

Queensland Operating Requirements

Waiver

Pricing

OR 4/2019

OPERATING REQUIREMENTS

WAIVER

Queensland

Section 27 Electronic Conveyancing National Law (Queensland)

Title

This instrument is Queensland Operating Requirements Waiver OR 4/2019 – Pricing.

Enabling Provisions

1. Under sections 22 and 25 of the Electronic Conveyancing National Law Queensland (the National Law) the Registrar of Titles (Registrar) has determined and published Version 5 of the Operating Requirements which came into effect on and from 25 February 2019 (Operating Requirements). Capitalised terms used in this instrument and not defined have the meaning given to those terms in the National Law or the Operating Requirements.
2. Section 27 of the National Law permits the Registrar to waive compliance with all or any provisions of the Operating Requirements if the Registrar is satisfied that granting the waiver is reasonable in all the circumstances.

Affected Operating Requirements

Operating Requirements 5.3 (e) and 5.4 (Affected Operating Requirements).

Explanatory Statement

Under the Affected Operating Requirements an Electronic Lodgment Network Operator (ELNO) must prepare and publish a Pricing Table of ELNO Service Fees determined in accordance with a publicly available, equitable and transparent pricing policy.

The ELNO, Sympli Australia Pty Ltd (Sympli), which commenced operation of its Electronic Lodgment Network in November 2018 by way of a limited launch, has requested the Registrar to temporarily waive compliance with the Affected Operating Requirements until 30 June 2019. This waiver will give Sympli the required lead time to comply with the Affected Operating Requirements.

Accordingly, the Registrar has determined that it would be reasonable in the circumstances to grant a partial waiver modifying the obligations of Sympli under the Affected Operating Requirements.

Waiver

Subject to the Conditions, the Registrar grants Sympli a partial waiver of its obligations to comply with the Affected Operating Requirements.

Conditions

The partial waiver is granted on the conditions that:

- (a) Sympli must publish its Pricing Table on or before 1 July 2019; and
- (b) from 25 February 2019 until the date Sympli publishes its Pricing Table, Sympli must determine and charge ELNO Service Fees according to its publicly available, equitable and transparent pricing policy.

Commencement

This partial waiver commenced on 25 February 2019.

Period during which this waiver applies

This partial waiver operates until the earlier of:

- (a) 30 June 2019; or
- (b) Sympli fully complying with the Affected Operating Requirements; or
- (c) the revocation of this waiver by the Registrar.

Dated: 28.6.19

Signed by:



Registrar of Titles and Registrar of Water Allocations