

ENTITLEMENT TO SIGN REGISTRY INSTRUMENTS

This document provides direction to Subscribers and ELNOs based on advice provided by practitioner regulators on who is entitled to electronically sign Registry Instruments in the Australian States and Territories that currently allow national electronic conveyancing.

The information on the following pages is split into two practitioner categories (see definition of each category below):

- A. Australian Legal Practitioners and Law Practices.
- B. Licensed Conveyancers, including Conveyancing Practices.

Definitions¹:

- **Australian Legal Practitioner** has the meaning given to it in the relevant legislation of the Jurisdiction in which the property is situated and in South Australia is a legal practitioner for the purposes of the Legal Practitioners Act 1981 (SA).
- **Law Practice** has the meaning given to it in the relevant legislation of the Jurisdiction in which the land the subject of the Conveyancing Transaction is situated.
- **Licensed Conveyancer** means a Person licensed or registered under the relevant legislation of the Jurisdiction in which the land the subject of the Conveyancing Transaction is situated and in Western Australia is a real estate settlement agent for the purposes of the Settlement Agents Act 1981 (WA).

¹ Source of definitions: ARNECC Model Participation Rules (Version 4)

A. Australian Legal Practitioners and Law Practices

Jurisdiction	Regulator	Category	Allowed to Sign
New South Wales	Law Society of NSW	Australian Legal Practitioner	Yes
		Supervised non-practitioner employee	No
		Australian Legal Practitioner locum	Yes
		Australian Legal Practitioner contractor	Yes, provided appropriate insurance and legal requirements are satisfied.
		Interstate-registered Australian Legal Practitioners	Yes
Queensland	Queensland Law Society / Legal Services Commission	Australian Legal Practitioner	Yes
		Supervised non-practitioner employee	No
		Australian Legal Practitioner locums and contractors	Yes
		Interstate-registered Australian Legal Practitioners	Yes
South Australia	Law Society of SA	Australian Legal Practitioner	Yes
		Supervised non-practitioner employee	No
		Licensed Conveyancer employee	Yes
		Australian Legal Practitioner locums and contractors	Yes
		Interstate-registered Australian Legal Practitioners	Yes
Victoria	Victorian Legal Services Board/Commissioner	Australian Legal Practitioner	Yes
		Supervised non-practitioner employee	No
		Supervised Licensed Conveyancer employee	Yes
		Australian Legal Practitioner locums and contractors	Yes
		Interstate-registered Australian Legal Practitioners	Yes



AUSTRALIAN REGISTRARS NATIONAL ELECTRONIC CONVEYANCING COUNCIL

Jurisdiction	Regulator	Category	Allowed to Sign
Western Australia	WA Legal Practice Board	Australian Legal Practitioner	Yes
		Supervised non-practitioner employee	Yes
		Australian Legal Practitioner locums and contractors	Yes
		Interstate-registered Australian Legal Practitioners	Yes

B. Licensed Conveyancers, including Conveyancing Practices

Jurisdiction	Regulator	Category	Allowed to Sign
New South Wales	NSW Fair Trading	Licensed Conveyancer	Yes
		Supervised non-practitioner employee	No
		Licensed Conveyancer Practitioner locum	Yes
		Licensed Conveyancer contractor	Yes
		Interstate-registered Licensed Conveyancers	Yes, if granted mutual recognition
Queensland	None	Licensed Conveyancer	No
		Supervised non-practitioner employee	No
		Licensed Conveyancer Practitioner locums and contractors	No
		Interstate-registered Licensed Conveyancers	No
South Australia	Consumer and Business Services	Licensed Conveyancer	Yes
		Supervised non-practitioner employee	No
		Licensed Conveyancer Practitioner locums and contractors	Yes
		Interstate-registered Licensed Conveyancers	Yes, if registered in SA
Victoria	Consumer Affairs Victoria	Licensed Conveyancer	Yes
		Supervised non-practitioner employee	Yes
		Licensed Conveyancer locums and contractors	Yes
		Interstate-registered Licensed Conveyancers	Yes, if granted mutual recognition
Western Australia	Dept of Mines, Industry Regulation and Safety	Licensed Conveyancer	Yes
		Supervised non-practitioner employee	Yes
		Licensed Conveyancer locums and contractors	Yes
		Interstate-registered Licensed Conveyancers	Yes, if registered in WA