

Customer Information Bulletin

15 January 2019

Issue 329

Ministerial decision regarding further mandating of e-conveyancing

The Registrar-General has undertaken a comprehensive consultation process to seek the views of all stakeholders as to whether further mandating of e-conveyancing should occur.

A report was prepared for the Minister for Transport, Infrastructure and Local Government and the recommendations within that report have now been approved.

The Office of the Registrar-General (ORG) wishes to inform our stakeholders that:

1. no further mandating will be undertaken until the various matters set out below are resolved or suitably mitigated;
2. it is intended that e-conveyancing will be further mandated in the future, consistent with the government's digital by default policy, to allow the full benefits of e-conveyancing to be realised and the government's commitment under the Inter-Governmental Agreement to be met; and
3. providing benefits to consumers via a safe and efficient lodgement process is the government's priority and it is considered that e-conveyancing will deliver that outcome once outstanding matters have been resolved.

Matters Requiring Resolution

- Security of the e-conveyancing system is paramount. ARNECC's security review needs to be completed and actioned and all industry stakeholders need to be engaged and active in their response to cyber security threats.
- A competitive market needs to exist so that mandating does not unduly benefit the current monopoly provider of Electronic Lodgement Network Operator (ELNO) services in South Australia. The ORG will be working to ensure barriers to a competitive market place are removed.
- Clarity of market operation in relation to key factors such as price, separation and integration and interoperability needs to be provided.

- Clarity in relation to the Registrar-General's ability to enforce lodgement of dealings electronically. An amendment has been included in the *Statutes Amendment and Repeal (Simplify) Bill 2018* to put this matter beyond doubt. Please see Notice to Lodging Parties No. 211.
- Completion of the IGA review and communication and establishment of a satisfactory pathway in relation to governance of the e-conveyancing market going forward, including maintenance and access to the fundamental tools for ELNOS to operate such as national data standards and Revenue Office requirements. Please see Customer Information Bulletin Issue 324.

Many factors were considered when reaching these decisions.

The ORG considers that the barriers to full mandating of electronic lodgement for all available dealings should be removed by 1 January 2020. Consultation will continue to occur with stakeholders before any further decisions are made in relation to the implementation of a mandating timeframe in the future.

The ORG will be working to reduce barriers to an effective and efficient e-conveyancing system and will collaborate with all industry stakeholders to achieve this aim.

The ORG encourages stakeholders to prepare for the future and the transition to full electronic conveyancing.

I wish to thank all parties who have contributed to the consultation process. Your goodwill, feedback and willingness to work collaboratively has been greatly appreciated. I look forward to working with industry on these important matters into the future.

For further information please contact DPTI.RegistrarGeneral@sa.gov.au.



Jenny Cottnam
REGISTRAR-GENERAL