

## INTEROPERABILITY INDUSTRY PANEL TERMS OF REFERENCE

### Purpose

Registrars from each jurisdiction on behalf of their respective governments, along with state and national peak industry groups, and regulatory bodies, have identified the need to address the following problem question:

*In a multi-ELNO environment, subscribers should be able to transact efficiently and securely while only subscribing to the ELNO(s) they choose. Any interoperability solution should be able to be applied at a national level, rather than solving for a particular jurisdiction.*

The Interoperability Industry Panel (the **Panel**) has been established to ensure deep industry engagement across Australia, to finalise a national interoperability regime, and commence implementation in accordance with the timetable set by ministers. It reports to the Australian Registrars' National Electronic Conveyancing Council (**ARNECC**). To coordinate this process, NSW Office of Registrar General and SA Office of Registrar General act as secretariat on behalf of ARNECC.

### Approach

A regime for interoperability needs an appropriate regulatory framework, as well as technical solutions (including data standards and business rules).

The governance structure is designed to achieve the following outcomes:

- develop a solution that can be adopted by all jurisdictions, including a comprehensive set of materials that can be used as the basis for legislative and regulatory change;
- inform ARNECC and support ARNECC with its decision making;
- ensure implementation is national and considers different State and Territory regimes;
- progress implementation according to the Ministerial timetable; and
- complement and build on other reviews and reports on this subject written since November 2018, as listed in **Tab A**.

### Process

To address the problem question, ARNECC will identify specific issues and work on these with industry experts. The role of the Panel is to:

- ensure key stakeholders are informed of all work – including where they are not directly involved in reviewing a particular issue;
- assist a co-ordinated review of discussion papers and other deliverables by their industry; and
- advise on the most effective approach to address and solve issues, and identify gaps in approach or analysis.

The Panel is not designed to provide expert advice itself, rather, it is intended to be the conduit to experts across the country.

From time to time, the Panel convenes committees and working groups with subject expertise and relevant industry and government representation to develop different components of the regime. As at April 2022, these comprise:

- Interoperability Operational Committee
- Interoperability Implementation Committee
- ELNO Interoperability Agreement Working Group

### Decisions

The Panel is not a decision-making body. The Panel primarily operates as an open, consultative body for the purposes of advice and clarification. As such, no quorum or voting procedures are to be established.

## Composition of Panel

Joint Chairs: NSW Registrar General,  
SA Registrar General

Secretariat: NSW Office of Registrar General and SA Office of Registrar General

Advisors: Gilbert + Tobin  
Greg Channell

Members: **Government**  
Landgate WA  
NSW Office of the Registrar General  
SA Office of the Registrar General  
Titles Queensland

### Industry

Australian Banking Association  
Australian Institute of Conveyancers  
Law Council of Australia  
Property Exchange Australia Limited  
Sympli Australia Pty Ltd  
Purcell Partners  
Adelaide and Bendigo Bank  
Australian and New Zealand Banking Corporation  
Commonwealth Bank of Australia  
Macquarie Bank  
National Australia Bank  
Macquarie Bank  
Westpac/St George

Observers: **Government**  
Access Canberra  
Australian Competition and Consumer Commission (ACCC)  
Australian Institute of Conveyancers (NSW Division)  
Australian Institute of Conveyancers (SA Division)  
Land Services SA  
Land Services WA  
Land Use Victoria  
NSW Department of Customer Service  
NSW Department of Premier & Cabinet  
NSW Land Registry Services  
NSW Treasury  
Northern Territory Government  
Office of the New South Wales Minister for Customer Service  
Queensland State Revenue Office  
Revenue NSW  
Revenue SA  
South Australia Attorney-General's Department  
State Revenue Office Victoria  
Tasmania Land Titles Office  
WA Office of State Revenue

**Industry**  
Lawcover  
Lexon Insurance (QLD)

## Meetings

The Panel meets approximately every three months. Minutes from each meeting are circulated within five 5 Business Days.

Members can nominate a proxy to attend the meetings. The nominated proxy is responsible for providing relevant comments/feedback of the Panel member they represent at the meetings.

Members may have no more than three representatives attend meetings. Members may invite additional representatives from their organisation, and other industry experts, to attend for specific agenda items.

Revised April 2022

## Tab A

### Reviews and reports

- Final Report on Interoperability dated July 2019 by Dr Rob Nicholls
- Final Report on the Review of the Pricing Framework for Electronic Conveyancing Services in NSW dated November 2019 by NSW Independent Pricing and Regulatory Tribunal
- Report on E-Conveyancing Market Reform dated December 2019 by Australian Competition and Consumer Commission
- Final report Review of the Intergovernmental Agreement for an Electronic Conveyancing National Law dated December 2019 by Dench McClean Carlson
- Addressing Market Power in Electronic Lodgment Services, Cost-benefit Analysis dated September 2020 by Centre for International Economics
- Identifying a Preferred Technology Model to Support a National Interoperable eConveyancing Marketplace dated August 2020 by Glenn Archer
- Insurance Review of Interoperability Approach dated August 2020 by Willis Towers Watson

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