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LAND INFORMATION NEW ZEALAND

STATUTORY REQUIREMENTS, FORMS OF ELECTRONIC INSTRUMENTS, AND REQUIREMENTS FOR THE RETENTION OF EVIDENCE

Specifications pursuant to the Land Transfer Act 1952 and the
Land Transfer (Computer Registers and Electronic Lodgement)
Amendment Act 2002

Statutory Requirements

Section 164A(3) of the Land Transfer Act 1952 permits the Registrar-General of Land to specify the statutory requirements that apply to a class of instrument. The following table details the statutory provisions for each class of instrument.

I hereby specify the statutory provisions detailed in this table for the purposes of section 164A(3)(c) of the Land Transfer Act 1952.

This specification means that when a practitioner is giving a certification under section 164A(3)(c) and Regulation 12 of the Land Transfer Regulations 2002, the practitioner is certifying that each of the statutory provisions specified has been complied with or does not apply, as the case may be.

This notice replaces the Statutory Requirements notice published in the *New Zealand Gazette*, 20 March 2008, No. 63, page 1809.

This notice takes effect from 29 September 2008.

| Statute and Applicable section | Nature of Provision | | Requirements for Compliance | Class of Instrument | Certifying Practitioner |
|---|--|--|--|--|--|
| Burial and Cremation Act 1964 s31 | Dedication of denominational burial grounds - registered notice of dedication as a denominational burial ground operates as a perpetual caveat to restrain any dealing with the land manifestly inconsistent with such notice. | | Does not contravene s31 of the Burial and Cremation Act 1964. | <ul style="list-style-type: none">• Transfer• Lease• Lease Variation• Mortgage• Mortgage Variation• Encumbrance• Transmission• Application for Deposit of Unit Title Plan | Practitioner acting for the: <ul style="list-style-type: none">• Transferor• Lessor• Lessor• Mortgagor• Mortgagor• Encumbrancer• Applicant• Applicant |
| Conservation Act 1987 s16A | Section 16A states that the Minister may by notice in the <i>New Zealand Gazette</i> authorise the exchange of any stewardship area for other land. | Complies with s16A of the Conservation Act 1987. | <ul style="list-style-type: none">• Transfer | <ul style="list-style-type: none">• Practitioner acting for the Transferor | |
| Conservation Act 1987 s26 | Section 26 states that the Minister may dispose of stewardship areas or areas of interest therein subject to the requirements to give notice. | Complies with s26 of the Conservation Act 1987. | | | |
| Housing Act 1955 s18 s37 | Purchaser cannot dispose of interest in State housing land in any agreement or licence registered under s18 unless: (a) the instrument is in favour of the Crown or the Corporation, or the Crown or the Corporation is a party; or (b) the instrument is an application to register the settlement of the land under the Joint Family Homes Act 1964; or (c) the instrument is a disposition by way of mortgage; or (d) the consent of the Corporation is endorsed on the instrument. | | Requirements of s37 have been met. | <ul style="list-style-type: none">• Transfer• Lease• Lease Variation | Practitioner acting for the: <ul style="list-style-type: none">• Transferor• Lessor• Lessee |
| Land Transfer Act 1952 s121M Transfer of a registered licence | The Registrar must not register a transfer of a registered licence unless the Registrar is satisfied that an instrument disposing of the shares to which the licence relates to the person acquiring the licence under the transfer has been registered by the company or its directors. | | An instrument disposing of the shares to the person acquiring the licence has been registered in the Companies Office. | <ul style="list-style-type: none">• Transfer of Licence to Occupy | <ul style="list-style-type: none">• Practitioner acting for the Transferor |

| Statute and Applicable section | Nature of Provision | Requirements for Compliance | Class of Instrument | Certifying Practitioner |
|---|---|---|---|--|
| Land Transfer Act 1952 <i>s122 - 123</i> Application for transmission | The entitlement of the applicant to be registered as proprietor by operation of law has been verified by the oath or statutory declaration of the applicant. | The application has been verified by the oath or statutory declaration of the applicant. | • Application for Transmission | • Practitioner acting for the Applicant |
| Land Transfer Act 1952 <i>s129(5)</i> Public reserves and other public lands held in trust for particular purpose. | Section 129(5) states that disclosure of any trust in respect of public reserve land will have the effect of a perpetual caveat to restrain any dealing manifestly inconsistent with that trust. | Does not contravene s129 (5) of the Land Transfer Act 1952. | <ul style="list-style-type: none"> • Transfer • Mortgage • Mortgage Variation • Lease • Lease Variation • Encumbrance • Application for Deposit of Unit Title Plan | Practitioner acting for the: <ul style="list-style-type: none"> • Transferor • Mortgagor • Mortgagor • Lessor • Lessor • Encumbrancer • Applicant |
| Maori Housing Amendment Act 1938 <i>s11</i> | Purchaser cannot dispose of land held under an agreement under s8 by sale, lease, mortgage, assignment or in any other manner unless the statutory procedures set out in s11 have been complied with. | Consent has been obtained in accordance with s11 of the Maori Housing Amendment Act 1938 and is held. | <ul style="list-style-type: none"> • Transfer • Mortgage • Mortgage Variation • Encumbrance • Lease • Lease Variation • Licence to Occupy | Practitioner acting for the: <ul style="list-style-type: none"> • Transferor • Mortgagor • Mortgagor • Encumbrancer • Lessor • Lessor • Licensor |
| Maori Housing Amendment Act 1938 <i>s14</i> | Lessee cannot assign their leasehold interest without the consent of the Chief Executive of the Ministry of Māori Development. | Consent has been obtained in accordance with s14 of the Maori Housing Amendment Act 1938 and is held. | <ul style="list-style-type: none"> • Transfer • Lease • Variation of Lease • Sub lease | Practitioner acting for the: <ul style="list-style-type: none"> • Transferor • Lessor • Lessor • Lessor |

| Statute and Applicable section | Nature of Provision | Requirements for Compliance | Class of Instrument | Certifying Practitioner |
|---|--|---|--|---|
| Maori Purposes Act 1970 s30 | Land vested in Poho-o-Rawiri Marae Committee cannot be sold without the confirmation of the Māori Land Court. | Consent has been obtained in accordance with s30 of the Maori Purposes Act 1970 and is held. | <ul style="list-style-type: none"> • Transfer | <ul style="list-style-type: none"> • Practitioner acting for the Transferor |
| Maori Purposes Act 1991 s2(14) | Land vested in the trustees of Wi Pere is deemed to be Māori freehold land and cannot be sold without the confirmation of the Māori Land Court. | Confirmation of the Māori Land Court has been obtained. | <ul style="list-style-type: none"> • Transfer • Lease • Lease Variation | Practitioner acting for the: <ul style="list-style-type: none"> • Transferor • Lessor • Lessor |
| Maori Purposes Act 1993 s16 | Section 16 specifies that no land acquired under section 87 of Maori Affairs Restructuring Act 1989 (for Kokiri Centres) is to be sold, leased or exchanged without the consent of the Minister of Māori Affairs. | Consent has been obtained in accordance with s16 of the Maori Purposes Act 1993 and is held. | <ul style="list-style-type: none"> • Transfer • Lease • Lease Variation | Practitioner acting for the: <ul style="list-style-type: none"> • Transferor • Lessor • Lessor |
| Maori Reserved Land Act 1955 s86 | The Māori Trustee may sell Township land: (a) with the written consent of the beneficial owners or the trustees of owners with a legal disability; or (b) pursuant to a resolution of the assembled owners. | Is duly authorised pursuant to s86 of the Maori Reserved Land Act 1955 and s157 of Te Ture Whenua Maori Act 1993. | <ul style="list-style-type: none"> • Transfer • Lease • Lease Variation | Practitioner acting for the: <ul style="list-style-type: none"> • Transferor • Lessor • Lessor |
| Maori Reserved Land Amendment Act 1997 s12 | The RGL must not register a transfer of any land that is subject to a lease to which this Act applies or of the lessee's interest in a lease to which this Act applies unless: (a) the transfer is to the lessor or lessee; or (b) where the transfer is to a third party, the lessor or lessee that is not a party to the transfer consents in writing to the transfer; or (c) the transfer is accompanied by a certificate from the solicitor acting for the transferor that the transfer does not contravene the provisions in Schedule 1. | Complies with s12 and the provisions of schedule 1. | <ul style="list-style-type: none"> • Transfer | <ul style="list-style-type: none"> • Practitioner acting for the Transferor |

| Statute and Applicable section | Nature of Provision | Requirements for Compliance | Class of Instrument | Certifying Practitioner |
|--|---|--|---|--|
| Te Ture Whenua Maori Act 1993 <i>s126</i> <i>s150A</i> or <i>s150B</i> <i>s151</i> | Alienation by Māori incorporation or trustees prevented by s126 unless confirmation of the Court under s151 is obtained or instrument noted by the Registrar of the Court under s150B. | Confirmation of the Court has been obtained and is held in accordance with s151 or Instrument has been noted by the Registrar (whichever is applicable). | <ul style="list-style-type: none"> • Transfer • Lease • Lease Variation • Mortgage • Encumbrance • Easement instrument to grant easement or profit a prendre • Easement instrument to vary easement or profit a prendre • Licence to Occupy | Practitioner acting for the: <ul style="list-style-type: none"> • Transferor • Lessor • Lessor • Mortgagor • Encumbrancer • Grantor • Grantor • Licensor |
| Te Ture Whenua Maori Act 1993 <i>s126</i> <i>s150C</i> <i>s151</i> <i>s157</i> | Sale or gift by other owners (as defined in s147(1)(a)-(c)) prevented by s126 unless confirmation of the Court under s151 is obtained. Section 157 allows for the alienation of any interest in Māori freehold land if a resolution of assembled owners has been obtained. The Māori Trustee (or Court appointed agent) is duly authorised by s157 to execute an instrument as the agent of the owners. | Confirmation of the Court has been obtained and is held in accordance with s151. | <ul style="list-style-type: none"> • Transfer | <ul style="list-style-type: none"> • Practitioner acting for the Transferor |
| Te Ture Whenua Maori Act 1993 <i>s126</i> <i>s150C</i> <i>s151</i> <i>s160</i> | Alienation (lease licence forestry right profit, mortgage, charge, or encumbrance) by other owners (as defined in s147(1)(a)-(c)) prevented by s126 unless confirmation of the Court under s160 is obtained. Where the Registrar refuses to issue a certificate of confirmation under this section, the application may be referred to the Court as if it were an application dealt with under s151. | A certificate of confirmation has been obtained from the Māori Land Court in accordance with s160 or s151 of Te Ture Whenua Maori Act 1993 and is held. | <ul style="list-style-type: none"> • Transfer • Lease • Lease Variation • Mortgage • Encumbrance • Easement instrument to grant easement or profit a prendre | Practitioner acting for the: <ul style="list-style-type: none"> • Transferor • Lessor • Lessor • Mortgagor • Encumbrancer • Grantor |

| Statute and Applicable section | Nature of Provision | Requirements for Compliance | Class of Instrument | Certifying Practitioner |
|--|--|---|---|--|
| | | | <ul style="list-style-type: none"> Easement instrument to vary easement or profit a prendre Licence to Occupy Application for Deposit of Unit Title Plan | <ul style="list-style-type: none"> Grantor Licensor Applicant |
| Mining Tenures Registration Act 1962 s16 | Mining licence cannot be transferred until notice is given to Commissioner of Crown Lands. | Complies with s16 of the Mining Tenures Registration Act 1962. | Transfer | <ul style="list-style-type: none"> Practitioner acting for transferor |
| New Zealand Railways Corporation Restructuring Act 1990 s23 s24 s25 | <p>The Act enables New Zealand Railways Corporation to dispose of railways land held by the Crown (or Corporation). Section 23 requires the Railways Corporation to offer this land back to persons from whom the land was acquired (or to their successor).</p> <p>The transferor must notify and obtain the Chief Executive's (LINZ) consent in order to dispose of railways land.</p> | Complies with s23 and/or s24 and/or s25 of the New Zealand Railways Corporation Restructuring Act 1990. | <ul style="list-style-type: none"> Transfer | <ul style="list-style-type: none"> Practitioner acting for the Transferor |
| Otago Regional Council (Kuriwao Endowment Lands) Act 1994 s13(4) | Endowment Lands to which this Act applies cannot be disposed of unless the Council agrees to dispose of the land by resolution and after public notice has been given. | Certificate of compliance under s13(4) of this Act has been obtained and held. | <ul style="list-style-type: none"> Transfer | <ul style="list-style-type: none"> Practitioner acting for Transferor |
| Public Bodies Leases Act 1969 Powers of certain public bodies to lease land | The Public Bodies Leases Act 1969 contains powers of certain public bodies to lease land and statutory provisions in relation to leasing e.g. restraints on lessor's power to lease farm land (s11); public notice requirements (s17); commencement of term of lease (s18). | The leasing authority has complied with the provisions of the Public Bodies Leases Act 1969 | <ul style="list-style-type: none"> Lease Lease Variation | <p>Practitioner acting for the:</p> <ul style="list-style-type: none"> Lessor Lessor |

| Statute and Applicable section | Nature of Provision | Requirements for Compliance | Class of Instrument | Certifying Practitioner |
|-------------------------------------|---|--|--|--|
| Reserves Act 1977 <i>s112(1)</i> | Prohibits dealing with any reserve except in conformity with the trusts upon which the reserve is held. | Does not contravene s112(1) of the Reserves Act 1977 and s129 of the Land Transfer Act 1952. | <ul style="list-style-type: none"> • Transfer • Mortgage • Mortgage Variation • Transmission • Lease • Lease Variation • Encumbrance • Easement instrument to grant easement or profit a prendre • Easement instrument to vary easement or profit a prendre | Practitioner acting for the: <ul style="list-style-type: none"> • Transferor • Mortgagor • Mortgagor • Applicant • Lessor • Lessor • Encumbrancer • Grantor • Grantor |
| Reserves Act 1977 <i>s115(1)</i> | Where a lease or licence includes a right to transfer, the lessee or licensee shall not transfer, sublease, mortgage or otherwise dispose of his interest without the consent of the administering body. Does not apply to reserves for railway purposes (s115(5)). | Does not contravene s115(1) of the Reserves Act 1977. | <ul style="list-style-type: none"> • Transfer • Mortgage • Sublease | Practitioner acting for the: <ul style="list-style-type: none"> • Transferor • Mortgagor • Lessor |

R. W. MUIR, Registrar-General of Land.

Forms of Electronic Instruments

Section 26 of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 allows the Registrar-General of Land to specify the acceptable forms for electronic instruments.

The electronic instruments and their acceptable forms are specified in Tables 1 and 2 below.

This notice replaces the Forms of Electronic Instruments specified by notice published in the *New Zealand Gazette*, 20 March 2008, No. 63, page 1809.

This notice takes effect from 29 September 2008.

Table 1

| Class of Electronic Instrument | The electronic instrument is in an acceptable form when it contains the following: |
|--|--|
| Transfer instrument (section 90 Land Transfer Act 1952) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • Affected Instrument Identifier and Type (if applicable) • Description of Part or Share/Interest (if applicable) • Transferor name(s) • Authority or Justification for Transfer (if applicable) • Registered Proprietor name(s) (if applicable) • Transferee name(s) • Additional transferee details e.g. legal disability/no survivorship (if applicable) • Certifications of the authorised practitioner for the Transferor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Transferee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |
| Transfer instrument - mortgagee's power of sale (purchaser not mortgagee) (section 90 Land Transfer Act 1952) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form A of Table 2 of this Notice • Additional Transferee details e.g. legal disability/no survivorship (if applicable) • Certifications of the authorised practitioner for the Transferor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Transferee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |

| Class of Electronic Instrument | The electronic instrument is in an acceptable form when it contains the following: |
|---|---|
| <p>Easement instrument to Grant Easement or Profit a prendre or Create Land Covenant (section 90A and 90F Land Transfer Act 1952)</p> | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form B of Table 2 of this Notice • Certifications of the authorised practitioner for the Grantor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Grantee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |
| <p>Easement instrument to surrender Easement or Profit a prendre or Land Covenant (section 90A and 90F Land Transfer Act 1952)</p> | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form C of Table 2 of this Notice • Certifications of the authorised practitioner for the Grantor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Grantee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |
| <p>Easement variation instrument to vary Easement or Profit a prendre or Land Covenant (section 90C and 90F Land Transfer Act 1952)</p> | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for Form D of Table 2 of this Notice • Certifications of the authorised practitioner for the Grantor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Grantee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |

| Class of Electronic Instrument | The electronic instrument is in an acceptable form when it contains the following: |
|---|---|
| Mortgage instrument (section 101 Land Transfer Act 1952) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • Affected Instrument (if applicable) • Description of Part (if applicable) • Mortgagor name(s) • Mortgagee name(s) • Mortgage Share of Mortgage (if applicable) • Memorandum Number (if applicable) • Priority Amount (\$) (All obligations mortgage, if applicable) • Principal Sum; Ordinary Interest; Penalty Interest; Payment Dates; Term; Advance Date; Repayment Date (Fixed sum mortgage, if applicable) • Clauses and Conditions (if applicable) • Certifications of the authorised practitioner for the Mortgagor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Mortgagee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |
| Encumbrance instrument (section 101 Land Transfer Act 1952) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form E of Table 2 of this Notice • Certifications of the authorised practitioner for the Encumbrancer under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Encumbrancee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |
| Mortgage variation instrument (section 102 Land Transfer Act 1952) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • Affected mortgage • Mortgagor names(s) • Mortgagee name(s) • Variation details (as applicable) • Certifications of the authorised practitioner for the Mortgagor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Mortgagee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |

| Class of Electronic Instrument | The electronic instrument is in an acceptable form when it contains the following: |
|---|---|
| Mortgage priority instrument (section 103 Land Transfer Act 1952) | <ul style="list-style-type: none"> Instrument Type Affected Computer Register(s) Land District Mortgagor names(s) For each affected mortgage, details of: <ul style="list-style-type: none"> New Ranking Affected Mortgage number Mortgagee/Encumbrancee name(s) Affected Computer Register(s) Variation of covenants, conditions and powers implied in the Third Schedule of the Land Transfer Act 1952 (if applicable) Certifications of the authorised practitioner for the Mortgagor under section 164A of the Land Transfer Act 1952 Certifications of the authorised practitioner for the Mortgagee under section 164A of the Land Transfer Act 1952 Digital signatures of the certifying practitioners |
| Discharge instrument (section 111 Land Transfer Act 1952 and various other enactments) | <ul style="list-style-type: none"> Instrument Type Affected Computer Register(s) Land District Affected Charge/Mortgage number Description of Part Discharged e.g. part of land (if applicable) Chargeholder/Mortgagee name(s) Certifications of the authorised practitioner for the Chargeholder/Mortgagee under section 164A of the Land Transfer Act 1952 Digital signature of the certifying practitioner |
| Lease instrument (section 115 Land Transfer Act 1952) | <ul style="list-style-type: none"> Instrument Type Affected Computer Register(s) Land District The information provided for in Form F of Table 2 of this Notice Certifications of the authorised practitioner for the Lessor under section 164A of the Land Transfer Act 1952 Certifications of the authorised practitioner for the Lessee under section 164A of the Land Transfer Act 1952 Digital signatures of the certifying practitioners |

| Class of Electronic Instrument | The electronic instrument is in an acceptable form when it contains the following: |
|---|--|
| Lease variation instrument (section 116 Land Transfer Act 1952) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form G of Table 2 of this Notice • Certifications of the authorised practitioner for the Lessor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Lessee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |
| Lease surrender instrument (section 120 Land Transfer Act 1952) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form H of Table 2 of this Notice • Certifications of the authorised practitioner for the Lessor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Lessee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |
| Licence to occupy (section 121C Land Transfer Act 1952) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form I of Table 2 of this Notice: • Certifications of the authorised practitioner for the Licensor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Licensee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |
| Surrender of licence to occupy (section 121K Land Transfer Act 1952) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form J of Table 2 of this Notice • Certifications of the authorised practitioner for the Licensor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Licensee under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |

| Class of Electronic Instrument | The electronic instrument is in an acceptable form when it contains the following: |
|--|---|
| <p>Application for transmission (section 122 Land Transfer Act 1952)</p> | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • Nature of Transmission • Affected Instrument Identifier and Type (if applicable) • Description of Part or Share/Interest (if applicable) • Registered Proprietor/Interest Holder Name(s) • Applicant Name(s) and Status e.g. survivor; executor. • Date Estate or Interest Acquired • Trusts or equities (affecting the estate or interest claimed) (if applicable) • Certifications of the authorised practitioner for the Applicant under section 164A of the Land Transfer Act 1952 • Digital signature of the certifying practitioner |
| <p>Caveat against dealings with land (section 137 Land Transfer Act 1952)</p> | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • Affected Instrument Identifier and Type (if applicable) • Description of Part Affected (if applicable) • Registered Proprietor Name • Caveator Name • Estate or Interest Claimed (including grounds and derivation from registered proprietor) • Notice Forbidding Entry of instruments on the Register and exceptions (if any) • Address for service of Caveator • Address for service of Registered Proprietor • Certifications of the authorised practitioner for the Caveator under section 164A of the Land Transfer Act 1952 • Digital signature of the certifying practitioner |
| <p>Caveat forbidding issue of ordinary certificate of title or computer register (section 205(4) Land Transfer Act 1952)</p> | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • Description of Part Affected (if applicable) • Caveator Name • Estate or Interest Claimed and grounds for claim • Notice Forbidding Issue of ordinary title or computer register • Address for service of Caveator • Address for service of Registered Proprietor • Certifications of the authorised practitioner for the Caveator under section 164A of the Land Transfer Act 1952 • Digital signature of the certifying practitioner |

| Class of Electronic Instrument | The electronic instrument is in an acceptable form when it contains the following: |
|---|---|
| Application to note merger of lease (regulation 25 Land Transfer Act Regulations 2002) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form K of Table 2 of this Notice • Certifications of the authorised practitioner for the Applicant under section 164A of the Land Transfer Act 1952 • Digital signature of the certifying practitioner |
| Application for correction or change of name (regulation 26 Land Transfer Act Regulations 2002) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • Affected Instrument Number(s) (if applicable) • Affected Registered Proprietor/Interest Holder Name(s) • Applicant(s)/New or Corrected Name(s) • Certifications of the authorised practitioner for the Applicant under section 164A of the Land Transfer Act 1952 • Digital signature of the certifying practitioner |
| Notice of claim (section 42(3), Property (Relationships) Act 1976) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • Affected Instrument Number(s) (if applicable) • Claimant Name • Spouse, Civil Union or de facto Partner or Registered Proprietor Name • Estate or Interest Claimed (including grounds and derivation from registered proprietor) • Notice of Claim of Interest under the Property (Relationships) Act 1976 • Relationship Details (as applicable) • Date of marriage/civil union and location (if applicable) • Duration of relationship (if applicable) • Address for service of Claimant • Address for registered proprietor • Certifications of the authorised practitioner for the Claimant under section 164A of the Land Transfer Act 1952 • Digital signature of the certifying practitioner |

| Class of Electronic Instrument | The electronic instrument is in an acceptable form when it contains the following: |
|---|--|
| Application to settle land as a joint family home (sections 5 and 12A Joint Family Homes Act 1964) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • An application in form 1 or 1A Joint Family Homes Regulations 1965 (as the case may require); and the husband or wife's consent under section 5(1) of the Joint Family Homes Act 1964 (if applicable). • Certifications of the authorised practitioner for the Applicant under section 164A of the Land Transfer Act 1952 • Digital signature of the certifying practitioner |
| Application to cancel a joint family home (section 10(1)(a) Joint Family Homes Act 1964) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • An application in Form 8 Joint Family Homes Regulations 1965 • Certifications of the authorised practitioner for the Applicant under section 164A of the Land Transfer Act 1952 • Digital signature of the certifying practitioner |
| Application for deposit of unit title plan (section 5(3) Unit Titles Act 1972) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • An application in Form 1, Schedule 1 Unit Titles Act 1972 • Certifications of the authorised practitioner for the Applicant under section 164A of the Land Transfer Act 1952 • Digital signature of the certifying practitioner |
| Instrument Creating Esplanade Strip (sections 232 and 235 Resource Management Act 1991) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form 31 Resource Management (Forms, Fees, and Procedure) Regulations 2003 • Certifications of the authorised practitioner for the Registered Proprietor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Territorial Authority under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |

| Class of Electronic Instrument | The electronic instrument is in an acceptable form when it contains the following: |
|--|--|
| Easement for Access Strip (section 237B Resource Management Act 1991) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • The information provided for in Form 32 Resource Management (Forms, Fees, and Procedure) Regulations 2003 • Certifications of the authorised practitioner for the Registered Proprietor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Territorial Authority under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |
| Covenant against transfer, lease or other disposition (section 240 Resource Management Act 1991) | <ul style="list-style-type: none"> • Instrument Type • Affected Computer Register(s) • Land District • Registered Proprietor name(s) • Territorial Authority name • Description of Covenant • Certifications of the authorised practitioner for the Registered Proprietor under section 164A of the Land Transfer Act 1952 • Certifications of the authorised practitioner for the Territorial Authority under section 164A of the Land Transfer Act 1952 • Digital signatures of the certifying practitioners |

Table 2

Form A

Transfer in exercise of mortgagee's power of sale (purchaser not mortgagee)

| Affected instrument Identifier and type (if applicable) | All/part | Area/Description of part or stratum |
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Transferor and Authority for Transfer¹*Continue in Annexure Schedule, if required*

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Transferee

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Estate or Interest to be transferred (including share/interest if applicable)

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¹ Insert full name of mortgagee exercising the power of sale; registered number of the mortgage; full name of mortgagor(s) and recitals as to authority for transfer including the mortgage provisions that make it lawful for the mortgagee to sell the estate or interest of the mortgagor in the land; date of mortgagor default and details of default; details of notices prescribed by section 92 of the Property Law Act 1952 or section 119 of the Property Law Act 2007 (whichever Act is applicable) details of non-remedy of default and statutory disclosures required by the Credit Contracts Act 1981 or the Credit Contracts and Consumer Finance Act 2003 (whichever Act is applicable).

Form B

Easement instrument to grant easement or *profit à prendre*, or create land covenant

(Sections 90A and 90F Land Transfer Act 1952)

Grantor**Grantee****Grant of Easement or *Profit à prendre* or Creation of Covenant**

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A **grants to the Grantee** (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, **or creates** the covenant(s) **set out** in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A*Continue in additional Annexure Schedule, if required*

| Purpose (Nature and extent) of easement; <i>profit</i> or covenant | Shown (plan reference) | Servient Tenement (Computer Register) | Dominant Tenement (Computer Register) or in gross |
|--|------------------------|---------------------------------------|---|
| | | | |

Form B - continued

Easements or *profits à prendre* rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby **[varied]** **[negatived]** **[added to]** or **[substituted]** by:

[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]

[the provisions set out in Annexure Schedule]

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; continue in additional Annexure Schedule, if required

The provisions applying to the specified covenants are those set out in:

[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]

[Annexure Schedule]

Form C

Easement instrument to surrender Easement or Profit à prendre or Land Covenant

(Sections 90A and 90F Land Transfer Act 1952)

Grantor**Grantee****Surrender of Easement, Profit à prendre or Covenant**

The Grantee, being the registered proprietor of the Dominant Tenement(s) set out in Schedule A, or being the Grantee in gross, hereby surrenders to the Grantor the easement(s), *profit(s) à prendre* or covenant(s) set out in Schedule A and the Grantor accepts the surrender of those easement(s), *profit(s) à prendre* or covenant(s)

Schedule A*Continue in additional Annexure Schedule, if required*

| Purpose of Easement; <i>Profit</i> or Covenant | Creating Instrument number | Servient Tenement (Computer Register) | Dominant Tenement (Computer Register) or in gross |
|--|-------------------------------|--|---|
| | | | |

Form D

Easement Variation instrument to vary Easement or Profit à prendre or Land Covenant

(Sections 90C and 90F Land Transfer Act 1952)

Grantor**Grantee****Variation of Easement, Profit à prendre or Covenant**

The terms, covenants or conditions contained in the easement(s), *profit(s) à prendre*, or covenant(s) set out in Schedule A **are hereby varied, negatived or added to**, as set out in Schedule B.

Schedule A*Continue in additional Annexure Schedule, if required*

| Purpose of Easement; <i>Profit or</i> Covenant | Creating Instrument number | Servient Tenement (Computer Register) | Dominant Tenement (Computer Register) or in gross |
|--|-------------------------------|--|---|
| | | | |

Schedule B*Continue in Annexure Schedule, if required*

Form E

Encumbrance instrument

(Section 101 Land Transfer Act 1952)

Affected instrument Identifier
and type (if applicable)

All/part

Area/Description of part or stratum

| | | |
|--|--|--|
| | | |
|--|--|--|

Encumbrancer

| |
|--|
| |
|--|

Encumbrancee

| |
|--|
| |
|--|

Estate or interest to be encumbered*Insert e.g. Fee simple; Leasehold in Lease No. etc.*

| |
|--|
| |
|--|

Encumbrance Memorandum Number

| |
|--|
| |
|--|

Nature of security*State whether sum of money, annuity or rentcharge and amount*

| |
|--|
| |
|--|

Encumbrance*Delete words in [], as appropriate*

| |
|--|
| <p>The Encumbrancer encumbers for the benefit of the Encumbrancee the land in the above computer register(s) with the above sum of money, annuity or rentcharge, to be raised and paid in accordance with the terms set out in the [above Encumbrance Memorandum] [Annexure Schedule(s)] and so as to incorporate in this Encumbrance the terms and other provisions set out in the [above Encumbrance Memorandum] [and] [Annexure Schedule(s)] for the better securing to the Encumbrancee the payment(s) secured by this Encumbrance, and compliance by the Encumbrancer with the terms of this encumbrance.</p> |
|--|

Form E *continued*

Terms

- 1 Length of term
- 2 Payment date(s)
- 3 Rate(s) of interest
- 4 Event(s) in which the sum, annuity or rentcharge becomes payable
- 5 Event(s) in which the sum, annuity or rentcharge ceases to be payable

Covenants and conditions*Continue in Annexure Schedule(s), if required***Modification of statutory provisions***Continue in Annexure Schedule(s), if required*

Form F

Lease instrument

(Section 115 Land Transfer Act 1952)

Affected instrument Identifier
and type (if applicable)

All/part

Area/Description of part or stratum

| | | |
|--|--|--|
| | | |
|--|--|--|

Lessor

| |
|--|
| |
|--|

Lessee

| |
|--|
| |
|--|

Estate or Interest*Insert "fee simple"; "leasehold in lease number " etc.*

| |
|--|
| |
|--|

Lease Memorandum Number *(if applicable)*

| |
|--|
| |
|--|

Term

| |
|--|
| |
|--|

Rental

| |
|--|
| |
|--|

Lease and Terms of Lease*If required, set out the terms of lease in Annexure Schedules*

The Lessor leases to the Lessee and the Lessee accepts the lease of the above Estate or Interest in the land in the affected computer register(s) for the Term and at the Rental and on the Terms of Lease set out in the above Lease Memorandum or in the Annexure schedule(s) (if any)

Form G

Lease Variation instrument

(Section 116 Land Transfer Act 1952)

Lease Number**Lessor****Lessee****Variation of Lease**

The covenants, conditions and restrictions contained in the above Lease **are hereby varied** as set out below :

- (a) the term of the Lease is **renewed or extended*** to _____ **and/or**
- (b) the covenants, conditions or restrictions contained or implied in the Lease **are varied** as follows:

Continue in Annexure Schedule, if required

*A lease variation instrument extending the term of a lease must be registered before expiry of the current lease.

Form H

Lease Surrender instrument

(Section 120 Land Transfer Act 1952)

Lease Number

| |
|--|
| |
|--|

Lessor

| |
|--|
| |
|--|

Lessee

| |
|--|
| |
|--|

Surrender of Lease

| |
|--|
| The Lessee surrenders the estate or interest in the above Lease to the Lessor and the Lessor accepts the surrender |
|--|

Form I

Licence to Occupy under Part 7A Land Transfer Act 1952

(Section 121C Land Transfer Act 1952)

Affected instrument Identifier
and type (if applicable)

| |
|--|
| |
|--|

Licensor

| |
|--|
| |
|--|

Licensee

| |
|--|
| |
|--|

Estate or Interest*Insert details of Flat / Office / Deposited Plan number etc.*

| |
|--|
| |
|--|

Licence Memorandum Number *(if applicable)*

| |
|--|
| |
|--|

Terms and Conditions²

| |
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| |
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² Set out the entitlement to use and occupation and terms and conditions of the Licence to Occupy in Annexure Schedule(s)

Form J

Surrender of Licence to Occupy

(Section 121K Land Transfer Act 1952)

Licence Number**Licensor****Licensee****Surrender of Licence to Occupy**

The Licensee surrenders the estate or interest in the above Licence to the Licensor and the Licensor accepts the surrender.

Form K

Application to Note Merger of Lease³

(Regulation 25 Land Transfer Act Regulations 2002)

Lease Number**Applicant (being the lessee and registered proprietor of the leased estate)****Estates or interests at law or in equity affecting the lease****Application to Note Merger**

Application is made for the noting of merger of the applicant's estate as lessee under the Lease in the fee simple estate acquired under Transfer No. _____ upon the grounds that:

- The applicant is the registered proprietor of an estate in leasehold as lessee under the Lease registered against the land transferred to the applicant and
- There are no outstanding estates or interests at law or in equity affecting either estate to prevent the merger of the said leasehold in the fee simple estate of the land.

Request Pursuant to Section 118A Land Transfer Act 1952⁴

Please record on the title to the fee simple estate, in the order among themselves of their registered priority, all the registered encumbrances, liens, and interests to which the lease was subject.

³ For use in conjunction with a Transfer of Fee Simple to the Lessee

⁴ Include if a request pursuant to s118A LTA 1952 is required.

Form L

Annexure Schedule

Page of Pages

Insert instrument type

| |
|--|
| |
|--|

Continue in additional Annexure Schedule, if required

| |
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| |
|--|

R. W. MUIR, Registrar-General of Land.

Requirements for the Retention of Evidence

Section 164C of the Land Transfer Act 1952 requires any person who is giving a certification under the Act to retain evidence showing the truth of that certification. That evidence must be held for the period prescribed in Regulations made under the LTA.

Section 164C allows the Registrar-General of Land to specify the requirements that will satisfy the obligation imposed under section 164C(1). Without limiting what may be considered adequate to show the truth of the certifications given, the Registrar-General of Land considers that the person giving the certification may satisfy the obligation under section 164C by keeping the evidence detailed in the table below in relation to each instrument.

LINZS20002 Standard for verification of identity for registration under the Land Transfer Act 1952 sets out the minimum requirements for verifying identity for the purpose of registering land transactions. A practitioner may discharge these obligations by personally conducting the identity checks or by delegating these functions to some other trusted person. In either case, the practitioner who provides the certification has responsibility for the adequacy of the identity verification.

In relation to legal capacity, this means that the practitioner giving the certification must take reasonable steps to assess that the person giving the authority was not a minor and was of sound mind, and document the basis for that assessment. If the person giving authority was a corporate, then the practitioner giving the certification must be satisfied that the relevant constitution or rules have been complied with.

The *New Zealand Law Society E-Dealing Guidelines* and associated *Authority & Instruction form(s)* are, where applicable, accepted by the Registrar-General of Land as being an adequate means of satisfying the form of documentation in relation to each instrument.

This notice replaces the Requirements for Retention of Evidence Notice in the *New Zealand Gazette*, 14 November 2002, No. 166, page 4175.

This notice takes effect from 29 September 2008.

| Class of Electronic Instrument | Requirements for the Retention of Evidence |
|--|--|
| <p>Transfer instrument (section 90 Land Transfer Act 1952)</p> | <p>Practitioner acting for the transferor –</p> <p>Documentation evidencing:</p> <ul style="list-style-type: none"> • Written authorisation from the transferor confirming that the practitioner is authorised to act for the transferor. • That reasonable steps have been taken to confirm the identity and legal capacity of the transferor. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). <p>Practitioner acting for the transferee –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the transferee confirming that the practitioner is authorised to act for the transferee. • That reasonable steps have been taken to confirm the identity and legal capacity of the transferee. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |
| <p>Discharge instrument (section 111 Land Transfer Act 1952 and the other enactments specified in the Land Transfer Regulations Schedule of permissible instruments)</p> | <p>Practitioner acting for the chargeholder –</p> <p>Documentation evidencing:</p> <ul style="list-style-type: none"> • Written authorisation from the chargeholder/mortgagee confirming that the practitioner is authorised to act for the chargeholder/mortgagee. • That reasonable steps have been taken to confirm the identity and legal capacity of chargeholder/mortgagee. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |
| <p>Mortgage instrument (section 101 Land Transfer Act 1952)</p> <p>Mortgage variation instrument (section 102 Land Transfer Act 1952)</p> <p>Mortgage priority instrument (section 103 Land Transfer Act 1952)</p> | <p>Practitioner acting for the mortgagor –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the mortgagor confirming that the practitioner is authorised to act for the mortgagor. • That reasonable steps have been taken to confirm the identity and legal capacity of the mortgagor. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |

| Class of Electronic Instrument | Requirements for the Retention of Evidence |
|--|---|
| | <p>Practitioner acting for the mortgagee –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the mortgagee confirming that the practitioner is authorised to act for the mortgagee. • That reasonable steps have been taken to confirm the identity and legal capacity of the mortgagee. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |
| <p>Application for transmission (sections 99A, 122 Land Transfer Act 1952)</p> | <p>Practitioner acting for the applicant –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the applicant confirming that the practitioner is authorised to act for the applicant. • That reasonable steps have been taken to confirm the identity and legal capacity of the applicant. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). • Transmission by Survivorship on death of registered proprietor - Copy of document(s) evidencing entitlement to be registered as proprietor (including a certified copy of the entry in the Register of Deaths), verified by the oath or statutory declaration of the applicant(s). • Transmission to Executor or Administrator on death of registered proprietor - Copy of document(s) evidencing entitlement to be registered as proprietor (including a certified copy of Probate/Letter of Administration granted by the High Court of New Zealand to the applicant(s)), verified by the oath or statutory declaration of the applicant(s). • Transmission to the Official Assignee in bankruptcy of the estate of the registered proprietor - Copy of document(s) evidencing entitlement to be registered as proprietor verified by the oath or statutory declaration of the applicant(s). • Transmission to Amalgamated Company pursuant to Part 13 Companies Act 1993 - Copy of document(s) evidencing entitlement to be registered as proprietor as specified in <i>LINZG20705: Guideline for transmission following amalgamation of companies</i>. |

| Class of Electronic Instrument | Requirements for the Retention of Evidence |
|--|--|
| | <ul style="list-style-type: none"> • Transmission by Her Majesty the Queen pursuant to Section 324 Companies Act 1993 - Copy of declaration with evidence of dissolution/disclaimer or non-distribution and public notice under s324(3) Companies Act 1993. • Transmission by Bona Vacantia to Her Majesty the Queen pursuant to Section 77 Administration Act 1969 - Copy of document(s) evidencing entitlement to be registered as proprietor (including evidence of death and intestacy and evidence that none of the persons potentially entitled under s77 Administration Act 1969 exist). |
| Caveat (sections 137 and 205(4) Land Transfer Act 1952) | <p>Practitioner acting for the caveator –</p> <p>Confirmation (by email, letter, file note or other documentation) that the practitioner is authorised to act for the caveator.</p> |
| Notice of claim (section 42(3), Property (Relationships) Act 1976) | <p>Practitioner acting for the claimant –</p> <p>Confirmation (by email, letter, file note or other documentation) that the practitioner is authorised to act for the claimant.</p> |
| Application for correction or change of name (Regulation 26) | <p>Practitioner acting for the applicant –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the applicant confirming that the practitioner is authorised to act for the applicant. • That reasonable steps have been taken to confirm the identity and legal capacity of the applicant. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). • Application by Company or Incorporated Society <p>Copy of document(s) evidencing grounds for the application (including a Certificate of Incorporation in the changed name). A statutory declaration will be necessary if the documentary evidence is not self-explanatory and the information requires verification or expansion.</p> <ul style="list-style-type: none"> • Application by Natural Person <p>Copy of document(s) evidencing grounds for the application, including appropriate Certificate(s). A statutory declaration will be necessary if the documentary evidence is not self-explanatory and the information requires verification or expansion. An example of when documentary evidence may not be self-explanatory is the adoption of an alias when there is no documentary evidence to support it. In this case, a statutory declaration is likely to be required because the information required is so personal to the applicant that nobody else can make it on their behalf.</p> <p>Refer to <i>LINZG20704 Guideline for making application to change or correct names on the Register</i> for more information.</p> |

| Class of Electronic Instrument | Requirements for the Retention of Evidence |
|---|---|
| <p>Easement instrument to Grant Easement or Profit a prendre or Create Land Covenant (sections 90A and 90F Land Transfer Act 1952)</p> <p>Easement instrument to surrender Easement or Profit a prendre or Land Covenant (sections 90A and 90F Land Transfer Act 1952)</p> <p>Easement instrument to vary Easement or Profit a prendre or Land Covenant (sections 90C and 90F Land Transfer Act 1952)</p> | <p>Practitioner acting for the grantor –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the grantor confirming that the practitioner is authorised to act for the grantor. • That reasonable steps have been taken to confirm the identity and legal capacity of the grantor. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). <p>Practitioner acting for the grantee –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the grantee confirming that the practitioner is authorised to act for the grantee. • That reasonable steps have been taken to confirm the identity and legal capacity of the grantee. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |
| <p>Encumbrance instrument (section 101 Land Transfer Act 1952)</p> | <p>Practitioner acting for the encumbrancer –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the encumbrancer confirming that the practitioner is authorised to act for the encumbrancer. • That reasonable steps have been taken to confirm the identity and legal capacity of the encumbrancer. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). <p>Practitioner acting for the encumbrancee –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the encumbrancee confirming that the practitioner is authorised to act for the encumbrancee. • That reasonable steps have been taken to confirm the identity and legal capacity of the encumbrancee. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |

| Class of Electronic Instrument | Requirements for the Retention of Evidence |
|--|---|
| <p>Lease instrument (section 115 Land Transfer Act 1952)</p> <p>Lease variation instrument (section 116 Land Transfer Act 1952)</p> <p>Lease surrender instrument (section 120 Land Transfer Act 1952)</p> | <p>Practitioner acting for the lessor –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the Lessor confirming that the practitioner is authorised to act for the Lessor. • That reasonable steps have been taken to confirm the identity and legal capacity of the Lessor. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). <p>Practitioner acting for the lessee –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the Lessee confirming that the practitioner is authorised to act for the Lessee. • That reasonable steps have been taken to confirm the identity and legal capacity of the Lessee. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |
| <p>Application to Note Merger of Lease (Regulation 25)</p> | <p>Practitioner acting for the applicant –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the Applicant confirming that the practitioner is authorised to act for the Applicant. • That reasonable steps have been taken to confirm the identity and legal capacity of the Applicant. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |
| <p>Licence to occupy (section 121C Land Transfer Act 1952)</p> <p>Surrender of licence to occupy (section 121K Land Transfer Act 1952)</p> | <p>Practitioner acting for the licensor –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the Licensor confirming that the practitioner is authorised to act for the Licensor. • That reasonable steps have been taken to confirm the identity and legal capacity of the Licensor. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). <p>Practitioner acting for the licensee –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the Licensee confirming that the practitioner is authorised to act for the Licensee. • That reasonable steps have been taken to confirm the identity and legal capacity of the Licensee. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |

| Class of Electronic Instrument | Requirements for the Retention of Evidence |
|---|---|
| <p>Application to settle land as a joint family home (sections 5 & 12A Joint Family Homes Act 1964)</p> <p>Application to cancel a joint family home (section 10(1)(a) Joint Family Homes Act 1964)</p> | <p>Practitioner acting for the applicant –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the Applicant confirming that the practitioner is authorised to act for the Applicant. • That reasonable steps have been taken to confirm the identity and legal capacity of the Applicant. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |
| <p>Application for deposit of unit title plan (section 5(3) Unit Titles Act 1972)</p> | <p>Practitioner acting for the applicant –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the Applicant confirming that the practitioner is authorised to act for the Applicant. • That reasonable steps have been taken to confirm the identity and legal capacity of the Applicant. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). |
| <p>Instrument Creating Esplanade Strip (sections 232 and 235 Resource Management Act 1991)</p> <p>Easement for access strip (section 237B Resource Management Act 1991)</p> <p>Covenant against transfer, lease or other disposition (section 240 Resource Management Act 1991)</p> | <p>Practitioner acting for the registered proprietor –</p> <p>Documentation evidencing</p> <ul style="list-style-type: none"> • Written authorisation from the registered proprietor confirming that the practitioner is authorised to act for the registered proprietor. • That reasonable steps have been taken to confirm the identity and legal capacity of the registered proprietor. • That any consents or other matters necessary to comply with the statutory requirements specified by the Registrar-General of Land in this Notice have been obtained (where applicable). <p>Practitioner acting for the Territorial Authority –</p> <p>Written confirmation from the Territorial Authority that the practitioner is authorised to act for the Territorial Authority.</p> |

R. W. MUIR, Registrar-General of Land.