



AUSTRALIAN REGISTRARS NATIONAL ELECTRONIC CONVEYANCING COUNCIL

APPROVAL AS AN ELNO – STEP 1

Making an Application

CONFIDENTIAL

Australian Registrars' National Electronic Conveyancing Council

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APPROVAL AS AN ELNO – STEP 1

Part A – Procedural guidance for Applicant

1. INTRODUCTION

Section 15(4) of the Electronic Conveyancing National Law (ECNL) provides for the approval in each jurisdiction of one or more Electronic Lodgment Network Operator (ELNO). The ECNL, along with the Model Operating Requirements (MOR), sets out the process for a prospective ELNO to apply for Approval from the relevant Registrar. The MOR Guidance Notes also provide further details.

The process of applying for Approval as an ELNO and to commence operating an Electronic Lodgment Network (ELN) is a three-step process:

- **Step 1** – Application for Approval as an ELNO – the Applicant must demonstrate compliance with the requirements in MOR Schedule 3, Category One (see also MOR Guidance Note 2.16); and
- **Step 2** – Granting of Approval and Operating Agreement or other form of Approval; and
- **Step 3** – Application for Approval to Commence Operations – the Applicant must demonstrate compliance with the requirements in MOR Schedule 3, Category Two (see also MOR Guidance Note 2.18).

1.1 About this document

This document contains two parts in respect of Step 1 – Application for Approval as an ELNO:

- a) **Part A** – Procedural guidance for Applicants intending to submit an Application;
- b) **Part B** – Applicant details and documentation to be submitted in compliance with MOR Schedule 3, Category One.

1.2 Submission of Application and next steps

Once the Specified Documents and Self-Certifications, as set out in MOR Schedule 3, Category One, have been compiled you should submit Part B of this document and the relevant documentation to the ARNECC Chair (chair@arnecc.gov.au) via electronic means.

An acknowledgement will be sent within two business days upon receipt of information.

ARNECC will coordinate the review of your application. Each Registrar will appoint a representative from their jurisdiction to review and examine the documentation submitted. If the Application contains all the required information, the Application review period will be approximately 90 days. During this time, we may contact you to request further information or seek clarification on certain matters. If the Documents and Self-Certifications are considered satisfactory, you will be advised that you have met the requirements in Schedule 3, Category One of the MOR but will not yet be approved as an ELNO or permitted to operate the ELN.

When you receive confirmation that the Documents and Self-Certifications submitted in response to Step 1 are satisfactory, you will be notified in writing that you will need to make initial contact with the Registrar in each jurisdiction to negotiate an Operating Agreement or other form of Approval and obtain an understanding of what is required for that jurisdiction before you start to operate your ELN (Step 2). Additional conditions may be

attached to the Approval, in accordance with the ECNL. You will then be invited to proceed to Step 3 – Application for Approval to commence operations (refer to the MOR Guidance Notes for further information). The Step 3 process requires you to demonstrate compliance with the requirements in MOR Schedule 3, Category Two, including working with the various Land Registries and other stakeholders to undertake testing of the ELN in accordance with your Test Plan and otherwise to the satisfaction of the Registrars.

1.3 Enquiries between ARNECC and the Applicant

The Applicant should nominate a point of contact in respect of any enquiries that may be necessary during the Application process.

Similarly, the Applicant can direct enquiries to the ARNECC Chair (chair@arnecc.gov.au).

APPROVAL AS AN ELNO – STEP 1

Part B – Submission of Application Documentation

This Part B should be completed by the Applicant and returned with the relevant documentation to the ARNECC Chair (chair@arnecc.gov.au) via electronic means.

1. IDENTITY OF APPLICANT

The Applicant must provide the following details:

Applicant details	Details
Entity name	[tba]
Business name	[tba]
ACN/ARBN	[tba]
ABN	[tba]
Registered Address	[tba]
Postal Address	[tba]
Primary Contact – name	[tba]
Primary Contact – title	[tba]
Primary Contact – email	[tba]
Primary Contact – phone	[tba]
Secondary Contact – name	[tba]
Secondary Contact – title	[tba]
Secondary Contact – email	[tba]
Secondary Contact – phone	[tba]
Point of contact for enquiries	Primary / Secondary contact *

* delete as applicable

Note: The Application does not require the Applicant’s signature.

2. APPLICATION DOCUMENTATION

The Applicant is required to submit Documents and Self-Certifications in accordance with Schedule 3, Category One of the Model Operating Requirements.

Each Document should be clearly identified and include a version number and date.