

29 March 2019

Anne Larkins
Dench McClean Carlson
Level 5, 99 Queen Street
Melbourne 3000

By email: alarkins@dmcca.com.au

Dear Anne,

Submission on the IGA Review Issues Paper

LEAP Legal Software Pty Ltd (**LEAP**) welcomes the opportunity to provide comments regarding the Issues Paper on the Review of the Intergovernmental Agreement for an Electronic Conveyancing National Law (**IGA**) dated 13 February 2019 (**Issues Paper**).

LEAP, established in 1992, is the leading provider of legal practice management software for small to medium law firms in Australia with over 20,000 users from sole practitioners to Australia's largest law firms and international firms. It also has a presence in the legal markets in the United Kingdom and United States.

LEAP supports the independent review of the IGA (**IGA Review**), which is vital for ensuring the efficacy of regulations applicable to the Australian electronic conveyancing market.

Considering the impact on LEAP users, we wish to raise our concerns in relation to the preliminary findings of the IGA Review by Dench McClean Carlson (**DMC**).

In summary, we submit the following points in relation to the Issues Paper:

1. DMC must consider industry feedback regarding competition in the competitive national electronic network (**ELNO**) market.
2. DMC must fully support, and recommend that ARNECC support, the current industry consultation on interoperability.
3. Interoperability is beneficial and supported by the industry.

1. DMC must consider industry feedback regarding competition in the competitive national electronic network (ELNO) market

DMC's preliminary findings present a positive outlook on the state of the ELNO market under a single operator and does not seek to address issues associated with a single provider market. Despite strong industry feedback supporting competition, DMC has not fully addressed the benefits of competition or considered how to facilitate a competitive ELNO market.

Consistent feedback from LEAP's national client base has been that legal and conveyancing firms expect competition in the electronic settlement market and are concerned that a monopoly position will have adverse effects on choice, pricing, technological advancements, and ultimately the end user, their clients.



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Additionally, ELNO competition is well supported by ARNECC and the Australian Competition and Consumer Commission.

2. DMC must fully support, and recommend that ARNECC support, the current industry consultation on interoperability

The current national industry consultation process into electronic lodgment networks (ELN) interoperability, being conducted by the NSW Office of the Registrar General (**Industry Consultation**), is crucial input for the IGA Review. The Industry Consultation is well-equipped for the analysis of interoperability. It has also engaged significant industry participants at a national level, which reflects the importance of interoperability to the industry.

Furthermore, given ARNECC's role in the industry, it is vital that DMC recommend ARNECC members support the Industry Consultation.

3. Interoperability is beneficial and supported by the industry

There is extensive industry support for interoperability, which has been published through the Industry Consultation and DMC's consultation notes.

Ultimately, the best interests of consumers and users of ELNOs should be considered in respect of issues such as competition, choice and interoperability. End users will maintain the ability to choose different providers and complete transactions efficiently across different platforms.

Yours sincerely,
LEAP

A handwritten signature in black ink, appearing to read 'Christian Beck', is positioned above the printed name.

Christian Beck
Director