

Notice

To Lodging Parties

9 March 2021

No 234

Updated South Australian Operating Requirements and Participation Rules

South Australian Operating Requirements and Participation Rules

Under sections 22, 23 and 25 of the *Electronic Conveyancing National Law (SA) Act 2013* (ECNL Act), the Registrar-General has updated Operating Requirements (OR) and Participation Rules (PR) for South Australia to replace version 5 of those documents:

- OR- <https://landservices.com.au/businesses-and-property-industry-professionals/registrar-general/statutory-instruments/operating-requirements>
- PR- <https://landservices.com.au/businesses-and-property-industry-professionals/registrar-general/statutory-instruments/participation-rules>.

The South Australian OR and PR are based on the Model Operating Requirements (MOR) and Model Participation Rules (MPR), published by the Australian Registrars' National Electronic Conveyancing Council (ARNECC). Version 6 of these regulatory documents will come into effect on 12 April 2021.

Version 6 of the South Australian OR and PR include amendments to definitions and eligibility requirements, as well as:

- enhanced security and testing requirements for both ELNOs and Subscribers
- changes to the good character and reputation requirements
- Verification of Identity updates
- enhanced requirements for integration with ELNO systems
- requirements relating to ELNO's service suppliers (contractors)
- updated Digital Certificate requirements
- new ELNO Implementation Plan requirements
- updated timeframes within which ELNOs must make Registry Instruments and other electronic documents available
- additions to Business Name requirements
- deletion of Subscriber as Attorney provisions

Revoked Waivers

Waiver No. OR 5/2019 will expire as a result of the updated OR, which now contains enhanced provisions for ELNOs that offer, or intend to offer, integration.

Further information

To understand how version 6 of the OR and PR differ from version 5 of the OR and PR, please refer to the marked-up version 6 of the MOR and MPR on the ARNECC website. This will highlight specific differences in text between the old version 5 and new South Australian Version 6 OR and PR:

- MOR- https://www.arnecc.gov.au/publications/model_operating_requirements
- MPR- https://www.arnecc.gov.au/publications/model_participation_rules.

Additionally, ARNECC has published Feedback Tables which detail issues that arose during the consultation processes. These tables provide feedback on why changes were made and can be found at: <https://www.arnecc.gov.au/resources/feedback>.

The ARNECC Guidance Notes applicable to 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