

NOTICE TO SUBSCRIBERS

Number	2020-NS1
Subject	Verification of Identity
Purpose	To clarify ARNECC's position in relation to the digital Verification of Identity
<p>ARNECC has received a number of queries in relation to the use of technology based verification of identity solutions. To put this into context, it is important to consider the following:</p> <ul style="list-style-type: none"> ▪ Verification of Identity (VOI) is one of the most fundamental aspects of an electronic conveyancing transaction as it is essential to establishing who the transacting parties are and their right to deal with the land. ▪ Section 23 of the Electronic Conveyancing National Law (ECNL) provides the Registrar in each Jurisdiction with the power to determine the Participation Rules (PR). Under this section, the PRs can include obligations of Subscribers to verify the identity of their clients. PR6.5 sets out these rules. ▪ The VOI Standard (set out in Schedule 8 of the PR), adopted by the Registrar in each jurisdiction, was developed by a group of identity experts and has been the subject of extensive industry consultation. ▪ ARNECC is monitoring what is happening in the digital identity space and recognises that the VOI Standard needs to evolve, particularly in light of technological advances. <p>In considering the questions raised, ARNECC has been engaging with the Digital Transformation Agency and is closely watching the ongoing development of the Trusted Digital Identity Framework (TDIF). ARNECC considers that any digital identity proofing level will need to be at least equivalent to the current face to face VOI Standard. Recognition of Identity Service Providers accredited under the TDIF to the appropriate level of proofing, or an equivalent accreditation, may be incorporated into future versions of the PR. In the meantime, employing the VOI Standard continues to remain the preferred approach and should be undertaken by Subscribers in the first instance wherever possible.</p> <p>It is important to understand that ARNECC does not endorse, approve or otherwise regulate providers of VOI services (including Identity Agents) or technology based VOI solutions. It is for a Subscriber to determine the most appropriate method of VOI given the circumstances that meets the requirements set out in the PR.</p> <p>ARNECC also draws to your attention a statement published on its website providing guidance around Client Authorisation and Verification of Identity as a result of COVID-19. ARNECC is closely monitoring the situation and will provide further updates and/or guidance as may become necessary.</p>	
Date of Issue	July 2020
Enquiries	The Land Registry in your State or Territory