

CHARTER

Purpose

This is the Charter of the Australian Registrars' National Electronic Conveyancing Council (ARNECC).

Establishment

ARNECC was established in 2011 by an Inter-Governmental Agreement (IGA) among the States of NSW, Vic, Qld, WA, SA and Tas and the Northern Territory. The ACT has chosen not to participate in the IGA for the time being.

The IGA records the commitment of all participating States and Territories to provide governance for the development, implementation and management of the regulatory framework for a national system of electronic conveyancing, and in particular to:

- work collaboratively to ensure that business practices are consistent where possible
- ensure that all stakeholders continue to be consulted in an effective manner in connection with the implementation and operation of the regulatory framework.

The IGA gives ARNECC the specific roles of:

- advising (States and Territories on changes to the ECNL and other relevant matters generally)
- facilitating (implementation and ongoing management of the regulatory framework)
- monitoring (the operation of the MOR and MPR)
- making (amendments to the MOR and MPR)
- ensuring (as far as is practicable that relevant business practices in each jurisdiction are consistent).

ARNECC has no authority additional to that of its individual members.

Members

The members of ARNECC are the Registrars (or their equivalent) in each State or Territory that is a party to the IGA, or their nominee.

Commitments of the Members

Members commit to:

- exercising honesty, objectivity, probity and confidentiality in dealing with matters
- collaborating constructively, openly and transparently on all matters
- respecting the views and perspectives of other members
- working co-operatively with each other
- representing the interests of stakeholders in a fair and transparent manner
- responding in a timely manner to substantive industry representations
- recognising the need for balance and compromise where there are legitimate competing interests
- disclosing any conflict of interest in a matter at the commencement of any meeting at which that matter is to be considered
- abstaining if necessary from the determination of any matter where they have any conflict of interest
- using their best endeavours to comply with the determinations of ARNECC.

Consultation with Stakeholders

ARNECC consults with relevant industry participants and other stakeholders in accordance with its published Stakeholder Engagement Policy to ensure their views are considered in making its determinations.

Meetings of Members

ARNECC meets at least quarterly and Chair may call special meetings at other times. Members are responsible for their own costs of participation in meetings.

Meetings require a quorum of not less than 75% of the members. Members or their nominees may attend meetings in person, by teleconference or by any other means determined by ARNECC.

Members determine a Chair for a two-year term.

Determinations

ARNECC may make determinations on any matter in the interests of co-ordinating a national approach among the States and Territories to the regulation of the electronic environment for completing conveyancing transactions.

Determinations of ARNECC require the support of not less than 75% of the members present at a meeting and not abstaining from the determination.

Advice and Assistance

ARNECC considerations may be informed by any source of its choosing.

Working Groups of members' representatives provide advice and assistance to ARNECC on request and may submit matters for determination. The Australian Registrars' Working Group (ARWG) is a Working Group of ARNECC.

ARNECC determinations are given effect to, by or on behalf of its members.

Record Keeping

Records are kept of:

- matters considered by ARNECC
- determinations of ARNECC and of the members' confirmation of those records.

Change

This Charter is to be amended by unanimous agreement of all members only.

Endorsement

Document date	Endorsed by	Date endorsed
15 April 2011	ARNECC	15 April 2011
11 March 2014	ARNECC	17 June 2014
3 October 2017	ARNECC	23 October 2017