

# eConveyancing Legal Framework Information Session

Office of the Registrar-General  
July 2020



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 @DPTI\_LSG



Government of South Australia

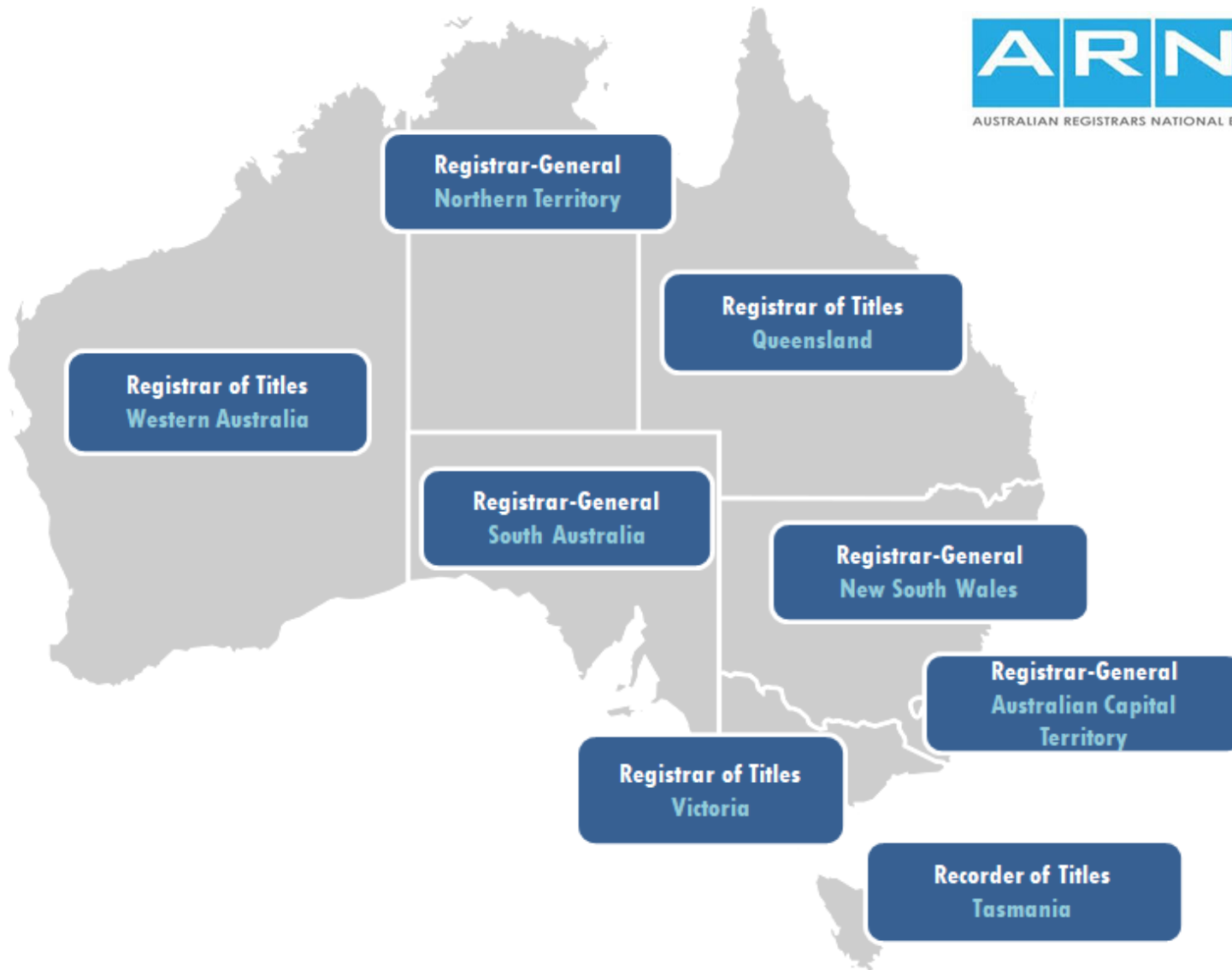
Department of Planning,  
Transport and Infrastructure

# Overview of Legal Framework

## ***Real Property Act 1886 (RPA)***

The RPA governs all property transactions in South Australia.

## ***Electronic Conveyancing National Law (South Australia) Act 2013 (ECNL)***



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### **South Australian Participation Rules**

Promulgated under s22 of the ECNL, these are based on the Model Participation Rules (MPR) developed by ARNECC

### **South Australian Operating Requirements**

Promulgated under s23 of the ECNL, these are based on the Model Operating Requirements (MOR) developed by ARNECC

# The Participation Rules and Operating Requirements are accessible from the LSSA Website:

The screenshot shows the LSSA website interface. At the top right, there are links for 'Contact Us', 'Careers', and 'Support Materials and Resources'. The main navigation bar includes the 'LAND SERVICES SA' logo, a search bar, and dropdown menus for 'BUSINESSES AND PROPERTY INDUSTRY PROFESSIONALS', 'BUYERS, SELLERS AND OWNERS', and 'PUBLICATIONS & REPORTS'. On the right side of the navigation bar, there are links for 'About us', 'Newsroom', and logos for 'SAILIS' and 'EPL'. The main content area is divided into four columns of services:

- Registrar-General**
  - Statutory Instruments
  - Verification of Authority
  - Verification of Identity
  - Operating Requirements** (circled in red)
  - Participation Rules
  - Client Authorisation
  - Priority Notices
- Land Division**
  - Premium Consulting Service
  - Lodging Plans
    - Plan Presentation Guidelines
  - Electronic Plan Lodgement (EPL)
  - Digital Plan Lodgement
- Land Transactions & Fees**
  - Lodging Documents Guidelines
  - Forms & Guidance Notes
  - Fees
    - LTO Fee Calculator
    - Property Transfer Fee Calculator
- Information Brokers**
  - API Customers
  - Value Added Reseller License
  - Customised Data and Solutions

On the right side, there is a section titled 'Processing Times' with a sub-heading 'See the current processing times for dealing and plan examination.' and a button labeled 'View Processing Times'. Above this section is an image of a construction worker in a hard hat and safety vest looking at a tablet on a construction site.

# The Participation Rule Waivers are accessible from the LSSA Website:

The screenshot shows the LSSA website interface. The top navigation bar includes the Land Services SA logo and links for 'BUSINESSES AND PROPERTY INDUSTRY PROFESSIONALS', 'BUYERS, SELLERS AND OWNERS', 'PUBLICATIONS & REPORTS', 'About us', and 'Newsroom'. A search bar and 'SALIS' and 'EPL' buttons are also present. The breadcrumb trail reads: Home > Businesses and Property Industry Professionals > Registrar-General > Statutory Instruments > Participation Rules. A green banner on the left says 'Registrar-General'. A sidebar on the left lists 'Statutory Instruments' with sub-items: Verification of Authority, Verification of Identity, Operating Requirements, Participation Rules (highlighted), Client Authorisation, Priority Notices, Compliance Program, Electronic Conveyancing, and Communications. The main content area is titled 'Participation Rules' and contains text about Section 23 of the Electronic Conveyancing National Law (SA). Below this is a table for 'Current Version' and a table for 'Prior Version'. A red arrow points to the 'Waivers' section, which includes text about Section 27 of the Electronic Conveyancing National Law (SA) and a table of issued waivers.

**Participation Rules**

Under Section 23 of the [Electronic Conveyancing National Law \(SA\)](#) the Registrar-General has promulgated Participation Rules for South Australia, based upon the [Model Participation Rules Guidance Notes](#) developed by Australian Registrar's National Electronic Conveyancing Council (ARNECC).

**Current Version**

VERSION	EFFECTIVE
<a href="#">South Australia Participation Rules for Electronic Conveyancing Version 5</a>	Effective from 25 February 2019

**Prior Version**

VERSION	EFFECTIVE
<a href="#">South Australia Participation Rules for Electronic Conveyancing Version 4</a>	Effective from 27 May 2017 to 24 February 2019
<a href="#">South Australia Participation Rules for Electronic Conveyancing Version 3</a>	Effective from 21 January 2016 to 26 May 2017

**Waivers**

Under section 27 the [Electronic Conveyancing National Law \(SA\)](#), the Registrar-General may grant a waiver from compliance with the Participation Rules where it is considered reasonable to do so under the circumstances.

The following participation rules waivers have been issued in South Australia:

WAIVER	EFFECTIVE
<a href="#">South Australian Participation Rules Waiver PR1-2020</a>	Effective from 9 April 2020. Please note that this will apply for the period in

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### **MPR Guidance Notes**

These provide guidance to Subscribers about how to comply with the Participation Rules

### **MOR Guidance Notes**

These provide guidance to ELNOs about how to comply with the Operating Requirements

# Participation Rules Overview





# Operating Requirements Overview



## Subscriber Security Policies

- [PEXA](#)
- [Sympli](#)

# Further Information

## Legislation

- [Real Property Act 1886](#)
- [Real Property \(Electronic Conveyancing\) Amendment Act 2016](#)
- [Electronic Conveyancing National Law \(South Australia\) Act 2013](#)
- [COVID-19 Emergency Response Act 2020](#)

## ARNECC Website

- [ARNECC Model Participation Rules \(v5\)](#)
- [ARNECC Model Operating Requirements \(v5\)](#)
- [ARNECC MPR Guidance Notes](#)
- [ARNECC MOR Guidance Notes](#)
- [ARNECC Notice to Stakeholders May 2020](#)

## LSSA Website

- [Exempt dealings](#)
- [South Australian Participation Rules](#)
- [South Australian Model Operating Requirements](#)
- [Waivers from compliance with Participation Rules](#)
- [Waivers from compliance with Operating Requirements](#)

## Other

- [PEXA Subscriber Security Policy](#)
- [Sympli Subscriber Security Policy](#)

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