

# Torrens *talk*

Survey and Title Information for Land Professionals

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## **Landonline** Stage Two: How Digital Certificates Work

Before you can log on to **Landonline** Stage Two to enjoy the benefits of electronic lodgement, you will need to obtain a digital certificate. Digital certificates are an integral layer of security introduced to protect the integrity of land information in New Zealand.

All **Landonline** users will need to purchase a digital certificate before Stage Two goes to Pilot in the third quarter of 2002. As everyone who accesses **Landonline** will be working within the same system, even customers who only intend to use **Landonline** for search purposes will need a digital certificate.

With the ability to lodge surveys and routine title dealings electronically, the current security systems **Landonline** has in place must be stepped up to ensure online transactions are not open to misuse and abuse.

The Internet can be a hostile environment – everyone has heard horror stories about information intercepted over the Internet and used for criminal or nuisance purposes. Digital certificates counter the possibility of misuse by providing a unique identification, which confirms that the transaction could only have been sent by the person claiming to have sent it. Additionally, they encrypt all data that is sent, so that even if a transaction were intercepted, it would be unintelligible.

Created using a small program on your PC, your digital certificate is used to confirm your identity as you log on to **Landonline**, and to digitally sign your work before it is sent to Land Information New Zealand (LINZ). The signing process is not only further confirmation of your identity; it is at this stage that the transaction is encrypted.

LINZ must be confident that online transactions will not compromise the quality of data held in **Landonline**. To this end, the registration process is more comprehensive than in Stage One. A Registration Authority (RA) has been established within LINZ to process all applications. After verifying the identity of the applicant, and being satisfied as to the integrity of the applicant, LINZ (the RA) will authorise the issuing of the digital certificate.

As the confidentiality of the certificate is paramount, LINZ will not hold or issue the certificates themselves. A Certificate Authority meeting stringent security requirements will be responsible for distributing and managing the revocation of certificates.

LINZ has the authority to revoke a digital certificate. If someone attempts to use a revoked certificate, this will be picked up if they try to submit any work.

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# Survey Information

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*At the time of writing, the Primary Production Select Committee was considering the Cadastral Survey Legislation Bill. The final form and specific provisions of the new Act will not be known until it has been passed by Parliament. As soon as this happens, I will be writing to all surveyors to formally advise them of the new provisions for licensing, including any transitional requirements. Specific requirements of licensing arrangements for the future will need to be determined by the new Cadastral Surveyors Licensing Board once it is appointed.*

*With the introduction of Landonline to the Auckland Land Information New Zealand office in April 2002, microfilm images will no longer be in general use. Because these images may be out-dated, and all new plans (including amended plans) are imaged into the CRS, the CRS digital images will be the prime means of accessing survey information.*

**Tony Bevin**  
Surveyor-General

### More on Microfilms

The introduction of **Landonline** to Branch Offices has resulted in these offices closing and the relevant records being transferred to the respective Regional Office. As each office goes live in **Landonline**, the DCDB is frozen before uploading to the Core Record System (CRS) which is the database for **Landonline**. Once this occurs, plans are scanned for input into the **Landonline** CRS system and are no longer microfilmed.

From the date of the roll-out of **Landonline** in any particular LINZ office the microfilm aperture cards cease to provide the main means of access to the official record of survey information (the survey plans). They are superseded for this purpose by the **Landonline** digital plan images.

One full set of microfilm aperture cards for all plans in each region is being retained in that Regional Office. This includes a set of the coloured microfilm cards. Legalisation cards that complement the microfilm aperture card sets will also be retained in Regional Offices indefinitely. From time to time it is expected that people will identify images in **Landonline** that are of poor quality, images that have been missed or images of plans that have been amended since the original image was made. The retention of these microfilms will provide a solution for supplying an urgent copy of the plan until it can be re-imaged.

### Landonline to use LandXML for Exchange of Survey Data

**Landonline** Stage Two, due to be implemented in the latter part of 2002, will make provision for digital submission of cadastral survey data. Surveyors will be able to process the survey on their own systems, much as they do now, but instead of preparing a printed plan they will have the option of submitting the cadastral survey dataset (CSD) electronically. An industry open standard data exchange format, LandXML, currently under development, will be used for transferring data between the surveyors' software and **Landonline**.

The LandXML data exchange format will also be used for downloading survey data from **Landonline** onto the surveyors' computer systems for use with LandXML compatible survey software. Searching and viewing land information with **Landonline** does not involve the use of LandXML.

LandXML is currently being developed by Autodesk in consultation with other software developers, vendors and users involved with civil engineering and surveying for land development. It is based on World Wide Web Consortium's (W3C's) eXtensible Markup Language (XML) specification. The LandXML schema uses the W3C XML standard for describing data structures and data types in an XML format. XML is now used extensively for the exchange of data between a wide variety of computer applications via the Internet.

Check out the latest quarterly statistics for activity volumes and performance information:  
[www.linz.govt.nz/services](http://www.linz.govt.nz/services)

Did you know you can access back issues of *Torrenstalk* on the Internet? Check out:  
[www.linz.govt.nz/publications/ttalk](http://www.linz.govt.nz/publications/ttalk)

It is expected that the major survey software applications will make provision for the import and export of survey data in LandXML format. Several vendors have already indicated their intention to support LandXML.

LINZ has been working in conjunction with the LandXML developers to ensure that the draft LandXML Schema Version 1.0 incorporates cadastral survey elements required for digital submission of cadastral surveys to **Landonline**. Software developers, vendors and users have the opportunity to comment on their requirements for the proposed data exchange standard.

Because of differences in survey software applications it may not be possible for third-party software to supply the full range of LandXML data elements required by **Landonline**, at least not initially. **Landonline** will provide an online capture tool which will allow surveyors to transfer the LandXML data generated by their software and to interactively capture any further data required by **Landonline** for the lodgement of the survey. There will be a facility to pre-validate data before it is digitally lodged. LINZ is also working on a proposal to provide for online certification by Territorial Authorities.

At this stage digital submission is not mandatory, so surveyors still have the option of submitting plans manually, as they do currently.

For more information, see:  
LandXML: [www.landxml.org](http://www.landxml.org)  
**Landonline**: [www.landonline.govt.nz/](http://www.landonline.govt.nz/)

Or contact:  
Mack Thompson  
Tel 04 498 3508  
email [mthompson@linz.govt.nz](mailto:mthompson@linz.govt.nz)

## RGL Rulings



*This section contains rulings and decisions of the Registrar-General of Land arising from appeals, legal opinions and practice issues agreed to by all Regional Regulatory Titles. A principal aim has been standardisation of interpretation and practice nationwide. The information is applicable in all LINZ offices.*

**Robbie Muir**  
Registrar-General of Land

### 1. **Landonline Stage One Practice Notes**

#### 1.1 **New Plymouth Branch Office**

The closure of the New Plymouth branch office of Land Information New Zealand (LINZ) took effect on 1 February 2002. Title and document searching may now be conducted online using the **Landonline** system (for more information see [www.landonline.govt.nz](http://www.landonline.govt.nz)). All plan and dealing lodgements for the Taranaki Land Registration District must be presented to the Hamilton Regional Office for processing.

#### 1.2 **Deeds Registration Districts**

An Order in Council amalgamating the South Auckland and Taranaki Deeds Registration Districts was published in the New Zealand Gazette (issue no. 170, p. 4187) on 13 December 2001. This merged those two districts to form one new district called the Hamilton Deeds Registration District effective

from 10 January 2002. The Hamilton Regional Office of LINZ is the Deeds Register Office for the new district.

#### 1.3 **Production Requirements for Lease Instruments**

As a general rule, duplicate copies of registered documents need not be produced when dealings are registered under **Landonline**.

In the case of registered leases, however, the practice has been to request production of the duplicate copy where the dealing lodged will trigger the issue of a leasehold title. This occurs where a leasehold title has not previously been issued and the lease is being dealt with for the first time under **Landonline**.

This matter has been reviewed in consultation with the New Zealand Law Society. On the basis of the feedback received, it has been

decided that the production requirement for initial lease dealings under **Landonline** should be dropped. This approach is supported by the legislation. Section 17(3) of the Land Transfer (Automation) Amendment Act 1998 effectively removes the requirement to note the duplicate lease.

This change has been communicated to staff in all regional offices.

### 2. **Notices of Claim Under the Property (Relationships) Act 1976**

This item outlines the new requirements for lodging a notice of claim under section 42 of the Property (Relationships) Act 1976 (formerly known as the Matrimonial Property Act 1976).

Under section 42 of the Matrimonial Property Act 1976, a person claiming an interest in land owned by their spouse was able to lodge a

notice of claim against the title. The form for such notices was prescribed in the First Schedule to the Act.

The Property (Relationships) Amendment Act 2001 widens the scope of these provisions to include claims by de facto partners. These changes, along with the renaming of the Act, take effect from 1 February 2002.

The form prescribed in the First Schedule to the Act has been repealed and replaced with a new form which is prescribed in Schedule 1 of the Property (Relationships) Forms Regulations 2001. The new format is set out below.

From 1 February 2002, all notices of claim should be presented in this format.

In other respects, the notice of claim provisions are largely unchanged:

- a notice of claim operates as if it were a caveat lodged pursuant to section 137 of the Land Transfer Act 1952
- the provisions of the Land Transfer Act (with the exception of subsections (3) and (4) of section 141) apply accordingly subject to the extension of jurisdiction under sections 143, 145 and 148 to the Family and District Courts
- in the case of land that is not subject to the Land Transfer Act 1952, a notice of claim may be registered in the manner in which deeds and other instruments affecting the land may be registered
- a notice may be registered whether or not proceedings are pending or being contemplated under the Property (Relationships) Act, and whether or not there is a dispute between the parties.

**Notice of claim, under section 42(1) of the Property (Relationships) Act 1976, to an interest in certain land**

To the Registrar  
[ ] Land Registration District

**Take notice that—**

1 I, [*claimant*], of [*address*], [*occupation*], am the spouse or de facto partner of [*spouse or de facto partner*], of [*address*], [*occupation*], who is—

\*registered as a proprietor of [*nature of estate or interest*] in the land described below.

\*entitled to, or beneficially interested [*nature of estate or interest under Land Transfer Act 1952*] in, the land described below, by virtue of an unregistered agreement or other instrument or transmission, or an express or implied trust, or by virtue of some other circumstances.

\*2 My marriage to [*spouse*] took place on [*date*] at [*place*].  
or

\*2 I have been (or I am) in a de facto relationship with [*de facto partner*]. The relationship lasted (or has to date lasted) for [*duration*].

3 Under the Property (Relationships) Act 1976, I claim an interest in that estate or interest by virtue of my marriage to [*spouse*] (or my de facto relationship with [*de facto partner*]).

4 I designate [*address*] as the place where notices relating to this claim may be served.

\*Delete if inapplicable.

Date: [*date*]

Signed by [*name*], the [*claimant or claimant's agent or attorney*]

[.....]  
Signature of [*claimant or claimant's agent or attorney*]

In the presence of [.....]  
Signature of [*witness*]  
[*full name of witness*]  
[*address*]  
[*occupation*]

Description of land  
[*describe land*]

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## Landonline Stage Two: How Digital Certificates Work continued from page 1

It is imperative that digital certificates are stored securely; theft of the certificate would allow security to be compromised. You will be responsible for ensuring your certificate details are secure. Sharing of certificates is not permitted under any circumstances.

Further information on how digital certificates work and what you will need to do to get one will be provided to customers closer to the pilot date. In the meantime, for more details see the Security Fact Sheet available on the website, [www.landonline.govt.nz](http://www.landonline.govt.nz) or contact: Karen Lalor, tel 04 462 7121 email [Karen.j.lalor@nz.pwcglobal.com](mailto:Karen.j.lalor@nz.pwcglobal.com).

# Operations



*In response to the changing environment under Landonline, LINZ is phasing out coupons as a method of payment for search products.*

*For more information about Operations – including the latest information on activity volumes and performance achievements – please visit the LINZ website. The website also contains a wide range of survey and title information.*

**Carolina Gartner**  
General Manager Operations

### Coupon Payments to be Discontinued

As **Landonline** is implemented throughout New Zealand, users of the new system are enjoying the benefits of direct invoicing. As a result, the demand for coupons as a method of payment has diminished.

In response to the changing environment, LINZ is phasing out coupons as a method of payment for search products.

LINZ offices currently operational under **Landonline** – Dunedin, Christchurch, Wellington and Hamilton – will stop selling coupons on 31 May 2002 and won't accept them for payment after 28 June 2002.

The Auckland LINZ office, which is due to transition to **Landonline** in mid-June, will stop

selling coupons on 28 June and stop accepting them for payment in November 2002.

LINZ offices will still accept cash, cheque, and credit card payments.

Customers wanting a refund on unused coupons need to complete the Returned Coupon Form (available from LINZ offices or on the LINZ website [www.linz.govt.nz](http://www.linz.govt.nz)) and return it to LINZ with the unused coupons.

Refunds will be made directly into customers' bank accounts. If a bank account number or deposit slip is not included with the form, the refund will be made by cheque. Refund cheques take considerably longer to process than direct payments into bank accounts.

For more information contact your nearest LINZ office.

**Torrenstalk wants to address you correctly and maintain an up-to-date mailing list. If you want to alter your information please enter your details below.**

Please check the appropriate box:

- Change of address details  
 Add a new reader  
 Delete my name from the mail list  
 I require  extra copies for my office

Name:

Title:

Organisation:

Postal Address:

Email Address:

Profession: (eg Lawyer, Surveyor, Local government)

Tell us what you thought of this issue:

Please return to: The Editor, *Torrenstalk*, Land Information New Zealand, PO Box 5501, Wellington

The information collected on this form will be used for the distribution of *Torrenstalk*. It will also be used to send you further information of interest to your profession. You have the right to access and correct your information, subject to the restrictions in the Privacy Act 1993. This information will be held at the Head Office of Land Information New Zealand, PO Box 5501, Wellington.



## How to contact your local office

### National Office

#### Functions

Chief Executive  
Automation  
Programme Manager  
GM Policy  
Corporate Services  
Registrar-General  
of Land  
Surveyor-General  
Chief Topographer/  
Hydrographer  
Chief Crown  
Property Officer  
Valuer-General  
GM Contracts  
General Manager  
Operations

#### Address

Lambton House  
160 Lambton Quay  
PO Box 5501  
Wellington  
Ph 04-460 0110  
Fax 04-472 2244

#### Operations Support

(see National Office  
address above)

### Auckland Regional Office

Private Bag 92016  
Auckland 1  
Oracle Building  
56 Wakefield Street  
DX CP22017  
Ph 09-377 1499  
Fax 09-358 5072  
(main)  
Fax 09-358 5072  
(titles)

### Christchurch Regional Office

Torrans House  
195 Hereford Street  
Private Bag 4721  
Christchurch  
DX WP20033  
Ph 03-379 9793  
Fax 03-366 6422  
(main)  
Fax 03-379 4007  
(titles)

### Dunedin Regional Office

John Wickliffe House  
Princes Street  
Private Bag 1929  
Dunedin  
DX YP80001  
Ph 03-477 0650  
Fax 03-477 3547  
(main)  
Fax 03-477 0031  
(titles)

### Hamilton Regional Office

Cnr Victoria &  
Rostrevor Streets  
820 Victoria Street  
Private Bag 3028  
Hamilton  
DX GX10069  
Ph 07-838 2489  
Fax 07-834 6788  
(main)  
Fax 07-834 6788  
(titles)

### Wellington Regional Office

Mayfair House  
44-52 The Terrace  
PO Box 5014  
Wellington  
DX SP 23512  
Ph 04-496 9450  
Fax 04-496 9420  
(main)  
Fax 04-496 9490  
(titles)