

Update

Hinde McMorland & Sim

LAND LAW

in New Zealand

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Commentary

Chapter 8 The Land Transfer System

Commentary has been updated by Professor Struan Scott in the following areas:

- Plans and surveys: see [8.017].
- Requirements for instruments: see [8.025].

Chapter 10 Caveats

Commentary has been updated by Justice Campbell in the following areas:

- Interests that will or may support a caveat — Purchaser's lien: see [10.009(m)].
- Rights and transactions that will not support a caveat: see [10.010].
- The particulars that must be stated: see [10.013].
- Service of notices: see [10.015].
- Principles applied by the Court on applications for the removal or extension of caveats: see [10.020].
- Liability for lodging a caveat without reasonable cause: see [10.022].

Chapter 11 Leasehold Estates

Commentary has been updated by Jason Goodall in the following areas:

- Abatement of rent — new section added covering the COVID-19 Response (Management Measures) Legislation Act 2021: see [11.104(e)].
- The application and the time limit: see [11.169].
- The relief that the Court may grant: see [11.170].
- Cancellation for breach of the covenant to pay rent: see [11.236].

Chapter 12 Residential Tenancies and Dwellinghouses

Commentary has been updated by Thomas Gibbons in the following areas:

- The exceptions: tenancies to which the Act does not apply: see [12.003].
- Tenants who remain in possession after the termination of the tenancy: see [12.018].

Chapter 13 Concurrent Interests in Land

Commentary has been updated by Dr Toni Collins in the following areas:

- Orders of division or sale under the Property Law Act 2007: see [13.021].

- Where joint purchasers provide the purchase money in unequal shares: see [13.032].

Chapter 14 Concurrent Interests in Land

Commentary has been updated by Thomas Gibbons in the following areas:

- Scheme following destruction or damage of a building or other improvement: see [14.038].
- Cancellation of unit plan by the High Court: see [14.077].

Chapter 19 Capacity to Own and to Deal with Land

Commentary has been substantially revised by Professor Struan Scott in the following area:

- Ability to own land: see [19.016].

Legislation

The Land Transfer Regulations 2018 have been amended by the Land Transfer Amendment Regulations 2021, effective 1 February 2022.

The COVID-19 Response (Management Measures) Legislation Act 2021 amended the following Acts, effective 3 November 2021:

- Contract and Commercial Law Act 2017
- Property Law Act 2007
- Residential Tenancies Act 1986

The Secondary Legislation Act 2021 amended the following Acts:

- Contract and Commercial Law Act 2017
- Joint Family Homes Act 1964
- Land Transfer Act 2017
- Property Law Act 2007
- Residential Tenancies Act 1986
- Unit Titles Act 2010