over lease are not currently within the scope of electronic lodgement and paper settlement is required.
TAS	Yes	Yes, if eligible transaction	 Electronic execution is not permitted as the original mortgage must be witnessed.	 Electronic lodgement is permitted in limited circumstances as PEXA went live in Tasmania in late August 2024.
VIC	No	Yes	 Electronic execution is permitted.	 Electronic lodgement is mandated unless exception applies.  Exceptions are lodged in PEXA as a residual document.
WA	Yes	Yes	 Electronic execution is not currently permitted as the original mortgage of land must be witnessed. This is currently being reviewed by Landgate with the view to mirror the process in NSW and SA.	 Electronic lodgement is mandated unless exception applies.  Mortgages over a lease is an exception and must be conducted as a paper settlement.

## Corporations

Applicable Law	Is a witness required?	Electronic Lodgement Permitted	Requirements for Electronic Signing	Requirements for Electronic Lodgement
ACT	No	Yes, if eligible transaction	✔ Electronic execution is permitted.	Mortgages can now be lodged via PEXA if 'simple' refinances and purchases (i.e. no unusual notations on title). Mortgages over a lease is outside PEXA scope and must be a paper settlement.  Transactions outside the scope of PEXA can be found here:  <a href="#">E-conveyancing for lawyers and banks - Access Canberra (act.gov.au)</a>
NSW	No	Yes	✔ Electronic execution is permitted.	✔ Electronic lodgement is mandated unless exception applies.  Mortgage over lease is an exception and is lodged as a 'dealing with exception' via PEXA.
NT	No	No	✔ Electronic execution is permitted, however, the execution clause must specifically state that it is being signed in accordance with both 110A and S127 of the Corporations Act.	✘ Electronic lodgement not yet permitted as the Territory has initiated PEXA operability but not yet live.
QLD	No	Yes	⚠ Electronic execution permitted if settling electronically. If paper settlement, wet signed mortgage is required.	✔ Electronic lodgement is mandated unless exception applies.  Mortgage over lease must be conducted as a paper settlement.  Change of Name's and Mortgagees exercising Power of Sale are exceptions.
SA	No	Yes	⚠ Electronic execution is permitted if settling electronically.  Wet signed execution of mortgage over lease is recommended due to paper settlement requirement.	✔ Electronic lodgement is mandated unless exception applies.  Mortgages over a lease are not currently within the scope of electronic lodgement and must be conducted as a paper settlement.
TAS	No	No	✘ Electronic execution is not permitted as the original mortgage must be lodged via paper.	⚠ Electronic lodgement is permitted in limited circumstances.
VIC	No	Yes	✔ Electronic execution is permitted.	✔ Electronic lodgement is mandated unless exception applies  Exceptions are lodged in PEXA as a residual document.
WA	No	Yes	⚠ Electronic execution permitted if settling electronically. If paper settlement, wet signed mortgage is due to Land Titles Office registration requirements.	✔ Electronic lodgement is mandated unless exception applies  Mortgage over lease is an exception and must be conducted as a paper settlement.

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