

Notice

To Lodging Parties

21 December 2018 No 213

Updated Registrar-General's Statutory Instruments

South Australian Operating Requirements and Participation Rules

The Australian Registrars' National Electronic Conveyancing Council's (ARNECC) have published Version 5 of the [Model Operating Requirements](#) (MOR) and [Model Participation Rules](#) (MPR) which will come into effect on 25 February 2019.

Under section 22, 23 and 25 of the *Electronic Conveyancing National Law (SA) Act 2013* (ECNL Act), the Registrar-General has published corresponding updates to the South Australian [Operating Requirements](#) and [Participation Rules](#).

The changes introduced with Version 5 of the MOR and MPR update definitions and make substantial requirement amendments within the documents. Marked up versions of the MOR and MPR are available on the [ARNECC](#) website for your information.

Certifications

Amendments to Certifications 1 and 5(a) of Schedule 3 of the Participation Rules Version 5 include changes to the wording to clarify that the person's identity being verified may be the "*administrator or attorney*" of the party to the dealing.

The wording change will not be implemented in the Electronic Lodgement Network (ELN) on 25 February 2019, therefore under section 27 of the ECNL Act the Registrar-General has granted [Waiver No. PR 1/2019](#), waiving compliance with the Participation Rules in this respect until the changes are implemented within the ELN.

To ensure consistency, Certifications 1 and 5(a) wording updates for paper dealings including the National Mortgage Form (Addendum can be found via [ARNECC](#)) will align with its availability electronically. A transition period of three months from implementation will then apply to allow for inflight transactions.

The **effective date** will be communicated via a further NTLP in due course.

Revoked Waivers

Waiver No. PR1/2017 will expire as a result of the updated Participation Rules, which now reflect that an encumbrancee or encumbrancer may be a party to which Certification 1 of Schedule 3 is applicable.

Client Authorisation Form

Amendments to the Client Authorisation Form seek to clarify the appointment and signing authority of Representative Agents. The change will come into effect on 25 February 2019 at which time ARNECC will publish the revised Smartform, coinciding with the flat form being available via sa.gov.au

The ARNECC Guidance Notes outlining all the above changes will be updated shortly to further assist you in understanding how to comply with these requirements.

For further information please contact Land Services SA customer support on 08 8423 5000 or email customersupport@landservices.com.au



Jenny Cottnam
REGISTRAR-GENERAL