

RPA News

News update for all practitioners from the Victorian Legal Services Board + Commissioner
#16, February 2015

PEXA e-conveyancing system rollout to Victoria

The Property Exchange Australia (PEXA) e-conveyancing system is now available in Victoria.

PEXA e-conveyancing has been operating in New South Wales since November 2014. In February this year it was introduced to Victoria, being made available to subscribing law practices with Caveat functionality in the regional hubs of Bendigo and Geelong.

In advance of PEXA e-conveyancing commencing in Victoria, I emailed Bendigo and Geelong law practices with some important information pertinent to using the PEXA system and the handling of client funds. As the system is now available state-wide, it is timely to circulate this information more broadly amongst the legal profession in Victoria.

Within the PEXA system there will be three ways of providing source funding to effect an e-conveyancing transaction (inclusive of financial settlement):

- subscriber financial institutions;
- a solicitor's trust account; or
- a PEXA source account.

It is important to note that the PEXA Source Account is not a trust account within the meaning of the *Legal Profession Act 2004*, and therefore the protection offered by the Fidelity Fund may not exist if a default occurs in the PEXA Source Account. It is also important to understand that the interest earned on PEXA Source Accounts funds will accrue to PEXA, and not the Public Purpose Fund.

Several other considerations regarding using a PEXA Source Account are detailed in the [Information Notice](#) I sent to Bendigo and Geelong law firms in January 2015.

The Legal Services Board encourages solicitors who hold general trust accounts with an Approved Deposit Institution integrated with PEXA to continue to use their trust account when using the online system. Solicitors who do not currently have a trust account and wish to use e-conveyancing should open a general trust account with a bank integrated to the PEXA system.

More information on trust accounts can be found on the [Board's website](#).

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