

ARNECC STAKEHOLDER ENGAGEMENT POLICY AND PROCEDURES

This is a statement of ARNECC's commitments, policy and procedures for including conveyancing industry stakeholders and participants in developing and maintaining the regulatory framework for completing conveyancing transactions electronically and driving take-up of the electronic conveyancing environment.

Context

ARNECC is constituted under an Intergovernmental Agreement made in 2011 between the six States and the Northern Territory. The regulation ARNECC is responsible for is set out in the Electronic Conveyancing National Law and the Model Operating Requirements and Model Participation Rules made under that Law. The Law, Requirements and Rules regulate the conduct of Electronic Lodgement Network Operators and Subscribers to the networks provided by those Operators.

The members of ARNECC are the Registrars of Title in each jurisdiction. Their expertise is in Land Registry business practices and property conveyancing processes generally. ARNECC liaises as necessary with other national and jurisdiction regulators of the electronic conveyancing environment such as those responsible for:

- reservation of conveyancing work for legal practitioners and licensed conveyancers
- financial aspects of on-line settlements and payments
- collection, use and disclosure of personal information
- assessment and collection of stamp duty
- operation of trust accounts
- access to national infrastructure
- pricing of monopoly services.

ARNECC's Strategic Statement is available elsewhere on this website.

Commitment

ARNECC is committed to open, accountable, contemporary and responsive engagement in the best interests of all stakeholders and participants in the property conveyancing industry.

Policy

ARNECC has adopted the seven COAG principles of best practice consultation, namely:

- **Continuity** — engagement is a continuous process that starts early in the policy development process
- **Targeting** — engagement is widely based to ensure it captures the diversity of stakeholders affected
- **Appropriate timeliness** — engagement starts when policy objectives and options are being identified and stakeholders are given sufficient time to provide considered responses
- **Accessibility** — stakeholders are informed of proposed consultation and provided with information about proposals via a range of appropriate means
- **Transparency** — engagement objectives, the framework within in which consultation will take place and the manner in which feedback can be provided are clearly explained
- **Consistency and flexibility** — consistent engagement procedures suited to the circumstances of the particular proposal under consideration make it easier for stakeholders to participate
- **Evaluation and review** — engagement processes are continually evaluated for their effectiveness.

In applying these principles to its industry engagement activities, ARNECC promotes:

- inclusion of all perspectives
- information sharing and transparency
- constructive co-operation and collaboration
- consistency across jurisdictions
- understanding of respective roles and responsibilities
- fact-finding and evidence-based commentary and decision making
- maximising the opportunities for completing conveyancing transactions electronically.

Procedures

ARNECC engages with industry stakeholders and participants through:

- consultations it initiates itself, and
- forums and events arranged and conducted by industry.

ARNECC Reviews and Consultations

When initiating reviews and consultations itself, ARNECC focusses on:

- creating robust and equitable regulation for completing conveyancing transactions electronically
- integration of regulation with property conveyancing practices generally
- monitoring compliance with regulation and co-ordinating effective enforcement
- enabling an informed and competitive market for regulated services
- adopting contemporary best practices and effective use of technology
- complementary land registry business requirements and practices.

In doing so, ARNECC:

- regularly publishes a schedule of expected reviews and consultations
- co-ordinates major business practice reviews by its members
- invites participation from all industry stakeholders and participants, including other regulators
- provides ample time for parties to consider issues and respond constructively
- acknowledges all contributions received
- accepts contributions intended to benefit the industry as a whole
- shares its conclusions on contributions received during consultations
- publishes its reasons for decisions made following reviews and consultations.

Industry Forums and Events

When participating in forums and events arranged and conducted by industry, ARNECC:

- ensures the context is relevant and the participation diverse
- promptly responds to invitations and requests
- expects its role to be substantive to the occasion
- shares its perspectives in the interests of awareness and understanding
- provides advice on the rationale for its regulatory requirements and business practices
- offers guidance on the interpretation of its regulatory requirements and business practices
- seeks to dispel any misconceptions and clarify any issues arising
- invites suggestions for resolving issues and concerns
- takes on board all feedback received
- will not endorse or promote any particular commercial service or product
- does not expect and will not accept any remuneration, gifts or excessive hospitality
- publishes a list of all industry forums and events attended.

In the first instance, industry stakeholders seeking ARNECC's participation in an event or forum should contact the Chair at chair@arnecc.gov.au. At least 4 weeks' notice of an event should be given and ARNECC undertakes to respond within 2 weeks.

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