

INTEROPERABILITY REQUIREMENT REVOCATION OF WAIVER

New South Wales Section 18A Electronic Conveyancing National Law

Title

This instrument revokes New South Wales Electronic Conveyancing National Law Waiver ECNL 1/2022 – Interoperability Requirement.

Enabling Provisions

Under section 18A of the Electronic Conveyancing National Law (the National Law) the Registrar General (Registrar) may waive compliance with the Interoperability Requirement.

Section 18A of the National Law came into operation in New South Wales on and from 6 June 2022, being the date of assent of the *Electronic Conveyancing (Adoption of National Law) Amendment Bill 2022*.

Under sections 22 and 25 of the National Law the Registrar has determined and published Version 6.2 of the Operating Requirements which came into effect on 20 June 2023, with Version 7 published on 26 February 2024 and effective on and from 28 March 2024 (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.

Explanatory Statement

Under section 18A(1) of the National Law, a person approved as an ELNO under section 15 of the National Law must, in accordance with the Operating Requirements, establish and maintain Interoperability between the ELN operated by the ELNO and each ELN operated by another ELNO (Interoperability Requirement).

Under section 18A(2) of the National Law, the Registrar may waive compliance with the Interoperability Requirement if the Registrar is satisfied the granting of the waiver is reasonably necessary in all the circumstances.

The New South Wales National Law Waiver ECNL 1/2022 – Interoperability Requirement commenced on 6 June 2022 and granted all ELNOs approved under section 15 of the National Law a total waiver of their obligation to comply with the Interoperability Requirement.

On and from 28 March 2024, the NSW Operating Requirements Version 7 will take effect, which detail requirements for establishing and maintaining Interoperability, for the purpose of section 18A(1) of the National Law. This includes requirements at Operating Requirement 5.2.2 for the staged design, build and test of interoperability technical and functional capability by ELNOs approved to operate an ELN prior to NSW Operating Requirements Version 7 taking effect.

This update means that New South Wales National Law Waiver ECNL 1/2022 – Interoperability Requirement is no longer required. Accordingly, the Registrar has determined that New South Wales Electronic Conveyancing National Law Waiver ECNL 1/2022 – Interoperability Requirement should be revoked.

Commencement

New South Wales Electronic Conveyancing National Law Waiver ECNL 1/2022 – Interoperability Requirement is revoked on 28 March 2024.

Dated: 26 February 2024

Signed by:

A handwritten signature in black ink, appearing to read 'Danusia Cameron', written in a cursive style.

**Danusia Cameron
Registrar General**