

1956/6



THE LAND TRANSFER REGULATIONS 1948,
AMENDMENT NO. 4

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 25th day of January 1956

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Land Transfer Act 1952, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Land Transfer Regulations 1948, Amendment No. 4, and shall be read together with and deemed part of the Land Transfer Regulations 1948* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the date of their notification in the *Gazette*.

2. (1) The principal regulations are hereby amended by revoking regulation 36 (as amended by regulation 4 (1) of the Land Transfer Regulations 1948, Amendment No. 2), and substituting the following regulation:

“36. Any person may, without payment of any fee, search the Register and the Provisional Register Books and Nominal Index, and all registered and deposited instruments and plans at any time during the hours specified in regulation 7 hereof.”

(2) Regulations 37, 38, and 39 of the principal regulations are hereby revoked.

(3) Regulation 40 of the principal regulations (as amended by regulation 4 (2) of the Land Transfer Regulations 1948, Amendment No. 2) is hereby further amended by revoking the provisoes thereto.

(4) The Schedule to the principal regulations (as substituted by regulation 6 of the Land Transfer Regulations 1948, Amendment No. 2) is hereby amended by revoking so much thereof as relates to the fee payable for a single search and the fee payable for a general search.

*S.R. 1948/137.

Amendment No. 1: S.R. 1949/111.

Amendment No. 2: S.R. 1951/112.

Amendment No. 3: S.R. 1955/26.

(5) Regulation 4 of the Land Transfer Regulations 1948, Amendment No. 2, is hereby amended by revoking subclauses (1) and (2).

3. The Schedule to the principal regulations (as substituted as aforesaid) is hereby further amended by revoking so much thereof as relates to the fees payable for registering memorandum of transfer and the fees payable for registering memorandum of mortgage, and substituting the following:

	£	s.	d.
"Registering memorandum of transfer:			
"(a) Where monetary consideration or value of the estate or interest transferred does not exceed £100	0	12	0
"(b) Where monetary consideration or value of the estate or interest transferred exceeds £100 but does not exceed £1,000	1	12	0
"(c) For every other transfer	2	2	0
"Registering memorandum of mortgage:			
"(a) Where principal sum secured or intended to be secured does not exceed £100	0	11	0
"(b) Where principal sum secured or intended to be secured exceeds £100 but does not exceed £1,000	1	11	0
"(c) For every other mortgage	2	1	0"

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

The effect of regulation 2 is to abolish search fees payable in respect of searches in the Land Transfer Office.

Regulation 3 prescribes new fees for registration of memoranda of transfer and memoranda of mortgage. The existing fees are increased by 2s. in the case of transfers and 1s. in the case of mortgages.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 26 January 1956.

These regulations are administered in the Department of Justice.