



Waiver No PR1/2017

PARTICIPATION RULES WAIVER

Western Australia
Section 27 Electronic Conveyancing Act 2014

Title

This instrument is Western Australian Participation Rules Waiver PR1/2017 – WAPRV4 Certifications.

Enabling Provisions

1. Under sections 23 and 25 of the *Electronic Conveyancing Act 2014* (the EC Act) the Registrar of Titles (Registrar) has determined and published Version 3.1 of the Participation Rules (WAPRV3.1) which came into effect on 15 January 2016.
2. Section 27 of the EC Act permits the Registrar to waive compliance with all or any provisions of the Participation Rules if the Registrar is satisfied that granting the waiver is reasonable in all the circumstances.

Affected Rule

Participation Rule 7.10.

Explanatory Statement

Under Participation Rule 7.10, a Subscriber to an Electronic Lodgement Network (ELN) must comply with the Certification Rules set out in Schedule 3 of the Participation Rules.

Version 4 of the WA Participation Rules (WAPRV4) will come onto effect on 22 July 2017.

The wording of certifications required under the Certification Rules for WAPRV4 (v4 Certifications) includes some minor changes to the wording of certifications required under the Certification Rules for WAPRV3.1 (v3.1 Certifications). On 27 May 2017, the v4 Certifications were implemented in the ELN, known as "PEXA" which is operated by Property Exchange Australia Ltd. However, WAPRV3.1 continues to apply in WA from 27 May 2017 to 22 July 2017 (the Period). During the Period, when WA PEXA Subscribers lodge Registry Instruments in PEXA, they will be giving v4 Certifications when they are required to give v3.1 Certifications.

The Registrar is of the view that during the Period, the continued use of the v3.1 Certifications is reasonable in all the circumstances.

Waiver

Subject to the Conditions, for any Registry Instrument lodged during the Period, the Registrar grants WA PEXA Subscribers a waiver of the Subscriber's obligation to give the v3.1 Certifications (the Waiver).

Conditions

The Waiver is granted on the condition that the WA PEXA Subscribers give the v4 Certification for any Registry Instruments lodged during the Period.



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Commencement

This waiver commences on 27 May 2017

Date 10 July 2017

Signed by

A handwritten signature in purple ink, appearing to read "Jean Villani", written over a faint circular stamp.

Jean Villani
Registrar of Titles