

## Ministerial Forum: National Electronic Conveyancing Towards a sustainable, competitive national electronic conveyancing market

### Government and industry partnership to develop interoperability for Australia's electronic conveyancing system

On 28 February 2023, relevant Ministers and their representatives met to review progress with the national interoperability reform, to support a sustainable, competitive market structure for electronic conveyancing.

### Timing of the Day 1 transaction

The Day 1 transaction is a limited scope refinance relating to property in Queensland between the two Electronic Lodgment Network Operators (**ELNOs**) currently operating in the electronic conveyancing market, Property Exchange Australia Limited (**PEXA**) and Sympli Australia Pty Ltd (**Sympli**). Ministers noted that there has been a change in the expected date for the Day 1 transaction from March 2023 to September 2023, due to the following:

- a high volume of changes required to the Application Program Interfaces (**APIs**) to deliver the Day 1 transaction, from the original design. The impact of these changes is that ELNOs are now expected to finalise their build of the relevant APIs by mid-March 2023;
- changes in the testing regime to allow adequate time for bug fixing, retesting and full integration testing; and
- the timeline being adjusted to reflect both ELNOs' production release schedules.

### The approach to Day 2

Day 2 is the delivery of interoperability functionality to market. Ministers noted the program recommendation that Day 2 be delivered in stages so that functionality can be delivered to market as soon as possible.

- Accordingly, Day 2 will be delivered over 3 releases:
  1. **Release 1** will involve a limited refinance capability with a small number of financial institution subscribers. This release will require 56 APIs built to full specification (representing an uplift in capability of the 26 APIs for the Day 1 transaction, some of which require reworking, and 30 new APIs)
  2. **Release 2** will deliver complete refinance functionality to unlimited subscribers. This release will need 13 of the Release 1 APIs to be enhanced and the addition of 7 more APIs
  3. **Release 3** will deliver full interoperability functionality to unlimited subscribers. This release will need an additional 8 APIs to be designed and delivered.
- The Day 2 build is scheduled to start in June 2023, when the Day 1 build and bug fixing is expected to complete.
- The timing for Releases 1, 2 and 3 is expected to be agreed by ELNOs and proposed to the Australian Registrars' National Electronic Conveyancing Council (**ARNECC**) for endorsement shortly. Ministers support validation of the ELNOs' development schedule and assumptions.

Once the Day 2 scope and timetable are settled, ARNECC will update the Model Operating Requirements to reflect this and will monitor the timely delivery of program milestones.

### **Working with stakeholders to deliver the reform**

Ministers noted the importance of the program engaging with key stakeholders, to ensure the scope and timetable are well-understood and can be planned for. The program will work with banks, land registries and state revenue offices who will need to include interoperability in their technology change programs.

Ministers noted ARNECC is reviewing program governance and resourcing.

Ministers reiterated their thanks to industry on the work towards the Day 1 transaction and preparation for Day 2. Ministers support the parties building the solution as quickly as possible while minimising risk to the ecosystem. Ministers noted that clear impetus through realistic deadlines is needed for industry to develop solutions in a timely fashion.

Ministers emphasised the importance of making interoperability available to subscribers as soon as possible so that effective market competition can be achieved. Ministers noted that given the complexities of the project, a staged release would help deliver functionality to market sooner.

Ministers and their representatives also thanked all stakeholders and industry members for their engagement with the reform to date and reiterated the importance of ensuring ongoing communication and consultation with all stakeholders is maintained throughout the program.

### **Progress update**

Ministers noted ongoing progress in other areas, including:

- ongoing independent ICT assurance reviews and health checks at key points in the interoperability program
- development of a national enforcement regime, and ongoing consideration of stakeholder comments on the Electronic Conveyancing National Law
- the NSW Independent Pricing and Regulatory Tribunal's review of an appropriate ELNO fee pricing policy for interoperability, with a review of ELNO service fees to occur as a second stage
- ongoing development of the Electronic Conveyancing Payments Industry Code, led by AusPayNet.

### **Ministers in attendance or represented at the Forum**

#### **Federal Ministers**

The Hon. Dr Andrew Leigh, Assistant Minister for Competition, Charities and Treasury

#### **State and Territory Ministers**

The Hon. Shane Rattenbury MLA, Australian Capital Territory Attorney-General; Minister for Consumer Affairs; Minister for Gaming; Minister for Water, Energy and Emissions Reduction

The Hon. Victor Dominello MP, New South Wales Minister for Customer Service and Digital Government; Minister for Small Business; Minister for Fair Trading

The Hon. Chanston Paech MP, Northern Territory Attorney-General and Minister for Justice; Minister for Racing, Gaming and Licensing; Minister for Local Government; Minister for Arts, Culture and Heritage; Minister for Desert Knowledge Australia

The Hon. Nick Champion MP, South Australia Minister for Trade and Investment; Minister for Planning; Minister for Housing and Urban Development

The Hon. Roger Jaensch MP, Tasmanian Minister for Education, Children and Youth; Minister for Environment and Climate Change; Minister for Parks; Minister for Aboriginal Affairs

The Hon. Sonya Kilkenny MP, Victorian Minister for Planning; Minister for Outdoor Recreation

The Hon. John Carey MLA, Western Australia Minister for Housing; Minister for Lands; Homelessness; Local Government

*The Hon. Scott Stewart MP, Queensland Minister for Resources did not attend the Forum but supports this Statement.*

**Federal Government**

Ms Anna Brakey, Commissioner, Australian Competition and Consumer Commission

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