



Waiver No PR1-2016

PARTICIPATION RULES WAIVER

Western Australia
Section 27 *Electronic Conveyancing Act 2014*

Title

This instrument is WA Participation Rules Waiver PR1-2016 – WA Participation Rules Version 3.1.

Enabling Provisions

1. Under sections 23 and 25 of the *Electronic Conveyancing Act 2014 (EC Act)* the Registrar of Titles (**Registrar**) can determine and publish Participation Rules.
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

WA Participation Rules Version 3 (**PR Version 3**) effective from 9 November 2015
Participation Rules effective from 18 March 2014 (**PR Previous Version**)

Explanatory Statement

The Registrar determined that WA Participation Rules Version 3 (**PR Version 3**), based on the Australian Registrars' National Electronic Conveyancing Council's Model Participation Rules Version 3, came into effect on 9 November 2015. PR Version 3 was published on Landgate's website on 7 October 2015 and notice of determination of PR Version 3 was published in the Government Gazette on 16 October 2015.

Due to an administrative variance with the implementation of PR Version 3, (i) PR Version 3 ceased to have effect on **19 November 2015**, and (ii) the previous version of the Participation Rules, being PR Previous Version, revived. The cessation of PR Version 3 on 19 November 2015 did not affect the validity of anything done under PR Version 3.

WA PR Version 3.1 (**PR Version 3.1**) came into effect on **15 January 2016**. PR Version 3.1 is identical to PR Version 3 apart from references to version 3 / 3.1 and the commencement date.

For the period from and including 19 November 2015 to but excluding 15 January 2016, Subscribers to Property Exchange Australia Ltd's Electronic Lodgment Network (Subscribers) were complying with PR Version 3, when in fact they were required to comply with PR Previous Version. From and including 15 January 2016, Subscribers are required to comply with PR Version 3.1 (which is essentially identical to PR Version 3).

Waiver

Subject to the Condition, for the period from and including 19 November 2015 to but excluding 15 January 2016, the Registrar grants Subscribers a waiver of the Subscribers' obligation to comply with PR Previous Version.



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Condition

Waiver of compliance with PR Previous Version is granted on the condition that Subscribers comply with PR Version 3.

Date 28/01/ 2016

Signed by

A handwritten signature in blue ink, appearing to read 'Jean Villani', written over a faint blue line.

Jean Villani
Registrar of Titles