

## Important:

This article was published on Wednesday, 9 December 2015 - 10:45am. The information is accurate at the time and is used for reference purposes only.

For up-to-date information please [visit the Land Information New Zealand website \(http://www.linz.govt.nz\)](http://www.linz.govt.nz).



## [Landwrap December 2015 \(/news/2015-12/landwrap-december-2015\)](/news/2015-12/landwrap-december-2015)

Issue 124

Welcome to the final Landwrap for the year.

In this edition:

- A reminder about when we're out of the office during the silly season.
- For surveyors, find out what the Canterbury Property Boundaries and Related Matters Bill means for you.
- For lawyers and conveyancers, find out about tax information for family trusts and relationship property settlements, and where to go if you've got a question about the new property tax requirements.



### **LINZ hours over the holiday season**

#### ***All Landonline users***

The LINZ Offices, including Customer Support, will be closed from 5pm Thursday 24 December. Normal hours will resume on Tuesday 5 January 2016. Landonline will close at the normal time of 10pm Thursday 24 December and resume at 6am Tuesday 5 January 2016.

### **What the Canterbury Property Boundaries and Related Matters Bill means for surveyors**

#### ***Surveyors***

This Bill was introduced to Parliament at the beginning of November. We updated the information for Canterbury surveyors on our website at the same time. Surveyors working in the greater Christchurch area should refer to this essential information when preparing affected CSDs.

[Read the updated information for Canterbury surveyors \(//www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors#impact\)](http://www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors#impact)

### **Reminder about new property tax information requirements**

#### ***Lawyers and conveyancers***

As of 1 October this year, anyone buying or selling land must provide a New Zealand IRD number, plus their tax number for any overseas jurisdiction in which they are also tax resident.

This must be provided in a tax statement along with the other prescribed information in that form. These details must be provided when the transfer is registered.

This applies to all property transfers unless based on a contract entered into prior to 1 October 2015 or otherwise specifically exempt.

[Find out more about the new property tax requirements and download the tax statement form \(//www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements\)](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements)

[Read our property tax FAQs \(//www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs\)](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs)

[Read information for property buyers and sellers on the Inland Revenue website \(http://www.ird.govt.nz/property/property-selling/\)](http://www.ird.govt.nz/property/property-selling/)

[Refer to the Land Transfer Amendment Act 2015 \(http://www.legislation.govt.nz/act/public/2015/0082/latest/DLM6512410.html\)](http://www.legislation.govt.nz/act/public/2015/0082/latest/DLM6512410.html)

## Requests for tax information

You can find FAQs and other information, as above, if you have questions about what to provide when your clients are buying, selling or transferring property.

For those of you who read *The Property Lawyer*, the November issue (Vol 16 Issue 2) includes an article called 'Taxation – Bright Line clarification', which is also useful.

If you still can't find the information you need to complete a tax statement or submit your dealing, you can create a 'Titles Information' request in Landonline. We will answer your request and refer you to Inland Revenue if needed.

Non-Landonline users will need to email [customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz) (<mailto:customersupport@linz.govt.nz>)

[Find out how to submit a request through Landonline](http://www.linz.govt.nz/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings) ([//www.linz.govt.nz/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings](http://www.linz.govt.nz/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings))

## Family trusts and tax statements

Lawyers and conveyancers still need to obtain a tax statement from their client when a family trust buys or sells a property, or individual trustees are changing.

[Read more about what you need to provide for family trust transactions](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs#family-trust) ([//www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs#family-trust](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs#family-trust))

## Relationship breakups and tax statements

Property received as part of a relationship settlement agreement is not automatically exempt from providing a tax statement.

[Read more about relationship property and tax statements](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs#relationship) ([//www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs#relationship](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs#relationship))

## Caveat lapsing over the Christmas and New Year period

### *Lawyers and conveyancers*

If you or your client receives a notice of lapse of caveat or notice of claim in the lead-up to the Christmas period this year, you'll need to act quickly to avoid the caveat or notice of claim lapsing.

[Find out more about caveat lapsing over the holiday period](http://www.linz.govt.nz/kb/648#christmas) ([//www.linz.govt.nz/kb/648#christmas](http://www.linz.govt.nz/kb/648#christmas))

## Want to help us improve Landonline?

### *All Landonline users*

To help us improve your Landonline experience, let us know what improvements you'd like to see by using the Landonline enhancements wiki.

[Find out how to access and use the enhancements wiki](http://www.linz.govt.nz/land/landonline/landonline-releases-and-system-updates/prioritising-landonline-enhancements) ([//www.linz.govt.nz/land/landonline/landonline-releases-and-system-updates/prioritising-landonline-enhancements](http://www.linz.govt.nz/land/landonline/landonline-releases-and-system-updates/prioritising-landonline-enhancements))

## Related Content

- [Landwrap](http://about-linz/publications/landwrap) ([/about-linz/publications/landwrap](http://about-linz/publications/landwrap))
- [Subscribe to Landwrap](http://land/landonline/get-started/subscribe-landwrap) ([/land/landonline/get-started/subscribe-landwrap](http://land/landonline/get-started/subscribe-landwrap))
- [Information for Canterbury surveyors](http://land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors) ([/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors](http://land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors))

This section provides information for cadastral surveyors working in greater Christchurch.

- [Property tax compliance requirements](http://land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements) ([/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements](http://land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements))

The Taxation (Land Information and Offshore Persons Information) Bill was passed by Parliament on 10 September 2015.

- [Property tax compliance FAQs \(/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs\)](/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs)

The Taxation (Land Information and Offshore Persons Information) Bill passed on 10 September 2015, creating the Tax Administration Amendment Act 2015 and the Land Transfer Amendment Act 2015. This page contains answers to questions about what to do when buying, selling or transferring property.

- [Landonline requests for dealings \(/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings\)](/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings)

This page includes information about Requests in Landonline, the Request Types that are available and how they should be used.

- [Lapsing a Caveat \(/kb/648\)](/kb/648)

This page provides information and links to online resources for the lapsing of caveats (under section 145 and 145A Land Transfer Act 1952).

Titles

- [Prioritising Landonline enhancements \(/land/landonline/landonline-releases-and-system-updates/prioritising-landonline-enhancements\)](/land/landonline/landonline-releases-and-system-updates/prioritising-landonline-enhancements)

LINZ has created a Wiki for Landonline customers to be involved in prioritising enhancements to Landonline. A Wiki is a web-based application that allows all Landonline users to collaborate online.

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## Articles referenced within this issue

### [Information for Canterbury surveyors \(/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors\)](/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors)

This section provides information for cadastral surveyors working in greater Christchurch.

## On this page

- [LINZ hours over the holiday season \(#undefined\)](#)
- [What the Canterbury Property Boundaries and Related Matters Bill means for surveyors \(#undefined\)](#)
- [Reminder about new property tax information requirements \(#undefined\)](#)
- [Caveat lapsing over the Christmas and New Year period \(#undefined\)](#)
- [Want to help us improve Landonline? \(#undefined\)](#)
- [Cadastral Survey rules for greater Christchurch \(#csrr\)](#)
- [Surveyor-General's guidelines for greater Christchurch \(#sggfc\)](#)
- [Protection and removal of survey marks \(#protect\)](#)
- [Additional information on cadastral surveying in greater Christchurch \(#addinfo\)](#)
- [Realigning the cadastre in Christchurch \(#realign\)](#)
- [Geotechnical report on ground movements \(#geoite\)](#)
- [Map indicating shallow surface movement \(#mapss\)](#)
- [Greendale fault \(#green\)](#)
- [What lawyers and conveyancers need to know \(#undefined\)](#)
- [Got a question? \(#undefined\)](#)
- [Got a question? \(#question\)](#)
- [Frequently used request types \(#frequent\)](#)
- [Other Request types \(#other\)](#)
- [LINZ resources \(#undefined\)](#)
- [Making an application to lapse a caveat \(#undefined\)](#)
- [Notice periods \(prescribed timeframes\) \(#undefined\)](#)
- [Caveat lapsing over the Christmas and New Year period \(#christmas\)](#)
- [Withdrawing an application to lapse a caveat \(#undefined\)](#)

## Cadastral Survey rules for greater Christchurch

The Canterbury Property Boundaries and Related Matters Act 2016 came into law on 30 August 2016 and introduced new principles for determining boundaries affected by earthquake movement in greater Christchurch. To support the Act new cadastral rules have been made by the Surveyor-General. The Cadastral Survey Amendment Rules 2017 were gazetted on 2 March 2017 with effect from 24 April 2017. These rules amend the Rules for Cadastral Survey 2010 with the addition of rule 20 Cadastral survey rules for greater Christchurch.

All cadastral surveys and Cadastral Survey Datasets (CSDs) in greater Christchurch must be in terms of the amended rules.

On 24 April, a consolidated edition of the Rules for Cadastral Survey 2010 was published on the government legislation website. This edition incorporates amendments made in 2012 and 2017.

- [Rules for Cadastral Survey 2010 \(//www.linz.govt.nz/regulatory/tbc\)](http://www.linz.govt.nz/regulatory/tbc)
- [Overview of Rule 20 Cadastral survey rules for greater Christchurch \(//www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors/rule-20-cadastral-survey-rules-for-greater-christchurch\)](http://www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors/rule-20-cadastral-survey-rules-for-greater-christchurch)
- [Canterbury Property Boundaries and Related Matters Act 2016 \(http://www.legislation.govt.nz/act/public/2016/0040/latest/DLM6634505.html\)](http://www.legislation.govt.nz/act/public/2016/0040/latest/DLM6634505.html)

## Surveyor-General's guidelines for greater Christchurch

The Surveyor-General has published guidelines about Rule 20 (Cadastral survey rules for greater Christchurch).

Read about [Rule 20 Cadastral survey rules for greater Christchurch \(//www.linz.govt.nz/node/14641/\)](http://www.linz.govt.nz/node/14641/). Note: this information may continue to be updated where necessary.

All guidance issued prior to 2 March 2017 on surveying earthquake-affected boundaries is no longer valid for surveys in greater Christchurch.

## Protection and removal of survey marks

The Surveyor-General recognises that some survey marks will be destroyed by post-earthquake reconstruction activities in Canterbury. The Interim Standard for mark protection surveys (Canterbury Earthquake) (LINZS10004) provides the Surveyor-General's approval under section 55(5) Cadastral Survey Act 2002 for the removal of survey marks for the purposes of post-earthquake reconstruction, subject to the requirements in the standard being met.

[Read the Interim Standard for mark protection surveys \(Canterbury Earthquake\) \(LINZS10004\) \(//www.linz.govt.nz/regulatory/10004\)](http://www.linz.govt.nz/regulatory/10004)

The standard is not to be used where the purpose of the survey is to redefine a boundary or to define land for title purposes. In these cases, the Rules for Cadastral Survey 2010, and in particular [Rule 20.8 - Removing boundary marks \(//www.linz.govt.nz/kb/886\)](http://www.linz.govt.nz/kb/886), apply.

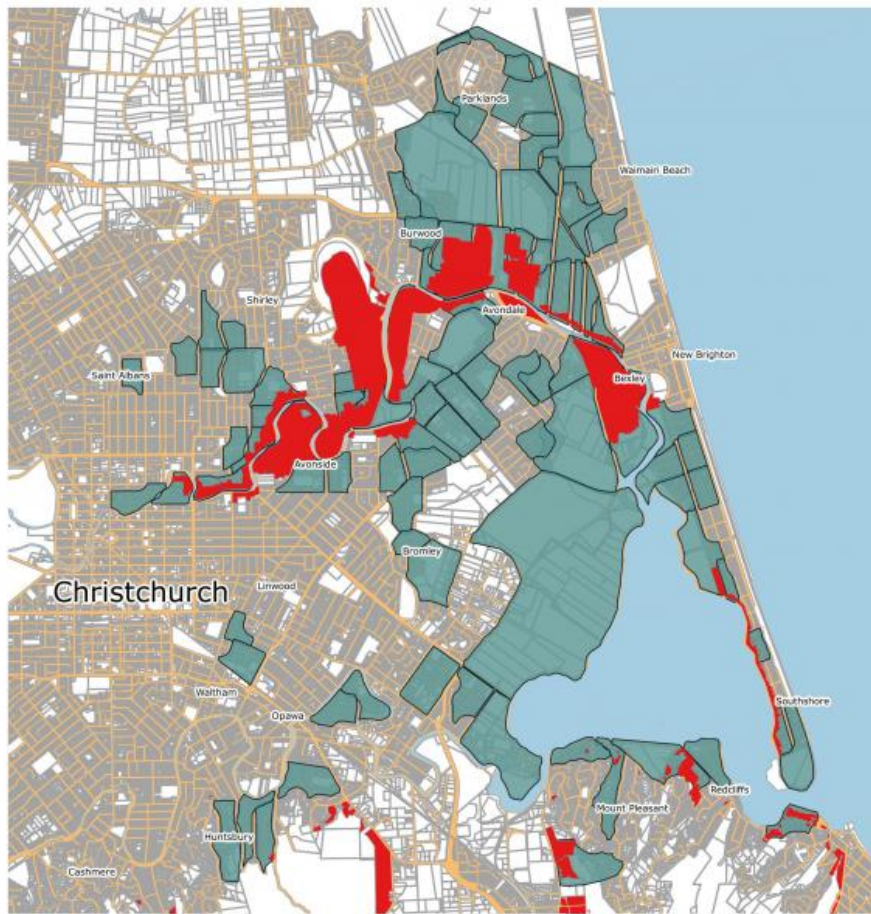
## Additional information on cadastral surveying in greater Christchurch

- [Read about the impact of the Canterbury Property Boundaries and Related Matters Act 2016 on survey and title \(//www.linz.govt.nz/kb/896\)](http://www.linz.govt.nz/kb/896)
- [Read about 'boundary marking only' surveys in greater Christchurch \(//www.linz.govt.nz/kb/895\)](http://www.linz.govt.nz/kb/895)
- [Read about LINZ Operational requirements in greater Christchurch \(//www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors/linz-operational-requirements-greater\)](http://www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors/linz-operational-requirements-greater)

## Realigning the cadastre in Christchurch

In early 2017 LINZ updated the spatial representation in Landonline to reflect boundaries in their post-earthquake positions. The targeted area for realignment was the eastern side of Christchurch, as it had the most earthquake damage due to shallow ground movement.

## Realigning the Digital Cadastre in Christchurch



### Legend

- Red Zone Areas
- Adjusted Areas

LINZ prepared this map to show the high priority areas that have had their property boundaries adjusted in Landonline so that they are now closer to their true position. These areas are located on the eastern side of Christchurch as this is where most of the damage occurred as a result of the earthquakes.

LINZ has no liability whatsoever to any user of this map or for the consequences of any person relying on this map.

Data Source : Reference CHCADJ 1.4  
Date : 27 Feb 2017



NZGD 2000 New Zealand Transverse

New Zealand Government

[http://www.linz.govt.nz/sites/default/files/media/img/ngo\\_chch-realignment-progress-image-final\\_20170307.jpeg](http://www.linz.govt.nz/sites/default/files/media/img/ngo_chch-realignment-progress-image-final_20170307.jpeg)

Map showing the targeted areas that have now been realigned

Coordinates were calculated in areas affected by shallow ground movement (shown blue on the map) that best reflect where survey marks and boundary positions are located after the earthquakes.

### Geotechnical report on ground movements

In March 2015 LINZ commissioned a report from Tonkin and Taylor Ltd to provide background geotechnical information about ground movements that occurred as a result of the Canterbury Earthquake Sequence. The report:

- focuses on horizontal ground movements of most relevance for cadastral surveyors
- explains the key geological mechanisms
- outlines the data that is available on the Canterbury Geotechnical Database that relates to these mechanisms
- summarises the key features and limitations of the information that need to be considered when using the data.

The report does not attempt to delineate areas where ground movements may have an impact on cadastral surveys, nor does it propose any solutions for these issues.

[Download the Geotechnical information on horizontal land movements report \(2.13MB\) \(http://www.linz.govt.nz/file/7451/download?token=K-KG\\_MnX\)](http://www.linz.govt.nz/file/7451/download?token=K-KG_MnX)

[Download the Geotechnical information on horizontal land movements report appendix \(6.55MB\) \(http://www.linz.govt.nz/file/7452/download?token=XkalzoXE\)](http://www.linz.govt.nz/file/7452/download?token=XkalzoXE)



## Map indicating shallow surface movement

The map of indicative shallow surface movement in Christchurch shows the general extent of lateral shallow surface movement in Christchurch. It extrapolates movements that have been measured at a network of geodetic survey marks around Christchurch typically spaced hundreds of metres apart. Movement at the individual property level may be significantly more or less than the value indicated on the map.

[View the Map of indicative shallow surface movement in Christchurch \(PDF 1.1 MB\) \(//www.linz.govt.nz/file/6939/download?token=-4LsxIAY\)](http://www.linz.govt.nz/file/6939/download?token=-4LsxIAY)

## Greendale fault

The Greendale Fault ruptured the ground surface, causing up to 5 metres horizontal and 1.3 metres vertical offset, during the 4 September 2010 Darfield (Canterbury) Earthquake.

Additional information on the Greendale Fault can be downloaded from the related external links below.

Note that rule 18 (Boundaries affected by ground movement) does not apply to a cadastral survey of land affected by the rupture of the Greendale Fault. Rule 20 includes the specific requirements that apply to the conduct of cadastral surveys and cadastral survey datasets located in greater Christchurch. Read about [Rule 20 Cadastral survey rules for greater Christchurch \(//www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors/rule-20-cadastral-survey-rules-for-greater-christchurch\)](http://www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors/rule-20-cadastral-survey-rules-for-greater-christchurch).

## Attachments

- [Geotechnical information on horizontal land movement due to the Canterbury Earthquake Sequence - main report \(https://www.linz.govt.nz/system/files\\_force/media/file-attachments/Geotechnical%20information%20on%20horizontal%20land%20movement%20report\\_%28main%20report%29.pdf?download=1\)](https://www.linz.govt.nz/system/files_force/media/file-attachments/Geotechnical%20information%20on%20horizontal%20land%20movement%20report_%28main%20report%29.pdf?download=1) PDF | 2.13 MB
- [Geotechnical information on horizontal land movement due to the Canterbury Earthquake Sequence - appendix \(https://www.linz.govt.nz/system/files\\_force/media/file-attachments/Geotechnical%20information%20on%20horizontal%20land%20movement\\_report\\_appendix.pdf?download=1\)](https://www.linz.govt.nz/system/files_force/media/file-attachments/Geotechnical%20information%20on%20horizontal%20land%20movement_report_appendix.pdf?download=1) PDF | 6.55 MB
- [Map of indicative shallow surface movement in Christchurch \(https://www.linz.govt.nz/system/files\\_force/media/file-attachments/Indicative%20shallow%20surface%20movement%20in%20Christchurch.pdf?download=1\)](https://www.linz.govt.nz/system/files_force/media/file-attachments/Indicative%20shallow%20surface%20movement%20in%20Christchurch.pdf?download=1) PDF | 1.1 MB
- [Regulatory Impact Statement - Canterbury Property Boundaries Policy Decisions \(https://www.linz.govt.nz/system/files\\_force/media/file-attachments/Regulatory%20Impact%20Statement%20-%20Canterbury%20Property%20Boundaries%20Policy%20Decisions.pdf?download=1\)](https://www.linz.govt.nz/system/files_force/media/file-attachments/Regulatory%20Impact%20Statement%20-%20Canterbury%20Property%20Boundaries%20Policy%20Decisions.pdf?download=1) PDF | 4.64 MB
- [Regulatory Impact Statement - Canterbury Property Boundaries Project \(https://www.linz.govt.nz/system/files\\_force/media/doc/doi\\_18-135-cpb-act-ris-redacted\\_20180423.pdf?download=1\)](https://www.linz.govt.nz/system/files_force/media/doc/doi_18-135-cpb-act-ris-redacted_20180423.pdf?download=1) PDF | 5.31 MB

## Related External Content

- [EQC Stage 3 land report \(http://www.eqc.govt.nz/canterbury-earthquakes/land-claims/land-reports/stage-3-land-report\)](http://www.eqc.govt.nz/canterbury-earthquakes/land-claims/land-reports/stage-3-land-report)
- [Greendale Fault: investigation of surface rupture characteristics for fault avoidance zonation \(https://quakestudies.canterbury.ac.nz/store/list/part?p=874&view=list\)](https://quakestudies.canterbury.ac.nz/store/list/part?p=874&view=list)
- [Map of the 2010 Greendale Fault surface rupture, Canterbury, New Zealand: application to land use planning \(pdf 1.52MB\) \(http://www.drquigs.com/wp-content/uploads/2012/10/Villamor-et-al-2012-NZJGG.pdf\)](http://www.drquigs.com/wp-content/uploads/2012/10/Villamor-et-al-2012-NZJGG.pdf)
- [Environment Canterbury - Earthquake Fault Information \(http://ecan.govt.nz/advice/emergencies-and-hazard/earthquakes/pages/earthquake-fault-information.aspx\)](http://ecan.govt.nz/advice/emergencies-and-hazard/earthquakes/pages/earthquake-fault-information.aspx)
- [New Zealand Geotechnical Database \(https://www.nzgd.org.nz\)](https://www.nzgd.org.nz)

Last Updated:  
23 April 2018

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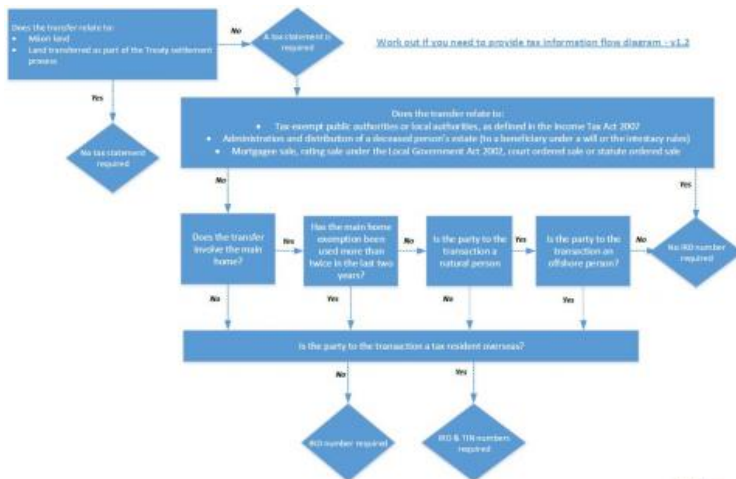
## [Property tax compliance requirements \(/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements\)](#)

The Taxation (Land Information and Offshore Persons Information) Bill was passed by Parliament on 10 September 2015.

It amends land transfer and tax legislation to create two new Acts:

- the Tax Administration Act 2015
- the Land Transfer Amendment Act 2015.

LINZ collects additional information when people buy, sell or transfer property. The information is passed to Inland Revenue, to follow up on those who have property tax obligations – whether they are New Zealanders or from overseas.



9.12.2015

<http://www.linz.govt.nz/sites/default/files/media/land-transfer-tax-flowchart-20161208.JPG>

[transfer-tax-flowchart-20161208.JPG](http://www.linz.govt.nz/sites/default/files/media/land-transfer-tax-flowchart-20161208.JPG)

[Process flowchart - click to enlarge or [download the diagram \(http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements#flowchart\)](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements#flowchart)]

## What lawyers and conveyancers need to know

Under the legislation:

- Property buyers/sellers must provide their IRD number and other tax details when transferring property unless the property is the main home or another non-notifiable reason applies.
- Trustees, and people who have claimed the main home non-notifiable reason more than 2 times within 2 years, may not claim the main home non-notifiable reason.
- Offshore persons (as defined in section 3(1) of the Tax Administration Act 1994) may not claim the main home or any other non-notifiable reason.
- Those who are tax resident in another jurisdiction must also provide the equivalent of their IRD number in that country (if the person is able to claim the main home exemption they do not need to provide this information).
- Offshore persons who need to apply for a New Zealand IRD number will be required to have an operational New Zealand bank account as a pre-requisite.

[Find out when and how to enter property tax information in Landonline \(PDF 358KB\) \(http://www.linz.govt.nz/file/15729/download?token=erKiH2az\)](http://www.linz.govt.nz/file/15729/download?token=erKiH2az)

[Read FAQs about the changes \(http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs\)](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs)

[See examples of how the requirements apply \(http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how\)](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how)

## What is LINZ's role?

LINZ will capture the data in Landonline when properties are bought, sold or transferred.

## When is a tax statement needed?

When transferring freehold, leasehold, life estates, stratum estates, licences to occupy and other specified estates in land as defined in the Land Transfer Act 1952.

A tax statement isn't needed if the transfer relates to Māori land as defined by Te Ture Whenua Māori Act or is part of a Treaty of Waitangi settlement process.

[Find out more about the Bill on the Inland Revenue website \(http://taxpolicy.ird.govt.nz/bills/51-34\)](http://taxpolicy.ird.govt.nz/bills/51-34)

## What information should I provide under the new requirements?

For dealing transactions, the Act does not require tax statements to be submitted to or held by LINZ. Instead, the person who signs the tax statement must give it to their lawyer who must hold the tax statement on their client file along with the A&I form (for the required 10 year retention period). From 28 September 2015 new data-entry screens have been added to Landonline which the lawyer (or their support staff) will then use to enter the relevant tax information based on the details provided in the tax statement.

## Got a question?

For registered Landonline users, [submit a 'Titles Information' request in Landonline](http://www.linz.govt.nz/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings) ([//www.linz.govt.nz/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings](http://www.linz.govt.nz/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings)).

For other users, [send an email to customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz) ([mailto:customersupport@linz.govt.nz?subject=Property tax query](mailto:customersupport@linz.govt.nz?subject=Property%20tax%20query))

Before you submit an enquiry, [read our property tax FAQs](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs) ([//www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs)) and [the notes section of the Tax Statement form \(#form\)](#).

## Attachments

- [Land Transfer Tax Statement \(editable PDF\)](https://www.linz.govt.nz/system/files_force/media/land-transfer-tax-statement-2-notes-2.1.pdf?download=1) ([https://www.linz.govt.nz/system/files\\_force/media/land-transfer-tax-statement-2-notes-2.1.pdf?download=1](https://www.linz.govt.nz/system/files_force/media/land-transfer-tax-statement-2-notes-2.1.pdf?download=1)) PDF | 166.42 KB
- [Land Transfer Tax Statement \(editable Word\)](https://www.linz.govt.nz/system/files_force/media/land-transfer-tax-statement-2017-Final-20161208.docx?download=1) ([https://www.linz.govt.nz/system/files\\_force/media/land-transfer-tax-statement-2017-Final-20161208.docx?download=1](https://www.linz.govt.nz/system/files_force/media/land-transfer-tax-statement-2017-Final-20161208.docx?download=1)) DOCX | 70.39 KB
- [Flow chart: Work out if you need to provide tax information](https://www.linz.govt.nz/system/files_force/media/land-transfer-tax-flowchart-20161208.pdf?download=1) ([https://www.linz.govt.nz/system/files\\_force/media/land-transfer-tax-flowchart-20161208.pdf?download=1](https://www.linz.govt.nz/system/files_force/media/land-transfer-tax-flowchart-20161208.pdf?download=1)) PDF | 291.52 KB
- [Flow chart: Entering property tax information into Landonline](https://www.linz.govt.nz/system/files_force/media/land-transfer-tax-info-flow-diagram-2017%20form_v2-0.pdf?download=1) ([https://www.linz.govt.nz/system/files\\_force/media/land-transfer-tax-info-flow-diagram-2017%20form\\_v2-0.pdf?download=1](https://www.linz.govt.nz/system/files_force/media/land-transfer-tax-info-flow-diagram-2017%20form_v2-0.pdf?download=1)) PDF | 357.88 KB

## Related Content

- [Property tax compliance: how the requirements apply](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how) ([/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how))
- [Entering property tax information into Landonline](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how/entering-property-tax-information-into-landonline) (/kb/718)
- [Viewing, printing and saving property tax statements](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how/viewing-printing-and-saving-property-tax-statements) (/kb/719)
- [Property tax exemptions and non-notifiable reasons](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how/property-tax-exemptions-and-non-notifiable-reasons) (/kb/721)

## Related External Content

- [Land Transfer Act 1952](http://www.legislation.govt.nz/act/public/1952/0052/latest/DLM269032.html) (<http://www.legislation.govt.nz/act/public/1952/0052/latest/DLM269032.html>)
- [Land Transfer \(Land Information and Offshore Persons Information\) Exemption Regulations 2015](http://www.legislation.govt.nz/regulation/public/2015/0222/latest/DLM6596801.html) (<http://www.legislation.govt.nz/regulation/public/2015/0222/latest/DLM6596801.html>)
- [Inland Revenue: Changes to property tax rules](http://www.ird.govt.nz/m/campaigns/property-changes.html) (<http://www.ird.govt.nz/m/campaigns/property-changes.html>)
- [Inland Revenue: Residential Property](http://www.ird.govt.nz/property/) (<http://www.ird.govt.nz/property/>)
- [Inland Revenue information about the Tax Administration Amendment Act 2015](http://www.ird.govt.nz/technical-tax/legislation/2015/2015-82-83/leg-2015-82-83-taa-ltaa.html) (<http://www.ird.govt.nz/technical-tax/legislation/2015/2015-82-83/leg-2015-82-83-taa-ltaa.html>)

Last Updated:

12 December 2016

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## [Property tax compliance FAQs \(/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs\)](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-faqs)

The Taxation (Land Information and Offshore Persons Information) Bill passed on 10 September 2015, creating the Tax Administration Amendment Act 2015 and the Land Transfer Amendment Act 2015. This page contains answers to questions about what to do when buying, selling or transferring property.

On this page:

- [Who is considered to be my "immediate family"? \(#immediate-family\)](#)
- [Which is the main home if I own - or have an interest in - more than one? \(#main\)](#)
- [Who decides if it's the main home? \(#who\)](#)
- [Can a transferee \(buyer\) claim a main home non-notifiable reason where the main home is yet to be built on the affected land? \(#canatransferee\)](#)
- [Is the family home held in trust able to access the main home exemption? \(#family\)](#)



- [If an offshore person buys or sells their main home, are they exempt? \(#offshore\)](#)
- [Is my overseas Tax Identification Number \(TIN\) needed if I live in New Zealand? \(#overseas-tin\)](#)
- [What if I have more than one TIN? \(#more-tins\)](#)
- [Are you an offshore person if you've only visited New Zealand for a short time? \(#visit\)](#)
- [When do trusts have to provide an IRD number? \(#trusts\)](#)
- [What tax information do family trusts need to provide? \(#family-trust\)](#)
- [How do you get a tax number? \(#how\)](#)
- [What tax information is required for a relationship property settlement? \(#relationship\)](#)
- [What happens with estates? \(#estates\)](#)
- [What happens with forced sales – such as mortgagee sales or sales as a result of court order? \(#forced\)](#)
- [Will transfers to local authorities or Government agencies be exempt? \(#govt\)](#)
- [Why are changes like these needed, and who decided what should be exempted and what shouldn't? \(#why\)](#)
- [Is it the nominee or nominator who must provide tax information? \(#nominee\)](#)
- [How is nominator tax information entered in Landonline? \(#nominator-landonline\)](#)
- [How is tax information entered in Landonline for multiple nominators? \(#multiple-nominators\)](#)
- [How is tax information entered in Landonline when there is a Deed of Nomination? \(#deed\)](#)
- [How does a company answer the questions in the Land Transfer Tax Statement? \(#qcompany\)](#)
- [How does a Trust answer the questions in the Land Transfer Tax Statement? \(#qtrust\)](#)
- [How is tax information entered in Landonline for a single transfer of multiple titles? \(#single-transfer\)](#)
- [Still got a question? \(#question\)](#)

### Who is considered to be my "immediate family"?

For questions 10, 12 & 13, "immediate family" is considered to be a person:

Who is your

- spouse, civil union partner, or de facto partner;
- parent, sister, or brother, or
- child, or a child's spouse or partner

Who is the parent, child, sister, or brother of your spouse, civil union partner, or de facto partner

Read more about the information that sellers and buyers need to provide on the [Inland Revenue website \(http://www.ird.govt.nz/property/property-selling/\)](http://www.ird.govt.nz/property/property-selling/).

### Which is the main home if I own – or have an interest in – more than one?

The one you have the greatest connection to. Think about: where personal property was kept; the time you occupied each dwelling; where immediate family lived; where your social ties were strongest; and what other ties – employment, business, economic, etc – you had with the area where each dwelling is located.

### Who decides if it's the main home?

The person transferring the property – but knowingly providing false or misleading tax information is an offence. This can result in a fine, if convicted, of up to \$25,000 for a first offence or \$50,000 for a repeat offence.

### Can a transferee (buyer) claim a main home non-notifiable reason where the main home is yet to be built on the affected land?

Yes, providing:

The transferee (buyer) is not an offshore person (see s 156A(2)(b)(iv) of the [Land Transfer Act 1952 \(http://www.legislation.govt.nz/act/public/1952/0052/43.0/DLM269032.html\)](http://www.legislation.govt.nz/act/public/1952/0052/43.0/DLM269032.html)); and

- The transferee (buyer) intends to use the land predominantly for a dwelling that will be the transferee's (buyer's) main home (see s 156A(2)(a)(i) of the [Land Transfer Act 1952 \(http://www.legislation.govt.nz/act/public/1952/0052/43.0/DLM269032.html\)](http://www.legislation.govt.nz/act/public/1952/0052/43.0/DLM269032.html)); and
- The transferee (buyer) has the intention at the time of signing the tax statement to build a house on the land and use it as their main home. For example, if the transferee (buyer) intends to build a house to sell or rent, or is not sure whether they will build a house at all, then they would not be able to claim the main home non-notifiable reason.

Note that the answer to Question 3 should always be “No” if the land does not currently have a home on it (“Home” means a dwelling mainly used as a residence e.g. house, apartment, unit, whether tenanted, occupied or not).

### **Is the family home held in trust able to access the main home exemption?**

No. Only individuals (ie natural persons) can use the main home exemption.

### **If an offshore person buys or sells their main home, are they exempt?**

No. Offshore persons are not exempt from providing tax information. A definition of an offshore person is provided in Section 3 of the [Tax Administration Act 1994 \(http://www.legislation.govt.nz/act/public/1994/0166/latest/DLM348343.html\)](http://www.legislation.govt.nz/act/public/1994/0166/latest/DLM348343.html).

### **Is my overseas Tax Identification Number (TIN) needed if I live in New Zealand?**

If you file a tax return overseas, you'll need to provide the TIN for that jurisdiction – even if you live in New Zealand – unless you're buying or selling your main home.

### **What if I have more than one TIN?**

If you're a tax resident overseas, you must provide all relevant TINs from each jurisdiction where you're a tax resident.

Only provide the numbers where you pay tax, not historic numbers – eg if you have a TIN from your OE, but are no longer tax resident in that country, don't provide it.

### **Are you an offshore person if you've only visited New Zealand for a short time?**

- If you're a New Zealand citizen living overseas, but have visited New Zealand in the past three years (even just for a day), you're not an offshore person.
- If you're a New Zealand resident living overseas, and have visited in the past year, you're not an offshore person.

In both cases, you don't have to provide a bank account to apply for an IRD number, and can claim the main home exemption.

### **When do trusts have to provide an IRD number?**

Trusts are allocated IRD numbers independently of the trustees in their personal capacity. When a trust transfers property, it is the trust's IRD number that's needed.

Some trusts have no taxable income and may not have an IRD number. These trusts will need to obtain an IRD number to complete a purchase, sale or transfer of property.

This tax information will not form part of the land transfer register. Non-disclosure of trusts on the register is a separate issue governed by other provisions of the [Land Transfer Act 1952 \(http://www.legislation.govt.nz/act/public/1952/0052/43.0/DLM269032.html\)](http://www.legislation.govt.nz/act/public/1952/0052/43.0/DLM269032.html), which are not changing under this regime.

### **What tax information do family trusts need to provide?**

Where a family trust is purchasing or selling a property or individual trustees are changing, whether they claim it to be a main home or not, they are still required to provide tax details including the tax number for that trust. While the bright line test requirements for paying tax does not apply to trusts, a tax statement for trusts which includes tax numbers is still needed.

### **How do you get a tax number?**

Apply in writing to Inland Revenue. If you apply on behalf of a trust, you must provide all trustees' names and a copy of the trust deed.

[Find out more about applying for an IRD number on the Inland Revenue website \(http://www.ird.govt.nz/how-to/irdnumbers/\)](http://www.ird.govt.nz/how-to/irdnumbers/)

### **What tax information is required for a relationship property settlement?**

Even if someone is exempt from paying tax under the bright light test, they usually still need to provide a tax statement and, unless they have a non-notifiable/exemption reason not to, a tax number.

If the property was, or will be, a main home then an IRD number isn't needed.

[See how property tax applies to a relationship property settlement example \(//www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how#relprop\)](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how#relprop)

### **What happens with estates?**

Where property is transferred from an estate to a beneficiary under the will or the rules governing intestacy, executors/administrators do not have to provide an IRD number. Beneficiaries, or anyone who purchases from an estate, are required to provide an IRD number. Where executors/administrators are transferring estate property to someone other than a beneficiary or not in terms of the will, the executor/administrator would need to provide an IRD number as the Transfer does not fall within Reg 5(1)(b).

### **What happens with forced sales – such as mortgagee sales or sales as a result of court order?**

If property is sold by mortgagee sale, the transferor is the mortgagee/bank and does not need an IRD number – however the purchaser does, unless it is their main home.

### **Will transfers to local authorities or Government agencies be exempt?**

Tax-exempt public authorities or local authorities, as defined in the [Income Tax Act 2007](http://www.legislation.govt.nz/act/public/2007/0097/latest/DLM1512301.html) (<http://www.legislation.govt.nz/act/public/2007/0097/latest/DLM1512301.html>), do not need an IRD number when transferring land. This includes departments and departmental agencies – but not wider Crown entities or Council Controlled Organisations.

For example: if the Ministry of Education sells school buildings and land to an individual developer, it doesn't need to provide its IRD number – but the developer would.

### **Why are changes like these needed, and who decided what should be exempted and what shouldn't?**

[Find out more about the Bill on the Inland Revenue website \(http://taxpolicy.ird.govt.nz/bills/51-34\)](http://taxpolicy.ird.govt.nz/bills/51-34)

### **Is it the nominee or nominator who must provide tax information?**

When completing the tax statement, be aware that the terminology used in respect to 'nominee' differs to that normally used in conveyancing.

For the tax statement, the 'nominee' is defined in section YB21 of the [Income Tax Act 2007](http://www.legislation.govt.nz/act/public/2007/0097/latest/DLM1512301.html) (<http://www.legislation.govt.nz/act/public/2007/0097/latest/DLM1512301.html>) and is the person who does, or holds, on behalf of someone else (the 'nominator'). The person who has decision-making power, or who takes the profit from the sale, is the 'nominator'. It is the 'nominator' who must provide tax details.

[See the case study 'Nominators and nominees' for more information \(//www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how#nominators\)](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements/property-tax-compliance-how#nominators)

### **How is nominator tax information entered in Landonline?**

The Landonline Prepare Tax Statements screen provides for entry of a nominator name using the following steps:

1. Prepare the transfer as usual and the Transferor and Transferee names will display in the Prepare Tax Statements screen.
2. The nominee's name as transferor or transferee will populate automatically in question 5 while the name of one of the nominators should be entered at question 7. The remaining questions should be completed using the nominator's information.
3. The paper statement must be signed by the transferor or transferee who is acting as nominee.

### **How is tax information entered in Landonline for multiple nominators?**

If a transferor or transferee is acting on behalf of multiple nominators, a tax statement is required for each nominator, however only one set of information can be recorded in Landonline against the transferor or transferee who is acting as nominee.

Prepare the required statements and have them signed by the nominee as described in step 3 of the above FAQ "How is nominator tax information entered in Landonline?" You should then choose one for entry to Landonline. Lawyers and Conveyancers are required to retain a copy of every tax statement they receive, so information on the other nominators will still be accessible on request from Land Information New Zealand or Inland Revenue.

### **How is tax information entered in Landonline when there is a Deed of Nomination?**

For this discussion the Deed of Nomination will result in the nominee taking possession of property in their own right and they will not be acting on behalf of the nominator so are not considered a 'nominee' for the purposes of completing the tax statement (refer to the definition of a nominee in our FAQ "Is it the nominee or nominator who must provide tax information?"). For example:

There is an agreement for sale and purchase between Person A to Person B. B also has a Deed of Nomination to C. One transfer is prepared for registration from A to C. In this case, the following steps should be used:

1. Prepare the transfer as usual and the Transferor (A) and Transferee (C) names will display in the Prepare Tax Statements screen.
2. Enter tax information for A and C being their own tax details - do not enter any tax information for B nor make reference to B in the tax statement

### **How does a company answer the questions in the Land Transfer Tax Statement?**

A person completing a tax statement on behalf of a company should record the company's full name at question 5, then select "entity" in question 6 and proceed to question 14. The company's tax information should then be recorded in the relevant spaces.

### **How does a Trust answer the questions in the Land Transfer Tax Statement?**

A person acting as a trustee of a trust must complete a tax statement for themselves in their capacity as a trustee. Each other trustee must complete a separate tax statement. A trustee cannot submit one tax statement for the trust.

At question 5, the trustee must record their full name, not the name of the trust. This is because the [Land Transfer Act 1952 \(http://www.legislation.govt.nz/act/public/1952/0052/43.0/DLM269032.html\)](http://www.legislation.govt.nz/act/public/1952/0052/43.0/DLM269032.html) prohibits any reference to trusts on the register.

The trustee should complete questions 9 and 10 with reference to their own and their immediate family's citizenship and visa details.

When acting as a trustee the Main Home exemption cannot be claimed at question 15

The trustee will need to insert the trust's IRD number in question 17. Trusts are allocated IRD numbers independently of the trustees in their personal capacity. When a trust transfers property, it is the trust's IRD number that is needed.

### **How is tax information entered in Landonline for a single transfer of multiple titles?**

Each buyer and seller will need to provide a tax statement with full tax details unless they can claim an exemption or non-notifiable reason that is applicable to all titles in the transfer. For example, a seller may not claim a main home non-notifiable reason if the total land area being transferred has not been predominantly used as their main home.

This means, for each individual buyer and seller:

- if a single exemption is claimable for the combined title area, this may be recorded against the individual to which it applies and no tax statement is required
- if a single non-notifiable reason is claimable for the combined title area, a tax statement is required, but no tax details are required
- if an exemption or non-notifiable reason is claimable for one title, but not the others, a tax statement with full tax details is required
- if a different exemption or non-notifiable reason can be claimed for each of the titles being transferred, but no single exemption or non-notifiable reason can be applied to all titles, the buyer or seller must provide a tax statement with full tax details.

Alternatively the transaction could be split into multiple transfers, however this would result in additional registration fees.

### **Got a question?**

For registered Landonline users, [submit a 'Titles Information' request in Landonline \(//www.linz.govt.nz/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings\)](http://www.linz.govt.nz/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings).

For other users, send an email to [customersupport@linz.govt.nz \(mailto:customersupport@linz.govt.nz?subject=Property tax query\)](mailto:customersupport@linz.govt.nz)

Before you submit an enquiry, read [the notes section of the Tax Statement form \(//www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements#form\)](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/property-tax-compliance-requirements#form). Further information can also be found under 'Property tax compliance: how the requirements apply' ([//www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/new-property-tax-compliance-requirements/property-tax-compliance-how](http://www.linz.govt.nz/land/land-registration/prepare-and-submit-your-dealing/new-property-tax-compliance-requirements/property-tax-compliance-how))

## **Related External Content**

- [Land Transfer Act 1952 \(http://www.legislation.govt.nz/act/public/1952/0052/latest/DLM269032.html\)](http://www.legislation.govt.nz/act/public/1952/0052/latest/DLM269032.html)
- [Land Transfer \(Land Information and Offshore Persons Information\) Exemption Regulations 2015 \(http://www.legislation.govt.nz/regulation/public/2015/0222/latest/DLM6596801.html\)](http://www.legislation.govt.nz/regulation/public/2015/0222/latest/DLM6596801.html)
- [Inland Revenue: Changes to property tax rules \(http://www.ird.govt.nz/m/campaigns/property-changes.html\)](http://www.ird.govt.nz/m/campaigns/property-changes.html)
- [Inland Revenue: Residential Property \(http://www.ird.govt.nz/property/\)](http://www.ird.govt.nz/property/)
- [Inland Revenue information about the Tax Administration Amendment Act 2015 \(http://www.ird.govt.nz/technical-tax/legislation/2015/2015-82-83/leg-2015-82-83-taa-ltaa.html\)](http://www.ird.govt.nz/technical-tax/legislation/2015/2015-82-83/leg-2015-82-83-taa-ltaa.html)

Last Updated:  
2 August 2017

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## [Landonline requests for dealings \(/land/land-registration/user-guides-and-resources/landonline-requests-for-dealings\)](#)

This page includes information about Requests in Landonline, the Request Types that are available and how they should be used.

In addition to creating and lodging Cadastral Survey Datasets and title dealings, Landonline customers are able to use the 'Requests' function. Requests are the method for Landonline customers to:

- request copies of land records that are not already available in Landonline,
- access subject matter experts who can assist with:
  - investigation for complex dealing and survey matters,
  - requisition or rejection notices, and
  - correcting titles, surveys or spatial information..

Most requests are completed within two to five working days, although standard response times vary for some requests.

The "Request type" you select is key to ensuring you receive the right help or information. Every Request you create will automatically be assigned a number. Keep a record of that number. View your Requests in the "My Work" folder in your Workspace.

If your Request concerns a dealing or survey that is not at that time with LINZ (it has not been submitted and is still in your Workspace 'In Progress'), then you should provide information about the dealing or survey with your Request (eg copies of instruments). The Technical Advisors (who handle most Requests) cannot 'shadow' your Workspace and cannot view a dealing or survey until it has been submitted to LINZ.

Provide survey and title references where relevant – you do not need to provide copies of documents that are searchable in Landonline. You can upload images/documents to your Request.

### Frequently used request types

Request type	When to use
Request Manual Copy	<p>When a document is not available as an image in Landonline use Request Manual Copy (RMC) to order a copy of the document.</p> <p>Create a separate RMC for each record you require.</p> <p>This request <b>must</b> be created through the Searches window. Open Searches, select Tools, select Request Manual Copy.</p>
Titles_Information	When you require general information that is related to a title.
Titles_Urgency	When you want to ask that a dealing be processed with urgency. Refer to more information about <a href="http://www.linz.govt.nz/kb/210">urgency requests (/www.linz.govt.nz/kb/210)</a> .
Titles_Requisition_Rejection Clarification	<p>When you are unclear about a rejection/requisition item.</p> <p>Link the rejected dealing with this Request so that your query will workflow to the staff member that worked on your dealing.</p>



Request type	When to use
Titles_Requisition_Rejection Review	<p>When you disagree with a rejection/requisition item. Set out your full reasons and analysis as to how the rejection is incorrect.</p> <p>Link the rejected dealing with this Request so that your query will workflow to the staff member that worked on your dealing.</p>
Titles_Correction	<p>When your investigations show there is an error on the current view of a title. You can use this Request Type to present your findings and bring the error to the attention of LINZ. LINZ will investigate and corroborate your findings and make the correction where possible. See more information about <a href="http://www.linz.govt.nz/land/land-records/correct-land-record">correcting the Register (//www.linz.govt.nz/land/land-records/correct-land-record)</a>.</p> <p>Note that this Request Type is only available for errors made by LINZ and not registration errors made by practitioners.</p>
Titles_Correction Prevents Registration	<p>As above, however use this request type when the title error prevents further registration. LINZ gives this Request type high priority.</p>

## Other Request types

Request type	When to use
Correction of tax information	<p>Use this request type to correct tax information incorrectly submitted in a dealing, for example through a data entry mistake.</p> <p><a href="http://www.linz.govt.nz/kb/722">Find out how more about correcting property tax information (//www.linz.govt.nz/kb/722)</a></p>
Titles_Application to sustain caveat (S145/A145)	<p>Use this request type when you are notifying LINZ that the caveator has made an application to the High Court to sustain his or her caveat. Link the Request to the dealing that attempts to lapse the Caveat.</p>
Titles_Dealing Correspondence	<p>Use this Request Type to add a message about a dealing that you have submitted to LINZ (in the form of a letter for example).</p> <p>Link the Request with the dealing (by typing the dealing number in the Dealing field) and the Request will workflow to the person working on your dealing.</p>
Titles_Fee Extension	<p>Use this request type if your dealing was rejected or requisitioned and you need more time to fulfil the requirements before the fees already paid are forfeited.</p> <p>Link the Request to the rejected dealing and the Request will workflow to the person who has worked on your dealing.</p>
Titles_Request for Fast-Track	<p>Use this Request if you have a dealing to deposit a plan and you have arranged with the surveyor that both will be lodged simultaneously under Fast Track.</p> <p>See this page for more information about <a href="http://www.linz.govt.nz/land/land-registration/dealings/e-dealing/faqs/fast-track-requests">Fast track requests (//www.linz.govt.nz/land/land-registration/dealings/e-dealing/faqs/fast-track-requests)</a>.</p>

Request type	When to use
Titles_Survey Information	When you need survey information about a survey plan. These Requests workflow to a Survey Technical Advisor. This Request Type is not suitable when you have title or registration queries that relate to a survey plan (use Titles_Titles Information).
TA_Amalgamation Consultation	This Request is available to territorial authorities (Councils) who must consult with LINZ under s 220(3) Resource Management Act 1991 (to assess whether a proposed amalgamation condition is practicable).
Titles_Withdraw Dealing	To withdraw a dealing before it is registered.
Titles_Withdraw Instrument	To withdraw an instrument within a dealing before it is registered.

## Related Content

- [Landonline user guides and resources \(/land/landonline/get-started/landonline-user-guides-and-resources\)](/land/landonline/get-started/landonline-user-guides-and-resources)
- [Pre-validation and avoiding errors \(/land/land-registration/pre-validation-and-avoiding-errors\)](/land/land-registration/pre-validation-and-avoiding-errors)
- [Landonline Requests - Survey \(/land/surveying/landonline-requests-survey\)](/land/surveying/landonline-requests-survey)
- [Fast track requests \(/land/land-registration/dealings/e-dealing/faqs/fast-track-requests\)](/land/land-registration/dealings/e-dealing/faqs/fast-track-requests)

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20 April 2018

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## [Lapsing a Caveat \(/kb/648\)](#)

This page provides information and links to online resources for the lapsing of caveats (under section 145 and 145A Land Transfer Act 1952).

A caveat may be lapsed under section 145 and 145A Land Transfer Act 1952. Under s 145, a caveat may be lapsed when an application is made to register an instrument. Under s 145A, a caveat may be lapsed by an application to lapse the caveat (ie there is no requirement that an instrument is to be registered).

Once the statutory process has begun under ss 145 or 145A LTA, the caveat will lapse by operation of law unless the caveator takes action to sustain the caveat within the prescribed timeframes.

### LINZ resources

The key LINZ resource for lapsing caveats is the Registrar-General of Land's guideline for stop notices LINZG20706. You can obtain a copy [here \(//www.linz.govt.nz/regulatory/20706\)](http://www.linz.govt.nz/regulatory/20706).

### Making an application to lapse a caveat

There is no prescribed form for an application under s 145 LTA. Accordingly a letter lodged under the instrument code S145 will do. The instrument to be registered must follow the S145 (in the same dealing).

An e-dealing application to lapse a caveat under s 145A LTA, could be made on Form N, available [here \(//www.linz.govt.nz/land/land-registration/user-guides-and-resources/land-registration-forms\)](http://www.linz.govt.nz/land/land-registration/user-guides-and-resources/land-registration-forms).

The instrument code is A145.

### Notice periods (prescribed timeframes)

The first and second prescribed periods were prescribed by Regulation 29 of the Land Transfer Regulations 2002.

#### First prescribed period

Upon receipt of an application to lapse a caveat, LINZ will notify the caveator. The caveator has 14 calendar days (plus deemed postal delivery period of two working days) to give notice to the Registrar-General of Land (RGL) that the caveator has made an application to the High Court to sustain the caveat. There is no requirement for the caveator to give the RGL a copy of the

application made, all that is needed is a notice that an application has been made. The application must be received by the RGL within the prescribed period, else the caveat lapses by operation of law.

## Second prescribed period

From the date that the caveator gave notice to the RGL (of the caveator's application to sustain the caveat) the caveator has a further 28 calendar days to obtain a High Court order that sustains the caveat.

See the RGL's [Guideline for stop notices LINZG20706 \(//www.linz.govt.nz/regulatory/20706\)](http://www.linz.govt.nz/regulatory/20706) for more detail about the prescribed periods.

## Caveat lapsing over the Christmas and New Year period

If you or your client receives a notice of lapse of caveat or notice of claim in the lead-up to Christmas and New Year holiday break, you will need to act quickly to avoid the caveat or notice of claim lapsing.

The time periods above are days – not working days – so you cannot exclude the public holidays over the Christmas and New Year period when you calculate when a caveat or notice of claim will lapse.

However, as provided in section 35(6) of the Interpretation Act 1999, if the last day of either the 14-day or 28-day period falls on a day that is not a working day, the time period extends to the next working day.

Please note the Registrar-General of Land has no authority to alter the prescribed time periods or extend lapsing dates to account for LINZ offices or courts being closed on public holidays.

If you or your client receives a notice of lapse, you can avoid the caveat or notice of claim lapsing by giving the relevant notice to us or serving a Court order on LINZ within the prescribed time periods. You can send this by email to Customer Support ([customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz) (<mailto:customersupport@linz.govt.nz>)) or post to the address or fax number specified in the notice of lapse.

## Withdrawing an application to lapse a caveat

It is not possible to withdraw an application to lapse a caveat, after the RGL has served a notice on the caveator.

This is because the caveat is lapsed by operation of law (ie by service of a notice on the caveator and expiry of the notice period without the appropriate notice from the caveator). Withdrawing an application to lapse a caveat can have no effect after the RGL has served a notice because the RGL's notice cannot be withdrawn.

## Related Content

- [Guideline for stop notices - LINZG20706 \(/regulatory/20706\)](http://www.linz.govt.nz/regulatory/20706)
- [Caveats \(/kb/650\)](http://www.linz.govt.nz/kb/650)
- [Withdrawing a caveat in Landonline \(/kb/545\)](http://www.linz.govt.nz/kb/545)

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9 November 2015

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## [Prioritising Landonline enhancements \(/land/landonline/landonline-releases-and-system-updates/prioritising-landonline-enhancements\)](http://www.linz.govt.nz/land/landonline/landonline-releases-and-system-updates/prioritising-landonline-enhancements)

LINZ has created a Wiki for Landonline customers to be involved in prioritising enhancements to Landonline. A Wiki is a web-based application that allows all Landonline users to collaborate online.

When using the wiki, customers need to log in from the computer that they use for Landonline. The website checks for the presence of a Landonline digital certificate in the web browser and if a valid digital certificate does not exist it will either return an 'SSL connection error' or 'this page cannot be displayed' message. This is intended to ensure the wiki is only used for useful discussions between LINZ and Landonline customers.

Proposed enhancement details are published on the Landonline Enhancements Wiki. Customers are able to contribute suggestions, participate in online discussions, and edit and rate the importance of enhancements at any time. During prioritisation rounds customers are invited to further review and rank enhancements they are interested in, and then vote on the top 10 enhancements in each business group. The content of the top 10 enhancements is locked down for editing during the voting period, but all other access to the Wiki continues unrestricted allowing other enhancements to be added edited and ranked.

Voting rounds will be run independently of the Landonline application release cycle. This will ensure there is always a pool of relevant items which can be picked up for development work when resources become available.

Your feedback via the Wiki tells us which items are most important to Landonline users, and has a strong influence on any changes that are ultimately chosen for inclusion in a future release

Enhancements will be implemented where possible. However, the final choice of what is included in any release is a balance of effort, time, cost, regulatory requirements and urgency required relative to the current programme of work.

Participation in the enhancement process is voluntary but is strongly encouraged. As a Landonline customer, you can:

- suggest a new enhancement
- add to and change an existing suggested enhancement
- enter comments on or discuss any suggested enhancement
- indicate how important a suggested enhancement is to you by ranking it
- suggest the order for the top 10 ranked enhancements during the voting period.

[Find out how to access, use and make suggestions in the Wiki \(//www.linz.govt.nz/kb/823\)](http://www.linz.govt.nz/kb/823)

[Access the Landonline enhancement prioritisation Wiki \(https://mediawiki.landonline.govt.nz\)](https://mediawiki.landonline.govt.nz)

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5 September 2016

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