

Update

Hinde McMorland & Sim

LAND LAW

in New Zealand

Service 83 — August 2021

Commentary

Chapter 3 Estates in Land

Commentary has been updated by D W McMorland in the following area:

- Types of fee simple: see [3.009].

Chapter 9 Title by Registration

Commentary has been updated by Jody L Foster in the following areas:

- Position of a volunteer prior to registration: see [9.004].
- Unconscionable conduct: see [9.062].
- Fraud in relation to claims in personam: see [9.072].
- Protection of private trusts under the Land Transfer Act: see [9.113].

Chapter 16 Easements and Profits

Commentary has been updated by D W McMorland in the following areas:

- An easement must accommodate benefited land if there is any: see [16.004].
- The right must be capable of being the subject-matter of a grant: see [16.006].
- Easements and the rule against perpetuities: see [16.019].
- By the Court in cases of landlocked land: see [16.030].
- The general principles — legal and equitable interests: see [16.035].
- By implied grant or reservation: see [16.036].
- General principles of interpretation: see [16.037].
- Ancillary rights: see [16.038].
- Effect of subdivision of benefited or burdened land: see [16.041].
- Extent and purpose of user: see [16.046].
- Implied rights, formation and repair: see [16.049].
- What amounts to a disturbance of an easement: see [16.087].
- Modification of easements by the court: see [16.092].

Legislation

Sections 218A–218D of the Contract and Commercial Law Act 2017, inserted by the COVID-19 Response (Further Management Measures) Legislation Act 2020, were repealed on 30 June 2021.

The Residential Tenancies Act 1986 has been amended by the Residential Tenancies Amendment Act 2020, effective 11 August 2021. These provisions relate to termination of residential tenancies on the basis of family violence or physical assault of a landlord, however their coming into force is dependent on the release of regulations, which have not yet been released.