

Issue 498 | 12 April 2021

## LexisNexis News

***Did you know that our LexisNexis training webinars are complimentary and most are CPD compliant?***

### **CaseBase and LexCite on Lexis Advance Webinar – Monday, 12th of April at 12pm**

Have a look under the hood of Lexis Advance to get a better understanding of how CaseBase and LexCite work as our caselaw and legislation citators. Understand the sources from which they draw their information and how they can be used to aid your legal research and save you time. Duration: 60 min

### **Getting Started with Lexis Red Webinar – Tuesday, 13th of April at 4pm**

This session shows you how to browse and search your digital versions of your key LexisNexis publications. We show you how to quickly find, highlight and annotate content for effective offline use of publications when you are out of the office, offline or for deep reading in a user-friendly format. Duration: 60 min

### **Focus on The Laws of New Zealand: Lexis Advance and Lexis Red Webinar – Wednesday, 14th of April at 12pm**

Regularly updated and available in its entirety on Lexis Advance and Lexis Red, The Laws of New Zealand is an encyclopaedic work providing a reliable statement of the whole of the law of New Zealand—statutory, regulatory and judicial, including extensive cross-referencing to Halsbury's Laws of England and Halsbury's Laws of Australia. Authors of this prestigious work include Judges, academics, and senior members of the profession. Learn how to use key words and browse features when accessing it on either Lexis Advance or Lexis Red to improve your research efficiency, collate your research results and save time. Duration: 60 min

### **Getting Started with Lexis Draft Webinar – Tuesday, 20th of April at 3pm**

Lexis Draft is a legal drafting solution. It is a Microsoft Word and Microsoft Outlook add-in ribbon that helps you draft faster and more efficiently. Lexis Draft contains legal editorial review, research and analytical tools for accurate, consistent and efficient drafting. It checks for inconsistencies in documents, flags areas that need your attention and links directly to your LexisNexis services without leaving Word – saving you time. Duration: 60 min

### **Focus on The Laws of New Zealand: Lexis Advance and Lexis Red Webinar – Thursday, 22nd of April at 4pm**

Regularly updated and available in its entirety on Lexis Advance and Lexis Red, The Laws of New Zealand is an encyclopaedic work providing a reliable statement of the whole of the law of New Zealand—statutory, regulatory and judicial, including extensive cross-referencing to Halsbury's Laws of England and Halsbury's Laws of Australia. Authors of this prestigious work include Judges, academics, and senior members of the profession. Learn how to use key words and browse features when accessing it on either Lexis Advance or Lexis Red to improve your research efficiency, collate your research results and save time. Duration: 60 min

### **Working Smarter with Lexis Advance Webinar – Tuesday, 27th of April at 4pm**

Become more skilled and efficient in your research. Join this session to examine methods of conducting searches on Advance, from understanding the algorithm that runs behind the scenes, to applying advanced filters to generate effective results. Learn to set up alerts and folders, share documents, and customise your publications pod and favourites to ensure that the platform is working efficiently for your research needs. Duration: 60 min

### **Content Webinars**

LexisNexis ONDEMAND webinars are delivered by subject experts and accompanied by a short comprehension quiz. Our current ONDEMAND webinars are as follows:

#### **Employment Law Disciplinary Issues and Investigations [ONDEMAND]**

Guidance on the principles and practical issues associated with workplace disciplinary processes and investigations. Duration: 60 min

### **Fairness, Expectation and Reward in Inheritance Disputes [ONDEMAND]**

The webinar looks at the recurring issues of fairness and reward that are commonly encountered during inheritance disputes and provides legal advisors, arbitrators and mediators with tools to advise and manage these when drafting or advising clients on wills, estates and succession. Duration: 60 min

### **Customer Due Diligence Tips and Tricks [ONDEMAND]**

This webinar examines the ongoing challenges of knowing your customer and practicalities of ensuring appropriate customer due diligence in an increasingly digital world in order to meet AML/CFT requirements. Duration: 60 min

### **Letters of Administration on Intestacy: Issues and Solutions [ONDEMAND]**

Applying for a court order to administer a deceased estate when a person dies without a will is often complicated. This webinar appraises the requirements for an application of intestacy; the selection of appropriate evidence in support of the application and the recognition of factors that affect entitlement. Duration: 60 min

### **Letters of Administration with the Will Annexed [ONDEMAND]**

The application process for Letters of Administration with the will annexed differs from probate applications and knowing what matters need to be considered and addressed and supported by evidence, or indeed omitted, when making an application, is not always clear. This webinar provides guidance on recognising the key requirements for the preparation of a valid will and the requirements for making an improperly executed will declared valid. Duration: 60 min

## **Criminal**

### **Becroft and Hall's Transport Law**

Service 205 is now available online.

Commentary regarding the Land Transport Act 1998, Sentencing Principles and Practice, and Traffic Court Practice and Procedure have been updated.

## Hall's Sentencing

Service 177 is now available online.

Commentary has been updated to Introduction: Principles of Sentencing, Sentencing Act 2002, Parole Act 2002, Habeas Corpus Act 2001, and Appendix VII – Traffic Offences.

## Family

### Practical Guidance: Family

Latest legal updates

Number of self-represented litigants in family law system increasing

Court of Appeal allowed three Ethiopian children be adopted by New Zealand aunt

Parental alienation syndrome remains embedded in Family Court process

Timing of valuation of family home is significant for divorcing couples in booming property market

Previous District Court directive that judges, not registrars, are required to hear family violence bail applications quashed as "unlawful"

Child Support Bill passes third reading in Parliament

Judge dismisses father's objections to vaccinating his 4-year-old daughter

NZLS submission on Bill allowing children's participation in Family Court disputes

## New Zealand Forms and Precedents

The following precedent titles have been updated: Leasing of Chattels, Partnership and Joint Ventures, Guarantees and Indemnities, and Mortgages. The Trusts title has had extra precedents added.

## Property

### Hinde, McMorland and Sim Land Law

Service 81 – March 2021 is now available online.

This service includes updates to Chapter 6 The Extent of the Landholder’s Rights, Chapter 9 Title by Registration, Chapter 13 Concurrent Interests in Land, as well as substantial revision of Chapter 12 Residential Tenancies and Dwellinghouses covering the “phase 2” amendments made by the Residential Tenancies Amendment Act 2020. The service also includes legislative updates to the Contract and Commercial Law Act 2017, Residential Tenancies Act 1986 and Property Law Act 2007.

### New Zealand Conveyancing and Property Reports

Part 7 of Volume 21 is now available online.

*Moeke v Raukawa Iwi Development Ltd* – (2019) 21 NZCPR 493

Land transfer – Fraud – Tortious conspiracy – Conspiracy to injure by unlawful means – Land transfer fraud as unlawful means – Summary judgment for liability – Difficulty in establishing loss – Contract and Commercial Law Act 2017, s 43 – High Court Rules 2016, rr 12.2 and 12.3 – Land Transfer Act 2017, ss 6, 51 and 52.

*AAL Holdings Ltd v Dai* – (2020) 21 NZCPR 506

Interests in land – Cross lease – Declaration – Declaration in inherent jurisdiction – Whether there was dispute – Privity of estate – Cross lease containing agreement to lease – Contract and Commercial Law Act 2017, ss 12 and 17 – Declaratory Judgments Act 1908, ss 2 and 3 – High Court Rules 2016, r 12.2 – Property law Act 2007, ss 4, 231, 232, 233, 303, 339, 342 and 343.

*Infinity Enterprises NZ Ltd v Kinara Trustee Ltd* – (2020) 21 NZCPR 528

Easements – Easements by implied grant – No continuous use or necessity of right of way – Land transfer fraud – In personam exception – Knowledge – Estoppel – Estoppel by silence – Constructive knowledge – No duty to speak out – Land Transfer Act 1952, ss 62, 90E and 182 – Local Government Act 1974, s 309 – Local Government Amendment Act 1978, s 2.

*Official Assignee of Samoa v Tapusoa* – (2020) 21 NZCPR 559

Joint family homes – Cancellation of joint family home registration – Property where neither husband nor wife resided – Wife deceased – Husband living overseas – Joint Family Homes Act 1964, ss 9, 10 and 16.

## **Resource Management**

### **Environmental and Resource Management Law online**

Service 52 – March 2021 is now available online.

This service includes updates to Chapter 1 – Environmental Law – Sources, legislation, and governance, Chapter 2 – Resource Management Act 1991 – Purpose and national direction, Chapter 3 – Resource Management Act 1991 – Regional and District policy and plans, Chapter 11 – Hazardous substances, and contaminated land, Chapter 12 – New organisms and biosecurity, Chapter 15 – Heritage, and Chapter 16 – Landscape and visual.

## **Civil Procedure**

### **District Courts Practice (Civil)**

Service 182 – March 2021 is now available online.

This service includes updates to the District Court Rules commentary in Part 7 – Case Management, Part 9 – Evidence, Part 14 – Costs, Part 18 – Appeals to District Court.

## **Succession**

### **Textbooks**

***Nevill's Will Drafting Handbook, 8<sup>th</sup> edition***

Sarah Parsons

RRP\*incl GST: \$160.00

ISBN: 9781988546254

Publication date: December 2020

***Law of Family Protection and Testamentary Promises, 5<sup>th</sup> edition***

Bill Patterson

RRP\*incl GST: ~~\$200.00~~ \$180.00 (pre-order price)

ISBN: 9781988546506 (book)

ISBN: 9781988546513 (ebook)

Publication date: May 2021

**Trusts**

**Textbook**

***Nevill's Trusts Drafting Handbook, 3<sup>rd</sup> edition***

Sarah Parsons

RRP\*incl GST: \$160.00

ISBN: 9781988546278

Publication date: December 2020

**Commercial Law**

**Commercial Law in New Zealand**

Service 70 is now available online.

This Service includes updates to Part 3: Fair Trading, Part 4: Specific Contracts, Part 5: Competition Law, Part 6: Insolvency, Part 7: Dispute Resolution, and Part 8: Secured Transactions and Hire Purchase.

**Intellectual Property Law**

**Intellectual Property in New Zealand**

Service 92 is now available online.

This Service includes updates to the following commentary:

The Patents Act 2013: History and an overview, Part 1 – Preliminary, Part 2 Patentable inventions and patent rights, Part 3 Process for obtaining grant of patent and other matters, Part 5 – Administrative and miscellaneous provisions.

The Trade Marks Act 2002: Part 1 Preliminary, Part 2 Registrability of trade marks, Part 3 Process for obtaining registration trade mark and other matters has been updated.

The Copyright Act 1994: Part 1 Description, ownership, and duration of copyright, Part 2 Infringement of copyright, Part 3 Acts Permitted in relation to copyright works, Part 11 Miscellaneous provisions.

## Various

### Textbooks

#### ***Roth's Companion to the Privacy Act 2020***

Paul Roth & Blair Stewart

RRP\*incl GST: \$200.00

ISBN: 9781988546469

Publication date: December 2020

#### ***Burrows and Cheer Media Law in New Zealand, 8<sup>th</sup> edition***

Ursula Cheer

RRP\*incl GST: \$200.00

ISBN: 9781988546117 (book)

ISBN: 9781988546124 (ebook)

Publication date: February 2021

#### ***Burrows and Carter Statute Law in New Zealand, 6<sup>th</sup> edition***

Ross Carter

RRP\*incl GST: ~~\$180.00~~ \$162.00 (pre-order price)

ISBN: 9780947514983 (book)

ISBN: 9780947514990 (ebook)

Publication date: May 2021

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