

Future of eConveyancing Stakeholder Feedback Report

Stakeholder survey results, eConveyancing options feedback and responses to the unanswered Q&A 'Slido' questions

The Office of the Registrar-General is in the process of conducting a stakeholder consultation program on the topic of whether further mandating of electronic conveyancing (eConveyancing) should occur in South Australia and, if so, on what timetable.

A report on targeted consultation that took place in June 2018 has already been released by the Office of the Registrar-General. The report on the initial consultation process can be found by clicking [here](#). The initial feedback obtained through this early consultation process provided a foundation for further investigation and discussion of the broader industry's views on the future of eConveyancing in South Australia.

Accordingly, the Office of the Registrar-General released Customer Information Bulletin (CIB) 315 to over 3,500 Lands Services' information subscribers on 2 August 2018, inviting views on eConveyancing via an online survey and half-day forum.

This report provides a summary of results from the online survey, and feedback on an activity undertaken at the forum designed to capture attendees' perspectives on three possible options for the future of eConveyancing in South Australia.

This report also includes answers to questions raised at the forum via an online engagement portal called 'Slido' that were not answered on the day due to timeframe constraints.

Online survey results

The online survey was open to the public and was advertised via: CIB 315; the sa.gov.au website; Australian Institute of Conveyancers (SA) newsletter; an emailed invitation to the Lands Services subscription list; and, the Office of the Registrar-General's Twitter page.

The survey was open from the 2 August 2018 until 11pm on 14 August 2018, and received 176 anonymous responses. The survey focused on the following topics:

- whether respondents use eConveyancing;
- why or why not respondents use or don't use eConveyancing;
- what impact further mandating would have;
- whether further mandating of eConveyancing should occur and if so in what timeframe; and
- whether respondents had concerns about eConveyancing, and if so, what these concerns were.

A complete copy of all responses to the survey is attached at Appendix 1.



Forum feedback on mandating options

The 'Future of eConveyancing Forum' (the Forum) was open to the public and was promoted via the same methods as the survey.

The Forum was a free event at the Adelaide Convention Centre on 22 August 2018, 1 – 5pm. Tickets to the Forum were exhausted with the maximum capacity of 176 people registering to attend - this translated to 131 actual attendees.

The first half of the forum featured a keynote address by Dr Eva Balan-Vnuk, Executive Director ICT and Digital Government; an overview of eConveyancing in South Australia currently by the Registrar-General Graeme Jackson (view this presentation via the sa.gov.au website [here](#)); and, a Q&A session with a panel of guests from across the industry.

The second half of the Forum focused on obtaining feedback from attendees on three options regarding mandating, to assist in informing future policy positions.

The three options were:

- **Option 1 - Dual process, no further mandating in short or medium term.**
- **Option 2 - Begin further mandating when a competitive ELNO market exists***
*subject to this occurring in reasonable timeframe.
- **Option 3 - Mandate dealings as they become available electronically***
*with a three month transition timeframe.

Just over 350 comments were received from the attendees from this process. In order to analyse this qualitative information, the comments were

typed up verbatim and a content theme analysis was conducted to determine common themes across the feedback.

Appendix 2 contains a brief overview of the content theme analysis results and a complete copy of all the comments received.

'Slido' responses

During the Q&A session at the Forum, an interactive online engagement tool called Slido was used to enable audience members to ask real time questions of the panel. Unfortunately time constraints restricted the panel from answering all questions raised via Slido.

At the time the Office of the Registrar-General committed to responding to these questions if possible and, in satisfaction of this commitment, now presents a complete list of the unanswered questions with their responses in Appendix 3.

Appendices

- Appendix 1 – Survey results
- Appendix 2 – eConveyancing options feedback
- Appendix 3 – Slido Q&A responses

Next steps

This feedback from the survey and the Forum will be used to guide the Registrar-General's advice to the Minister regarding the future of eConveyancing in South Australia.

All enquiries can be directed to DPTI.RegistrarGeneral@sa.gov.au



Government of South Australia

Department of Planning,
Transport and Infrastructure

eConveyancing in South Australia

Survey Response Data

Survey duration: 2 August 2018 – 24 August 2018

Total responses: 176

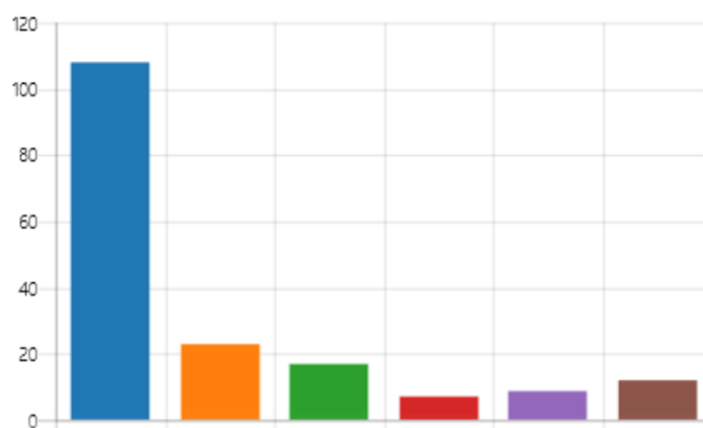
Average time taken to complete the survey: nine minutes, 47 seconds

Average response rating of the survey: 3. 73 out of 5.

1. Which of the following best describes your professional role?

[More Details](#)

Registered conveyancer	108
Legal practitioner	23
Working in a financial instituti...	17
Working in a conveyancing firm	7
Working in a legal practice	9
Other	12



2. Do you currently use eConveyancing?

[More Details](#)

Yes	82
No	94



Responders who answered 'Yes' to question 2, were directed to question 3. Responders who answered 'No' to question 2, were directed to question 6.

3. How often do you use eConveyancing?

[More Details](#)

Once or twice per month	32
Once or twice per week	16
Most days	12
Every day	11
Other	11



Appendix 1 – Online Survey Results

4. What do you think the primary benefits of using eConveyancing are?

[More Details](#)

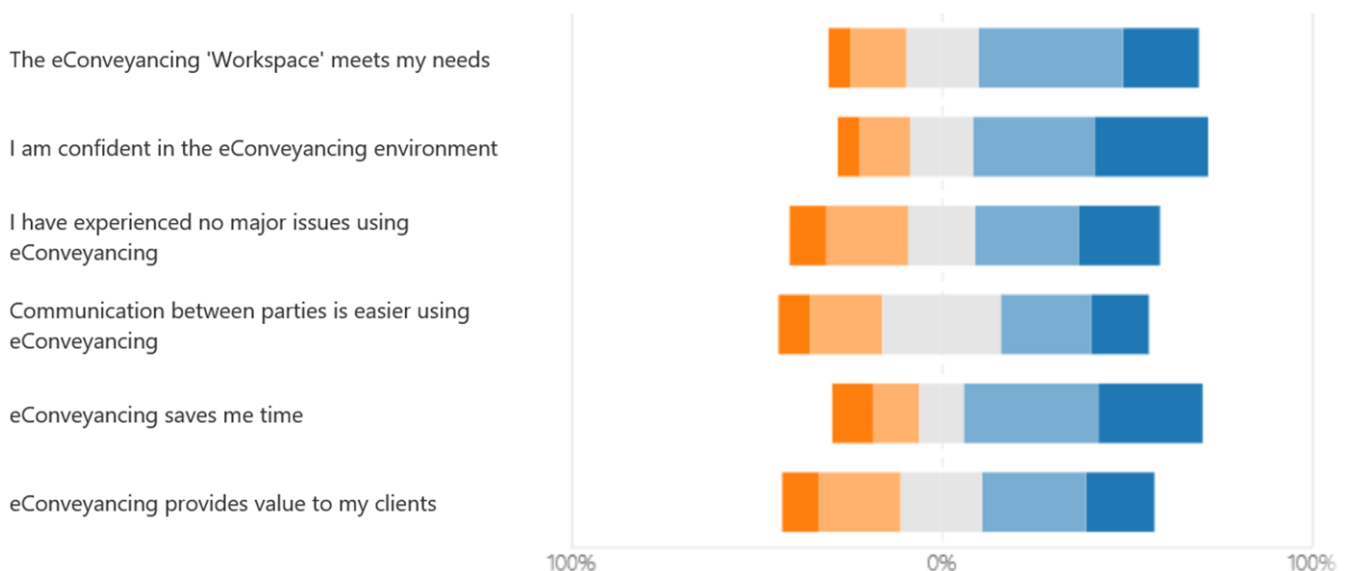
Time efficiencies	62
Client outcomes	29
Improved communication bet...	23
More streamlined process	41
Other	19



5. Please rate how strongly you agree or disagree with each of these statements

[More Details](#)

Strongly Disagree Disagree Neutral Agree Strongly Agree



Responders who answered 'Yes' to question 2 and subsequently answered questions 3 - 5 were directed to question 11. Responders who answered 'No' to question 2, were directed to answer the following question.

6. Have you used eConveyancing previously?

[More Details](#)

Yes	21
No	73



Appendix 1 – Online Survey Results

Responders who answered 'Yes' to question 6, answered the following question. Responders who answered 'No' to question 6, were directed to question 8.

7. Why did you stop using eConveyancing?

[More Details](#)

● Cost	14
● Online security concerns	15
● Lack of take-up by other pract...	10
● It didn't integrate with your ex...	2
● Other	8



Responders who answered question 7, were directed to question 9 along with responders who answered question 8. Responders who answered 'No' to question 6, were directed to question 8.

8. Why not?

[More Details](#)

● Cost	38
● Security concerns	43
● Lack of take up by other practi...	26
● Lack of integration with your...	26
● Other	26



All responders who answered question 6, answered question 9.

9. If the above issues were resolved, would you like to use eConveyancing in the future?

[More Details](#)

● Yes	40
● No	25
● Maybe	29



Appendix 1 – Online Survey Results

Responders who answered 'Maybe' or 'No' to question 9, were directed to question 10. Question 10 was a free text response question, the following total of 54 responses to this question were received.

10. If 'no' or 'maybe', why?

54 Responses

1	SHOULD NOT BE MANDATED
2	Too complex to answer in this forum
3	there seems to be no guarantee or protection of funds
4	Still security concerns
5	While the security requirements for using PEXA are necessary, it makes things more difficult when delegating administrative work to law firm staff. Coupled with slow take-up by other law firms' means that we must maintain & train on two separate systems, which is frustrating and inefficient.
6	It is an unnecessary practice to go through for a settlement process
7	Because I prefer paper and you will never convince me in a world of skilled hackers that e conveyancing is a better system
8	Online security issues
9	security and other concerns cannot be overcome
10	Resolution of issues arising from settlement can be dealt with face-to-face, whereas no-one is accountable if settled online!
11	You can never fully mitigate the security of the platform and the transactions
12	more than 1 service provider is needed, instead on the current monopoly situation
13	Need to update systems and knowledge. consider present system is less open to fraud & hacking
14	Not interested.
15	Not worth it given the amount of conveyancing which we do
16	More costly and not as secure. no advantage
17	The additional responsibilities on the conveyancer to use PEXA is not outweighed by time saved. We have more work to do now eg VOI, Client Authorisation, Authority to Deal in addition to Commonwealth Reporting, GST payments to ATO and the risk of payments either being scammed or an incorrect data entry. Physically receiving and depositing a bank cheque at the bank, while it takes time, you know once the bank takes the cheque it is in the correct account. E-conveyancing was sold on the basis of stopping fraud - clearly it hasn't, the scammers have found new ways to scam and will continue to do so. PEXA fees should not be an additional cost to clients without reduction in registration fees. As a conveyancer, why do I have to "sell" the additional cost to a client? It does not benefit most clients by having funds in their account, most clients' settlement monies are collected by mortgagees, only a small number actually receive funds and if they receive by way of a bank cheque - notwithstanding it takes 3 days to clear, they earn interest from the day it is deposited - settlement date - so no benefit.
18	Need more information
19	Don't believe it should be compulsory I would like a choice and so would my clients.
20	Too much potential for fraudsters to get the money

Appendix 1 – Online Survey Results

21	The time spent by "conveyancers" (incl Solicitors/Financial institutions and employees of same) working in this industry having to report and collect additional information for the State and Federal Government is adding to the costs for each and every one of our clients. Some of this information also seems to be an invasion of privacy - just try to phone a bank to book a settlement - they won't speak to you if there is any slight incorrect information on file - "privacy rules gone totally over the top in many situations.
22	Ease of use issues and concerns regarding security of information
23	Lack of confidence in E Conveyancing plus cost
24	I do not believe the cost issue will be resolved. Using PEXA will increase cost to client. eConveyancing should not be compulsory! The current system works perfectly well for me.
25	still not a secure system particularly in relation to handling settlement fund
26	Still not completely happy with the way the system works. Also lack of service or support once you are on the system you are then encouraged to use 1300 numbers, I want personalised service when I have a query not to wait in a queue on the phone
27	I am not the decision maker, but can provide insight to the institution I work for consideration
28	I don't believe the factors will be satisfactorily addressed as these issues have been around since the start of e-conveyancing
29	need more information
30	I don't believe in the concept. Lacks security & the rules of the Torrens System.
31	I have an in principle objection to all online services as they lack accountability and sociability.
32	Because I don't need to use as part of my job
33	Security ,lack of control for long term costs, flexibility, Bank control & keeping records with certification
34	Believe this should be a choice
35	Lack of confidence in a 'virtual' system
36	Conveyancing is about public relationships with all parties and trust
37	It removes the place for self-represented parties and increases the cost.
38	Not part of my role to need to use.
39	I'm a Luddite
40	Not convinced of the security
41	Should not be mandated as the Public of South Australia is not being considered.
42	happy with the way paper settlements are
43	maybe would still have my concerns
44	I attended PEXA training & the system is not user friendly
45	Because I do not believe ANY electronic system is precluded from hacking
46	Refer to my answer in Question 4.
47	Should get some free training on use of EConveyancing at Lands Titles Office by appointment with someone there as did before on SAILIS training At Lands Titles Office booking up with a person there.
48	Too many issues, Banks take too long to do what they need to and we cannot push them as we are not allowed to speak to the PEXA team so Settlements too late. PEXA crashed too much, don't feel safe or in control using it.
49	I can see loss of SA property work to interstate firms. It is happening already.

Appendix 1 – Online Survey Results

50	Because paper is better we should not be forced into it. Leave both systems running side by side and optional
51	time consuming and security concerns
52	Understanding the issues with risk of losing money
53	I'm not certain you can sort out the issues effectively
54	I don't like that you only scan the terms and conditions of the document in, I believe the lodging document needs to be submitted as a whole.

The 54 responders who answered the previous question were directed to question 13.

The 82 responders who answered question 2 with 'Yes', were directed here to answer questions 11, 12 and 13 after they had completed questions 3- 5.

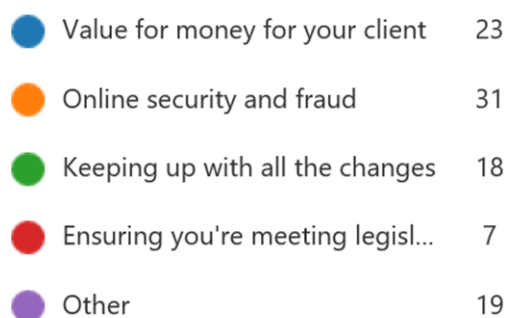
11. Do you have any concerns about eConveyancing?

[More Details](#)



12. What are your primary concerns about eConveyancing?

[More Details](#)



Appendix 1 – Online Survey Results

All responders to the survey were directed to answer question 13.

13. Do you think eConveyancing should be further mandated in South Australia?

[More Details](#)

Yes	63
No	82
Maybe	31



Responders who answered 'Yes' to question 13 were directed to question 16. Responders who answered 'No' to question 13 were directed to question 15.

Responders who answered 'Maybe' on question 13, were directed to question 14. Question 14 was a free text response question, the following total of 31 responses to this question were received.

14. If 'maybe', what is your support for further mandating dependent on?

1	It needs to be more adaptable.
2	Choice in the market, making e-conveyancing more affordable
3	The struggle financial companies like ours face is the cost. \$150 per transaction is a lot to add to the fees and charges already incurred by our customers, and for what benefit to them? Zero. From a customer's perspective, in the purchase of SA property, it makes no tangible difference to them whether their name is registered faster or slower. They have the keys to their properties on the same day. How can we justify the additional cost to them? I can understand the idea behind further mandating transactions is to further encourage the use of eConveyancing, and I can see the possible efficiencies gained by that. However if I, an employee of a financial organisation that is not a shareholder/owner in PEXA, cannot justify the cost to my customers, I guarantee there will not be customers out there supporting the use of eConveyancing. Further mandating should only be considered if the cost is lowered, and should be done slowly with plenty of notice.
4	There would need to be NO EXCEPTIONS in terms of documents, transactions or users to make the old paper system truly redundant, and then everyone would have to buy-in to the new model. Until then, if you permit exceptions, the path-of-least-resistance will be taken by many, leading to incompatibility and reduced confidence in the new system.
5	More people using it and it being 100% safe
6	Most transactions should be mandated to electronic, however, exceptions should be considered on a case by case basis
7	Security reasons
8	Better Communications from Banks involved. Security to be better. Greater indemnity for clients in case of fraud.

Appendix 1 – Online Survey Results

9	Confidence that settlement can take place between 11 and 12.00 am. I am not comfortable with my clients not having control of the settlement time
10	For PEXA to be an easier platform to use and for banks to be easier to contact through the workspace when things go wrong.
11	to mandate all issues and the ease of using the PEXA space need to be fixed
12	1. More than 1 service provided needed 2. An over view body is required to review systems & consumer check n balance against Conveyancing industry and PEXA etc
13	Everyone being able to work on the workspace in advance of settlement. No point when the banks only complete their end on the morning of settlement
14	I think a paper based land registry system should always be available for use in conjunction with an electronic system. Relying solely on an electronic system is financially based (not for consumers) and short sighted in my opinion especially regarding industry and professional systems and computers being hacked or forced offline.
15	Wait for improvement
16	A step by step approach and the LTO being flexible to situations that do not suit the mandate. More documents being available in PEXA
17	I think it needs more work to ensure there are less issues with system causing issues with settlements. Risks with settlements being delayed and being pushed to the next PEXA settlement time is also a concern.
18	don't know enough about it
19	haven't used it, so can't really comment
20	Solicitors trust account regulations being resolved and cyber security issues being tightened.
21	access and security issues being addressed
22	Industry certainty, Better communication between parties, Value to consumers, Impact on small businesses within the industry
23	universality of use
24	Being satisfied of the security for clients funds
25	Security and accuracy
26	PEXA is not easy to use, if it was more sequential and steps were completed without having to double back there may be a greater uptake
27	Banks are getting more difficult to deal with. Supposedly communication is meant to be easier and better on PEXA but I hear it is not.
28	The system not being run by the banks (incoming or outgoing mortgagees) - providing figures in the case of a mortgagee on title, the morning of settlement is not good enough. They might argue but that is the same with paper settlements, however, in most cases the mortgagee on title will accept full proceeds in a paper settlement and my experience with e-conveyancing is that they will not collect full proceeds and apply a destination for the surplus. This results in a mad rush for us to reconcile and provide destination for the surplus -making absolutely certain that the destination account details are correct and doing this under pressure. For e-conveyancing to be attractive to me and my clients I would want the financiers (incoming and on title) to be at ready-ready stage at least 24 hours before the scheduled settlement date so that settlement can be ready to proceed say around 10:30. The mortgagee on title not issuing invitations to incoming mortgagees, leave that up to the respective conveyancers. If a task remains incomplete, then clearer instructions as to what that task is should be given. Separate stamp duty area on the left hand side as it appears to be for interstate users.
29	Although I agree that most transactions should be mandated, I believe there should be some exceptions allowable, such as some complex transactions.
30	Need to be 100% certain that eConveyancing is solid & fool proof
31	further mandating should be considered and implemented, but should be as part of a National Electronic Conveyancing change consistent across all jurisdictions

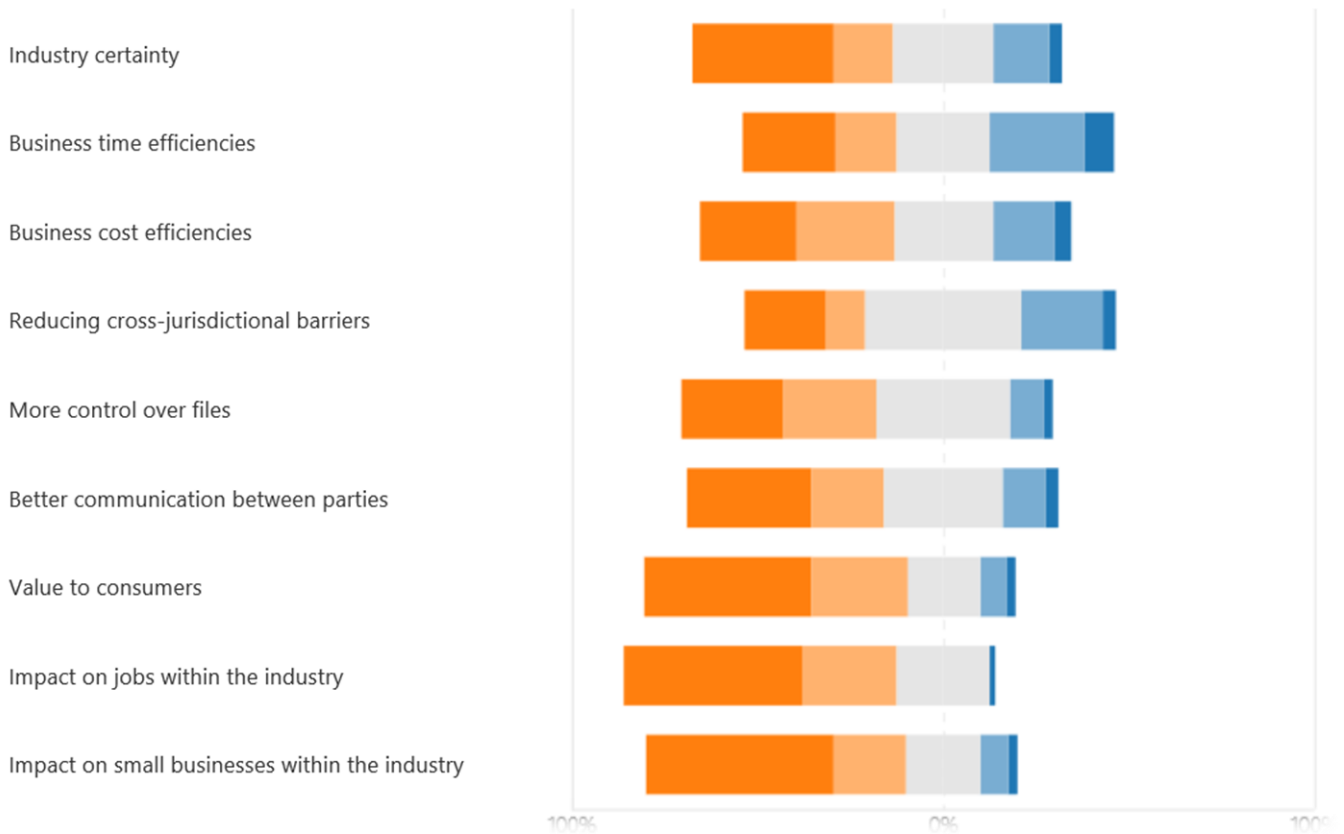
Appendix 1 – Online Survey Results

This question was answered by those responders who answered 'No' and 'Maybe' to question 13.
After answering this question those responders were directed to question 22.

15. Please rate the effect of further mandating on the following business outcomes

[More Details](#)

Strong negative effect Slight negative effect Neutral effect Slight positive effect Strong positive effect

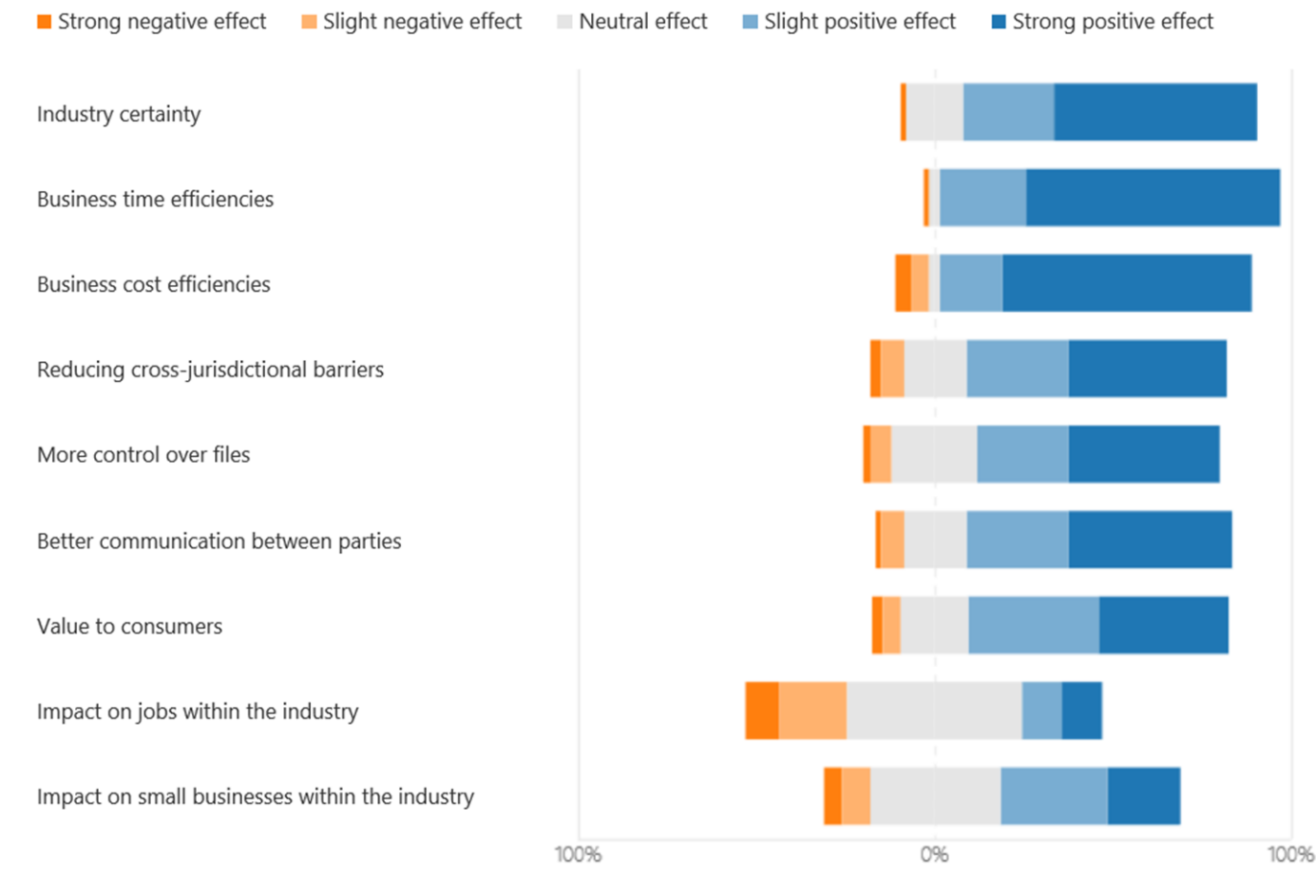


Appendix 1 – Online Survey Results

Respondents who answered ‘Yes’ to question 13, were directed to answer questions 16, 17, 18, 19, 20 and 21.

16. Please rate the effect of further mandating on the following business outcomes

[More Details](#)



17. How should further mandating be introduced?

[More Details](#)

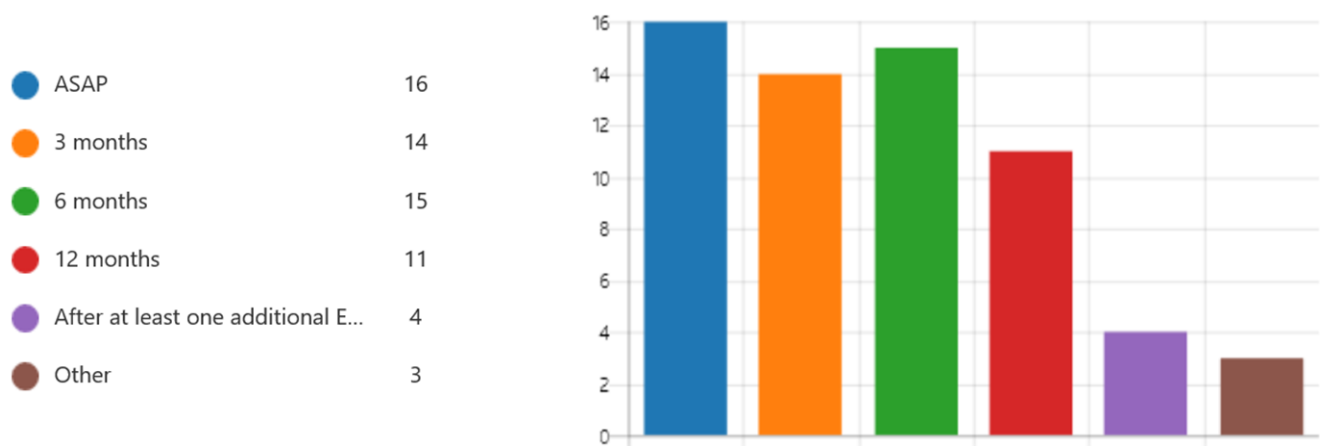
- Staggered, with stand-alones... 16
- Staggered, stand-alones and s... 16
- As available in PEXA 29
- Other 2



Appendix 1 – Online Survey Results

18. What should the lead time be prior to a future mandate?

[More Details](#)



Responders who answered 'yes' to question 13, and subsequently answered question 16, 17 and 18, were directed to answer question 19 to justify their answer in question 18. Question 19 was a free text response question, the following total of 31 responses to this question were received.

19. Why?

1	Dual systems are becoming drawn out cross over and non-players need compulsion
2	To give everyone enough time to prepare a start transitioning over the E-Conveyancing before the mandate
3	Why introduce it in the first place if it isn't going to be used fully.
4	Let's just get on with it.
5	Short enough so there's a sense of urgency about it but still long enough to prepare
6	We need to move forward and operate with just one procedure. It is too difficult having paper and electronic.
7	PEXA provides much greater flexibility
8	We have had plenty of opportunities to get to know the PEXA platform, and PEXA provides training and "PEXA certification" - Regional conveyancers are embracing PEXA - and we are tired of the city based conveyancers who are dictating to us that we must use paper. I am so tired of trying to get bank cheques into our courier bag by 3:30pm the day before Settlement - it is so old fashioned and also Bank cheques in courier bags, and after Settlement the run around to the banks to deposit those cheques is so old fashioned and there is a high risk of them being misplaced or banked to the wrong account with teller error!!
9	ETA
10	The industry has had a year to get into this and I think that it has gone as far as it can without mandating. The ones left are not going to get involved now until it is compulsory.
11	Need to shift the market to the 21 st Century, move away from cheques and time consuming settlements
12	It has already been in place for over 2 years and conveyancers needs to embrace the changes if they want to be considered a professional. There are just as many risks with handing over bank cheques made payable solely to a bank to strangers in a small room that aren't known to each other than there is of transacting online. With strict office policies and procedures in place it is near on fool proof and unbreakable.
13	It will take time for everyone to know about it.
14	.
15	Because it will make things more efficient when all transactions are required to be done via PEXA instead of half at LTO and half on computer.
16	Why not?

Appendix 1 – Online Survey Results

17	We handle Victorian conveyancing. Mandates have worked if you give time.
18	Not concerned how long it takes as long as we get workable system that is COMPLETELY safe for conveyancers and their clients
19	eConveyancing has been touted for so long now that SA is falling behind with other States when originally we were the leaders and founders of the Torrens system. Rapid mandatory change backed by education of the subscribers is the only way forward.
20	Competition is always good to drive down prices.
21	I think 6 months is sufficient time
22	We need to move with the times.
23	there needs to be more confidence in the system prior to a mandate - confidence in using the system and in security
24	more efficient for my business if everyone was using PEXA (other conveyancing firms)
25	We have had sufficient time to be ready. The died-in-the wool naysayers will never be ready. Fix the funds availability problem above and get on with it
26	Practitioners have had enough time to try and contribute to enhancements and those who have resisted will always leave it until the last week or so of any lead in time to participate
27	No need to attend to settlement room in person
28	Mandating is required and 12 months is more than sufficient lead time
29	It's of no use to visit settlement room, as I lost paying parking fine at home railway station.
30	The quicker all jurisdictions mandate the easier it will be to do business
31	preparation time and change of broader community understanding
32	To speed up total participation. To force recalcitrant practitioners to join it and adopt it as soon as possible.
33	Because instant registration on title outweighs any potential negatives. Practitioners who cannot see the bigger picture and do not have their clients' interests and the overall best practice approach are hindering the progression of the industry.
34	To allow industry to prepare
35	To prepare the industries impacted
36	Allow time to train staff
37	To allow other practitioners time
38	Can't let other jurisdictions get ahead of us in regards to timeframes
39	Progress and efficiency is beneficial for all
40	At the moment (a rural firm) try to conduct majority of our settlements via e-conveyancing, however we are held at "bay" by metro conveyancers that are on the system but will not use it as they are already attending the LTO. E-conveyancing is a much more efficient mode of settlement for clients and gives rural firms the same advantages as metro
41	Conveyancing industry is claiming for this to happen for a long time now
42	It's time to move forward and to establish national consistency to reduce state based nuances and create harmonised customer focused outcomes
43	Dual systems are causing problems and disruption. Everyone knows it is coming, so just get on with it.
44	It's the future of conveyancing
45	enough time for preparation
46	Would be good if users are confident in one area before further mandates are made but unsure what timeframe will be appropriate.
47	All problems need to be addressed first & this could take time
48	To give industry time to amend their processes.
49	Gives time to get head around and prepare.
50	To allow time for all participants to get ready for e-conveyancing

Appendix 1 – Online Survey Results

51	More competition could be beneficial.
52	eConveyancing is the reason I joined the industry this year; it brings great efficiency to small business
53	To ensure all practitioners start using eConveyancing. At the moment, hardly anyway seems to be using so it is hard to get any momentum going.
54	Business needs certainty. Running dual process paper/electronic is costly and inefficient
55	To be streamlined using one process
56	Should give as much lead time as possible for the practitioners and FI.
57	To make all professionals conduct settlements in the same manner reducing the uncertainty of paper V electronic.
58	This should allow sufficient time for those that are not currently transacting in PEXA to become familiar with the processes.
59	Update of systems, processes and procedures
60	Everyone should be doing it the same way. The current situation causes frustration.
61	Give all conveyancers to see how easy the system is
62	Good and time efficient
63	To allow enough time to get a handle on the new documentation and implementation in our work system.

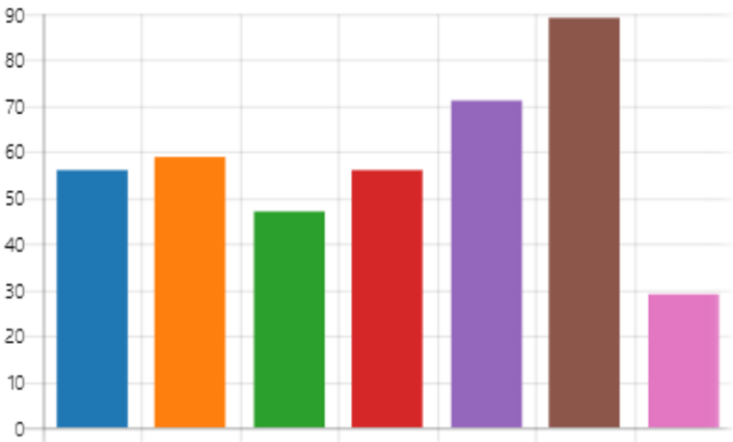
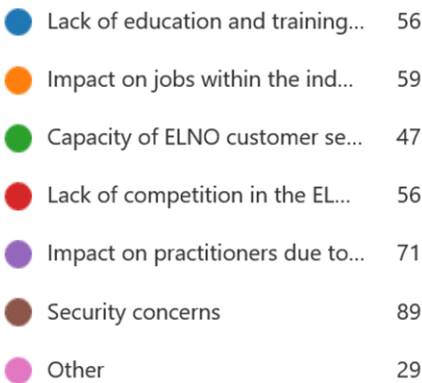
20. Do you have any concerns about further mandating?

[More Details](#)



21. What are your primary concerns about mandating?

[More Details](#)



Appendix 1 – Online Survey Results

All survey responders were directed to answer questions 22, 23, 24 and if relevant question 25.

22. Would you like to see more education and training made available to industry on eConveyancing and related topics?

[More Details](#)

Yes	129
No	47



23. Please select the topics you would like to see more industry education and training on

[More Details](#)

Online security	98
Meeting your legislative requi...	79
The practical 'Workspace'	102
Other	10



24. Is there anything further you would like to tell us about eConveyancing in South Australia?

[More Details](#)

Yes	45
No	131



Appendix 1 – Online Survey Results

Responders who answered 'Yes' to question 24, were directed to answer question 25. Question 25 was a free text response question, the following total of 31 responses to this question were received.

25. Please enter the additional information below.

1	While monopoly of one ELNO is perhaps an issue, too many platforms will be a cost burden for training, time consuming to monitor across multiple platforms and issues with certain practitioners not transacting on certain sites. There should be a limit to number of platforms run in any one state.
2	At this stage it takes further time & effort BUT the saving grace is that we won't lose 2+ hours per day attending settlements. Very progressive mandating eg Clear Title / Cash.... within 6 months for 12 months then progress.
3	We only use eConveyancing for Caveats and Withdrawal of Caveat. We are not able to deal with land transfers as we are exempt from paying LTO fees and PEXA doesn't support this.
4	Mandating would certainly make my life as a regional conveyancer easier. I am keen to see the introduction of Sympli and the other ELNO being talked about - I would like to see the PEXA fee of \$112.64 reduced per transaction.
5	A significant volume of lands titles work occurs within the probate & estates field of legal practice. Until very recently Transmission Applications were not accommodated within the PEXA system in SA, and even now the paper workflow is still easier to use. Since the SA Courts Department is currently building a new online Court eFiling system, why not make the Transmission Application process integrated within this new Court system, to increase efficiency?
6	Banks are the issue unfortunately. The banks need to be booking matters and entering data earlier to make it less stressful on the morning of settlement. More training required for the banking industry to make the transaction easier.
7	Leave it as optional
8	After tomorrow - I will have completed 210 PEXA Transactions - as time goes on - the PEXA platform has changed and become more user friendly - also transactions are getting easier, we have learnt the easiest way to streamline communication - and what to expect. I have no idea why people are so afraid of change!!
9	Should not be mandated until another service provider is introduced. Current LTO fees should be reduced to compensate for additional charges to clients LSA will save money if fully mandated, should pass on savings to clients
10	Workspace could be more user friendly and easier to traverse.
11	I know eConveyancing is the future, but I have big concerns. Fraud that we have seen lately where the blame is put on the Conveyancer not the system, I note that PEXA is now offering insurance for their product, how about they just offer a better product that we are currently paying for. Cost, I can currently attend the LTO myself or get settlements done by an agent with whom I can negotiate a figure. E conveyancing is not competitive. Systems being down, I notice that quite frequently I get emails from PEXA saying the system is down, which effects every settlement, this does not occur with paper settlements. I think we are being pushed into the e-space and yet it still has bugs to be ironed out.
12	The new system has added considerably to the costs of the party who seldom buys or sells land. It seems to have been hi-jacked by the profiteers (viz Banks, etc)
13	It should stay, however, the ability to manually lodge all documents should remain alongside of it, there should always be that option.
14	Best thing that has happened. However Banks need more training. When it is mandated the knowledge of the Banking industry should improve.

Appendix 1 – Online Survey Results

15	eConveyancing will allow better integration with utilities such as Water Industry Entities that are registered pursuant to the Water Industry Act 2012 (SA).
16	I don't want to be TOLD by interstate practitioners how to run a conveyancing matter in South Australia. We should not have to adapt our practices eg payment of rates and taxes by Vendor after settlement to the way it is done interstate. A South Australian transaction should be managed in accordance with our practices and as set out in the various Contracts - not have those Contracts overridden by interstate practices. Making e-conveyancing national across jurisdictions will result in SA practitioners bullied into conforming. As there are 2 new ELNO's coming into play, how is this going to work if multiple parties to a transaction are aligned with different ELNOs? While this is good for keeping costs competitive, how will this work exactly?
17	Clients do not appreciate the additional PEXA fee, they don't see the benefit to them of the electronic settlement that makes the additional fee worthwhile. As a vendor, they are happy to wait for their funds rather than pay the additional fee, and as a purchaser they don't care that registration is quicker. Until the system is mandatory, any additional fee needs to be charged for the old system settlement process rather than the new process
18	Whilst is it more expensive for the consumer the take up was always going to be slow as consumers are price sensitive. This was first raised in 1998 with Simon Libbis, raised again several times with Brenton Pike and the now Opposition but nothing was done hence the mess you are in now with having to contemplate mandating. Had the ridiculously high SA registration fees been reduced for e-conveyancing files then take up would have been consumer driven and you wouldn't need all this additional work, but then again what would the industry know!
19	PEXA have provided exceptional support for those practitioners willing to accept the changes to the conveyancing processes. The most negative input is coming from parties who are passing on "hearsay" stories and when you question them on specifics of problems usually they haven't even used the system. I would like to see registration fees reduced on eConveyancing transactions to partly offset the PEXA transaction cost and to negate the arguments that eConveyancing costs clients more.
20	PEXA Residential Seller Guarantee should be abolished.
21	There are sufficient training and courses already available. Make participation compulsory as soon as possible. The conveyancing industry is full of people who are resistant to change- force them to change or get out of the industry.
22	Banks are a problem, internet reliability and security is a problem, PEXA system can be learned by all Conveyancer I agree all single documents can be lodged in PEXA
23	There has been plenty of notice There has been plenty of free training opportunities There is plenty of evidence to suggest e-conveyancing is in the best interest of the integrity of the registration system Let's get on with it!
24	In light of recent events regarding security breaches and system failures I would suggest that many sole legal practitioners will cease to provide conveyancing services to their clients. It may also be detrimental to small conveyancing businesses. The uptake of eConveyancing in SA should be voluntary. The mandating of eConveyancing will create a monopoly for PEXA, lead to increased costs not a reduction as suggested in promotional campaigns, the system will continue to experience failures from time to time causing unnecessary inconvenience to users and I doubt very much whether the system will ever be free of future security breaches. The current system is working fine. Stakeholders should have the right to choose whether or not to participate in eConveyancing.
25	If you want me to use the platform the Banks must complete a file as per the agreed industry standards. I cannot be waiting until the day of settlement for a Bank to upload a discharge and lock the file. This puts pressure on the conveyancer at the last minute to finalise their end of the process. Currently I know 4-5 days out that settlement is booked, in e-conveyancing this is not happening until morning of settlement. Clients are nervous as to whether settlement will occur and I cannot say with certainty as the Bank has not undertaken the work their end. It is not good enough and needs to change if we are to use the platform.

Appendix 1 – Online Survey Results

26	I am concerned about settlement time. I had a bank move a settlement time which could have caused issues if we had parties wanting to move into the property with removalists already booked.
27	E-Conveyancing and its additional requirements ie VOI & VOA have added significant costs to consumers and Conveyancers/Solicitors and the only ones to benefit have been the Registry Offices and Banks. There has been no reduction in the registration fees to offset the work the Registry Offices are not doing. I usually work for a Vendor so the e-Conveyancing has a fee for a Vendor (which doesn't exist in the manual system) would cost us approximately \$100,000 per year.
28	Lack of available online training material and long lead times for responses to questions submitted to econveyancing platform provider. Underwhelming turnaround times.
29	econveyancing should include councils in the transaction, so we are aware of the upcoming settlement, and can input financial information for the payment of rates
30	As I have said above, for LTO settlements rural firms are at a disadvantage with having to get files to agents a day prior to settlement. If we have a cash purchaser and chq directions are not provided till the morning of settlement (because some Banks will not provide an actual figure) we cannot do this as our file has to leave the day before with the bank chqs. E-Conveyancing provides a level playing field for rural practices
31	The only issue I have is with some banks leaving everything to the last minute and not being proactive if there is a problem. In the paper world, we book settlement in advance and have certainty it will happen so the client can book moving vans. In PEXA, sometimes the bank still hasn't accepted the settlement date and time until the morning of settlement, created the document or figures and not answered conversations. This is VERY stressful and is a regular occurrence. Alternatively, the sign 2 minutes after the matter has rolled over.
32	The program at this stage is not user friendly & the cost needs to be addressed
33	See previous answers.
34	While it has merits and benefits to small business in terms of time efficiency, it does impose extra cost to the clients who always want the lowest fees. It also becomes difficult for businesses to have to constantly change their business model to incorporate the changes, keep up to date with training and bear the costs that go with this. If it was a free platform run by, monitored and kept secure by the Government then it would be more appealing as an option. The cost to clients is a big issue, and lack of choice as to whether it is "the future of Conveyancing" is also a concern. The old system had flaws and could be misused for fraudulent actions but it posed less risk to both Conveyancers and clients alike. Online Conveyancing or "Econveyancing"(such a bad name that sounds like it's from the 90's) should never be made compulsory, and is not an area individuals or organisations outside the industry (Conveyancers, R/E Agents, Government and the LSG) should profit from. It takes away from our income and ability maintain control over our work and responsibility owed to our clients and the wider community to keep their interests and information secure and free from the risks that transacting online pose. You can't steal someone's ID or account details if they're not there (online) in the first place. We should be free to choose our preferred method of Conveyancing, and having the choice to decide will give us all greater flexibility to grow our industry and adapt to each client's needs and situation. You can't reinvent the wheel, and while there are positives to the online system, I still think there are far many more negatives. My say is to keep both platforms (paper and digital) permanently giving us more control over industry, and taking back some of the power that is misused and misdirected by the corrupt, inept and greedy Banks, whose only concern is profit and not the people or customers they disrespect, lie to and profit from.
35	The Banks should provide a payout figure 3-5 days prior to settlement to enable final preparations to be made preventing the last minute rush and angst
36	E-Conveyancing requirements and process should be as uniform as possible amongst all States, the idea of managing 5 and more State based e-Conveyancing requirements and processes is defeating the purpose of making it a national initiative.
37	VOI in its present form is a reprobate step from the old SA method of Short and Long Form Proof by a JP/PBM. Instead of discarding JP/PBM proving of Transferor/Releasing party ACTUALLY KNOWN BY a JP/PBM,

Appendix 1 – Online Survey Results

	<p>proving by JP/PBM of ALL parties to an LTO document is a more secure method than Conveyancers citing identity documents. Forged Identity documents are readily available (Globally there are 60million+ false passports in existence - if ASIO can't detect them how is a Conveyancer supposed to? Whereas a JP/PBM had to KNOW the person. WHAT IS SAFER THAN AN INDEPENDENT JP KNOWING A PERSON AND CERTIFYING THEIR ID? Further. because identity is required to be proven by "documents" (all of which can be forged) persons wanting to use an alias to conceal their ownership from others (say an abused woman seeking protection from an aggressive man) is entitled by Common Law to have an alias name and acquire property in an alias name - but VOI prevents her from doing so and those who have acquired property in an alias name prior to the present VOI method do not and cannot get documents in their alias name to prove their identity - thus hindering their dealing with their property, Whereas, if their ID is proven by a JP/PBM who KNOWS them - ID documents are not needed. Further: every Conveyancer's and solicitor's office is now a target for ID theft. So instead of making ID more secure for LTO transactions, the present VOI is LESS SECURE than the old SA method of Short and Long proof by a JP/PBM and has INCREASED INSECURITY for ID theft. And of course, the VOI method now required of certifying parties is not only less secure than the records kept by banks, but is at best a DUPLICATION of the statutory requirements of banks for proof of ID in opening a bank account. SECURITY of ELECTRONIC CONVEYANCING PORTALS. Property ownership is a right that stems from the Crown via governments. Government has the OBLIGATION to provide a secure system for property ownership. The system for Property Ownership is not something private enterprise has any entitlement to control or influence. If electronic conveyancing portals were to be owned and run by Government and not private enterprise, they could be passed off as a public service to facilitate the secure ownership of property, but as the present Royal Commission has shown, private enterprise - especially BANKS and the like have not acted honestly in basic money matters, and frankly I don't believe they could ever be trusted with owning and running the system for property ownership. It is impossible for Government to securely monitor private enterprise property conveyancing portals as well as they can securely run and monitor their own SINGLE system. Therefore I vehemently oppose any property conveyancing system that is owned and ran by private enterprise and not by government. DUPLICATE (hard) copies of TITLES. Clients are not comfortable with not receiving a Government issued Duplicate Certificate of Title. The R/G's present email format of "Confirmation of Registration" doesn't cut it - emails are easily forged - just look at how many emails are sent DAILY purporting to come from your bank. As an example of what could happen for the want of a duplicate C/T: couldn't a rogue practitioner very easily send a forged "Confirmation of Registration" and buy time to disappear with settlement funds? The direct delivery by the R/G of a Duplicate C/T to the person entitled to HOLD it (not a practitioner) I understand that in the past the fraudulent use of Duplicate C/Ts has facilitated the greater portion of property fraud. But that fact alone is not a justification for the removal of duplicate C/T's. Producing a Duplicate C/T TOGETHER WITH JP/PBM Short or Long Form Proof of ID would only serve to increase security. Q/ What will be removed from the Electronic Conveyancing System when the number of fraudulent transactions has increased? A/ maybe the whole insecure system should be removed. no room for more</p>
38	<p>All the negatives I have heard so far about eConveyancing are all matters of strict procedure and the professional "checking" the details correctly before proceeding. As with anything new, there will be resistance, but the sooner we all accept it is the way of the future of our industry and get on with it, the better.</p>
39	<p>There needs to be training at Lands Titles Office by boking up, similar to before introducing SAILIS at Lands Titles Office, and training without cost, because due to no fixed fees for doing Documents, all I get is 1 Conveyancing every 3 weeks, and this is only enough to pay for the office rent.</p>
40	<p>If we are entering the information and the LTO is not physically checking and registering documents, the LTO should be paying the PEXA fee not the client. We ask clients if they want to pay the fee and they always say NO - I agree. Why pay more so the LTO does less???</p>
41	<p>Leave it as it is. Two systems running parallel where we can choose system we want to use.</p>

Appendix 1 – Online Survey Results

42	E-conveyancing is essential to the future of Australian commerce, HOWEVER it should grow organically and NOT via mandate
43	When E conveyancing was introduced it was on the basis that it would not be mandated. The uptake is too slow so now you want to mandate but the cost is exorbitant and the security issues are still coming out and we don't know how the various platforms will integrate if they integrate at all. This is costing the public many millions more for very little if any gain. Big business is gaining by making huge profits at the cost of the public. The current LTO fees should cover the E conveyancing fees because the LTO will save a lot of money.
44	"Paper Conveyancing" is a lot easier and secure, "Electronic Conveyancing" leaves lots of room for operator error, collation of information that is not in its whole document, security, time consuming, process consuming, and costs more. Also the language used on the platform is not conveyancer friendly the terms used are more bank orientated.
45	No mandating without competition of ELNO's. I believe that there is pressure for mandating because PEXA is listing on the Stock Exchange. Dubious benefits for consumers.

End of survey

Appendix 1 - Attachment 1: Online Survey Questions



eConveyancing in South Australia

A brief, anonymous survey to tell us your perspective about the future of eConveyancing. This survey will close at 11:30pm on 14 August.

1. Which of the following best describes your professional role?

Required to answer

Single choice

- ☐ Registered conveyancer
- ☐ Legal practitioner
- ☐ Working in a financial institution
- ☐ Working in a conveyancing firm
- ☐ Working in a legal practice
- ☐ Other

2. Do you currently use eConveyancing?

Required to answer

Single choice

- ☐ Yes
- ☐ No

3. How often do you use eConveyancing?

Required to answer

Single choice

- ☐ Once or twice per month

Appendix 1 - Attachment 1: Online Survey Questions

☐ Once or twice per week

☐ Most days

☐ Every day

☐ Other

4. What do you think the primary benefits of using eConveyancing are?

Required to answer

Multiple choice

Select all relevant options

☐ Time efficiencies

☐ Client outcomes

☐ Improved communication between parties

☐ More streamlined process

☐ Other

5. Please rate how strongly you agree or disagree with each of these statements

Required to answer

Likert

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
The eConveyancing 'Workspace' meets my needs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am confident in the eConveyancing environment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Appendix 1 - Attachment 1: Online Survey Questions

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
I have experienced no major issues using eConveyancing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Communication between parties is easier using eConveyancing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
eConveyancing saves me time	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
eConveyancing provides value to my clients	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

6. Have you used eConveyancing previously?

Required to answer

Single choice

☐ Yes

☐ No

7. Why did you stop using eConveyancing?

Required to answer

Multiple choice

Select all relevant options

☐ Cost

☐ Online security concerns

☐ Lack of take-up by other practitioners meant it wasn't worthwhile

☐ It didn't integrate with your existing business systems

Appendix 1 - Attachment 1: Online Survey Questions

☐

Other

8. Why not?

Required to answer

Multiple choice

Select all relevant options

☐

Cost

☐

Security concerns

☐

Lack of take up by other practitioners means it isn't worthwhile

☐

Lack of integration with your business systems

☐

Other

9. If the above issues were resolved, would you like to use eConveyancing in the future?

Required to answer

Single choice

☒

Yes

☐

No

☐

Maybe

10. If 'no' or 'maybe', why?

Required to answer

Single line text

11. Do you have any concerns about eConveyancing?

Required to answer

Single choice

☒

Yes

Appendix 1 - Attachment 1: Online Survey Questions

☐ No

12. What are your primary concerns about eConveyancing?

Required to answer

Multiple choice

Select all relevant options

☐ Value for money for your client

☐ Online security and fraud

☐ Keeping up with all the changes

☐ Ensuring you're meeting legislative requirements (e.g., VOI & VOA etc)

☐ Other

13. Do you think eConveyancing should be further mandated in South Australia?

Required to answer

Single choice

☐ Yes

☐ No

☐ Maybe

14. If 'maybe', what is your support for further mandating dependent on?

Required to answer

Single line text

15. Please rate the effect of further mandating on the following business outcomes

Required to answer

Appendix 1 - Attachment 1: Online Survey Questions

	Strong negative effect	Slight negative effect	Neutral effect	Slight positive effect	Strong positive effect
Industry certainty	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Business time efficiencies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Business cost efficiencies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reducing cross- jurisdictional barriers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
More control over files	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better communication between parties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Value to consumers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impact on jobs within the industry	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impact on small businesses within the industry	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

16. Please rate the effect of further mandating on the following business outcomes

Required to answer

Appendix 1 - Attachment 1: Online Survey Questions

	Strong negative effect	Slight negative effect	Neutral effect	Slight positive effect	Strong positive effect
Industry certainty	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Business time efficiencies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Business cost efficiencies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reducing cross- jurisdictional barriers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
More control over files	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better communication between parties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Value to consumers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impact on jobs within the industry	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impact on small businesses within the industry	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

17. How should further mandating be introduced?

Required to answer

Appendix 1 - Attachment 1: Online Survey Questions

Single choice

☐ Staggered, with stand-alones first then series' then multi-party transactions

☐ Staggered, stand-alones and series' first then multi-party transactions

☐ As available in PEXA

☐ Other

18. What should the lead time be prior to a future mandate?

Required to answer

Single choice

☐ ASAP

☐ 3 months

☐ 6 months

☐ 12 months

☐ After at least one additional ELNO enters the market

☐ Other

19. Why?

Required to answer

Single line text

20. Do you have any concerns about further mandating?

Required to answer

Single choice

☐ Yes

☐ No

Appendix 1 - Attachment 1: Online Survey Questions

21. What are your primary concerns about mandating?

Required to answer

Multiple choice

Select all relevant options

- ☐ Lack of education and training on e-conveyancing
 - ☐ Impact on jobs within the industry
 - ☐ Capacity of ELNO customer service to handle additional support loads
 - ☐ Lack of competition in the ELNO market
 - ☐ Impact on practitioners due to other parties who aren't familiar with eConveyancing
 - ☐ Security concerns
 - ☐ Other
-

22. Would you like to see more education and training made available to industry on eConveyancing and related topics?

Required to answer

Single choice

- ☐ Yes
- ☐ No

23. Please select the topics you would like to see more industry education and training on

Required to answer

Multiple choice

Select all relevant options

- ☐ Online security
- ☐ Meeting your legislative requirements
- ☐ The practical 'Workspace'
- ☐ Other

Appendix 1 - Attachment 1: Online Survey Questions



24. Is there anything further you would like to tell us about eConveyancing in South Australia?

Required to answer

Single choice

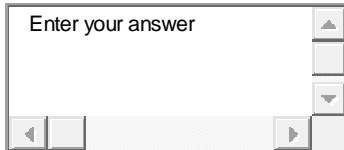
☐ Yes

☐ No

25. Please enter the additional information below.

Required to answer

Multi Line Text



26. Please rate this survey's ability to capture your perspective on eConveyancing in South Australia

Required to answer

Rating

1 Star: Very poor.

5 Stars: Very good.

Mandating Options Feedback Report

1 Purpose

This Mandating Options Feedback Report (the Report) presents the common themes expressed by attendees at the Future of eConveyancing Forum in response to three options presented on the topic of further mandating of eConveyancing.

The options presented to Forum attendees were designed to capture the gamut of industry opinion regarding further mandating identified in the initial stakeholder consultation process. Feedback from this early engagement process identified stakeholders who did not want any further mandating at all, those that were concerned about mandating while there is a private monopoly in the electronic lodgement network operator market, and those that want eConveyancing mandated as soon as possible.

Accordingly, the options presented to the Forum attendees were:

- Option 1 - Retaining a dual process with no further mandating in the short or medium term
- Option 2 - Begin further mandating when a competitive ELNO market exists (subject to this occurring in reasonable timeframe)
- Option 3 - Mandating electronic lodgement of dealings as they become available to lodge electronically (with a three month transition timeframe for each new dealing)

The purpose of presenting the three mandating options to Forum attendees was to identify stakeholders perspectives on what positives and negatives arose with each option, and to encourage discussion among attendees on each table and at the Forum as a whole about their own perspectives.

Each table was asked to write down their positive and negative responses to each option, resulting in a valuable record of views being obtained by the Office of the Registrar-General. A complete list of comments for each option is attached to this report.

The common themes presented in this report provide the Office of the Registrar-General with insight into industry perspectives regarding each of the three options presented on mandating eConveyancing, and will be an important resource in the policy making process going forward.

2 Scope and Method

It was made clear to the 131 Forum attendees that the results of the mandating options session would not definitively determine government policy going forward but, rather, would assist in informing future policy positions.

Each of the options were presented and explained independently by the Forum facilitator. Attendees were given 30 minutes per option to discuss and brainstorm their perspectives on the possible negative and positive impacts of applying that mandating option in South Australia. During that 30 minutes, each table was asked to discuss and record the positives for each option for 15 minutes and then discuss and record the negatives for each option for 15 minutes. Positive aspects of each option

Appendix 2 – Responses to mandating options

were recorded on green paper, one comment per piece of paper, while negative aspects of each option were recorded on orange paper, one comment per piece of paper. All comments were then pinned to the wall for the room to view.

Just over 350 comments were received from the attendees as a consequence of this process. In order to analysis this qualitative information, the comments were typed up verbatim and a content theme analysis was conducted to determine common themes across the feedback for each option.

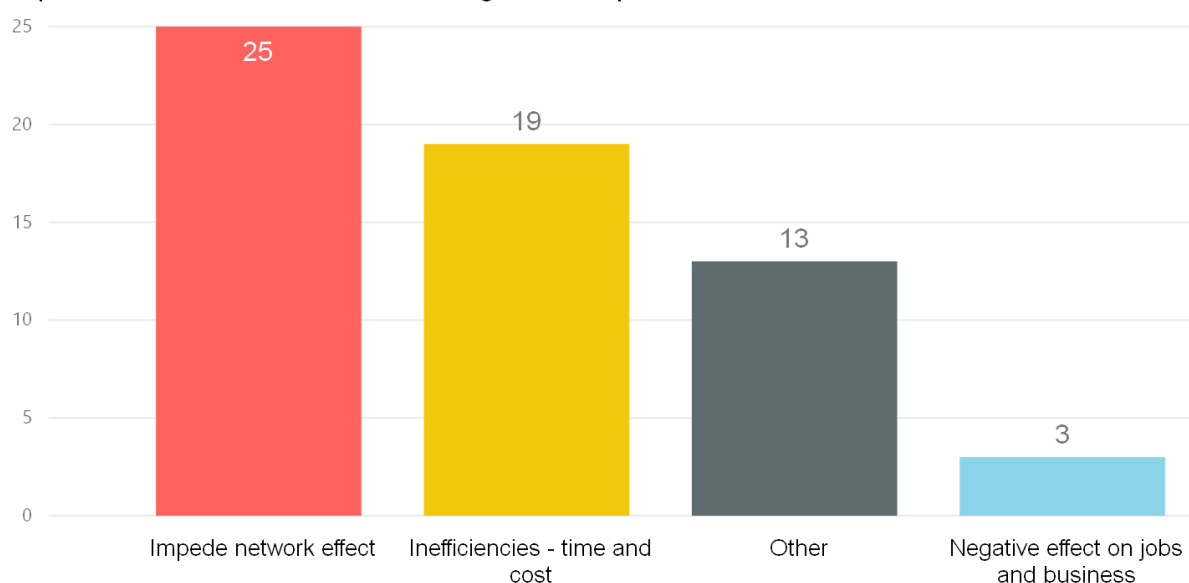
Content theme analysis is a method of summarising qualitative content by examining the data systematically for conceptual patterns, or common themes. Once common themes are identified, comments that fall within these common themes are counted to provide a quantitative breakdown of the major themes that exist in the qualitative data. Systematic content theme analysis provides a more objective evaluation of qualitative data than a simple impressionistic summary, although subjectivity remains in situations where a comment could fall into one or more themes and a decision is made by the analyser to include it in one theme over the other.

3 Common themes in mandating options feedback

Option 1 - Dual process with no further mandating in the short or medium term

Negative responses

Option 1 - Common themes in negative responses



Number of responses received for 'negative' aspects of Option 1: 60.

Content of common themes:

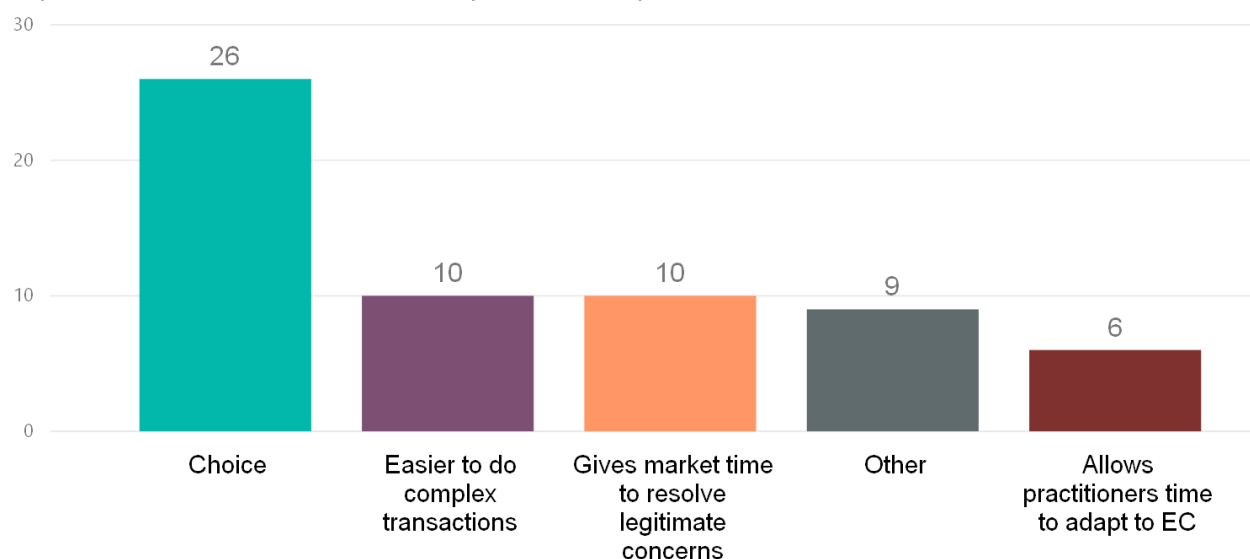
- **Impede network effect.** Comments that fell within this theme touched on several points, including that this option may: prevent or slow the transition to digital processes; negatively affect the uptake of eConveyancing; cause conveyancers to fall behind in regards to eConveyancing; and, slow the process of education and awareness around eConveyancing.

Appendix 2 – Responses to mandating options

- **Inefficiencies - time and cost.** Comments in this theme referenced: dual process related inefficiencies, particularly related to the time and cost commitments of running both a paper process and an electronic conveyancing processes.
- **Other.** Several comments did not fall into the three defined 'common themes', these comments included: propensity for creating confusion between electronic and paper processes; what is considered 'short' or 'medium' term; choice, for both the consumer and also the practitioner; and, concerns around ELNOs.
- **Negative effect on jobs and business.** There were three comments regarding the negative impact this option would have on jobs and business, and specifically that conveyancers and settlement agents would lose their jobs.

Positive responses

Option 1 - Common themes in positive responses



Number of responses received for 'positive' aspects of Option 1: 61.

Content of common themes:

- **Choice.** 'Choice' featured strongly as a key theme in the positive responses to option 1. Comments primarily touched on giving consumers the choice to use paper or electronic conveyancing and incur the additional cost of eConveyancing, however, they also touched on the importance of allowing practitioners to decide how they want to transact.
- **Easier to do complex transactions in paper.** Many responses noted that it is easier to do complex transactions in paper rather than electronically, and that this option would allow for the choice of paper transaction in these instances.
- **Gives market time to resolve legitimate concerns.** Several comments suggested that this option would allow time for eConveyancing to mature, which may mean better products, improved customer service, enhanced online security and improved trust in the systems.
- **Other.** Individually distinct positive comments included noting the capability to settle in paper if the eConveyancing system falls down, the creation of certainty for the market, and protection against online fraud.

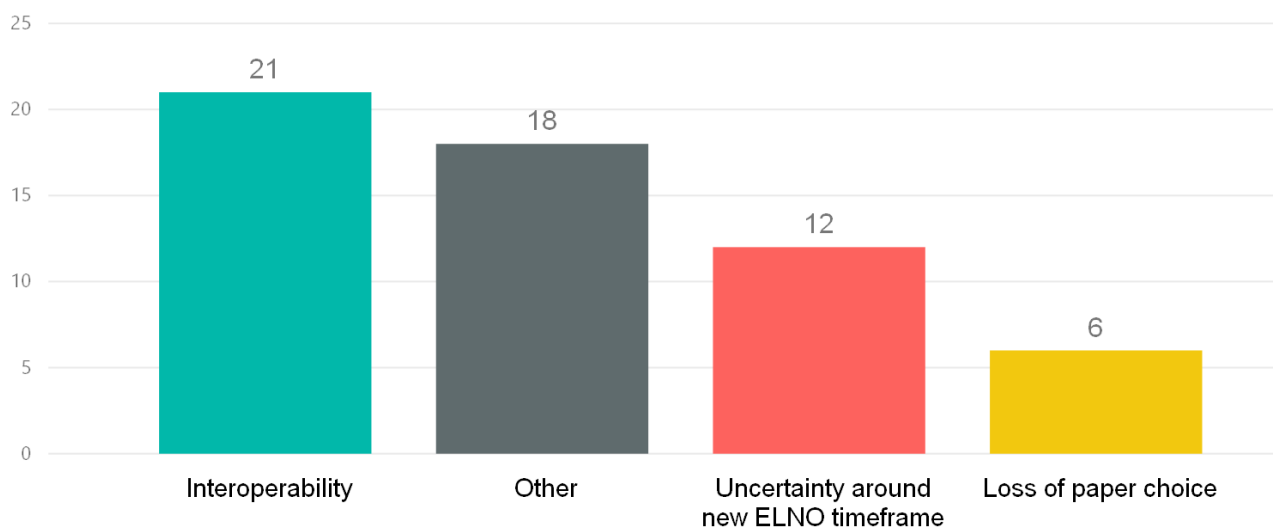
Appendix 2 – Responses to mandating options

- **Allows practitioners time to adapt to eConveyancing.** Comments captured by this theme focused on the additional time practitioners would have to train and learn, as well as giving those practitioners who may like to retire or sell their business, rather than take up eConveyancing, time to do so.

Option 2 - Begin further mandating when a competitive ELNO market exists (subject to this occurring in reasonable timeframe)

Negative responses

Option 2 - Common themes in negative responses



Number of responses received for 'negative' aspects of Option 2: 57.

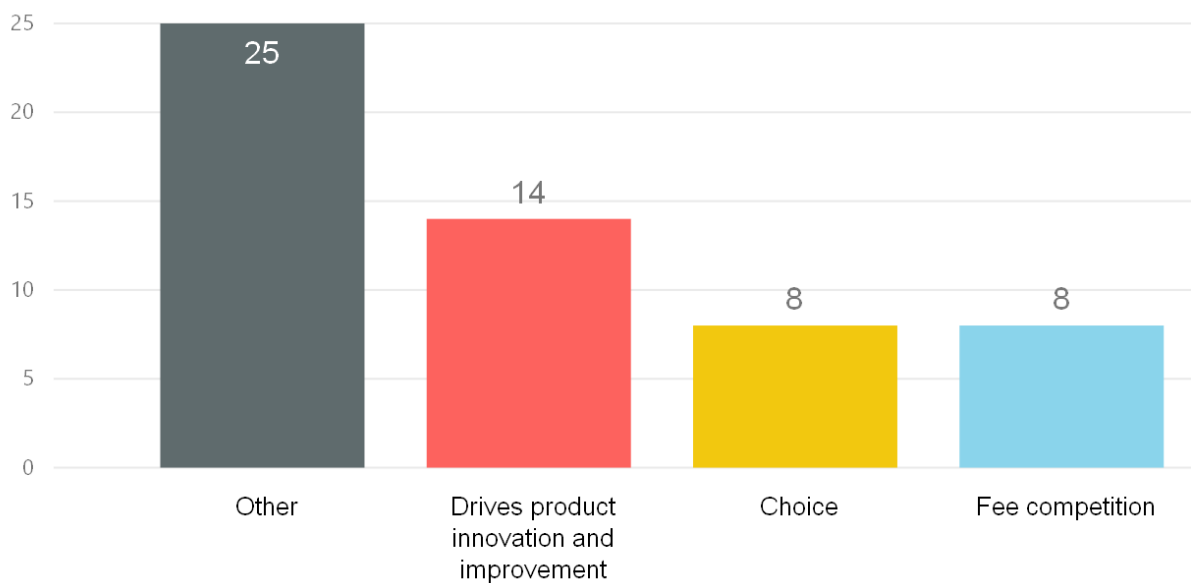
Content of common themes:

- **Interoperability.** Comments touching on issues regarding 'interoperability' ranged from the lack of clarity around additional ELNO subscriptions and fees, compatibility concerns, creation of additional security risks, and additional learning and development burdens.
- **Other.** Comments captured by the 'Other' segment varied widely, including: the notion of too much choice and too many unknowns; ELNO competition not being important; potential price fixing among the ELNOs and concern over additional fees.
- **Uncertainty around new ELNO timeframe.** Many comments queried what a 'reasonable timeframe' meant, suggesting there was too much uncertainty as to when this might happen and whether the entry of an additional ELNO meant there would automatically be a competitive market.
- **Loss of paper choice.** Six responses noted that this option would lead to the loss of the paper transactions, removing the consumer and practitioner's ability to choose, as well as the capability to revert to paper if required.

Appendix 2 – Responses to mandating options

Positive responses

Option 2 - Common themes in positive responses



Number of responses received for 'positive' aspects of Option 2: 55.

Content of common themes:

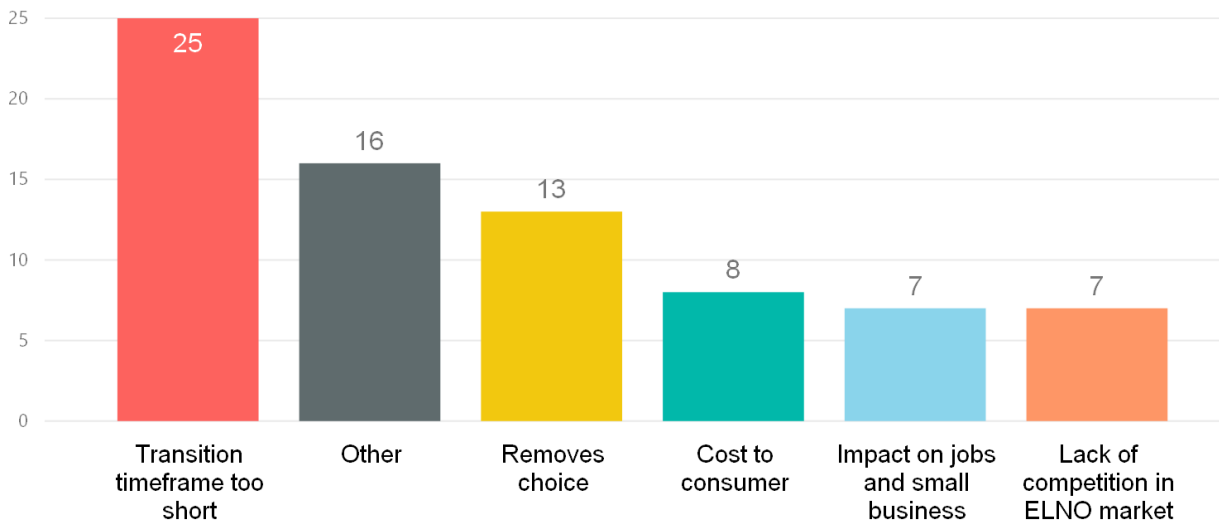
- **Other.** The biggest segment of positive comments for option 2 were too individually distinct to capture in a common theme. They varied from suggesting this option would stop a monopoly private ELNO from competing with practitioners, to removing concerns related to conflict of interest and allowing time for business transitions and the assessment of new operating requirements.
- **Drives product innovation and improvement.** Many responses suggested that additional ELNOs in the market may bring benefits to eConveyancing consumers, including: product useability and security; customer service; innovative system developments; and, product reliability.
- **Fee competition.** Several comments noted that additional competition in the ELNO market may bring down ELNO fees.
- **Choice.** The ability to choose between different ELNOs was identified eight times as a positive aspect of this option. Aside from the common theme of providing choice for consumers, these comments referred to 'competition' as the key benefit.

Appendix 2 – Responses to mandating options

Option 3 - Mandating electronic lodgement of dealings as they become available to lodge electronically (with a three month transition timeframe for each new dealing)

Negative responses

Option 3 - Common themes in negative responses



Number of responses received for 'negative' aspects of Option 3: 76

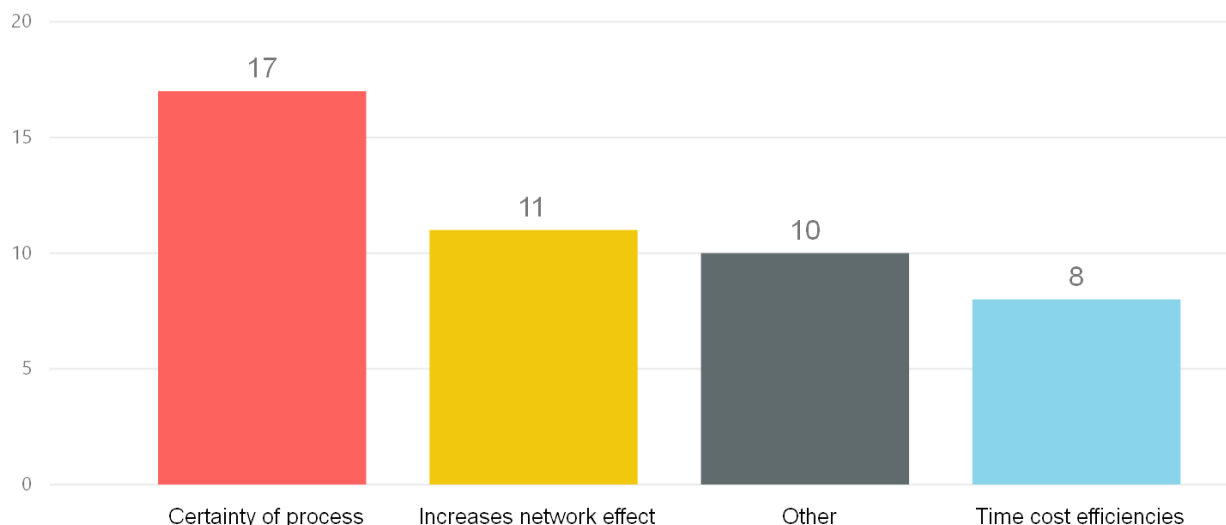
Content of common themes:

- **Transition timeframe too short.** The majority of negative responses to option 3 that possessed a common theme referred to the transition timeframe of three months as being too short. Respondents said this was not enough time for practitioners who are not confident with eConveyancing, six months was identified as a more realistic timeframe.
- **Other.** Responses not fitting within a common theme included comments stating that South Australia should let the eastern states iron out problems first, interstate operators will invade the state, that there has not been enough training provided to practitioners and more help needs to be available to assist in electronic settlement of complex transactions.
- **Removes choice.** Many responses noted that this option would remove the option for practitioners and consumers to choose between transacting electronically or in paper.
- **Cost to consumer.** Several responses stated that this option would increase the cost to consumers, as they would be forced to pay the ELNO fee.
- **Impact on small business.** Seven responses focused on concerns this option may have on businesses and jobs. Comments included: big firms taking over small firms, settlement agents shedding staff, and banks consolidating jobs offshore or interstate.
- **Lack of competition in ELNO market.** Seven responses also suggested that there should be competition, and interoperability, in the ELNO market prior to any further mandating.

Appendix 2 – Responses to mandating options

Positive responses

Option 3 - Common themes in positive responses



Number of responses received for 'positive' aspects of Option 3: 46.

Content of common themes:

- **Certainty of process.** Many positive responses indicated this option provided certainty for practitioners by establishing a timeline for change. These responders saw the clear direction toward a single process as a positive for the industry, which would also create clear rules.
- **Other.** Responses that did not fall within a distinct common theme included: easier to update cheque directions at last minute, the market has to be forced to adapt using a clear timeframe otherwise take up won't occur, and that it will force ELNOs to be up to speed.
- **Increases network effect.** Several responses stated that this option was the most effective at getting practitioners to use eConveyancing and thus improving the network effect. It was noted that this approach would allow users to gradually develop expertise in eConveyancing one dealing at a time as they are enabled and released for electronic lodgement.
- **Time / cost efficiencies.** Eight responses suggested this option would enhance time and / or cost efficiencies of conveyancing by increasing the speed of document registration and removing dual processes, which would force efficiencies.

4 Conclusion

Each of the mandating options presented have varied benefits and drawbacks. As the responses demonstrate, no single option will appeal to the industry without exception. The responses received have provided a wealth of information on industry perspectives and have demonstrated the significant variation between the different standpoints on what the future of conveyancing should look like in South Australia.

Combined with the results from the online survey, the Office of the Register-General has now obtained substantial industry feedback on the topic of eConveyancing, and will use this feedback to prepare a report for the Minister.

Appendix 2 - Attachment 1: Mandating Options Feedback

Option 1 Positives	Option 1 Negatives	Option 2 Positives	Option 2 Negatives	Option 3 Positives	Option 3 Negatives
In marital situation one party can be self-represented	Inefficiencies	Subject to reasonable timeframe of 1 -1.5 years	PEXA per title fee for a single instrument should be 1 fee	Forces practitioners to experience e-settlement after which they may be more willing to embrace - (more likely practitioners would choose to exit industry if seriously opposed to change) at least it forces that decision.	Increased complaints
Small practitioners who may not have time or resources to adapt and learn and learn to adapt to ec	Running dual processes is inefficient	Land titles office to provide free training meanwhile by a booking system similar to SAILIS introduction before, on eConveyancing	Interoperability trialled for at least interoperability year prior to mandating	Improved efficiencies	Loss of control of the decision. Other points are arguable
Complex cases refer to LTO before lodging	Won't work we can't grow	Clear direction	We want real options and choices as the general public also want from this government	Provides sufficient time to adapt	Causes more job losses in shorter timeframe as settlement clerks / agents shed staff
Option of paper settlement gives consumer choice to incur less cost	If we don't move do we become redundant? Will the industry suffer and become target of interstate competition	Agree that waiting for new ELNOs is preventing unfair advantage but if further ELNO enters market in 6-12 months, industry may still not be prepared (practitioners comfortable, upskilled, technology upgraded)	Too much choice	Increases speed of registration of documents	Big firms take over small firms
Choice; allows time for confidence; allows introduction of additional ELNO(s)	Dual systems are time / funds consuming	1 process = more efficient business processes	What is a reasonable timeframe? Uncertainty around new ELNO timeframe years or 6 months? I need two years	Promotes change	Loss of profits and possibility of jobs

Appendix 2 - Attachment 1: Mandating Options Feedback

PEXA system doesn't allow for docs to be lodged in series ie tg and t. Delays will be incurred. Need better system to match or better paper transactions.	Not cost effective to businesses	Choice needed for competition	Additional PEXA fees	Encourages people to use - sink or swim	No choice
Not everyone's in digital market	Continually putting it off will limit the training available to them	With more ELNOs there will be more choice and ...	Not unless they have interoperability	Timeline for change	Rushing it into use without testing
Choice!	Waste time at settlements. Office staff time could be used better	Hopefully more efficiency	Competition between ELNOs is not stakeholders issue	PEXA fee will becomes standard and consumer will just accept it	No timeframe system to be safe
Affords time to address legitimate concerns with ec	Customer choice	Maybe cheaper costs	If eConveyancing is a better more efficient platform, why will it need to be mandated?	Increased need for conveyancers rather than clients doing their own conveyancing	Let the other states iron out all problems
Enables a generational change from paper to electronic	May affect that 'no further development' or impede future development	Sa needs to get the market structure right before mandating or there will be negative consequences	Potential price fixing	Removes dual processing of paper and electronic (must note exceptions to ec)	No mandating, if eConveyancing is good enough we will pick it up (free market)
Keep option open for paper settlements where it's difficult to merge a complicated transaction. At conveyancers discretion.	Definitely can decrease uptake as most would design not to go into new venture	Might?? Bring down fees	What changes will LSSA bring in if mandating does not occur - they will drive inefficiencies some how	No discussion with client re fee as mandatory	No being able to have an option for complex settlements on PEXA
Conveyancing practitioners not engaging could force banks to be better	As is dual process may gradually ease into it and can be confusing	Mandate asap	Lack of certainty of interoperability (unless addressed prior to 2 or 3 ELNO operating)	Encourages / pushes people to change and adopt ec (6 month timeframe would be more realistic)	Things can go wrong
Allows time for more system to mature	Doesn't move forward with current practices moving electronic ie electronic titles and money transfers	Will encourage ELNOs to provide better services	Snack bars near LTO - drives down coffee and cake sales	Forces efficiencies and improvements (by us being guinea pigs)	Jobs being lost in banks, conv offices, settlement agents if mandated

Appendix 2 - Attachment 1: Mandating Options Feedback

Advantage is that e con will eventually take over as the older generation 'retires' and gen y and z take over!	Delays uptake of esettlements ie training and upskilling	The way of the future - competition, price will be best available	Reasonable timeframe?	Creates clear rules around paper / esettlements - no guesswork	3 month transition period is not enough time
Allow time for further education and training	Concerns it will stall esettlements	Fee competition	ELNO competition only important in the long term	Forces practitioners to get on board	Timeframe too short
Provides a choice, comfort, democratic and follows on from past that it will not be mandated	Cost of dual processing	Provides choice and improved product options. If it is all with one provider what is their obligation to give good service? Whereas with a competitor they will be more inclined to	Stakeholders do not want to be subscribers to multiple ELNOs	Allows conversion to digital workspace	Job reductions as banks, LTO consolidate interstate / off shore
This option allows complex matters to have choice as to process	Cost of dual processing paper and electronic	Competition to reduce price	Incompatibility issues	Single process	3 month transition period is not enough time to retain employees and get ready. 6 months may be better timeframe for transition
Paper is better to deal with complex scenarios	Dual processes	Have to start mandating to have greater uptake	More difficulty or confusion due to the users using different platforms	Lower fees with more ELNOs (competition)	Maybe minimum 6 month transition
We need to feel protected as conveyancers	Short or medium term defined as? 2 months or 2 years?	Will feel more comfortable transacting ec with mandates due to more than choice ELNO, competitors have time to sort through any issues choice provider has.	ELNO platforms owned by banks or shareholders only interested in making money	Time/cost efficiencies	There is no back up if things don't work and you have to resort to paper settlement
Positive to have dual process	Mandating shouldn't be defined by a timeframe but by performance of banks and ELNOs	Competition can improve product usability and would be most beneficial	Lose the right to choose how settlement takes place	Takes pressure off all or nothing approach	What about a 4th option mandate within realistic timeframe 6-12 months (standalone transfers first)

Appendix 2 - Attachment 1: Mandating Options Feedback

Less cost to clients. PEXA is very \$	Who is the consumer? Conveyancers or our clients? Or SA citizens	When the ELNO markets mature with user friendly platform, then re evaluate	Reasonable time not before 2050	Phased approach to in scope transaction (not limited to 3 months)	Brenton said this would not happen
Practitioners with low volumes can continue as is	Conveyancers / settlement agents will lose their jobs	Competition would bring benefits to the market- cost, system, accountability	Is the number of ELNOs the answer - doesn't it come back to ease of using the system??	This can be systemised roll out with clear dates for people to work towards 1 January 2020	Financial disadvantage to client
Allow time to implement further improvements on cyber security and tracing fraud	Unless mandated conveyancers won't invest time using PEXA	Must be another ELNO before mandating whatever timeframe it takes	Too many platforms to learn to use	Need to remain competitive on a national level	It would be obscene without interoperability between ELNOs
Time to create certainty and trust	Inefficient, dual business process	Mandating without competition increases risk of monopoly provider	Uncertainty of when new ELNOs will be ready - this could take a long time	3 months is not long enough for implementation - I would suggest a 3 month consultation / industry analysis period (ie industry experts allowed access to see and comment, then, 3 months transition)	Subject to discount interstate competition / fees
Continue to provide choice. Able to provide learning help at LTO to conveyancers by assistants there, so each conveyancer learns at LTO eConveyancing free of charge	Choice = messy as to who chooses platform btn paper and elec	Choice	Who decides the reasonable timeframe... the industry must have a say in when to mandate	Encourages practitioners to use eConveyancing	Electronic settlements will add cost to the public it is not in the interest of the client
Need time to educate the public	System won't be adopted by those resistant to change	Ability to choose ELNO platform	Will fees be competitive, same or regulated and by whom?	Forces ELNOs to be up to speed	No idea as to when all these dealings will be available electronically
Allows practitioners to choose how they prefer to settle.	Dual process - why should it ever be mandated? If eConveyancing (or settlement) are so much better efficient then we will all graduate to it and use it	Staged mandating for transactions eg clear title transfers	Why does this option exist? We need another option, mandate within reasonable timeframe	Certainty for conveyancers	There is no benefit to the consumer to settle electronically

Appendix 2 - Attachment 1: Mandating Options Feedback

Allows time for practitioners to train and become comfortable with transacting electronically and to upgrade technology, hardware, systems	Prevents industry uptake	Lower fees for ELNO platform due to competition	How long will it take to get approval for more ELNOs? What's a realistic timeframe?	Has to be dependent on the existing issues being addressed: security, costs and efficiencies, additional ELNO competitor	Bad for conveyancers health to be stuck at computer screen 100% of the time
Allows time for people working in impacted roles / jobs to make career change / retrain/ find new role	Not moving out of our comfort zones	This view is supported by ACCC	Learning more than one program and operating costs to the business to train and use more than one program	This is very logical as this may mean progressive implementation as the dealings becomes electronically available. Such partial implementation is enabling and stable, easier, easier for implementation / training purposes, likely more willingness for uptake. Less likely to head for big crash.	How much do conveyancers need to invest in it systems to ensure no problems / issues transacting in PEXA
Provides choice - not being forced	Delay refinance matter to settle first on PEXA	How can there be any mandating when there is only one ELNO? We have been forced to use a private provider and pay whatever they choose to charge.	Difficulty operating between ELNO providers	Make everyone get on board (uniformly)	More help to be available for complex settlements
Like choices as see beneficial to particular transactions. Prior to ELNO matured in their development able to fully serve the purpose and ease in use. May suggest potential implementation with timelines.	Change will not happen	Competition brings benefits of efficiency, security, and reliability + pricing	No, need to wait at least 6-12 months after new ELNOs in market to ensure all ELNOs can interoperate	Allow us to transact interstate more	Not enough time for practitioners to get own security safety systems in place
Retaining paper process enables complex matters to be more efficiently managed in terms of number of documents required and fees payable.	Lack of uptake	This will ensure there is an incentive for ELNOs to continuously improve	Should not be mandated unless and until multiple ELNOs with compatibility with each other	Conformity, certainty	Practitioners not yet confident enough to transition in 3 months

Appendix 2 - Attachment 1: Mandating Options Feedback

Allows time for PEXA other ELNOs to evolve to fit needs / allow complex transactions / address system issues	Inefficiencies - time and cost party can prevent the settlement when fi process confusion other parties are happy to transact	It will even improve PEXAs service - whether a practitioner uses it or not	Interoperability - a must - how will it work? ARNECC involvement?	Move forward toward single operating process	No immediate competition with ELNOs
Choice is yours. Known system - safe	Expensive and risky	Ensure that a monopoly won't start competing with conveyancers	Technical issues as one ELNOs system may be down	Get conveyancers on board	Cost to consumer months not enough, 6 months lead in better
Allows for complexity	Prevents transition to digital process	Creates competition and removes the monopoly	Risks of non-interoperability	Cures non-lodgement of t, m, in paper being delayed (by up to 3 weeks etc)	What happens in the event of a state-wide blackout? Settlements can't happen, unhappy and stressed clients
No extra business costs	Slows process of education and awareness. Gives excuse not to adapt / change/ learn	Allows businesses time to adjust to new system and mandating requirements (reasonable timeframe - assuming this is a 6 -18 month timeframe)	Risk of interruption - power/ nbn/ internet - no option to revert to paper immediately	Just mandate 100%	PEXA still has a monopoly
Continues development time for competition to ensure that the customer receives the best choice for their settlement	Having two systems running	Possible better regulatory framework	Tried and tested for at least 12 months to prove compatibility	Increase in knowledge base of users due to more frequent use	3 months is too quick transition should be closer to 6 months
Continues to provide choices.	Once mandated cannot revert back	Efficiencies of having date so everyone knows what working towards = support = training	No mandating at all	Provides clear direction	Interstate operators invading SA
Time to iron out bugs in eConveyancing systems, so conveyancers not intimidated by complex eConveyancing	Difficulty running two systems	Need competitive market - certainty efficiencies	Too many unknowns	Conveyancer can't be held liable by clients for settling in PEXA	No
So the 2 eConveyancing systems have ironed out their online bugs and have simplified eConveyancing	Mix up of settlement processing ie half PEXA half paper	Competition = innovative system developments ie drives innovation	ELNO platforms not interested in looking after people	Should if governments are serious lead to cheaper govt fees	Forced to use system with issues

Appendix 2 - Attachment 1: Mandating Options Feedback

Client has option and choice whether to pay PEXA fees	EConveyancing may not progress	Pressure on ELNOs to provide customer assistance to conveyancers	The consumer is not served by having to pay ec fees - only banks, lto, and shareholders of ec benefit	Allow practitioners to learn ec on specific dealing one at a time rather than multiple dealings	Timeframe should be at least 6 months
Gives older practitioners more time to engage in eConveyancing processes	Confusion on how to settle	Improved products with competition	In addition to being competitive (subjective) the ELNO needs to be secure provide unconditional guarantee to clients. Any mandating needs to be driven by an educated market	Provides certainty for the industry	Transition period timeframe not long enough. As when system working better, safer. Fatigue in both systems
Compare probate court - no choice this is a chance to model the outcome to achieve a workable outcome/system	From an fi perspective inefficient - staffing / time wasting / dual process costly	Yes, good to introduce competition	Which ELNO do we wait for	Forces people to transact electronically	3 months may not be sufficient time to prepare for mandate 6 months more realistic
Yes. Don't rip up SA jobs for the sake of profits for major players on the eastern seaboard	Not allowing time for teething problems	The monopoly provider must be challenged ie cost etc	Who determines when a competitive ELNO market exists?	Better for regional conveyancers	Please explain what 'unfair barriers for regional consumer's means' ?? Regional conveyancers benefit from ec
Choices are imperative to a democratic society	Not enough time for cost review through PEXA for fees	Allows for business transition. Small conveyancer who does not want to only go through one process of selecting a provider who is not PEXA	Why wait?	Easier to update cheque directions at last minute	The kind of partial progressive implementation may have a slight disadvantage of potential long process, delay, may lose momentum (only slight negative)

Appendix 2 - Attachment 1: Mandating Options Feedback

Protection against online fraud	Practitioner that have not used ec don't have enough time to learn the system if mandating in short time frame	Competition	Conveyancers / solicitors won't use it if they don't have to	Provides certainty to a market that is rife with uncertainty	Conveyancer have not been provided with training by land titles office free of charge, for all conveyancers to be trained in the use of eConveyancing like done by Ito for SAILIS use. All providers have not had enough time to iron out the bugs in their systems
Greater consumer access	Delaying the inevitable. Need a defined timeframe otherwise won't be taken up	No true competition, not enough players. See the case of power providers	No this is not fair competition either and still removes choices. Let the free market dictate the future of ec by no mandating		Why not just make electronic lodgement possible for all documents so people can choose (ie not mandatory). Make it a choice!
No further training required - eg for new system	If given choice , no one will take up, no one will integrate their systems	Reasonable timeframe is impossible to measure as it is completely dependent on interoperability.	Multiple registrations for different platforms		Timeframe should be when there is more than one provider and when sympli and PEXA work better
Why do you say dual process? Until all documents can be lodged electronically we will always have a dual process	Continues to promote inefficiency	An additional ELNO does not address all existing issues (interconnectivity with the banks, lack of communication)	Don't believe more than one ELNO is workable / practicable. Creates extra risk for practitioners		Mandating is likely to encourage big banks to automate / offshore more tasks and end any onshore expertise / escalation points causing complex transactions to become stalled

Appendix 2 - Attachment 1: Mandating Options Feedback

Practitioners choose to continue - they should have option to do paper always	Need to keep moving forward	Allows every practitioner to get up to speed when 2-3 options are up and running and proved reliable.	Business transition = possible difficulties learning multiple ELNOs / platforms		Removes the ability for practitioners to choose how to settle / how to manage their business or the future of their business
If PEXA crashes still possible to settle in paper	Dual process is not efficient or time effective	Options, choice, competition	Who decides which ELNO to settle on?		Stakeholders do not get a say in what is mandated first
General comment to make use of ELNOs more attractive reduce lto fees for electronic lodgement. Also, need to address ELNO fee where more than one title involved in the document	Jobs and business will not be protected	Allows more time to assess requirements	Why wait? Should start using current ELNO to gain experience		Transition timeframe needs to be a minimum of 6 months
By having dual process puts pressure on ELNO to perform	Does continue to provide choice, however, does not get people out of their comfort zone	Gives a longer lead in time to get things right and learn from mistakes interstate	Will allow for efficiencies and reduced costs (will have to be competitive, will have to improve processes)		It is cheaper to employ a settlement agent than to complete a PEXA settlement
Issues often settled more quickly and logically in paper rather than electronically	Inefficient	Prices driven down by competition	ELNOs need interoperability		3 month timeframe not accepted. I would accept a 6-12 month timeframe
We like choice - (paper or eConveyancing)	Jobs and business will not be protected	Will address inherent perception of bias/conflict of interest with sole provider	Security concerns of competitors (having secure platforms)		Loss of jobs
More certainty	Time taken to convert PEXA to manual settlement is unacceptable as circumstances arise (often at short notice)		Depending on how ELNO will work, can you merge all ELNOs so different practitioners can use different platforms or do we need to learn loss of		Not enough time to train staff and prepare

Appendix 2 - Attachment 1: Mandating Options Feedback

			paper choice x ELNO systems?		
Preferred option	Extend time of people embracing eConveyancing		Mandating and more ELNOs not linked		Only one platform (ELNO)
Will provide consumers with an option	Inefficiencies - 2 processes				Will other 2 ELNOs be ready to be available for choice by conveyancers etc in 3 months? Want choice of ELNOs
Cost of PEXA usage	Moving with the digital times is limited				Does not allow conveyancers enough time to becomes confident in lodging via PEXA
Allows for complexity	Moving forward with mandate in short terms will cause users to learn ec rather than falling behind				Market fatigue? Is that wasting all afternoon waiting for a PEXA settlement to complete which I could have done it on paper 2 times over Gc
Clients don't have to pay extra to use PEXA/ eConveyancing					Opening speaker Dr Vnuk stated that govt objectives were to: lower costs, increase employment, increase efficiency. Electronic settlements do not meet this objective.
					Doesn't allow big banks time to transition pipeline work / update systems and procedures. Need more like 3 months warning and 3 months transition

Appendix 2 - Attachment 1: Mandating Options Feedback

					Regional consumers: settlement agent fees are less than PEXA fees - do the sums!
					Let take up be determined by the users. No mandating at all.
					Most docs are already available so there's a danger that mandates on this basis will be too soon.
					Currently PEXA registration fees are preventing take up of all three options
					Mandating transfers by categories ie pursuant to will, trustee to trustee, family farms, matrimonials etc
					Removes choice ELNO only
					People won't be ready in time - transition issues
					Situations that some documents in series won't be mandated which forces a manual settlement

Appendix 2 - Attachment 1: Mandating Options Feedback

					Regional consumers have to travel for voi so already this has caused unfair barriers plus pay a PEXA fee - no benefit
					Removes choice 1 ELNO only
					Disadvantages for companies that do fewer transactions
					3 month transition much too short need a much longer period.
					Has anyone gone from 3% to 100% in 3 months?
					The current system is too clunky and security is questionable. Clients need to have choice - as conveyancers we don't have time to convince clients in addition to all the other legislative requirements that we have.

Appendix 3 – Slido Q&A Responses

Questions	Votes	Answered in forum?	Response
How many of the stakeholder panel are 'for' and 'against' eConveyancing?	14	No	The panel was composed of representatives with a variety of views on mandating.
Now that the system is going online, will the fees decrease now that there's likely less "manual handling".	13	Yes	Registration fees are regulated by government. Currently we are not aware of any intention to change these fees.
Why is the lenders time frames not at the top of the LTO and Pexa and Simpli agendas?	11	No	The feedback provided has highlighted that concerns exist. Discussions continue with the ABA, AICSA and individual financial institutions as appropriate.
During the introduction of eConveyancing we were told the ability to lodge manually or electronically would always be available. Why has that attitude changed?	11	Partly	It is anticipated that there will continue to be dealings that will only be able to be dealt with in paper. The question of whether the majority of dealings will be mandated was the topic up for discussion and no decision has been made.
Would consideration be given to any reduction in registration fees to absorb extra costs to the consumers for transacting electronically?	11	Yes	Registration fees are regulated by government. Currently we are not aware of any intention to change the fees.
How will everything work when there's more than one ELNO? Do we have to sign up for all three?	11	Yes	Interoperability between ELNO's is a topic that is being discussed in all jurisdictions. The complexities raised by a market with multiple ELNO's are not yet resolved. This is one matter that will be considered as part of the review of the Inter-Governmental Agreement.
Graeme's last point was in regards to proposed timeframes (assume this is in regards to mandating). Shouldn't we just skip to this?	10	Yes	The panel was formed to allow all attendees to question and discuss the future of eConveyancing. We hope you found the panel discussion informative and helpful. If a decision is made to mandate further, any associated timeframes can be discussed then.

Appendix 3 – Slido Q&A Responses

How do you use a digital licence for VOI when the policy requires a certified copy?	10	Yes	A digital licence is considered to be a document. Where an identity agent has been engaged to undertake VOI they are able to confirm the authenticity of the electronic licence by shaking the phone and taking a photo of the identification screen as well as the screen with the date and time stamp. Storing the data as they would a copy of the physical licence. Where in-house VOI is conducted you may wish to request your client bring their physical licence to the interview.
As regards the RG's survey was there any geographical location recorded for respondents?	9	No	Postcode data was not requested. This is a great idea - in future, similar surveys the postcode data will be included as an optional question.
Why are we even talking mandating when the system has so many issues and PEXA have failed us already when it comes down to transparency surrounding many issues?	9	No	The interest to mandate is not from one particular industry segment. Several stakeholder groups believe further mandating will bring business efficiencies.
This discussion panel is raising a lot of good information why don't we extend this time?	9	No	We needed to ensure that all items on the agenda were covered but will take this into account for any future events.
We have encountered various issues in transacting in Pexa which has forced settlement delay or resorting to paper - what is Pexa doing to fix these issues?	6	No	<p>We deeply regret the difficulty that a member has experienced while transacting in PEXA. However, without further clarification on the actual transaction(s), we are unable to provide a more specific response or support. PEXA welcomes feedback and encourages members to continue to reach out whenever they need to. Given the network nature of the business, it is the collective utilisation and feedback that allows us to adapt the platform for the benefit of all our members.</p> <p>There are a list of transactions that a practitioner can do on PEXA and as long as this option is available and that all parties are registered on PEXA, the transaction can proceed online. The PEXA platform has continuously maintained its 99.8 per cent availability as prescribed under the Model Participation Rules.</p>

Appendix 3 – Slido Q&A Responses

However, other third parties including financial institutions and land registries have experienced their own system issues which have had a flow-on impact to PEXA. Being a network business, PEXA has built in resilience measures and continuity planning to ensure in these instances, settlements can still proceed. Between August 2017 and July 2018, where a third-party system experienced an outage or complication, 99.53% of all impacted workspaces were still able to settle on the prescribed date as a result of these initiatives. The remaining 0.47% were successfully rescheduled.

Some of these measures include:

- When the Land Registry is experiencing an outage and cannot be reached during a settlement, PEXA will proceed to financial settlement through the Lodgement Override functionality and lodge when the Land Registry is back online.
- If the Land Registry cannot be reached on the day of settlement when final digital signatures are being applied, PEXA will allow the documents to be signed through a Secondary Lodgement Verification, provided that they remain unchanged since the last lodgement verification.

We deeply regret the difficulty that a member has experienced while transacting in PEXA. However, without further clarification on the actual transaction(s), we are unable to provide a more specific response or support. PEXA welcomes feedback and encourages members to continue to reach out whenever they need to. Given the network nature of the business, it is the collective utilisation and feedback that allows us to adapt the platform for the benefit of all our members.

There are a list of transactions that a practitioner can do on

Appendix 3 – Slido Q&A Responses

			<p>PEXA and as long as this option is available and that all parties are registered on PEXA, the transaction can proceed online. The PEXA platform has continuously maintained its 99.8 per cent availability as prescribed under the Model Participation Rules. However, other third parties including financial institutions and land registries have experienced their own system issues which have had a flow-on impact to PEXA. Being a network business, PEXA has built in resilience measures and continuity planning to ensure in these instances, settlements can still proceed. Between August 2017 and July 2018, where a third-party system experienced an outage or complication, 99.53% of all impacted workspaces were still able to settle on the prescribed date as a result of these initiatives. The remaining 0.47% were successfully rescheduled.</p> <p>Some of these measures include:</p> <ul style="list-style-type: none"> • When the Land Registry is experiencing an outage and cannot be reached during a settlement, PEXA will proceed to financial settlement through the Lodgement Override functionality and lodge when the Land Registry is back online. • If the Land Registry cannot be reached on the day of settlement when final digital signatures are being applied, PEXA will allow the documents to be signed through a Secondary Lodgement Verification, provided that they remain unchanged since the last lodgement verification.
Can you tell me how much longer the "Service" or "Administration" fee will remain.	5	No	Registration fees are regulated by government. We are not aware of an intention to change this fee.

Appendix 3 – Slido Q&A Responses

Are electronic platforms expected to completely replicate the paper world?	5	Partly	Electronic dealings and the platform they are lodged through will not completely replicate the paper world but will align as closely as possible. Even if the decision is made to issue further mandates, paper will always have a place, ensuring the transacting of property is not hindered by system failure.
Of the respondents who are in favour of econveyancing how many were part of a large firm as opposed to a small or sole operator?	5	No	Firm size was not requested as part of the survey, conveyancing practitioners were the largest respondents. This is a great idea that will be considered as an optional question in future surveys.
Will the introduction of eConveyancing eventually cut out professionals as individuals to do their own lodgements? We have seen this occur with tax returns.	5	Yes	The ELNO's are obligated to follow comprehensive subscriber requirements, including insurance. Self-represented parties would not qualify under the Model Participation Rules.
What ever happened to choices have we elected a socialist regime?	4	No	The objective of the forum was to give the opportunity for all attendees to have their say.
What is the view of the Government for future oversight of EC in light of the IGA review?	4	Yes	The IGA review will start in the near future and various stakeholders will be consulted as part of that process.
Is it possible to mandate transfers without bank involvement first - then mandate transfers with banks six months later?	3	No	All options will be considered, including mandating standalone transfers in the first instance with four party transactions at a later date.
Are banks going to make it harder to do a paper settlement - example where paper discharge takes around two weeks PEXA takes 3 days CBA?	3	No	ABA member banks do not apply varied service level agreements to paper versus PEXA settlements. The banks' approach is guided not by the settlement method but by their customers' settlement requirements.
LTO has been sold but the SAGovt remains involved. What 'interaction' arrangements are in place? ... And could they facilitate 'mandated interoperability'?	3	No	Click here https://www.treasury.sa.gov.au/Our-services/land-services-sa to see the arrangements between Land Services SA and SAGov. Interoperability will be considered as part of the IGA review.

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Why don't they start by taking the \$15 off rego fees which was attached to documents years ago.	3	No	Registration fees are regulated by government. We are not aware of any intention to change those fees.
Who's going to benefit from mandating? PEXA not people of S.A. ! All the monies going to the big players in the east!	3	Partly	The interest to mandate is not from one particular industry segment. Several stakeholder groups believe further mandating will bring business efficiencies.
Who is applying the pressure to mandate? And what do they have to gain from it?	3	No	The interest to mandate is not from one particular industry segment. Several stakeholder groups believe further mandating will bring business efficiencies.
Shouldn't all conveyancers be required to be PEXA certified (or similar) in the lead up to mandate?	3	No	It is recommended that all practitioners ensure they are working to best practice and meeting industry standards.
There are already issues with the premature mandating of standalone documents, do conveyancers think this policy should be reversed?	2	No	We have had limited feedback that mandating should be reversed, but we have also had feedback that it should be increased. All options will be considered as part of this process, though it is noted that reversing mandates may have particular negative consequences for those who have invested funds in reliance on mandates already announced.
In FL transfers usually the recipient of the property pays the costs involved with the transfer. In EC 2 fees so 1 party will be forced 2 pay both.	2	Partly	Workspace fees are determined by the ELNO. Where for love transfers are made pursuant to a court or consent order, the payment of fees are directed.
It's seems to be in PEXA's interest to not have interoperability. It is in the interest of conveyancers to have interoperability.	2	Partly	Interoperability between ELNO's is a topic which is being discussed in all jurisdictions. The complexities raised by a market with multiple ELNO's are not yet resolved. This will be one matter that will be considered as part of the review of the Inter-Governmental Agreement.
I don't believe the general public of South Australia, especially country people, are being considered. Do not mandate.	2	No	Some regional practitioners have indicated eConveyancing provides them with greater viability and control over their client's matters. Again there are mixed views in this area.

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Is it the reality that mandating is essential for eConveyancing to work?	2	No	Several participants indicated during the face-to-face consultation, and via the survey, of the reluctance of industry to participate in eConveyancing unless they were required to do so. This in turn holds back those who wish to participate electronically.
Without mandating, a lot of conveyancer simple will not do EC based on a bad time 6 months ago - not knowing PEXA has grown.	2	No	The objective of the Forum was to give attendees the opportunity to have their say and direct their concerns to the relevant stakeholders on the panel during the Q&A session.
How do we get to a mandated position for the profession?	2	No	ORG is working with industry to determine the future of eConveyancing in South Australia. A position on mandating has not been decided.
Shouldn't major issues be addressed before the mandate? Should a separate insurance company/department deal with the downfall of the mandate?	1	Partly	ORG is working with industry to determine the future of eConveyancing in South Australia. Resolving significant concerns is a central component of our consultation program. A position on mandating has not been decided.
Why mandate when you haven't got the review?	1	Partly	A decision regarding the future of eConveyancing in South Australia has not been made.
Are the ELNOS processes all the same or very different in processing?	0	No	All ELNO's are required to follow the Model Operating Requirements and ensure their network framework is consistent with the National Electronic Data Standards. The user experience of each platform is unique to the individual ELNO.
What really is the disadvantage to SA practitioners if we DO NOT mandate? Queensland has decided not to. Why can't we?	0	No	ORG is working with industry to determine the future of eConveyancing in South Australia. A position on mandating has not been decided.