



Land Transfer Amendment Regulations 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 3rd day of May 2010

Present:

His Excellency the Governor-General in Council

Pursuant to sections 235 and 236 of the Land Transfer Act 1952, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal regulations amended	2
4 New Schedule 5 substituted	2
Schedule	2
New Schedule 5 substituted in principal regulations	

Regulations

- 1 Title**
These regulations are the Land Transfer Amendment Regulations 2010.
- 2 Commencement**
These regulations come into force on 1 July 2010.
- 3 Principal regulations amended**
These regulations amend the Land Transfer Regulations 2002.
- 4 New Schedule 5 substituted**
Schedule 5 is revoked and the Schedule 5 set out in the Schedule of these regulations is substituted.

Schedule

r 4

New Schedule 5 substituted in principal regulations

Schedule 5

r 42

Fees payable for matters under Land Transfer Act 1952

In the tables below, **n/a** means that the electronic or manual process (as the case may be) is not applicable to the relevant item.

Part 1

Search fees

Service	Fee if done via approved electronic workspace facility (\$)	Fee if done manually (\$)
1 For inspecting in a land registry office—		
(a) a grant or certificate of title, or a lease or licence granted under the Land Act 1948	n/a	9

Schedule 5—*continued*Part 1—*continued*

Service	Fee if done via approved electronic workspace facility (\$)	Fee if done manually (\$)
(b) any other document	n/a	9
2 For providing, under section 33(3) or (4) of the 2002 Act,—		
(a) a search copy of—	4	9
(i) a grant, certificate of title, or computer register; or		
(ii) a lease or licence registered or entered in the register in accordance with the Land Act 1948		
(b) a search copy showing only current information (other than the relevant plan or diagram)	4	9
(c) a search copy showing current and historical information (other than the relevant plan or diagram)	4	9
(d) a search copy under, and for the purposes of, section 172A of the Act	4	9
(e) a structured text view of an instrument (other than a detailed structured text view)	No fee	9
(f) a copy of any other document	4	9
3 For certification as a true copy	n/a	11

Part 2

Registration and other fees

Service	Fee if done via approved electronic workspace facility (\$)	Fee if done manually (\$)
1 For presentation and deposit of an instrument—		

Schedule 5—*continued*
Part 2—*continued*

Service	Fee if done via approved electronic workspace facility (\$)	Fee if done manually (\$)
(a) on presentation of an electronic instrument from an approved electronic workspace facility	46	n/a
(b) on presentation of a paper instrument by either of the following means (including presentation of an instrument in place of an instrument that was found not to be in order for registration, and returned, under section 43(1)(a) of the Act): (i) by deposit in a secure facility under section 47(1)(b) of the Act; or (ii) by post under section 47(1)(c) of the Act	n/a	46
(c) on presentation of a paper instrument by hand at a public counter under section 47(1)(a) of the Act (including presentation of an instrument in place of an instrument that was found not to be in order for registration, and returned, under section 43(1)(a) of the Act)	n/a	66
2 For registration (including automatic registration), deposit, or filing of any instrument, dealing, or document, unless specifically exempted or provided for elsewhere	5	59
3 If any instrument or other matter purports to deal with or affect land included in more than 1 computer register, for each computer register other than the first	No fee	No fee
4 For the creation of a computer register under section 7, 9 (in relation to an interest referred to in subsection (1)(a)), 11, or 13 of the 2002 Act	80	80

Schedule 5—*continued*Part 2—*continued*

Service	Fee if done via approved electronic workspace facility (\$)	Fee if done manually (\$)
5 For depositing a plan	63	63
6 For approving a form	46	46
7 For advertising an application or notice required to be advertised	231	231
8 For sending a notice on the application or request of any person, whether required by the Act or another enactment (including for preparing and sending notice of the lodging of a caveat under the Act or notice of the lodging of a claim under section 42 of the Property (Relationships) Act 1976)	4	4
9 On resubmission of an instrument in place of an instrument that was found not to be in order for registration, and returned or retained, under section 43(1) of the Act	6	40

Part 3 Audit fees

Service	Fee (\$)
1 Examining evidence produced to the Registrar under section 164C(3)(a) of the Act that meets any requirements under section 164C(1) or (2) of the Act, where no action is taken under section 164B(2) or 164C(3)(b) of the Act	No fee
2 Examining evidence produced to the Registrar under section 164C(3)(a) of the Act that does not meet the requirements under section 164C(1) or (2) of the Act, where no action is taken under section 164B(2) or 164C(3)(b) of the Act	130 per hour plus reasonable disbursements

Schedule 5—*continued*
Part 3—*continued*

Service	Fee (\$)
3 Requiring a statement under section 164C(3)(b) of the Act	130 per hour
4 Any other action relating to the audit of a certification for the purpose of exercising (or deciding whether to exercise) the powers under section 164B(2) of the Act	130 per hour plus reasonable disbursements

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Land Transfer Regulations 2002.

The amendments change the fees payable in relation to searches, registration, and audits provided by Land Information New Zealand.

The regulations come into force on 1 July 2010.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 6 May 2010.

These regulations are administered by Land Information New Zealand.
