

Update Adams' Land Transfer

Service 111 — November 2023

Commentary

Land Transfer Act 2017

Part 1 Preliminary provisions [ss 3–8]

- S6.2 Comment
- S6.4 Subsection (2)
- S6.4.1 Actual knowledge and intention to defeat the unregistered interest

Part 2 Land title and registration [ss 9–72]

Subpart 1 Land title register [ss 9–50]

- S47.10 Partition and sale — Property Law Act 2007
- S47.10.1 Sale

Subpart 2 Title to Land [ss 51–57]

- S51.3 Comment: Subs (3)

Part 3 Dealings in estates and interests in land [ss 73–154]

Subpart 1 Transfers, transmissions, and vesting [ss 73–90]

- S73.5 Restrictions on alienation of land
- S73.8 Obligations of vendor and purchaser of land under the Land Transfer Act
- S73.9 Transfers executed by common or mutual mistake of the parties
- S77.8 Offshore persons
- S87.3 What is a transmission?
- S87.4 Acquisition of title as a trustee
- S87.6 Survivorship transmissions

Subpart 4 Easements, profits à prendre, and covenants under Property Law Act 2007 [ss 107–116]

- S108.5 The nature of an easement
- S108.14 Grant of easements over Crown Land
- S108.16 Change to common law position
- S109.8 Territorial authority consent
- S116.5 Positive and restrictive covenants benefiting land under the Land Transfer Act
- S116.9 Effect of noting land covenants

Subpart 5 Statutory land charges [ss 117–121]

- S117.4 Registration of statutory land charges

Subpart 7 Caveats [ss 138–152]

- S138.4 Form and content
- S138.8 Clauses authorising or forbidding lodging of caveat
- S143.5 Comment
- S146.6 Court orders — relevant factors

Subpart 8 Trusts [ss 153–154]

- S153.4A Existing “No survivorship” titles

Part 5 Miscellaneous provisions [ss 1208–250]*Subpart 1 General provisions [ss 208–236]*

- S213.3 Irrevocable power of attorney
- S233.3 Delegation by Registrar

Te Ture Whenua Māori Act 1993*Māori Land Law for Conveyancers*

- TTWMA.2.3.1(b) Orders determining existing status of land
- TTWMA.4.1 TRUSTS

Legislation***Land Transfer Regulations 2018***

The Land Transfer Regulations 2018 has been amended by the Natural and Built Environment Act 2023, 2023 No 46.

Overseas Investment Act 2005

The Overseas Investment Act 2005 has been amended by the Natural and Built Environment Act 2023, 2023 No 46.

Overseas Investment Regulations 2005

The Overseas Investment Regulations 2005 has been amended by the Natural and Built Environment Act 2023, 2023 No 46.

Property Law Act 2007

The Property Law Act 2007 has been amended by the Natural and Built Environment Act 2023, 2023 No 46.

Te Ture Whenua Māori Act 1993 (Māori Land Act 1993)

The Te Ture Whenua Māori Act 1993 (Māori Land Act 1993) has been amended by the Natural and Built Environment Act 2023, 2023 No 46.

Unit Titles Act 2010

The Unit Titles Act 2010 has been amended by the Natural and Built Environment Act 2023, 2023 No 46.