

Model Operating Requirements (MOR) Consultation Draft 7.2 – Explanatory Notes

This table outlines the key proposed amendments in Consultation Draft 7.2 of the MOR published in February 2026.

IMPORTANT NOTE:

ARNECC has released Consultation Draft 7.2 of the MOR to obtain stakeholder feedback as early as possible in the drafting process. This decision will provide ARNECC with time to review and take on board stakeholder feedback prior to the anticipated start date for Version 7.2 of the MOR in June 2026.

ARNECC welcomes stakeholder feedback on the Consultation Draft 7.2 of the MOR.

#	Rule	Amendments	Explanatory Notes
MOR 2.1 – Definitions			
1.	Affected Parties	Added new definition.	New definition relating to the amendments made in Schedule 2 Performance Levels, Post Incident Review (PIR) Report (to accompany the change at row 44 below).
2.	Annual Capital Investment	Added new definition.	New definition to accompany the Annual Capital Investment and Continuous Improvement provisions. See changes in row 29 below. A rolling three-year average was selected to account for short-term fluctuations in ELNO revenues.
3.	Annual Capital Investment Minimum	Added new definition.	New definition to accompany the Annual Capital Investment and Continuous Improvement provisions. See changes in row 29 below. A rolling three-year average was selected to account for short-term fluctuations in ELNO revenues.
4.	Annual Gross Revenue	Added new definition.	New definition to accompany the Annual Capital Investment Minimum definition and Annual Capital Investment provisions.
5.	Annual Plans	Added new definition.	New definition, defining a set of forward-looking plans the ELNO will be required to provide to the Registrar under Schedule 3 Category 6, Annual Plans.
6.	ARNECC	Added new definition.	New definition adopting the meaning given in the Electronic Conveyancing National Law, to accompany Operating Requirement 13 amendments.
7.	ARNECC Roadmap	Added new definition	New definition to accompany Operating Requirement 13 amendments and formalise existing practices. The ARNECC Roadmap is developed by Jurisdictions and issued to ELNOs.

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8.	Available	Added new definition.	New definition to accompany the Schedule 2, Performance Levels amendments and provide clarity on the Service Availability requirements.
9.	Capital Investment	Added new definition.	New definition to accompany the Annual Capital Investment Minimum definition and Annual Capital Investment and Continuous Improvement provisions.
10.	Continuous Improvement	Added new definition.	New definition to accompany the Continuous Improvement provisions.
11.	Continuous Improvement Plan	Added new definition.	New definition to accompany new Operating Requirements 4.8 and 4.9.1(b). See row 28 below.
12.	Customer	Added new definition.	New definition to accompany the new Customer Service metrics in the Schedule 2 Performance Levels.
13.	Data	Added new definition.	New definition to accompany the Schedule 2 Performance Levels and the new severity levels which reference the loss of Data.
14.	Degraded or Degradation	Added new definition.	New definition to accompany the Schedule 2 Performance Levels 'Incident Response' amendments.
15.	Document Format [^]	Added new definition.	New definition added in Schedule 2 Performance Levels which is relevant for the purposes of defining an Incident.
16.	Implementation Plan	Added new definition.	New definition, following the creation of Implementation Plan provision. This term is defined in Operating Requirement 13.3. See rows 33 and 34 below.
17.	Incident	Expanded definition of Incident	Broadening the Incident definition to capture additional issues occurring within an ELN that should be classified as an Incident under the amended Schedule 2 Performance Levels.
18.	Personnel	Added new definition.	New definition added to provide a list of persons that fall within the term Personnel to provide clarity on who the relevant provision applies to or encompasses.
19.	Post Incident Review Report (PIR Report)	Added new definition.	New definition detailing specific information required in a PIR Report that must be submitted to the Registrar under the Schedule 2 Performance Levels.

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20.	Regulatory Authority	Added new definition.	New definition to accompany amendments to the Schedule 2 Performance Levels and the definition of Incident.
21.	Response time	Added new definition	New definition to clarify the Schedule 2 Performance Levels.
22.	Restore time	Added new definition	New definition to clarify the Schedule 2 Performance Levels.
23.	Root Cause Analysis	Added new definition.	New definition to accompany the definition of Post Incident Review (PIR) Report and associated requirements.
24.	Root Cause Analysis Report	Added new definition.	New definition to accompany the definition of Post Incident Report and associated requirements
25.	Security Incident	Added new definition.	New definition to accompany the definition of Incident. See row 17 above.
26.	Strategic Outlook Plan	Added new definition.	New definition, following the creation of the Continuous Improvement provision. This term is defined in Operating Requirement 4.9.1(a). See rows 32 and 33 below.
27.	System Error	Added new definition.	New definition to accompany the definition of Incident. See row 17 above.
MOR 4.8-4.10 – Strategic Outlook Plan and Continuous Improvement			
28.	4.8-4.10	Added new requirements.	<p>New requirements for ELNOs to undertake Continuous Improvement of the ELN by adopting new processes methodologies and processes advantageous to Subscribers and other stakeholders.</p> <p>ELNOs will be required to prepare and implement a high-level Strategic Outlook Plan and a detailed and actionable Continuous Improvement Plan, both requiring approval by the Registrar.</p> <p>ELNOs will also be required to certify compliance with the Continuous Improvement Plan as part of their Annual Report and provide an update to the Registrar on their implementation of the Continuous Improvement Plan within 6 months of approval by the Registrar.</p>
MOR 4.11 – Annual Capital Investment			

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29.	4.11	Added new requirement for ELNOs to make a minimum Annual Capital Investment of 10% of an ELNO's average Gross Revenue associated with Conveyancing Transactions for the preceding three financial years. Compliance with this requirement will be reviewed annually as per row 45 and 46.	<p>A new requirement that sets a baseline amount of Annual Capital Investment to deliver the Continuous Improvement Plan approved by the Registrar General.</p> <p>ELNOs are required to show the calculation of the Annual Capital Investment and how the Annual Capital Investment was applied to specific Continuous Improvement activities in the last Financial Year. For ELNO flexibility there is provision for Annual Capital Expenditure that exceeds 10% to be considered by Registrars in assessing compliance in subsequent years.</p>
MOR 5.2 – National system and electronic Registry Instrument and other electronic Document capability			
30.	5.2.1	Removal of 'reasonably' and 'Business Plan' and addition of 'Implementation Plan' and the 'Continuous Improvement Plan'	<p>Amendment requiring ELNOs to release functionality of Registry Instruments and other electronic Document capability in accordance with the Implementation Plan as approved by the Registrar, and in accordance with the Continuous Improvement Plan and maintain a scalable and flexible ELN, capable of releasing additional functionality over time.</p> <p>The Implementation and Continuous Improvement plans will be the primary documents for ELNO rollout of Registry Instruments and other electronic Document capability. An ELNO's Business Plan will continue to document the ELNO's service delivery model and plans for Subscriber uptake.</p>
31.	5.2.4	See row 30 above.	See row 30 above.
MOR 5.4 – ELNO Service Fees			
32.	5.4.3	Amended to replace '2026' with '2027' and made other changes to clarify that any fee increases under this provision apply to each individual ELNO Service Fee.	The intention of MOR 5.4.3 is to restrict ELNO Service Fee increases until there is effective competition in the market. ARNECC acknowledges the NSW Independent Pricing and Regulatory Tribunal (IPART) review of ELNO Service Fees currently underway.
MOR 13.3 – Implementation Plan			
33.	13.3.1 - 13.3.3	Added new requirements.	Amendment to ensure Registrars have oversight and approval rights over ELNO's Implementation Plans and the proposed releases implemented by an ELNO in each jurisdiction.
34.	13.3.4	Amended to add requirements for ELNOs to align their Implementation Plan with the ARNECC	Under Operating Requirement 5.2, ELNOs are required to ensure the ELN is available to each Land Registry in Australia and enable the Lodgment of Registry

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		Roadmap and obtain approval from the Registrar on their proposed Implementation Plan.	Instruments and other electronic Documents capable of Lodgment. This Operating Requirement includes further parameters in an ELNOs Implementation Plan to ensure jurisdictional functionality is implemented within reasonable timeframes. This recognises the importance of the timely continued rollout of electronic Registry Instruments and other functionality to Subscribers and other stakeholders.
35.	13.3.5 - 13.10	Added a requirement for the ELNO to present reasoning, evidence and information for the Registrar's review when submitting an Implementation Plan for review or requesting an amendment to an approved Implementation Plan. The Registrar additionally has the power to verify or assess an ELNOs Implementation Plan submission through an independent expert.	Amendments to ensure Registrars are given sufficient information to make a decision on whether to approve of or request changes to an ELNO's Implementation plan. The drafting additionally provides Registrars with the ability to seek a review of an ELNOs Implementation plan including independently verifying any limitations noted by an ELNO.
36.	13.3.7	Added a provision listing some of the criteria a Registrar can take into account when reviewing an Implementation Plan.	Amendments to clarify that Registrars can consider an ELNO's maturity, take up and other factors when approving an ELNOs Implementation Plan. This will allow the Registrar to accommodate the potential different pace of rollout for new entrant ELNOs and more established ELNOs.
37.	13.3.11-13.3.12	Added a requirement that the ELNO must comply with their approved Implementation Plan and present their progress in implementing the Implementation Plan to Registrars within 6 months of approval.	While compliance will be assessed annually in line with other Operating Requirements category 3 in Schedule 3, the 6 month update will allow Registrars to have oversight over an ELNO's progress in implementing their Implementation Plans.
MOR 15.4 – When to demonstrate compliance			
38.	15.4(e)	Added a new category in Schedule 3, category 6 called Annual Plans.	Currently Schedule 3 requires ELNOs to demonstrate compliance as an approval step or ELNOs to report looking back on the past financial year. This new category is forward-looking and requires ELNOs to provide a forward-looking plan for the necessary Operating Requirements, which make up the ELNOs Annual Plan.
MOR 15.11 – Complying with directions and cooperation			

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39.	15.11	Added a requirement that an ELNO must co-operate with and provide reasonable assistance to the Registrar with respect to specified matters.	Amendment to reflect that ELNOs operate in a multifaceted operational and regulatory environment which requires cooperation with the Registrar and other stakeholders at a jurisdictional and national level.
MOR 15.12 – General Information Requests			
40.	15.12	Added a requirement for ELNOs to provide information to the Registrar on request. The information requested may relate to the ELNO's obligations under the Operating Requirements or Electronic Conveyancing National Law.	Amendment to promote greater transparency of ELNO activities to the Registrar and allow improved oversight of ELNO activities.
MOR 15.13 Observation			
41.	15.13	Added a requirement for ELNOs to provide the Registrar with information and access where the Registrar is investigating an issue with an ELNO.	Given the critical importance of the security and integrity of the eConveyancing process, it is important that the Registrar can promptly investigate matters that raise concerns. It is important in undertaking these investigations that the Registrar can access relevant information and speak with relevant personnel, so the matter can be properly addressed.
MOR 15.14 False and Misleading information			
42.	15.14	Added the prohibition of false and misleading information into the Operating Requirements, along with a requirement for ELNOs to provide a written attestation from a director or senior officer, on request by the Registrar.	The prohibition of false and misleading information was included to align with similar requirements in other regimes, for example, the Australian Consumer Law.
MOR 18.3 Annual Plans			
43.	18.3	New Category included in Schedule 3, category 6 on Annual Plans. This new category requires ELNOs to present forward looking plans at least three months prior to the start of a financial year.	<p>Currently Schedule 3 requires ELNOs to demonstrate compliance as an approval step or ELNOs to report looking back on the past financial year. This new category is forward-looking and requires ELNOs to provide a forward-looking plan for the necessary Operating Requirements.</p> <p>Additional Operating Requirements then require ELNOs to demonstrate their compliance with the forward-looking plans.</p>

#	Rule	Amendments	Explanatory Notes
SCHEDULE 2 – Performance Levels			
44.	Schedule 2	Schedule 2 includes new and amended Performance Levels designed to set a high standard for ELNO performance suitable for the current eConveyancing environment.	<p>Some of the amendments clarify or strengthen existing requirements.</p> <p>The amended ‘Service Availability’ Performance Level is designed to set a standard for availability of the ELNO System to all Subscribers without any reduction in functionality.</p> <p>The amended ‘Scheduled Maintenance’ Performance Level requires an ELNO to publish details of and make impacted parties (e.g. Subscribers, land registries and other parties such as integrated parties) aware of Scheduled Maintenance that may affect them.</p> <p>The existing ‘System performance measures’ Performance Levels have been maintained.</p> <p>The new ‘Incidents - Recovery point objectives’ Performance Level sets the maximum tolerable amount of data loss.</p> <p>The new ‘Incident Response’ Performance Levels set response time, restore time, and notification requirements for Incidents based on a tier of severity levels.</p> <p>The Performance Levels also include new provisions about submitting to the Registrar Post Incident Review (PIR) Reports, including root cause analysis.</p> <p>The new ‘System performance measures’ Performance Level requires that the data provided by an ELNO to the Land Registry accurately reflects the data entered into the Electronic Workspace by Subscribers. This recognises the importance of maintaining the accuracy and integrity of information that flows to Land Registries.</p> <p>The related new ‘Change Management’ Performance Level is designed to ensure that scheduled changes to the ELN do not result in an Incident.</p> <p>The new ‘Enquiries – Timeliness’ Performance Levels are designed to set a standard for delivery of high quality customer service for enquiries. These Service Levels currently appear in some of the Jurisdiction-specific conditions applying to an ELNOs’ approval to operate an ELN.</p> <p>ARNECC welcomes feedback from Subscribers about the proposed amendments and the impacts, to their experience and business processes, of different types of ELN-related incidents e.g. complete outages vs intermittent</p>

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			issues or other service degradations.
SCHEDULE 3 – Reporting requirements			
45.	Schedule 3, Category Three	New reporting requirement added for Operating Requirement 4.8-4.11, seeking a description of the Continuous Improvement activities undertaken during the Financial Year and Capital Investment made.	Included to provide for annual review of ELNOs' compliance with the Implementation Plan and Continuous Improvement Plan requirements.
46.	Schedule 3, Category Five	New reporting requirement added for Operating Requirement 4.8-4.11, seeking a description of the Continuous Improvement activities undertaken during the Financial Year and Annual Capital Investment made.	Included to provide for review of ELNOs' compliance with the Implementation Plan and Continuous Improvement Plan requirements, in response to an ELNO's renewal of Approval request.
47.	Schedule 3, Category Six.	See row 28 and 29 above.	See row 28 and 29 above.