



Land Transfer Amendment Regulations 2021

Patsy Reddy, Governor-General

Order in Council

At Wellington this 27th day of September 2021

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 227 and 229 of the Land Transfer Act 2017 on the advice and with the consent of the Executive Council.

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Regulations

- 1 Title**
These regulations are the Land Transfer Amendment Regulations 2021.
- 2 Commencement**
These regulations come into force on 1 February 2022.

3 Principal regulations

These regulations amend the Land Transfer Regulations 2018.

4 Regulation 34 amended (Fees)

After regulation 34(7), insert:

- (8) The fees specified in Schedule 7 include components of both operational processing costs and costs of provision and maintenance of associated facilities, including electronic facilities.

5 Schedule 7 replaced

Replace Schedule 7 with the Schedule 7 set out in the Schedule of these regulations.

Schedule
Schedule 7 replaced

r 5

Schedule 7
Fees

r 34

Part 1
Search fees

Matter for which fee is payable	Relevant provision of Act	Fee if using approved electronic facility or other means determined under section 40(3) of Act (\$)	Fee in other cases (\$)
For providing a copy of—	s 40(1)	6	25
<ul style="list-style-type: none"> • a grant, certificate of title, or computer register; or • a lease or licence registered or recorded in the register in accordance with the Land Act 1948; or • a record of title showing only current information (other than the relevant plan or diagram); or • a record of title showing only current information (including the relevant plan or diagram); or • a record of title showing current and historical information (other than the relevant plan or diagram); or • a record of title for the purposes of section 60 of the Act; or • any other instrument (whether as detailed structured text or image, or both) 			
For providing a copy of structured text of an instrument	s 40(1)	No fee	25
For certifying a copy of a record of title or an instrument	s 40(2)	Not applicable	25

Part 2 Registration and other fees

Matter for which fee is payable	Relevant provision	Fee if done by electronic workspace facility, or if notice is for application or matter done by such facility (\$)	Fee in other cases (\$)
For receiving, registering, noting, or depositing an instrument	s 22, 32(1), 34(3), or 212 of the Act	90	180
For depositing a plan	s 224 of the Act	150	150
For creating a record of title	s 12 of the Act	145	145
For approving a format or memorandum	r 6	80	80
For giving public notice if required for an application	s 220 of the Act	450	450
For each notice sent to a person if required for an application or other matter, other than to the applicant or person initiating the matter (including for sending a notice of the lodging of a caveat under the Act or a notice of the lodging of a claim under section 42 of the Property (Relationships) Act 1976)	s 221 of the Act	6	6
For alterations to a record of title, including cancellations	s 21 of the Act	161/hour + any reasonable expenses	161/hour + any reasonable expenses

Part 3 Audit fees

Matter for which fee is payable	Relevant provision of Act	Fee (\$)
Examining evidence provided to the Registrar under section 30(3)(a) of the Act if—	s 30	No fee
<ul style="list-style-type: none"> • the evidence satisfies the requirement in section 30(1) of the Act; and • the Registrar does not revoke the person's authority under section 29(1) of the Act or require a statutory declaration under section 30(3)(b) of the Act 		
Examining evidence provided to the Registrar under section 30(3)(a) of the Act if—	s 30	161/hour + any reasonable expenses
<ul style="list-style-type: none"> • the evidence does not satisfy the requirement in section 30(1) of the Act; and • the Registrar does not revoke the person's authority under section 29(1) of the Act or require a statutory declaration under section 30(3)(b) of the Act 		
Requiring a statutory declaration under section 30(3)(b) of the Act	s 30	161/hour

Matter for which fee is payable	Relevant provision of Act	Fee (\$)
Any other action relating to the audit of a certification for the purpose of exercising, or deciding whether to exercise, a power under section 29 of the Act	s 29	161/hour + any reasonable expenses

Michael Webster,
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, which come into force on 1 February 2022, amend the Land Transfer Regulations 2018.

These regulations—

- increase the electronic search fee from \$5 to \$6 and the manual search fee from \$15 to \$25:
- increase title fees by 13% on average:
- remove some redundant fees, merge fees for receiving and registering instruments, and update the description of other fees:
- include an amendment that recognises that the fees and charges specified in the regulations include components of both operational processing costs and costs of provision and maintenance of associated facilities, including electronic facilities.

Regulatory impact statement

Land Information New Zealand produced a regulatory impact statement on 2 June 2021 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://www.linz.govt.nz/new-fees-for-linz-survey-and-title-services>
- <https://treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 30 September 2021.

These regulations are administered by Land Information New Zealand.