

Procedures for Becoming a Crown Property Accredited Supplier

Version 1.0

Property Regulatory Group

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Foreword

Land Information New Zealand (LINZ) (Toitu te Whenua) was established in July 1996. It is a government department with roles and responsibilities in the following key areas:

Regulatory Responsibilities	LINZ Regulatory Groups
National survey control system, cadastral survey infrastructure and electoral boundaries	Office of the Surveyor-General
Topographic and hydrographic information	National Topographic/Hydrographic Authority
Land Titles	Office of the Registrar-General of Land
Crown Property and setting rules for rating valuations	Property Regulatory Group

The main role of the department is a regulatory one, to set standards and guidelines and manage contracts for carrying out the day-to-day business associated with each of the key areas.

LINZ also offers a range of services to customers related to land titles, cadastral and geodetic surveys plans and Crown property. Land Titles and Survey services are carried out by the Operations Group based in LINZ processing centres throughout New Zealand.

LINZ overarching objective is to be recognised as a world leader in providing land and seabed information services.

Chief Executive:

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 Land Information NZ
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PROCEDURES FOR BECOMING A CROWN PROPERTY ACCREDITED SUPPLIER

1 Scope

This document explains the background of Crown property accreditation and the procedures for becoming an Accredited Supplier. The conditions that all Accredited Suppliers must comply with when undertaking work under accreditation are contained in the document titled ***Conditions of Crown Property Accreditation***.

Note – LINZ updates the information contained in this document and the application process from time to time. This may affect the information you need to supply, the application process and/or LINZ's requirements for accreditation. **If your application is not based on the latest version of this document it may not be accepted.** Just before you submit your application you should therefore confirm that the date of the Information Pack you have based your application on is the same as that on the Information Pack on the LINZ website <http://www.linz.govt.nz>.

2 Term(s) and Definition(s)

Accreditation	Non-exclusive authorisation to carry out specific Crown property work that supports LINZ's discharge of a Statutory Function
Accredited Supplier	A company that, or individual who, has been accredited to carry out specific Crown property work that supports LINZ's discharge of a Statutory Function
Assessment Panel	A panel of senior staff from the Property Regulatory Group appointed by the GMPRG to assess applications for accreditation
Client	Any requiring authority (as defined in the Resource Management Act 1991) and any Crown agency, including LINZ where appropriate, who wish or are required to deal with land pursuant to the legislation
Conditions	The Conditions of Crown property Accreditation outlined in the document, <i>Conditions of Crown Property Accreditation</i>
Criteria for Accreditation	The Criteria for Accreditation set out in Section 5.1 of this document

Crown Property Standards	The procedures and standards set out in the LINZ Crown property standards as updated from time to time
General Manager Property Regulatory Group (GMPRG)	The person for the time being occupying that position in Land Information New Zealand
Information	All records and information that is supplied to the Accredited Supplier (including any Nominated Person) by LINZ or the Client or which the Accredited Supplier (including any Nominated Person) otherwise holds or generates while carrying out its investigative activities and work in order that LINZ can exercise its Statutory Functions
Instructions	Instructions and directions issued from time to time by LINZ varying, amending or substituting existing or new requirements or Crown Property Standards
Nominated Person	A person employed or otherwise engaged by an Accredited Supplier who has been accredited to undertake specific Crown property work
Service(s)	Crown property work that the Accredited Supplier contracts with the Client to perform that supports LINZ performing a Statutory Function
Statutory Functions	Functions required to be performed by LINZ pursuant to the legislation
Technical Documents	All policies, standards, guidelines, processes, instructions or other advice relating to the services notified to the Accredited Supplier by LINZ in addition to the Crown Property Standards

3 Background to Accreditation

3.1 *What is accreditation?*

The following legislation empowers the Minister for Land Information, Chief Executive of Land Information New Zealand (LINZ) and other Ministers and holders of statutory positions to perform certain Statutory Functions in relation to Crown property:

- New Zealand Railways Corporation Act 1981
- New Zealand Railways Corporation Restructuring Act 1990

- Public Works Act 1981
- Te Ture Whenua Maori Act 1993
- Local Government Act 1974
- Treaty of Waitangi Settlement legislation, including:
 - Ngai Tahu Claims Settlement Act 1998
 - Ngati Turangitukua Claims Settlement Act 1999
 - Waikato-Tainui Raupatu Claims Settlement Act 1995
- and other Acts included from time to time

LINZ accredits appropriately evaluated private sector providers to undertake investigatory and other work to support the statutory officers (or their delegates) in undertaking their statutory functions. This work must be carried subject to LINZ Standards and LINZ audits to those standards.

The purpose of accreditation is to ensure that the risk to the Crown of people undertaking Crown property transactions is minimised and that statutory officers or their delegates can reliably exercise statutory functions having regard to the legislation and administrative law requirements.

Applicants for **Accredited Supplier** status must agree to comply with the *Conditions of Crown Property Accreditation* document. Each Accredited Supplier must have at least one employee who LINZ recognises as competent to undertake Crown property work (a **Nominated Person**). Nominated Persons must work for an Accredited Supplier and be covered by their management systems (see section 5) before they can submit work to LINZ.

Note – The principal of an Accredited Supplier may also be a Nominated Person. However, for clarity, this document treats the two positions separately.

3.2 *Type of work undertaken*

While Accredited Suppliers are employed by client agencies, the tasks they complete under accreditation granted by LINZ are restricted to those that support the exercise of a statutory function by LINZ.

This work, completed in accordance with LINZ Standards, includes investigative activities and preliminary actions to provide information to LINZ to support the exercise of a statutory function. Accredited Suppliers also implement the decisions made by the statutory officers.

3.3 *Access to records*

Accredited Suppliers are provided with access to Crown property records (held by LINZ) for the work they undertake on behalf of client agencies. This includes obtaining access to the LINZ file database via the Internet.

3.4 *Allied professions*

There are a range of allied professions associated with Crown property work such as conveyancing, valuing, surveying, real estate and engineering. Such professions do not need to hold accreditation to undertake these services for Clients. However, these professionals will need to be accredited where they wish to do work that requires LINZ to exercise a Statutory Function in relation to Crown property.

3.5 *Undertaking other property work*

Accredited Suppliers may undertake additional property work for Clients or members of the public. However, the Accredited Supplier must not hold itself out as being accredited by LINZ for such work. LINZ accepts no responsibility for such work undertaken.

Accredited Suppliers must comply fully with LINZ's requirements to avoid conflicts of interest before undertaking other work (see *Conditions of Crown Property Accreditation* document clause 9).

3.6 *What Accreditation does not do*

Accreditation does not create a relationship of partnership, principal and agent, employee and employer or a joint venture between the Accredited Supplier and LINZ. The Accredited Supplier has no power or authority to bind LINZ by contract or otherwise and is not permitted to hold itself out to any third party that it is entitled to exercise any Statutory Functions.

The Accredited Supplier is not an agent or employee of LINZ and LINZ does not accept any responsibility for work undertaken by Accredited Suppliers.

Accreditation does not guarantee work. Accredited Suppliers are hired at the Client's discretion through whatever contracting process Clients wish to use.

Accreditation recognises only the competence of Accredited Suppliers to undertake the work for which LINZ requires accreditation. The Client is responsible for ensuring that, if it contracts with an Accredited Supplier to undertake other work, that the Accredited Supplier is competent to do so.

Any contractual arrangements entered into between the Supplier and the Client are peripheral to LINZ's statutory functions. LINZ is not responsible to the Client for any breach by the Supplier of such a contract.

3.7 *Conditions of Accreditation*

Accredited Suppliers must continuously comply with the ***Conditions of Crown Property Accreditation*** document. Applicants must complete a declaration that they will comply with the Conditions of Accreditation when preparing and submitting their application.

3.8 *Complaints about Accredited Suppliers*

Accredited Suppliers are ultimately responsible for the quality of their own services. Any complaints from clients and others should be dealt with appropriately through their own complaints procedures.

4 Application process

Before making an application, prospective applicants should review the LINZ *Accredited Supplier Standards* (available on LINZ's Internet website <http://www.linz.govt.nz>) which set out performance standards Accredited Suppliers must follow in addition to, but not superseding, compliance with the relevant legislation.

There are two types of application:

- Companies or individuals can seek to become Accredited Suppliers; (see section 5) or
- Individuals can seek to become a Nominated Person for an Accredited Supplier and undertake Crown property work in specific categories; (see section 6).

Applications must be in writing and include all relevant information.

Written applications may be submitted, either by post or via e-mail, to:

General Manager Property Regulatory Group
Land Information New Zealand
PO Box 5501
Wellington

Attention: Selena Edmonds
sedmonds@linz.govt.nz

Appendix A includes a step-by-step process for applications to become Accredited Suppliers and/or Nominated Persons.

4.1 *Evaluation*

The application will be forwarded to an assessment panel that meets on a quarterly basis. The dates of meetings and deadlines for applications are available from LINZ's Internet site <http://www.linz.govt.nz>.

The panel will make a recommendation on the application to the GMPRG. The panel reserves the right to seek further information from the applicants or contact any referees provided before making a recommendation.

Successful applicants will be advised of the GMPRG's decision. Unsuccessful applicants will be advised whether their applications have been deferred or declined.

5 Applying to become an Accredited Supplier

5.1 *Criteria of Accreditation*

Applicants must prove that they have the management systems necessary to support the work undertaken by their Nominated Persons. The applicant must provide sufficient evidence detailing that they:

- have staff who hold Nominated Person status in particular Categories of Accreditation (see Appendix B);
- have a legal status if a company or incorporated society (e.g. a copy of company search) together with advice of the attestation clause that is to be used when signing documents;
- have quality assurance measures, capable of being audited, that the applicant will follow before submitting work to LINZ. These measures must ensure that work submitted complies with legislation, case law, LINZ performance standards and is correctly formatted and free of errors and that arguments and recommendations presented are sound and well-reasoned based on the information provided;
- have independent peer review processes, capable of being audited, to ensure that the Accredited Supplier has considered all relevant information and developed appropriate recommendations based on that information;
- provide copy of a professional indemnity insurance policy to a minimum cover of \$500,000. The conditions of the policy must be acceptable to LINZ;
- have procedures, capable of being audited, for managing conflicts of interest that might arise in the course of performing the services;
- have a disaster recovery plan (including backing up electronic information);
- have secure records management, tracking and information recovery systems capable of being audited;
- have security measures, capable of being audited, to ensure confidentiality of information and prevent loss, damage or corruption of property, records or information, including knowledge of the Official Information Act, Privacy Act and Archives Act;
- can receive and transmit messages electronically via e-mail and have access to the Internet;
- have procedures, capable of being audited, for informing all Nominated Persons of changes to LINZ's standards and keeping up-to-date with case law and legislative change; and

- have a process, capable of being audited, for maintaining the competence of Nominated Persons for the duration of accreditation at a level sufficient for the applicant to continue to work in a particular category.

Successful applicants must maintain and utilise these Criteria to LINZ's satisfaction throughout the term of the accreditation. LINZ will periodically audit the Accredited Supplier to confirm this. Failure to comply may result in the removal of the Supplier's accreditation.

5.2 *Conditions of Accreditation*

Applicants must complete a declaration that they understand and accept the basis of accreditation and will comply with the Conditions of Accreditation when preparing their application (see Appendix C).

The GMPRG will publish on the LINZ Internet site the name of all Accredited Suppliers, together with details of the scope of their accreditation and the staff who hold Nominated Person status. The information on the Internet site will be considered the definitive listing of the Accredited Supplier's and Nominated Persons' details.

5.3 *Post-Accreditation Audit*

At the discretion of the GMPRG, a post-accreditation audit may be undertaken of any new Accredited Supplier within six-months of granting accreditation.

6 Applying to become a Nominated Person

Individuals may seek Nominated Person status for various Categories of Accreditation (see **Appendix B** for descriptions). These Categories all relate to legislation under which either the Minister of Lands or CE LINZ hold statutory powers or functions.

Accredited Suppliers may also seek additional Categories of Accreditation for existing or new Nominated Persons at any time after being granted accreditation, provided the Supplier continues to meet the Conditions of Accreditation.

To become a Nominated Person, applicants must satisfy the GMPRG that they are competent to undertake Crown property work and manage risk to the Crown from such work.

An applicant must prove this competence through behaviour evident from their application. LINZ splits competence into two categories:

- *General Competencies* that all applicants must have; and
- *Technical Competencies* relevant to each Category of Accreditation.

Note: Existing nominated persons, when applying for an additional category of accreditation, only need to provide information on technical competencies for that category.

6.1 *General competencies*

Applicants must demonstrate, with evidence, to the GMPRG that they can:

- analyse and judge background information, successfully evaluate complex issues and develop realistic and achievable solutions for decision-makers;
- write comprehensive and clear reports that clearly articulate information and proposals for others to make decisions on;
- understand the machinery of government and the requirements of the Official Information, Privacy and Archives Acts and can demonstrate how they impact on Crown property work;
- understand and use risk management frameworks in analysis and the relevance of risk management to Crown property work;
- appreciate Maori issues and Maori land registration, records and status, the Treaty of Waitangi, and tikanga Maori and demonstrate how they impact on Crown property work;

- understand the administrative law requirements for statutory decision-makers and how reporting and analysis must meet these requirements during Crown property work undertaken under accreditation; and
- build effective relationships with clients, statutory decision-makers and members of the public and be able to communicate honestly and openly with these parties.

6.2 *Technical competencies*

Applicants must demonstrate, with evidence, to the GMPRG that they are competent in all of the technical competencies for each of the Categories they have applied for.

Applicants must understand all requirements and processes entailed within a Category of Accreditation. An understanding of one part of a process may not be sufficient to gain a particular category.

6.3 *Application*

Applicants may demonstrate competence from working in this area or in an area where the skills can easily translate into Crown property work.

Evidence and examples of relevant work and processes is encouraged. Applicants must articulate the knowledge, qualification, experience and understanding they hold for each competency. In addition, the applicant should outline the processes followed and how they would complete the work required.

It may be useful to think of the submission as a job application. All relevant information and evidence must be included and a case developed sufficient for the panel to make a fair and reasonable assessment of competence. Put simply, LINZ must be able to observe from the behaviour outlined in the material provided that the applicant can competently undertake all work within the categories applied for.

6.4 *Referees*

Applicants must provide three referees who can, where possible, testify directly to their knowledge, experience and behaviour in relation to Crown property or related work. The GMPRG may contact these referees seeking written comments on the application.

6.5 *Mentoring by a current Nominated Person*

Applicants, who have worked for an existing Accredited Supplier and prepared work submitted under the signature of a Nominated Person, may attach examples of this work with the application. LINZ prefers copies of the documents approved by a LINZ statutory officer or delegatee. The applicant may also provide a list of the work they have undertaken under mentoring. This list must include the appropriate LINZ CPC file references.

LINZ reserves the right to talk to any mentor and review the relevant files or any audit reports on the work.

Appendix A – Step by Step application process

Becoming an Accredited Supplier

1. Identify the staff that will seek Nominated Person status (see section 6). Ensure that each staff member completes an application as appropriate;
2. Collate evidence and prepare application proving that you meet all the **Criteria of Accreditation** (see section 5.1);
3. Just before submitting your application confirm that you have used the most current version of this document (latest version will be on the LINZ website); and
4. Finalise application, sign declaration agreeing to comply with Conditions on accreditation (Appendix C) and submit to LINZ.

Becoming a Nominated Person

1. Determine which **Categories of Accreditation** you wish to apply for (see Appendix B for a summary of the Categories available);
2. Collate all evidence and prepare a written case. The application should identify how you meet each of the **General Competencies** (see section 6.1) and **Technical Competencies** for each Category applied for (see section 6.2 and Appendix B). See note on page 12 regarding existing Nominated Persons;
3. Identify in your application three referees who can testify to your general and technical competence to undertake Crown property work (see section 6.4);
4. Complete application providing confirmation from the Accredited Supplier you will work for that you will comply with the Accredited Suppliers management systems.
5. Before submitting your application confirm that you have used the most current version of this document (latest version will be on the LINZ website); and
6. Finalise application, sign declaration that you will be bound by the Accredited Supplier's compliance with the Conditions of Accreditation and submit to LINZ for assessment.

Appendix B – Categories of Accreditation

All Legislation – Miscellaneous Document Preparation

Statutory Basis	Public Works Act 1981	Date 1 Aug 2003
Relevant LINZ	Accredited Supplier Std 1 – Acquisition of Land under Public Works Act	
Standards	Accredited Supplier Std 2 – Assessment of Compensation	
	Accredited Supplier Std 3 – Disposal of Land	
	Accredited Supplier Std 16 – Legalisation	

Purpose of Accreditation Category

This category provides for the general drafting of gazette notices, proclamations and undertaking of miscellaneous activities that require the statutory approval of the Minister for Land Information or Chief Executive of LINZ.

Indicative Functions [This is not a complete list of the tasks which you may be required to undertake under accreditation. You should also refer to the relevant Crown property standards and the GMPRG.]

These tasks include the preparation and lodgement with LINZ of the following:

- Acquisition Gazette Notices
- Caveats
- Compensation certificates under s. Public Works Act 1981
- Discharge of Compensation certificates under Public Works Act 1981
- Local Authority Gazette Notices
- Requesting granting of Certificate of Title under s.107 Public Works Act 1981
- Requesting Certificate of Title under s.47 Public Works Act 1981

Technical Competencies

If you are applying for this category you must provide enough evidence to satisfy LINZ that your knowledge, qualifications, experience and past behaviour demonstrate your competence in this area. LINZ considers that the following technical competencies are relevant for this category of accreditation:

- Preparation of documents for statutory execution
- Requirements of the Public Works Act 1981 affecting the preparation of such documents
- Determining Land status, mineral ownership and Crown property title
- Land registration and survey systems

Public Works Act 1981 – Acquisition of Land for Public Works

Statutory Basis	Public Works Act 1981 – Part II Acquisition	Date 1 Aug 2003
Relevant LINZ	Accredited Supplier Std 1 – Acquisition of Land under Public Works Act	
Standards	Accredited Supplier Std 2 – Assessment of Compensation Accredited Supplier Std 7 – Compulsory Acquisition	

Purpose of Accreditation Category

Accredited Suppliers holding this category may undertake work associated with the statutory actions required to acquire a property under the Public Works Act for Crown agencies and network utility operators. The Minister for Land Information has statutory responsibility for the acquisition of land for public works by Crown agencies. The Minister is also responsible for compulsory acquisitions under the Act by Crown agencies and, where requested, by network utility operators.

Indicative Functions [This is not a complete list of the tasks which you may be required to undertake under accreditation. You should also refer to the relevant Crown property standards and the GMPRG.]

These tasks include the following:

- Investigate status and ownership of land and minerals to be acquired
- Negotiate acquisition with landowners and others with an interest in land
- Prepare reports on acquisition by agreement (s.18) and compulsory acquisition (s.26)
- Draft Notices of Desire and Intention
- Prepare Compensation certificates
- Arrange for payment to owners
- Arrange/lodge survey plan of land for compulsory acquisitions

Technical Competencies

If you are applying for this category you must provide enough evidence to satisfy LINZ that your knowledge, qualifications, experience and past behaviour demonstrate your competence in this area. LINZ considers that the following technical competencies are relevant for this category of accreditation:

- Public Works Act 1981 acquisition provisions
- Determining Land status, mineral ownership and Crown property title
- Negotiation of acquisitions with landowners
- Processes of the Maori Land Court and Te Ture Whenua Maori Act 1993
- Land Registration and Survey systems
- Processes of the Environment Court

Public Works Act 1981 - Compensation

Statutory Basis	Public Works Act 1981	Date 1 Aug 2003
Relevant LINZ	Accredited Supplier Std 1 – Acquisition of Land under Public Works Act	
Standards	Accredited Supplier Std 2 – Assessment of Compensation	

Purpose of Accreditation Category

This category covers the assessment of compensation in terms of Part V or VI of the Public Works Act 1981. The Minister for Land Information has statutory responsibility for ensuring that a landowners' right to be paid full compensation is upheld when their land is acquired for a public work by a Crown agency (or network utility operator for compulsory acquisitions).

This category is linked with **Public Works Act 1981 – Acquisition of land for public works**. A Nominated Person will need to hold both categories to undertake all work in acquiring land for public works.

Indicative Functions [This is not a complete list of the tasks which you may be required to undertake under accreditation. You should also refer to the relevant Crown property standards and the GMPRG.]

These tasks include the following:

- Instruct valuers to value land required for a public work
- Assess compensation without reference to a valuer (if acquisition is of a minor nature and Supplier has not acted in another capacity for the acquisition)
- Assess valuer's report and prepare submission to LINZ on compensation payable
- Prepare advance compensation agreements, full and final agreements (compensation payable) and granting of certificate under s.107 of the Public Works Act

Technical Competencies

If you are applying for this category you must provide enough evidence to satisfy LINZ that your knowledge, qualifications, experience and past behaviour demonstrate your competence in this area. LINZ considers that the following technical competencies are relevant for this category of accreditation:

- Valuation principles and operation
- Determining compensation payable in accordance with the Public Works Act 1981
- Determining Land status, mineral ownership and Crown property title

Public Works Act 1981 – Statutory Right of Repurchase

Statutory Basis	Public Works Act 1981	Date 1 Aug 2003
Relevant LINZ	Accredited Supplier Std 3 – Disposal of Land	
Standards	Accredited Supplier Std 4 – Statutory Right of Repurchase	
	Accredited Supplier Std 24 – Disposal of Gifted Land Accredited Supplier Std 28 – Ngati Whakaue Gifted Lands	

Purpose of Accreditation Category

Accredited Suppliers undertake work such as researching acquisition histories, preparing reports and recommendations on s.40/s.41 requirements and implementing statutory decisions in respect of the statutory right of repurchase ("offerback") provisions of the Public Works Act.

The Chief Executive of LINZ has statutory responsibility for ensuring that the disposal of land held by Crown agencies under the Public Works Act complies with the statutory offer requirements of the Act. The Chief Executive (or his delegatee) must be satisfied that the s.40/41 obligations have been met before the property can be disposed of.

Indicative Functions [This is not a complete list of the tasks which you may be required to undertake under accreditation. You should also refer to the relevant Crown property standards and the GMPRG.]

These tasks include the preparation and lodgement with LINZ's Clearances team of the following:

- Identify the status of surplus land and applicability of statutory right of repurchase
- Prepare report on the statutory rights of repurchase and/or gifted land policy obligations (including the history of acquisition and status of land and minerals)
- Identify and locate former owners or successors if a statutory offer is required
- Make statutory offer to former owners or successors
- Implement approved offer to former owners/successor or, in the case of s.40(4) to adjoining owners

Technical Competencies

You must provide enough evidence to satisfy LINZ that your knowledge, qualifications, experience and past behaviour demonstrate your competence in this area. LINZ considers that the following technical competencies are relevant for this category of accreditation:

- Statutory repurchase obligations under the Public Works Act 1981
- Government land policies and relevant legislation (including gifted land policy)
- Determining Land status, mineral ownership and Crown property title
- Researching property history
- Valuation principles and operation
- Land Registration and Survey system

Public Works Act 1981 – Dealing with Land (Disposal and Leasing)

Statutory Basis	Public Works Act 1981 – Part III (except s.40 and 41)	Date	1 Aug 2003
Relevant LINZ	Accredited Supplier Std 3 – Disposal of Land		
Standards	Accredited Supplier Std 5 – Ngai Tahu Claims Settlement Act 1998 Accredited Supplier Std 11 – Leasing and Licensing Accredited Supplier Std 19 – Waikato Raupatu Claims Settlement Act Accredited Supplier Std 20 – Ngati Turangitukua Deed of Settlement Accredited Supplier Std 23 – Transfer of Land for Another Public Work Accredited Supplier Std 29 – Pouakani Claims Settlement		

Purpose of Accreditation Category

This category includes Services provides to dispose (including transfer for another public work or lease) land held for a public work by Crown agencies if a statutory offer is not required or taken up by a former owner. The Chief Executive of LINZ is responsible for the disposal of land for public works by Crown agencies.

Indicative Functions [This is not a complete list of the tasks which you may be required to undertake under accreditation. You should also refer to the relevant Crown property standards and the GMPRG.]

These tasks include the following:

- Prepare report to approve or surrender lease, licence or tenancy of land held under the PW Act
- Manage disposal process under the PW Act (inc. instructing real estate agents, valuers, etc)
- Prepare report to transfer land to local authorities or other Crown agencies for public works under s.52 of the PW Act
- Prepare report to accompany Agreement for Sale and Purchase
- Prepare report to set apart former public work land as a public reserve
- Arrange and lodge (after approval by LINZ) any required survey plan of land
- Request Certificate of Title under s.47 Public Works Act 1981

Technical Competencies

You must provide enough evidence to satisfy LINZ that your knowledge, qualifications, experience and past behaviour demonstrate your competence in this area. LINZ considers that the following technical competencies are relevant for this category of accreditation:

- Disposal provisions of the Public Works Act 1981
- Negotiation with potential purchasers of Crown property
- Valuation principles and operation
- Government land policies and relevant legislation
- Applicability of Treaty of Waitangi Settlement legislation
- Marketing and managing the sale of property
- Property management/leasing of property
- Determining Land Status, mineral ownership and Crown property title
- Land Registration and Survey Systems

NZRC Act 1981 & NZRCR Act 1990 – Statutory Right of Repurchase

Statutory Basis	New Zealand Railways Corporation Act 1981 and New Zealand Railways Corporation Restructuring Act 1990	Date	1 Aug 2003
Relevant LINZ Standards	Accredited Supplier Std 4 – Statutory Right of Repurchase Accredited Supplier Std 24 – Disposal of Gifted Land		

Purpose of Accreditation Category

Accredited Suppliers undertake work such as researching acquisition histories, preparing reports and recommendations on, and implementing of statutory decisions in respect of the statutory right of repurchase ("offerback") provisions of s.23 of the New Zealand Railways Corporation Restructuring Act 1990.

LINZ, under delegation from the NZ Railways Corporation, must ensure that the disposal of railway land held under the above legislation complies with the statutory offer requirements of the NZRCR Act. The Chief Executive (or his delegatee) must be satisfied that the s.23 obligations have been met before the railway land can be disposed of.

Indicative Functions [This is not a complete list of the tasks which you may be required to undertake under accreditation. You should also refer to the relevant Crown property standards and the GMPRG.]

These tasks include the preparation and lodgement with Clearances of the following:

- Prepare report on the statutory rights of repurchase and/or gifted land policy obligations (including the history of acquisition and status of land and minerals) relating to railway land
- Identify and locate former owners or successors if a statutory offer is required
- Make statutory offer to former owners or successors
- Implement approved offer to former owners/successor or, in the case of s.23 to adjoining owners

Technical Competencies

You must provide enough evidence to satisfy LINZ that your knowledge, qualifications, experience and past behaviour demonstrate your competence in this area. LINZ considers that the following technical competencies are relevant for this category of accreditation:

- Statutory repurchase obligations under the NZ Railways Corporation Act 1981 and NZ Railways Corporation Restructuring Act 1990
- Government land policies and relevant legislation (including gifted land policy)
- Determining Land status, mineral ownership and Crown property title
- Researching property history
- Valuation principles and operation
- Land Registration and Survey system

NZRC Act 1981 & NZRCR Act 1990 – Dealing with Land

Statutory Basis	New Zealand Railways Corporation Act 1981 and New Zealand Railways Corporation Restructuring Act 1990	Date	1 Aug 2003
Relevant LINZ Standards	Accredited Supplier Std 3 – Disposal of Land Accredited Supplier Std 5 – Ngai Tahu Claims Settlement Act 1998 Accredited Supplier Std 11 – Leasing and Licensing Accredited Supplier Std 19 – Waikato Raupatu Claims Settlement Act Accredited Supplier Std 20 – Ngati Turangitukua Deed of Settlement Accredited Supplier Std 29 – Pouakani Claims Settlement		

Purpose of Accreditation Category

This category includes Services provides to dispose (including transfer for another public work or lease) land held for surplus railway land if a statutory offer is not required or taken up by a former owner. LINZ, under delegation from the NZ Railways Corporation, must ensure that the disposal of railway land held under the above legislation complies with all requirements of the NZ Railways Corporation Act 1981 and NZ Railways Corporation Restructuring Act 1990.

Indicative Functions [This is not a complete list of the tasks which you may be required to undertake under accreditation. You should also refer to the relevant Crown property standards and the GMPRG.]

These tasks include the preparation and lodgement with Clearances of the following:

- Prepare submissions for the TranzRail, NZRC and Minister of Railways' consent to disposal
- Prepare application to approve or surrender lease, licence or tenancy of railway land
- Manage disposal process (inc. instructing real estate agents, valuers, etc)
- Prepare application to accompany Agreement for Sale and Purchase, etc
- Arrange and lodge (after approval by LINZ) any required survey plan of land

Technical Competencies

You must provide enough evidence to satisfy LINZ that your knowledge, qualifications, experience and past behaviour demonstrate your competence in this area. LINZ considers that the following technical competencies are relevant for this category of accreditation:

- Disposal provisions of the NZ Railways Corporation Act 1981 and NZ Railways Corporation Restructuring Act 1990
- Negotiation with potential purchasers of Crown property
- Valuation principles and operation
- Government land policies and relevant legislation
- Applicability of Treaty of Waitangi Settlement legislation
- Marketing and managing the sale of property
- Property management/leasing of property
- Determining Land Status, mineral ownership and Crown property title
- Land Registration and Survey Systems

Roading Actions – Public Works Act 1981 and Local Government Act 1974

Statutory Basis	Public Works Act 1981 and Local Government Act 1974 (s.323, 342)
Relevant LINZ Standards	Accredited Supplier Std 16 – Legalisation

Date	1 Aug 2003
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Purpose of Accreditation Category

The Minister for Land Information exercises powers relating to Part VIII of the Public Works Act 1981 and s. 342 of the Local Government Act 1974. Where Crown agencies wish to use Part VIII of the Public Works Act for legalisation, stopping and exchanging of roads, an Accredited Supplier must obtain an appropriately executed notice from LINZ. While it is not mandatory, local authorities may hire Accredited Suppliers to act for them in this capacity.

Indicative Functions [This is not a complete list of the tasks which you may be required to undertake under accreditation. You should also refer to the relevant Crown property standards and the GMPRG.]

These tasks include the following:

- Prepare application to LINZ to execute gazette notice under Part VIII of the Public Works Act
- Prepare application to LINZ for consent under s.342(1) of the Local Government Act 1974

Technical Competencies

If you are applying for this category you must provide enough evidence to satisfy LINZ that your knowledge, qualifications, experience and past behaviour demonstrate your competence in this area. LINZ considers that the following technical competencies are relevant for this category of accreditation:

- Roothing provisions of the Local Government Act 1974 and Public Works Act 1981
- Determining Land status, mineral ownership and Crown property title
- Land Registration and Survey systems

Te Ture Whenua Maori Act 1993

Statutory Basis	Te Ture Whenua Maori Act 1993	Date 1 Aug 2003
Relevant LINZ	Accredited Supplier Std 1 – Acquisition of Land under Public Works Act	
Standards	Accredited Supplier Std 3 – Disposal of Land Accredited Supplier Std 26 – Vesting Land In Maori	

Purpose of Accreditation Category

This category provides for the activities undertaken by Accredited Suppliers in the alienation of land from multiple Maori ownership under s.151 Te Ture Whenua Maori Act or vesting of land in such ownership under s.134 of the same Act. Any appearances before the Court are subject to directives on the conduct of Crown legal business and must receive prior approval of the CCPO.

Indicative Functions [This is not a complete list of the tasks which you may be required to undertake under accreditation. You should also refer to the relevant Crown property standards and the GMPRG.]

These tasks include the preparation and lodgement with Clearances of the following:

- Prepare report and application to LINZ before making application to Maori Land Court
- Represent the Crown at hearings of the Maori Land Court to acquire land from, or vest land in multiple Maori ownership

Technical Competencies

If you are applying for this category you must provide enough evidence to satisfy LINZ that your knowledge, qualifications, experience and past behaviour demonstrate your competence in this area. LINZ considers that the following technical competencies are relevant for this category of accreditation:

- Maori Land Court processes and Te Ture Whenua Maori Act 1993
- Acquisition and disposal processes of the Public Works Act 1981
- Determining Land status, mineral ownership and Crown property title
- Land Registration and Survey systems
- Document preparation

Treaty of Waitangi Claim Settlements

Statutory Basis	Waikato Raupatu Claims Settlement Act 1995, Ngai Tahu Claims Settlement Act 1998, Ngati Turangitukua Claims Settlement Act 1999, Pouakani Claims Settlement Act 2000, Te Uri o Hau Claims Settlement Act 2002, Ngati Ruanui Claims Settlement Act 2003	Date 1 Aug 2003
Relevant LINZ Standards	Accredited Supplier Std 3 – Disposal of Land Accredited Supplier Std 5 – Ngai Tahu Claims Settlement Act 1998 Accredited Supplier Std 19 – Waikato Raupatu Claims Settlement Act Accredited Supplier Std 20 – Ngati Turangitukua Deed of Settlement Accredited Supplier Std 29 – Pouakani Claims Settlement	

Purpose of Accreditation Category

Accredited Suppliers holding this category will support LINZ where the Chief Executive has a responsibility under the legislation or deed of settlement to provide services to enable the effective and efficient handling of the settlement.

This category does not include ensuring compliance with Right of First Refusal (RFR) requirements during disposals. The Chief Executive of the Crown agency, not the CE LINZ is statutorily responsible for complying with the RFR. The CE LINZ is responsible for seeking the removal of any RFR notation before the sale or transfer of affected land to anyone other than another Crown body.

Indicative Functions [This is not a complete list of the tasks which you may be required to undertake under accreditation. You should also refer to the relevant Crown property standards and the GMPRG.]

These tasks include the preparation and lodgement with Clearances of the following:

- Identify whether land is subject to claims settlement legislation
- Prepare all certificates relating to claims settlement legislation

Technical Competencies

If you are applying for this category you must provide enough evidence to satisfy LINZ that your knowledge, qualifications, experience and past behaviour demonstrate your competence in this area. LINZ considers that the following technical competencies are relevant for this category of accreditation:

- Requirements of Treaty of Waitangi claim settlement legislation
- Disposal procedures of the Public Works Act 1981
- Document preparation
- Land Registration and Survey systems
- Government land policies

Appendix C – Accredited Supplier’s Declaration

Any information that is supplied by the applicant that is found to be false or misleading, will result in the application being declined or, if it is picked up later, revocation of accreditation.

1. I/We accept and understand the information and requirements provided in LINZ’s *Crown Property Accreditation – Procedures and Conditions* documents, and hereby make application to be an Accredited Supplier, having satisfied the accreditation criteria.
2. I/We agree to accept and comply with all conditions of accreditation set out in the current version of LINZ’s *Conditions of Crown Property Accreditation* document.
3. I/We undertake that I/we will be subject to audit and monitoring, as well as to full and partial audits of the work carried out as specified in the documentation, and that the client will be forwarded all reports as they relate to the services supplied.
4. I/We accept that I/we may have to supply information to assist the client and/or Land Information New Zealand with enquiries under a statute where that is a requirement, and any requirement for reporting as a government department or Crown agency.
5. I/we are not an undischarged bankrupt and have no criminal convictions (individuals and nominated persons).
6. Permission is granted for LINZ to commission a police check for relevant convictions.

DECLARATION made this day of 200

I, of, , ,
 (name) (place of abode) (occupation)

solemnly and sincerely declare that the matters contained in this application are true and correct to the best of my knowledge;

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Justice of the Peace

(solicitor or other person authorised to take a statutory declaration)