



OPERATING REQUIREMENTS WAIVER

New South Wales Section 27 *Electronic Conveyancing National Law*

Title

This instrument is New South Wales Operating Requirements Waiver OR 3/2020 – Integration.

Enabling Provisions

1. Under sections 22 and 25 of the *Electronic Conveyancing National Law* (the National Law) the Registrar-General (Registrar) has determined and published Version 5 of the Operating Requirements which came into effect on and from 25 February 2019 (Operating Requirements). The Registrar has published draft Version 6 of the Operating Requirements (the Draft ORs). Capitalised terms used in this instrument and not defined have the meaning given to those terms in the National Law or the Operating Requirements.
2. Section 27 of the National Law permits the Registrar to waive compliance with all or any provisions of the Operating Requirements if the Registrar is satisfied that granting the waiver is reasonable in all the circumstances.

Affected Operating Requirement

Operating Requirement 5.5.1 (Affected Operating Requirement).

Explanatory Statement

Under Operating Requirement 5.5.1 an Electronic Lodgment Network Operator (ELNO) must publish a set of Integration terms and conditions which set out the requirements for individuals or entities that wish to Integrate their systems with its Electronic Lodgment Network (ELN).

The ELNO, Sympli Australia Pty Ltd (Sympli) has requested the Registrar to temporarily waive compliance with the Affected Operating Requirement. This waiver will give Sympli the required lead time to comply with the Affected Operating Requirement.

Accordingly, the Registrar has determined that it would be reasonable in the circumstances to grant a waiver modifying the obligations of Sympli under the Affected Operating Requirement.

Waiver

Subject to the Conditions, the Registrar grants Sympli a waiver of its obligations to comply with the Affected Operating Requirement.



Conditions

The waiver is granted on the condition that:

- (a) on or before the commencement of Version 6 of the Operating Requirements, Sympli must either publish on its website Integration terms and conditions which set out the requirements for a Person Wishing to Integrate in accordance with Operating Requirement 5.5.1, or comply with the corresponding provisions of the Draft ORs; and
- (b) any arrangement entered into on or after 25 February 2019 between Sympli and a Person Wishing to Integrate must be on Sympli's published Integration terms and conditions.

Commencement

This waiver is effective from 28 September 2020.

Period during which this waiver applies

This waiver operates until the earlier of:

- (a) Sympli fully complying with the Affected Operating Requirement or the corresponding provisions of the Draft ORs; or
- (b) the commencement of Version 6 of the Operating Requirements; or
- (c) the revocation of this waiver by the Registrar.

Dated: 28 September 2020

Signed by:

A handwritten signature in black ink that reads 'Danusia Cameron'.

**Danusia Cameron
Acting Registrar-General**