



# **NSW Law Society 2017 Rural Issues Conference**

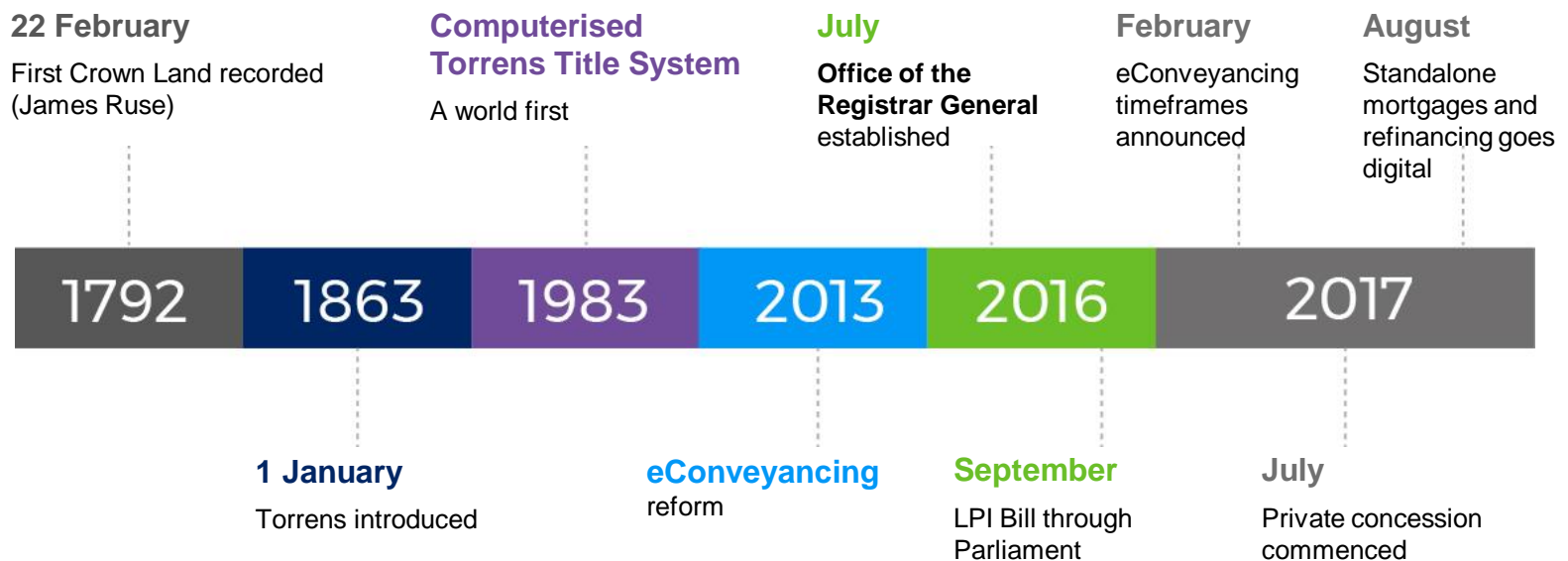
**An update on the new NSW regulator operator model for the land title system and the eConveyancing reform**

Jeremy Cox,  
NSW Registrar General

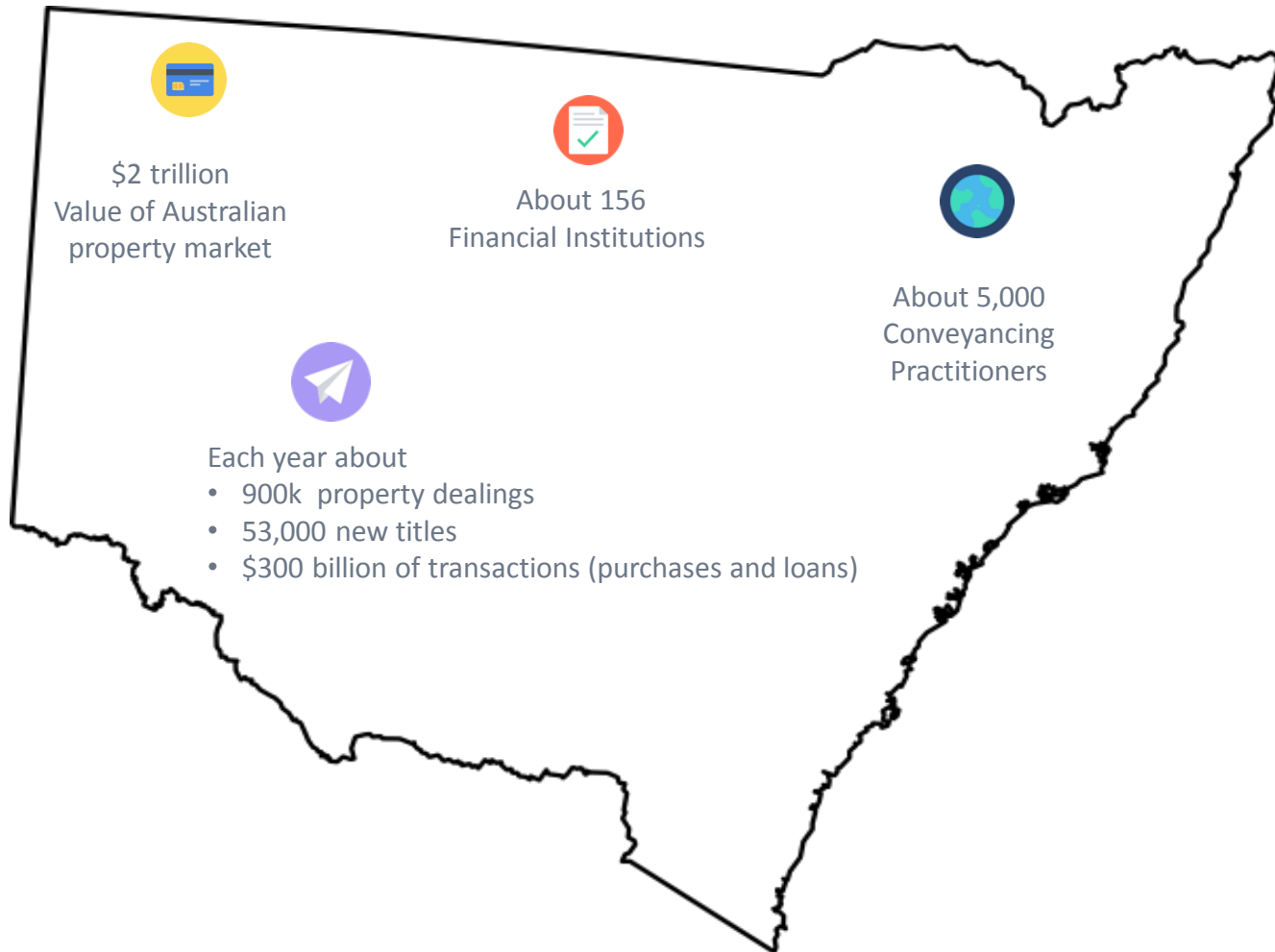
27 October 2017



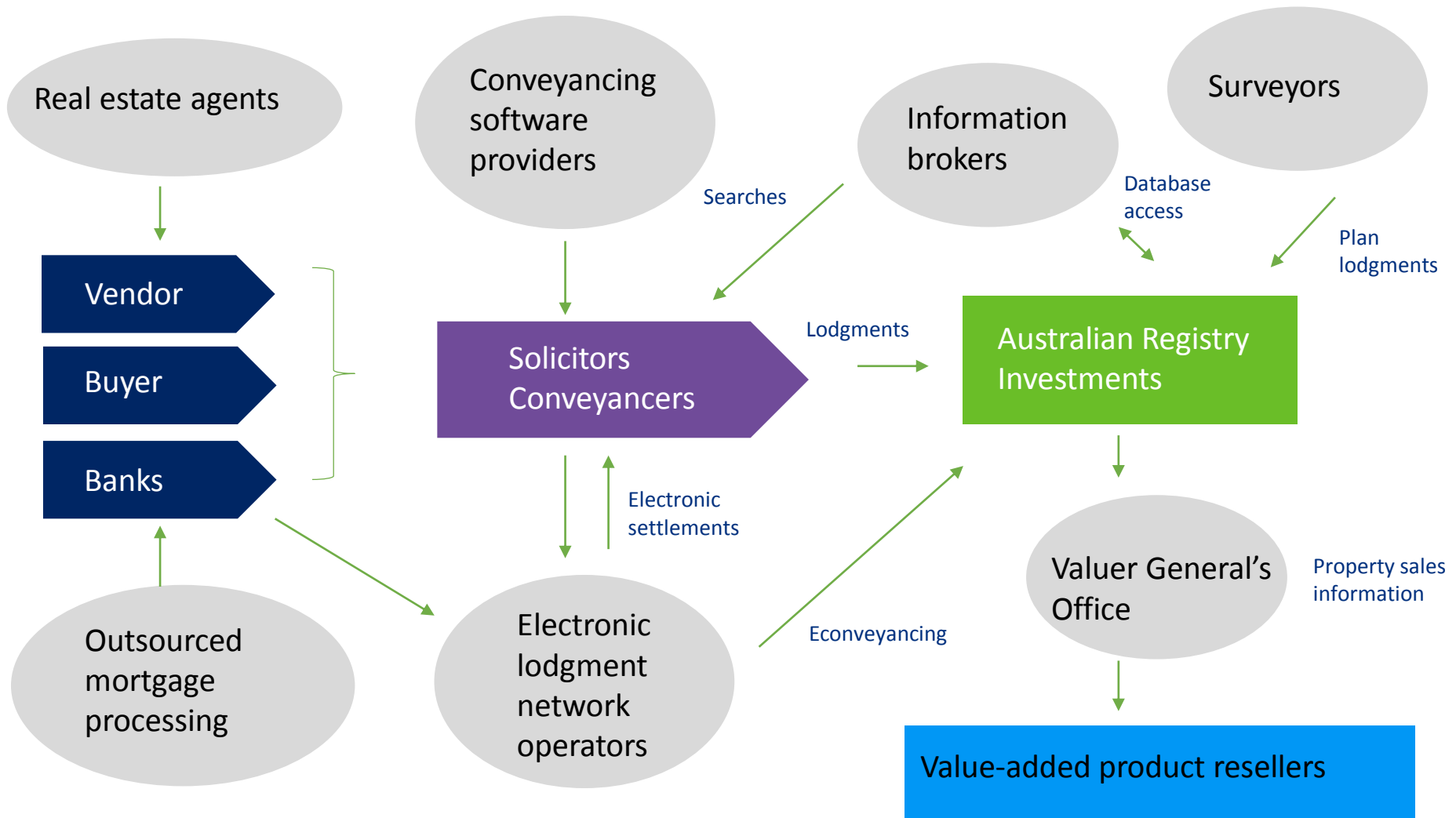
# The land titles system has evolved over time



# The NSW property system is the most substantial in Australia

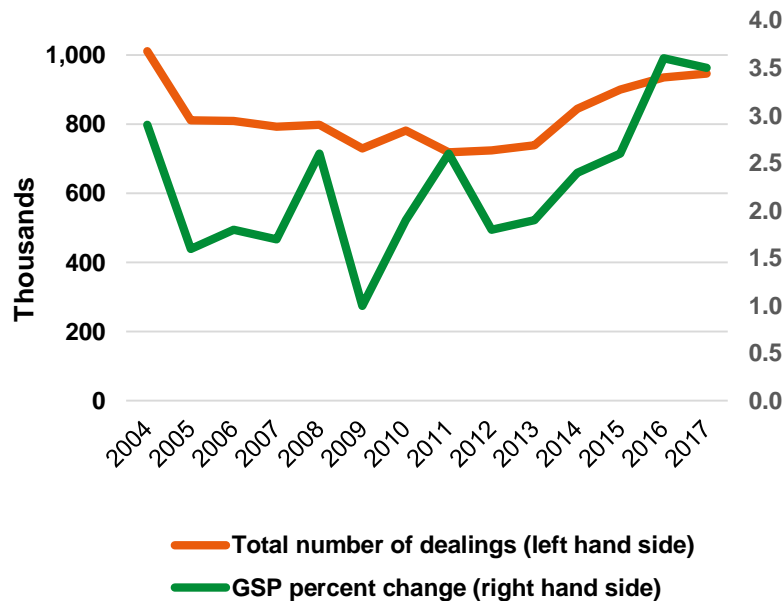


# Land title system is connected to multiple industries

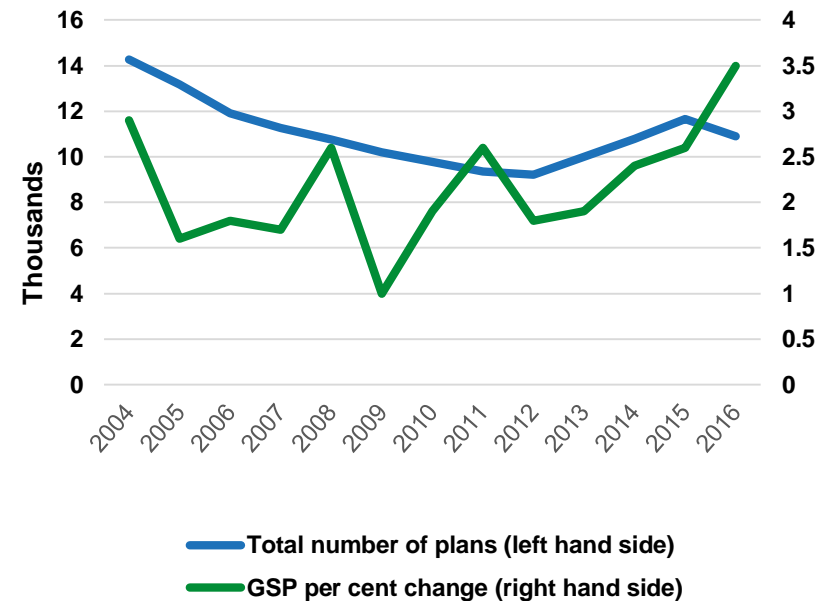


# The number of dealings and plans reflects the economic environment

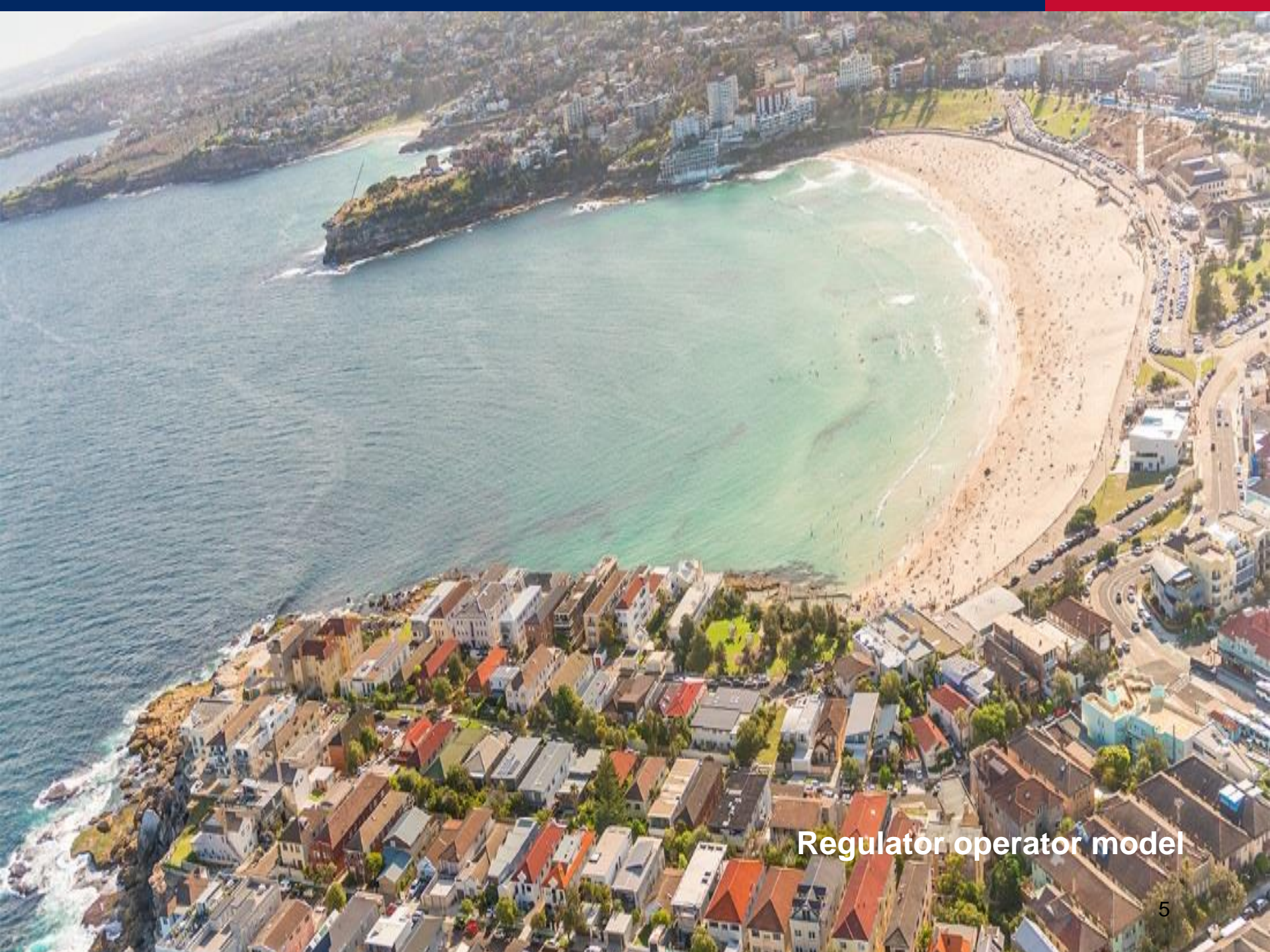
Dealings per annum, 2004 to 2016 (financial year)



Plans per annum, 2004 to 2016 (financial year)

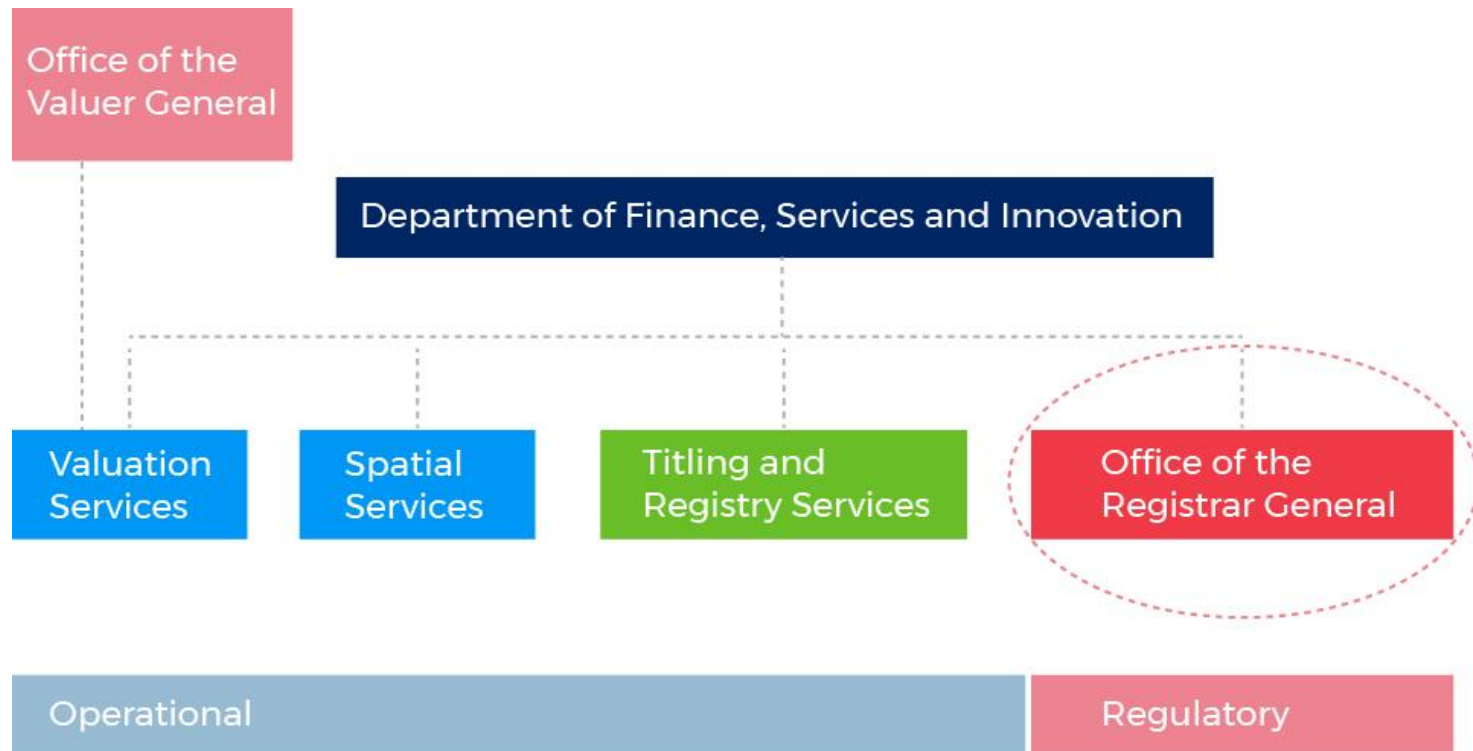




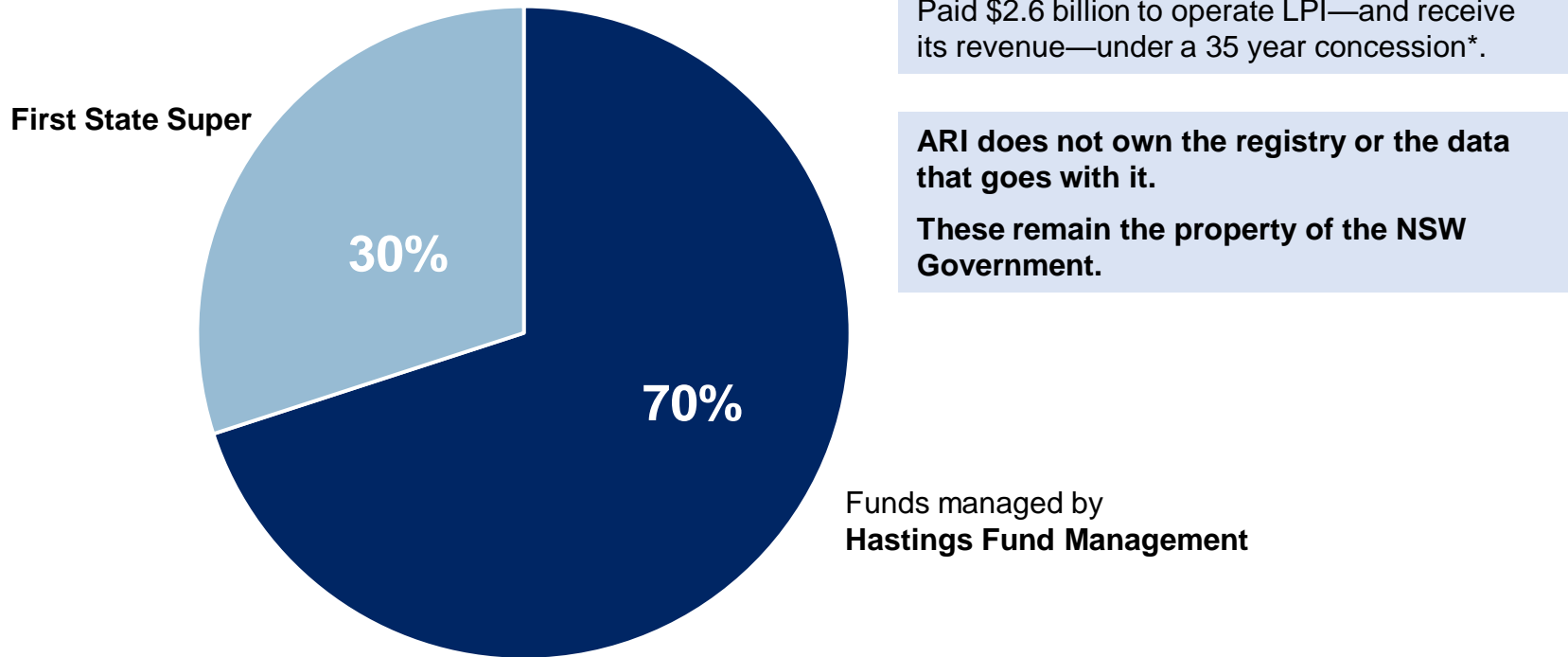


Regulator operator model

NSW has introduced a new regulator operator model to drive an efficient, digital and customer focused land title system



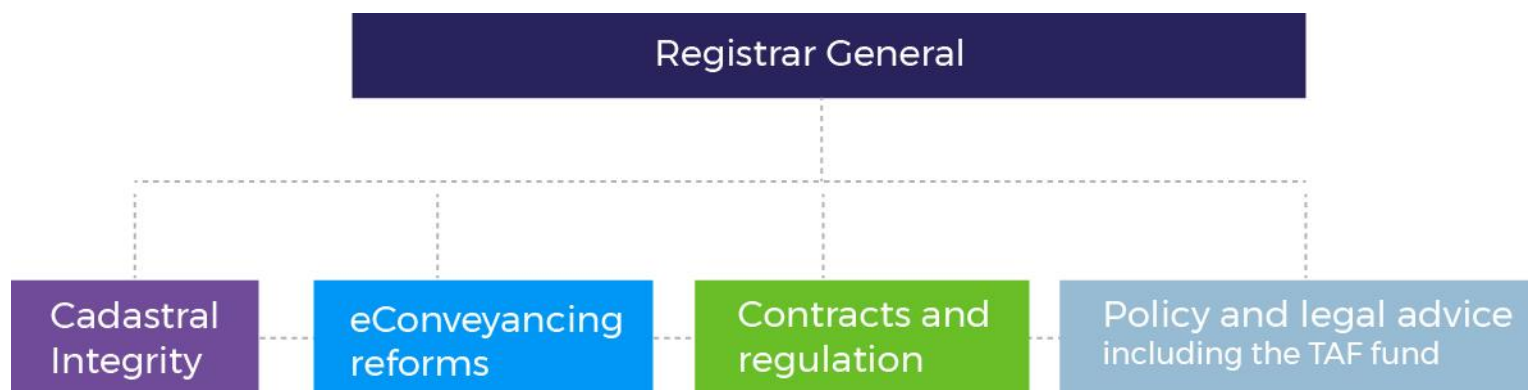
# NSW Treasury has selected Australian Registry Investments (ARI) to operate NSW's land title system for 35 years



\*A 'concession' is when a private business pays the government to operate a public asset for a specific period of time.



The Office of the Registrar General (ORG) is a regulator, advisor and litigator, working to ensure the integrity of NSW's land title system



# ORG's regulatory focus will be on making sure the operator delivers ongoing improvements to customers

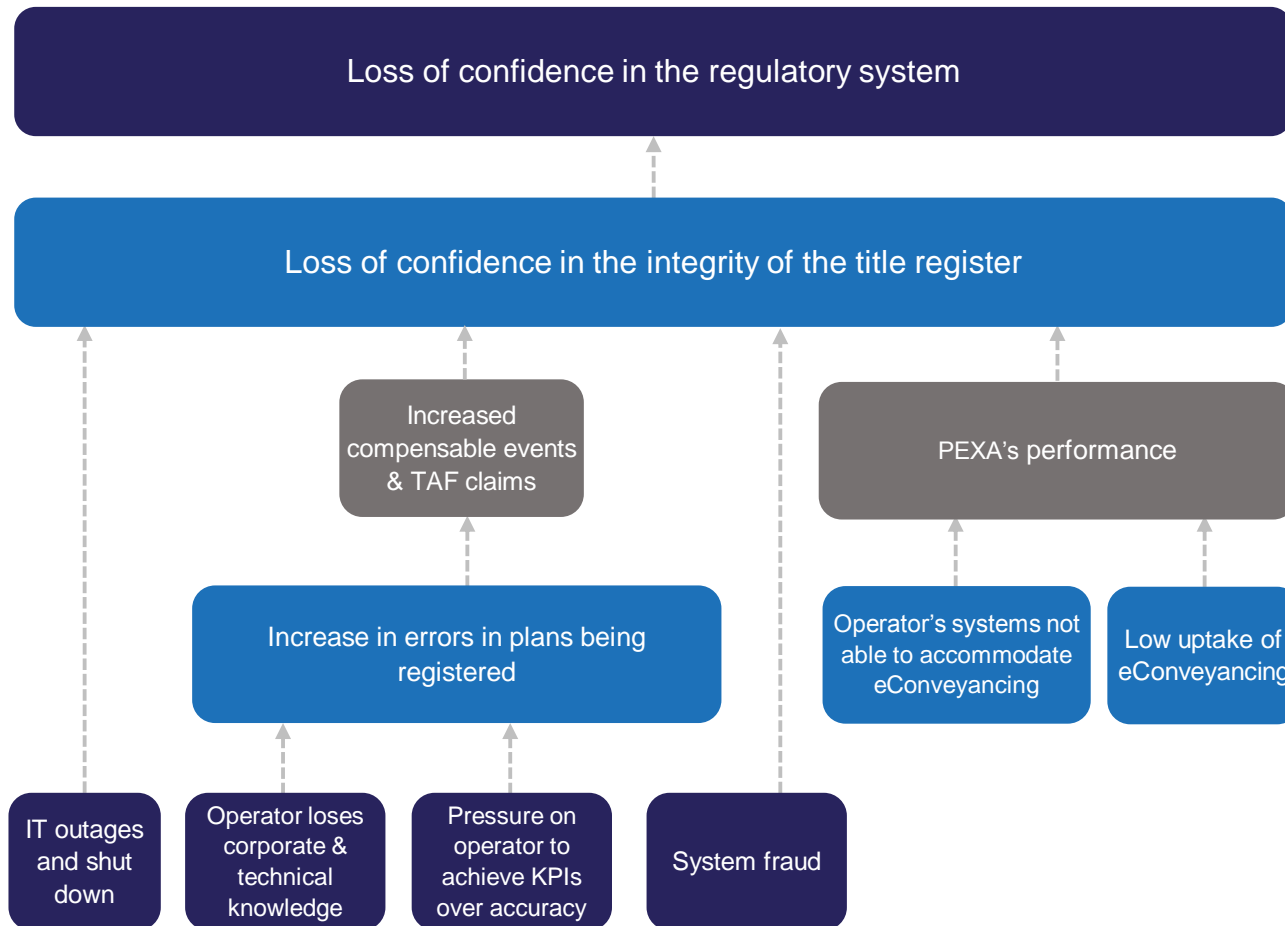
## Regulator objectives

- |   |  |
|---|--|
| ✓ | Maintain integrity, security performance and availability of registers, core services and systems              |
| ✓ | Ensure registers are accurate and up to date   |
| ✓ | Maintain confidence with customers and NSW public  |
| ✓ | Promote improvements, innovation and increased efficiency using greater expertise and investment in technology |
| ✓ | Minimise errors and frauds   |
| ✓ | Protect current competition in down stream services  |



# We are looking at the risks to the system

## Sample of risks



And we have new powers that don't exist in other Australian states, and in most overseas jurisdictions, to manage these risks

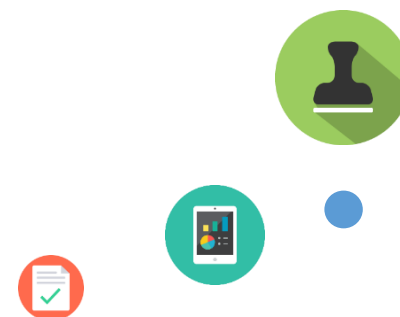
Registrar General	Minister
Reserve powers	Step in
Administrative review	Termination
Civil penalty tied to KPIs	Handback

#### Some other controls in response to issues raised by stakeholders

Prices	CPI cap
Privacy	Commonwealth and state legislation
Fraud and errors	TAF remains. No change in risk profile
Security	ISO standards (270002), audits and testing



# Our controls give the State the right tools to detect and assess issues and risks before they materialise



Reporting	Reviews	Risk management	Security testing	Quality assurance
Incident management	Annual review of performance	Report to RG on risk controls	Vulnerability scans & penetration tests	Standard data feeds
Business continuity and business plans	Major review (3 to 5 years)	Access to staff, locations, procedures	Security standards ISO	Tools to measure performance
Technology roadmap	Ad hoc reviews & spot checks	Risk register and report to RG	Monitoring, scanning & assurance tools in systems	Auditable record of performance

# ORG will work closely with the operator to ensure the move to digital continues to be a seamless experience



## Digitalisation of core services

- eConveyancing
- Digitalisation of records
- Forth coming upgrade of LPI's core systems
- Digital plans



## New, innovation 'non-core' services

RG process:

- Review proposed pricing
- Consultation
- Negotiate non-core becoming a core

### A more secure, efficient, customer focused system

- ✓ Fewer errors and fraud
- ✓ Registry available 24/7
- ✓ Records more easily accessible to customers online
- ✓ New innovative services

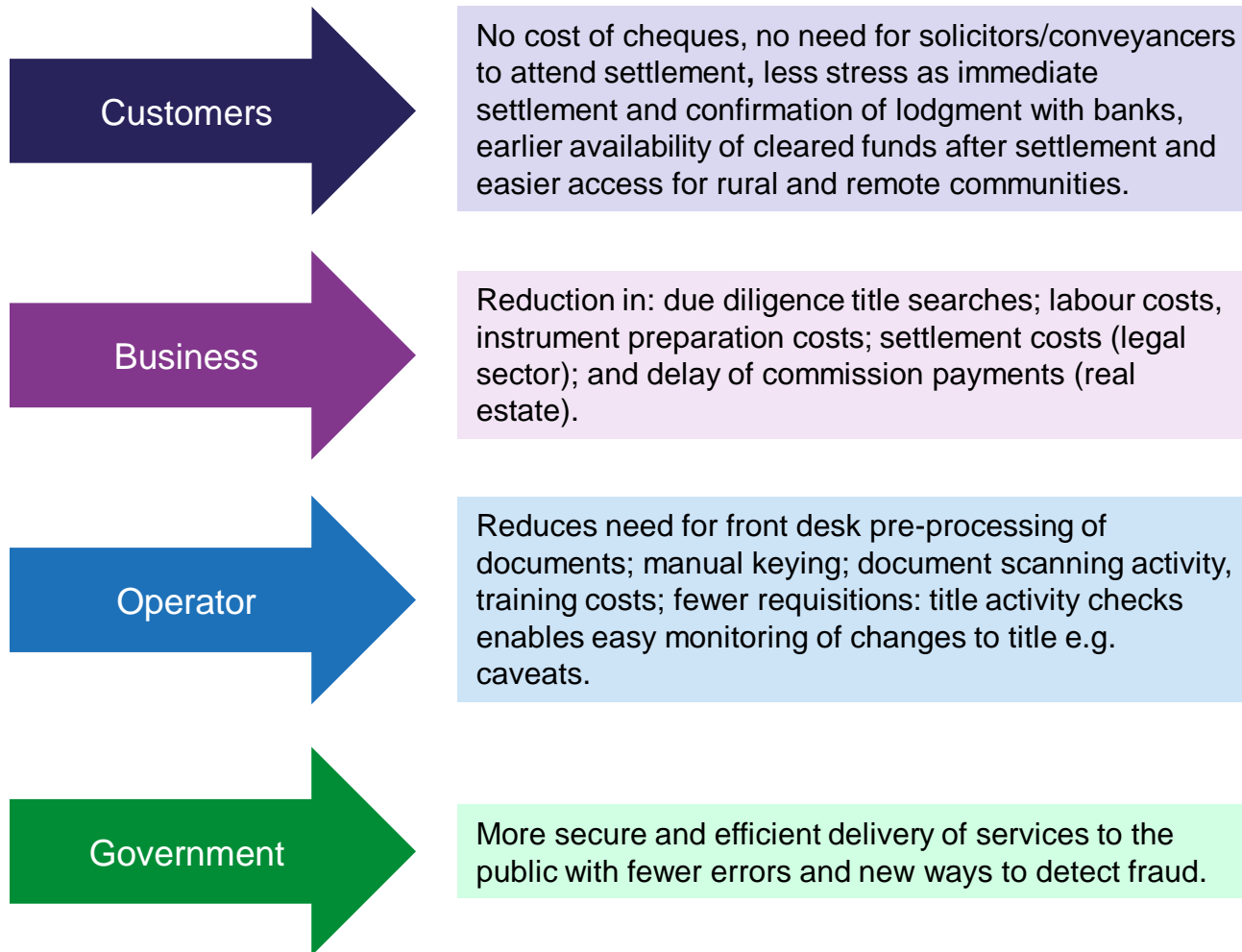




eConveyancing



# eConveyancing brings greater efficiency, fewer errors and new ways to detect fraud





# Industry has been working closely with government on the roll-out of eConveyancing in NSW

## Conveyancing reform committee

- Law Society of NSW
- Australian Institute of Conveyancers (NSW)
- Australian Bankers Association
- Mortgage and Finance Association of Australia
- Customer Owner Banking Association
- Australian Finance Conference
- Property Exchange Australia Ltd



**Ms Pauline Wright**  
President, Law Society of NSW

“The Law Society supports the transition to electronic conveyancing announced by the Government. The timetable allows practitioners who have yet to adopt electronic conveyancing, time to properly prepare their practices.

For practitioners who have already made the transition, there will be increased opportunities to conduct more transactions electronically as participation increases. We look forward to our members enjoying the efficiencies and benefits of electronic conveyancing.”



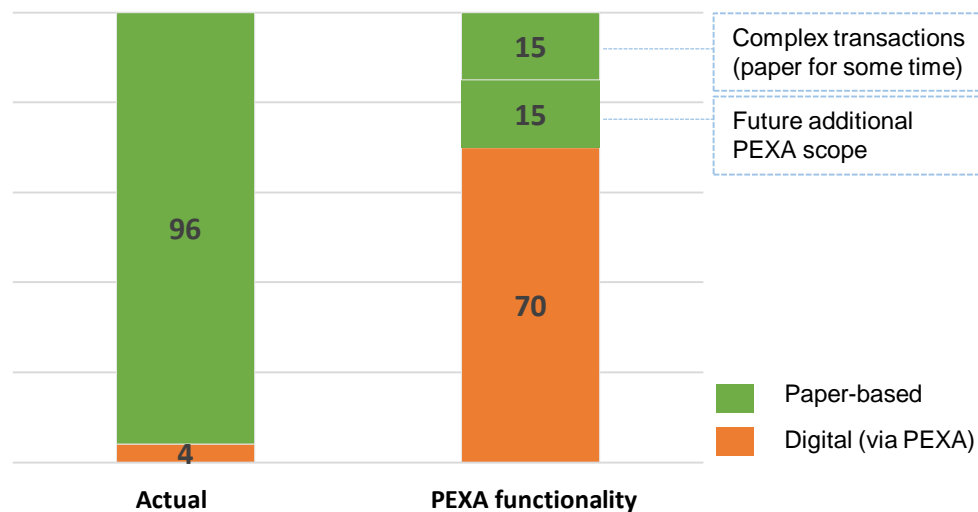
**Finance,  
Services &  
Innovation**

**Victor Dominello**  
Minister for Finance, Services  
and Property 28 February 2017

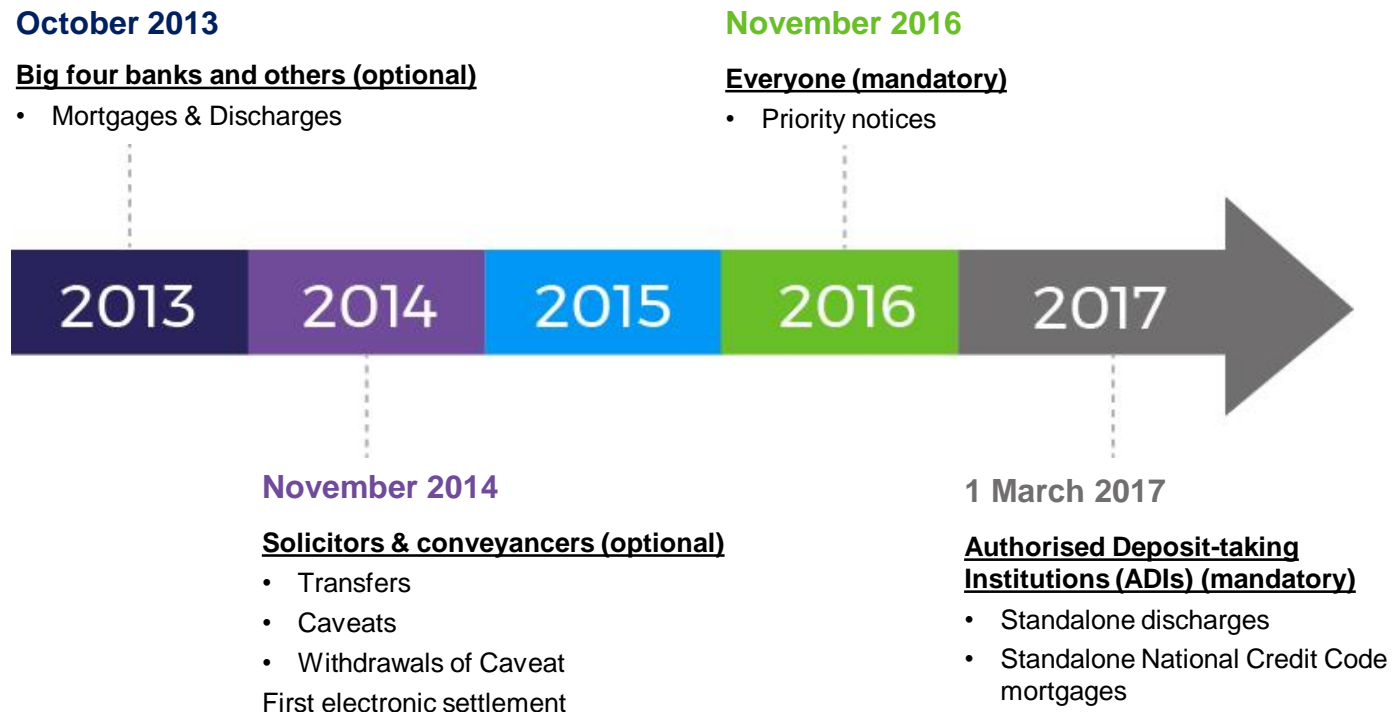
“...By July 2019, all standard property transactions in NSW will be conducted electronically, and all Certificates of Title will be phased out in favour of e-Titles.”

While eConveyancing can deliver these benefits they were not being realised

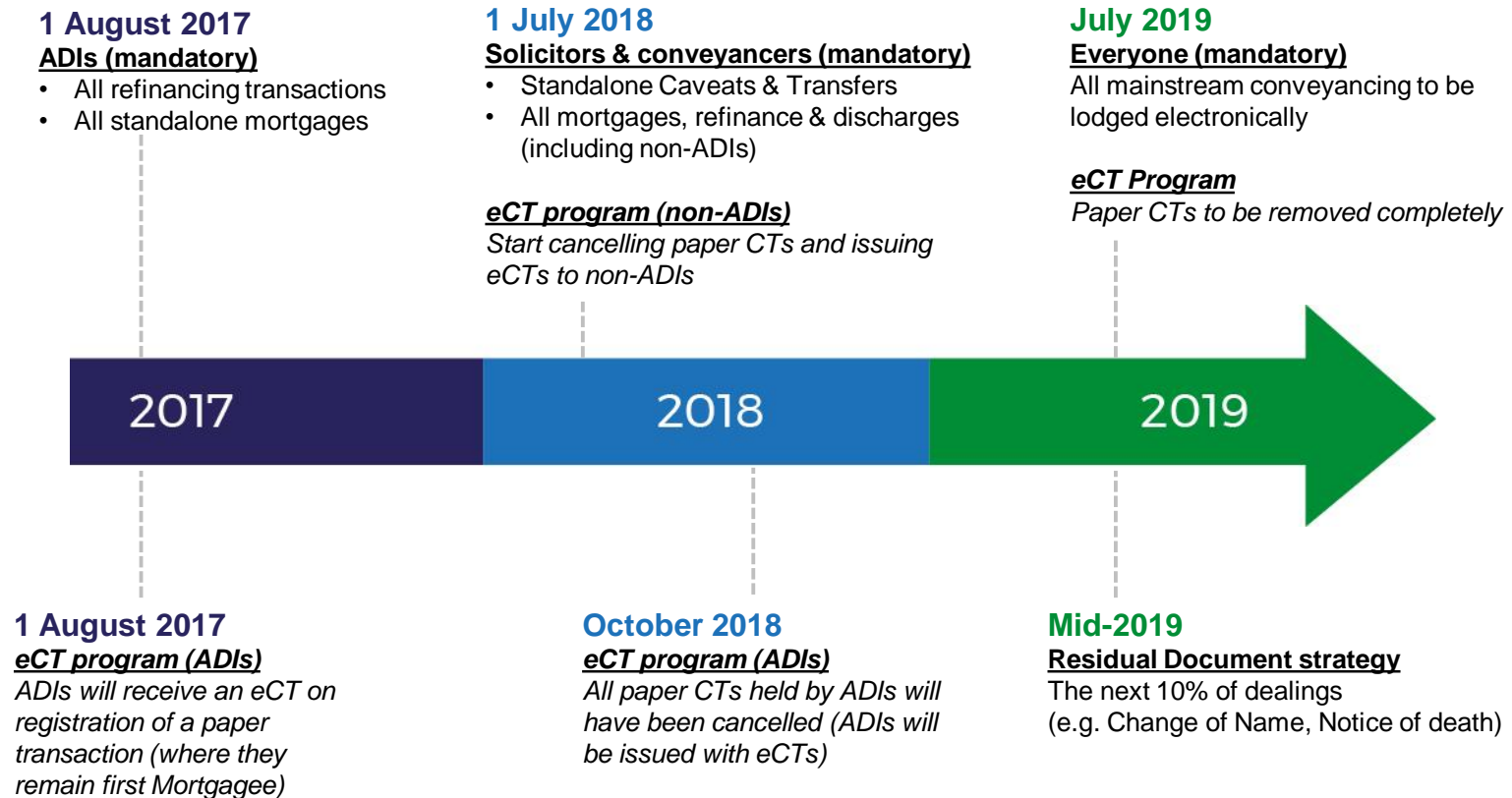
**In 2014 PEXA could digitalise around 70% transactions, however very few transactions were being completed online**



## Stage 1: What has happened to date



# Industry and government worked together to set time frames for moving to paperless conveyancing by mid-2019





And digitalising other related documents will make the system more efficient and more accurate

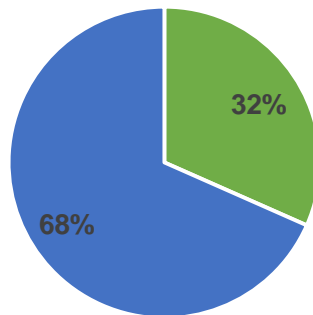
### Residual document strategy

Document	2016		2017		2018	2018
	Oct	Dec	May	Nov	May	Nov
National priority notice	●					
National mortgage form			●			
Transmission					●	
Survivorship (notice of death)						●
Change of name						●
Transfer by mortgagee						●
Transfer by interest						●
Lease						●
Encumbrance						●

Delivering this Residual Document Strategy will lift electronic dealings from about 85% to 100% of all documents involved directly or indirectly in a property transaction.

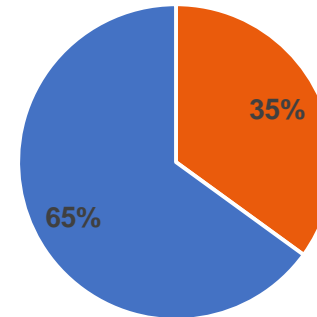
# About two-thirds of solicitors and conveyancers have yet to subscribe to eConveyancing

**NSW Subscriber Solicitors to  
all NSW Solicitors in NSW as at 31 July 2017**



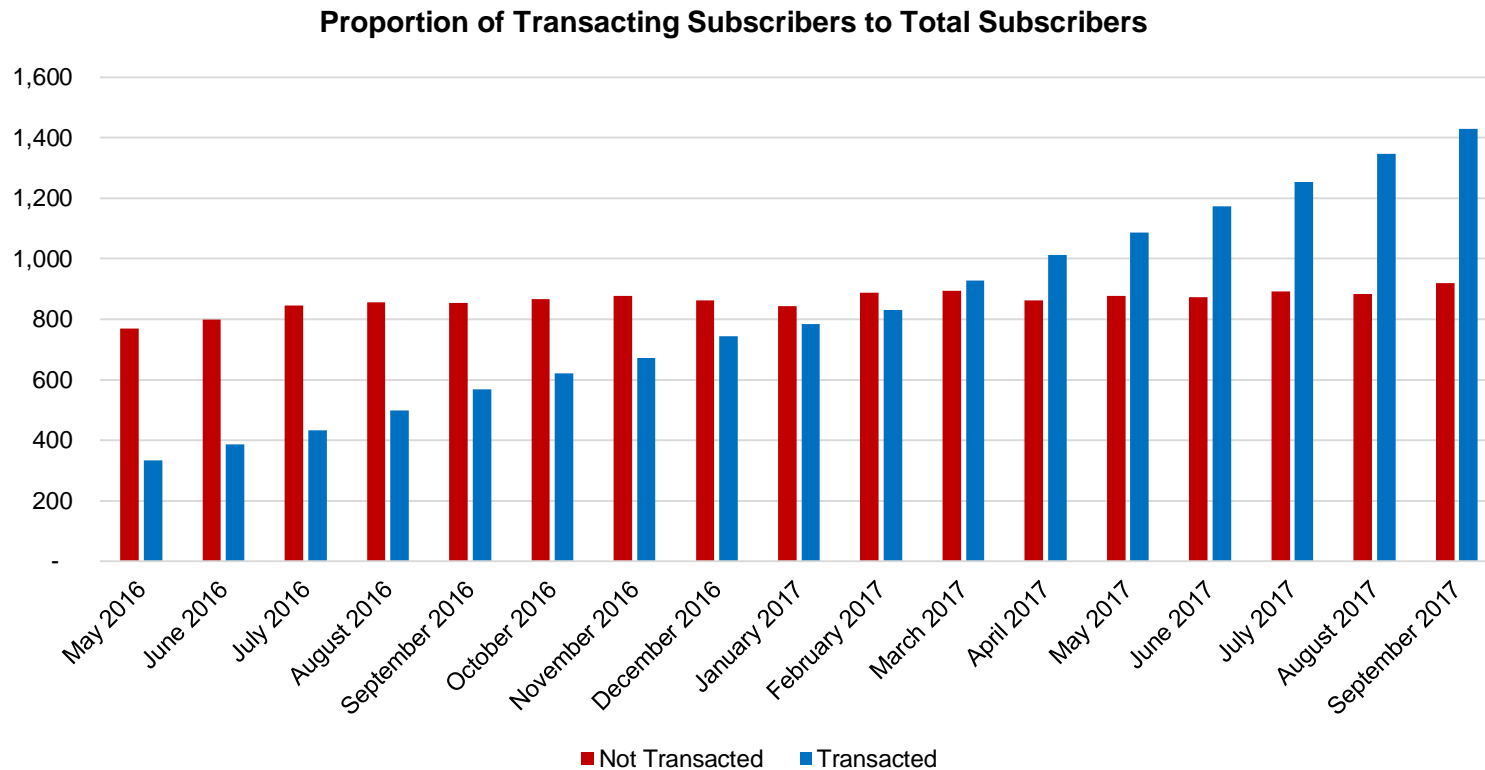
■ Registered Lawyers ■ Non-Registered

**NSW Subscriber Conveyancers to  
all NSW Conveyancers as at 31 July 2017**

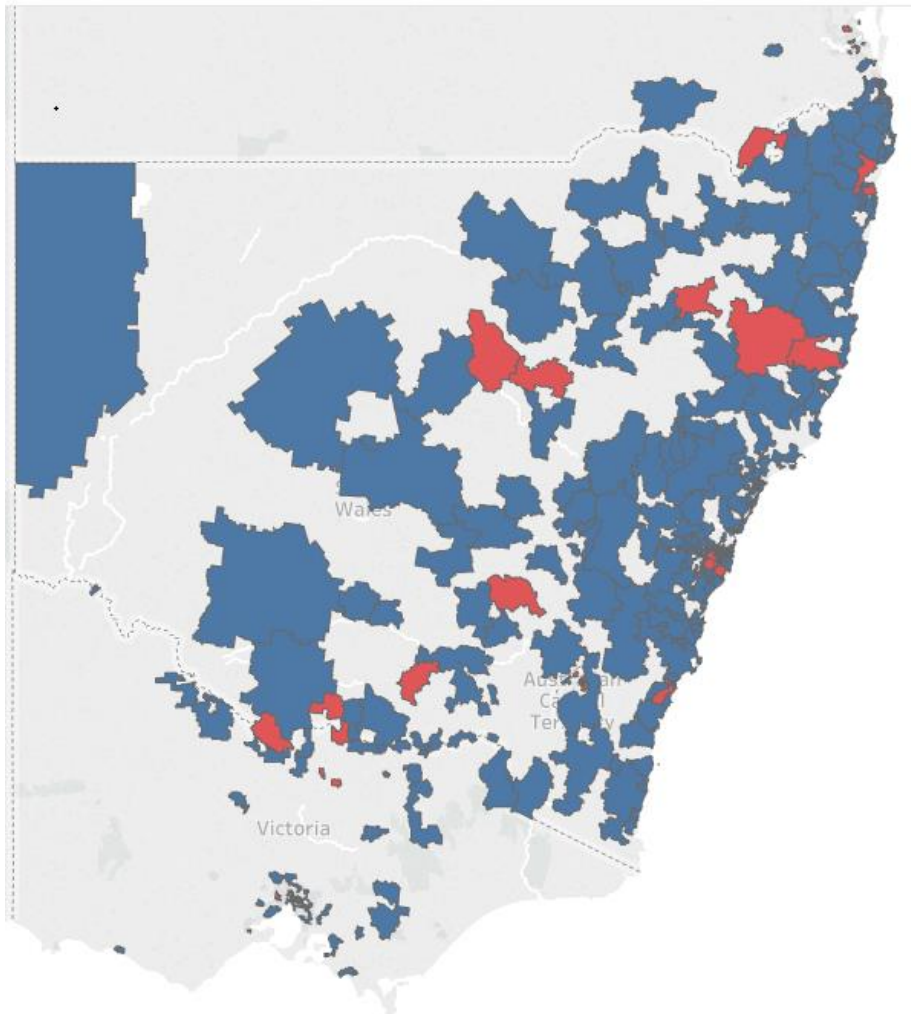


■ Registered Conveyancers ■ Non-Registered

# Where solicitors and conveyancers are subscribing, many are still not transacting



There is a reasonable spread of subscribers in urban and regional NSW

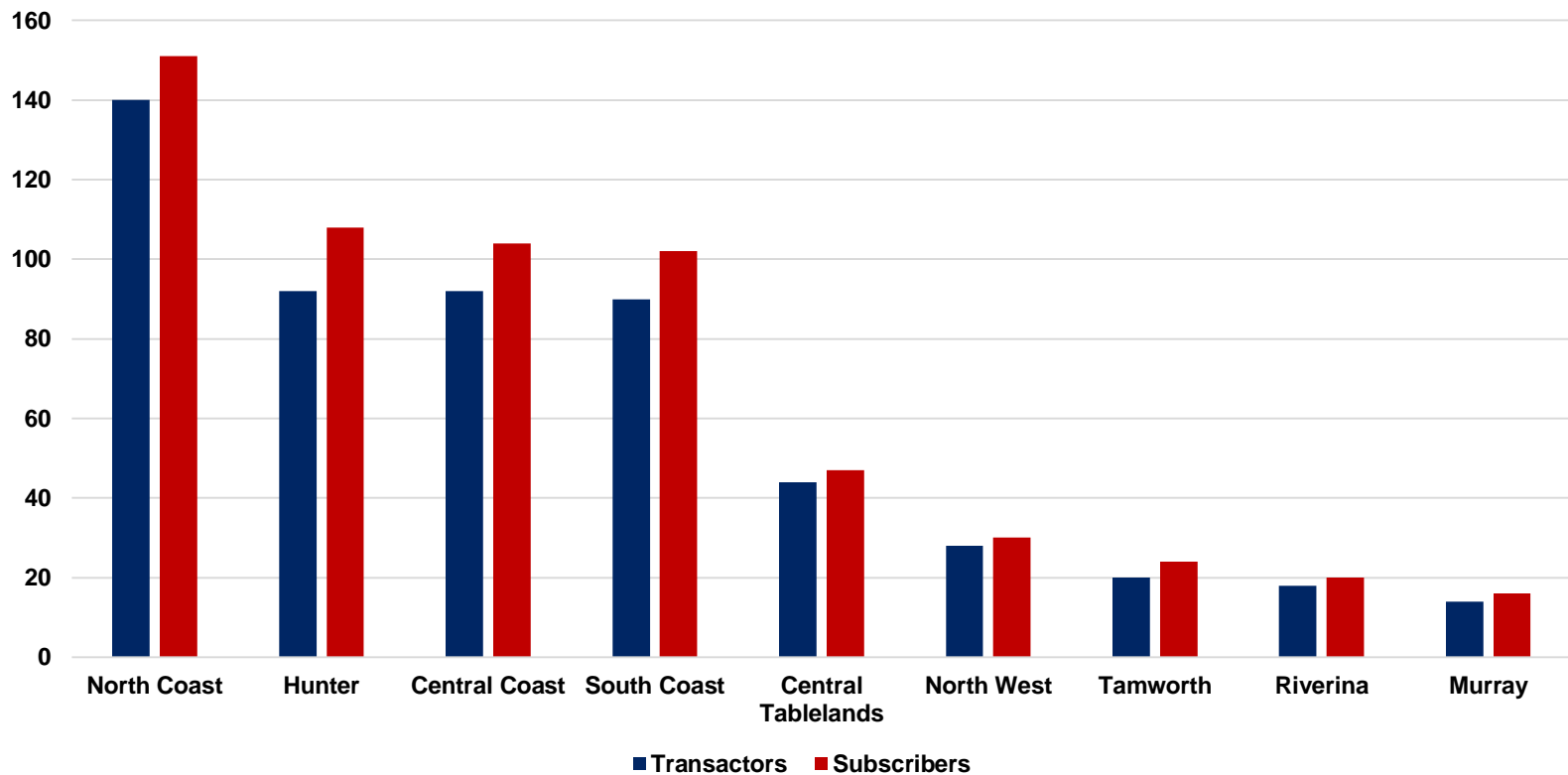


**Red** areas show registered lawyers, conveyancers and financial institutions that have not yet transacted.

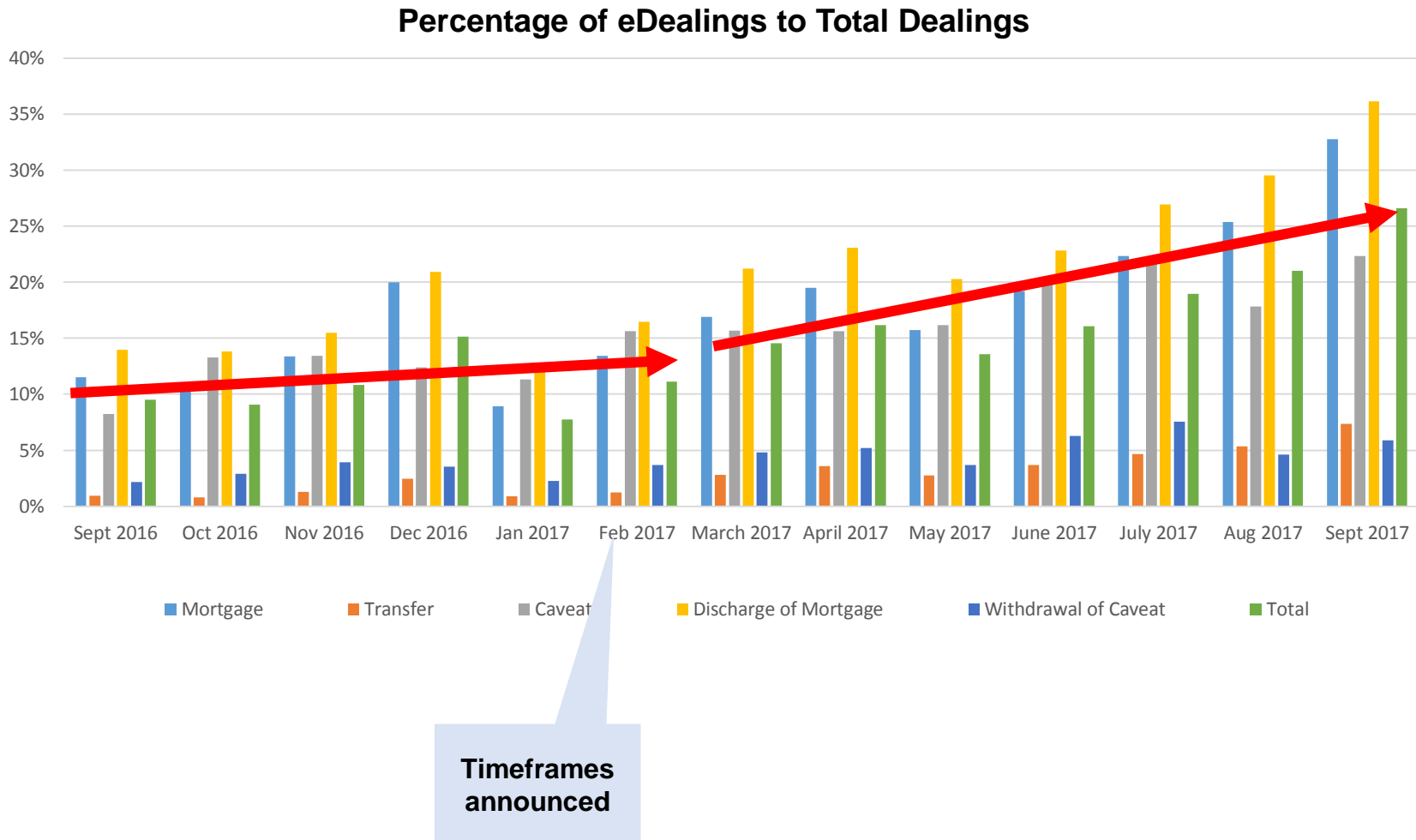
**Blue** areas show transacting lawyers, conveyancers and financial institutions.



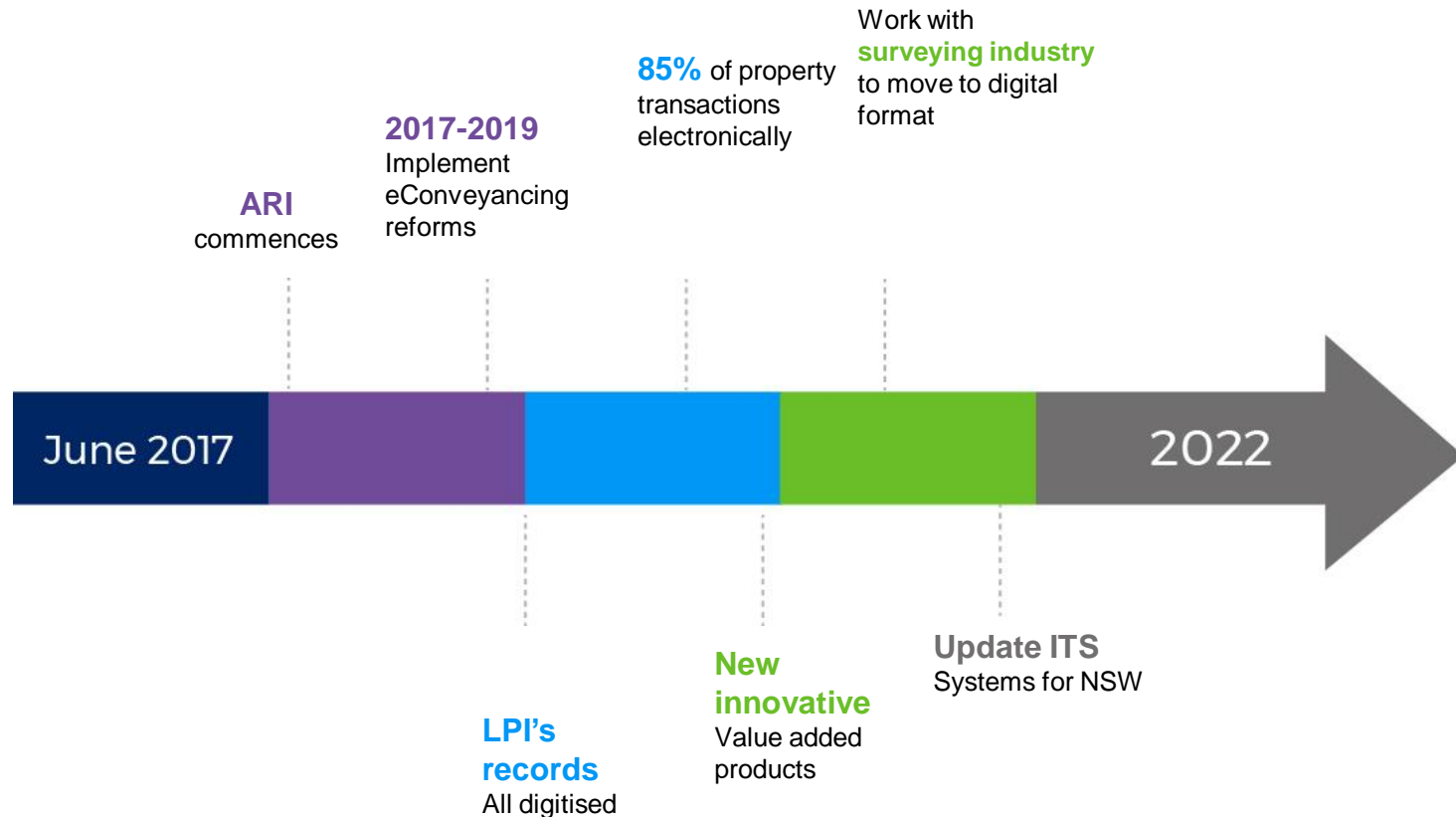
The number of subscribers, and those subscribers who are transacting, varies across the regions



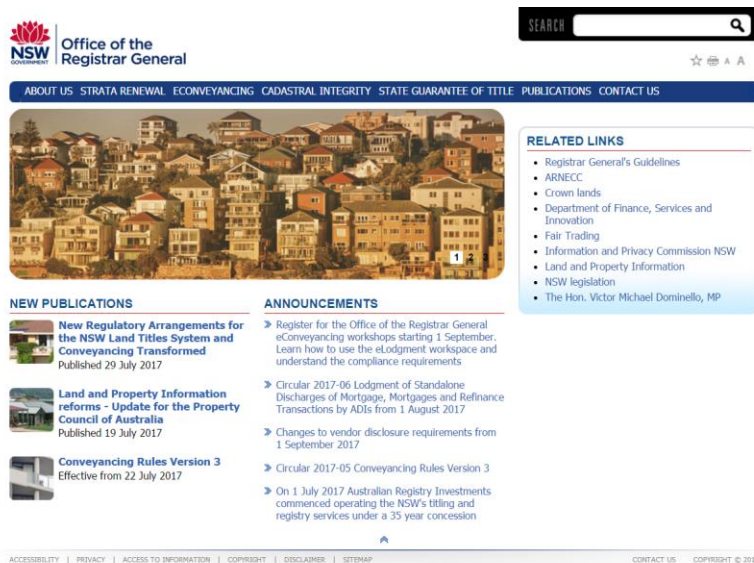
Since the NSW timeframes were announced there has been a shift upwards in the portion of eDealings



# We will continue to digitise land transactions in NSW



# More information and support



- ✓ Visit the ORG website

[www.registrargeneral.nsw.gov.au](http://www.registrargeneral.nsw.gov.au)

- ✓ Email ORG

[ORG.Admin@finance.nsw.gov.au](mailto:ORG.Admin@finance.nsw.gov.au)

- ✓ Subscribe to ORG emails



# Subscribe to the Office of the Registrar General emails

1. Go the **Contact us** page of the ORG website and click on the **blue Subscribe** button.  
<http://www.registrargeneral.nsw.gov.au/contact-us>



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Application for  
Administrative Review  
by the Registrar  
General

Claim for  
Compensation from the  
Torrens Assurance  
Fund

## Contact us

### Land and Property Information (LPI)

For all enquiries about land titles, plans, surveying, general deeds and power of attorney for property in NSW contact LPI.

**T:** 1300 052 637 - cost of local call Australia wide

+61 2 9228 6666 - international

**E:** [GeneralEnquiry@lpi.nsw.gov.au](mailto:GeneralEnquiry@lpi.nsw.gov.au)

1 Prince Albert Road  
Queens Square  
Sydney NSW 2000

### Office of the Registrar General (ORG)

The Office of the Registrar General is responsible for maintaining NSW land title legislation and policy.

**T:** 1300 318 998

+61 2 9372 9095 - international

**E:** [ORG.Admin@finance.nsw.gov.au](mailto:ORG.Admin@finance.nsw.gov.au)

Office of the Registrar General  
McKell Building  
2-24 Rawson Place  
Sydney NSW 2000

### Subscribe to ORG Circulars



Click **Subscribe**



# ORG eConveyancing workshops



MULTIPLE DATES

## Office of the Registrar General eConveyancing workshop

by Australian Institute of Conveyancers (National) as the Facilitator



 SELECT A DATE

### DESCRIPTION

The Office of the Registrar General is hosting eConveyancing workshops to support lawyers and conveyancers in preparation for digital conveyancing. Each delegate will be guided through

### LOCATION

Mckell Building  
2-24 Rawson Place  
Sydney, NSW 2000  
[View Map](#)

During the half day workshop, delegates will be guided through the eLodgment workspace to complete:

- A caveat
- A two party transfer
- A linked settlement transaction

A session on compliance covering the requirements under the Model Participation Rules and the Conveyancing Rules will be included. A light lunch and refreshments will also be provided.

## Register for the workshop

<https://www.eventbrite.com.au/e/office-of-the-registrar-general-econveyancing-workshop-tickets-36821215246>

Cost: \$95 (including GST)

Time: 11am to 4:30pm

Dates: Various starting 1 September 2017

Locations: Sydney, Newcastle, Nowra, Albury and other NSW locations on demand.



Thank you & Questions

