

PRIVATE INDIVIDUAL CLIENT AUTHORITY AND INSTRUCTION FOR AN ELECTRONIC TRANSACTION

(This form is approved by the New Zealand Law Society and Registrar-General of Land)

1. TO LAW FIRM:

(Firm name)

2. CLIENT(S):

(Full name(s). If tenant in common state share.)

3. TRANSACTION:

Property Address:

Nature and Date of Base Document:

Is this transaction high risk? Yes / No

(See Notes to the Form)

- The client is previously known to you or your 'trusted colleague' for _____ years, or
- Attached is a document connecting the client to the property and a file note of the additional actions taken to verify identity.

Instruments:

- Discharge of Mortgage
Title Reference(s):
Registered Number:
Mortgagee Name:
- Transfer
Title Reference(s):
Transferor(s):
Transferee(s) and/or Nominees:
Transferee(s) Proprietorship:
- Mortgage
Title Reference(s):
Mortgagee Name:
Mortgage Type:
Memorandum Number:
Priority Amount \$:
Additional Text:

4. AUTHORITY AND INSTRUCTION:

I confirm that:

- this form is for the transaction noted above;
- I am 18 years of age or over;
- I am not an undischarged bankrupt;
- I am not subject to any order or management pursuant to the Protection of Personal and Property Rights Act 1988 or any other legislation that could restrict my ability to deal with my land;
- as required by regulation 7 of the Land Transfer Regulations 2018 I irrevocably authorise and instruct you to register the instruments above as an e-dealing;
- I understand that by signing this form I am legally bound by the electronic instruments certified and registered on my behalf as if such instruments had been signed by me personally;
- I understand that the authorised transaction will become a matter of public record upon registration.

Date: _____

Signature of _____

Date: _____

Signature of _____

(Note: **Each Client named must sign personally.** 'For and on behalf' is not acceptable.)

5. CLIENT IDENTIFICATION: (Tick applicable ID. Person establishing identity to complete.) See Notes to the Form.

	NZ Drivers / Firearms Licence	Passport	Other Safe Harbour Photo ID	Equally Effective Means
Client Name	_____	_____	_____	_____
Client Name	_____	_____	_____	_____

Attach copy of ID used or **record** details (e.g. passport number) where copying not practicable.

I certify that:

- (a) I have witnessed the client(s) sign this form;
- (b) I have sighted the original form(s) of identity ticked above;
- (c) I have attached a copy of ID(s) used;
- (d) the photo(s) name(s) and signature(s) match the client(s) name(s) and identification provided;
- (e) the client(s) appear(s) to be of sound mind.

Signature of person establishing identity

Full name of person establishing identity

Occupation

Phone/Email

Address

Notes to the form:

1. Before making any certifications, Practitioners must comply with the requirements specified in *LINZS20018 Authority and Identity Requirements for E-Dealing Standard 2018* and *LINZG20775 Authority and Identity Requirements for E-Dealing Guideline 2018* (Guideline).
2. The forms of photo ID Practitioners can rely on are set out in Table 1 of s5 of the Guideline. The most common Safe Harbour options are a NZ drivers licence, NZ firearms licence and passport.
3. Attached copies of photo IDs must include the expiry date (recorded on the reverse side of the new drivers licence).
4. When using Equally Effective Means, Practitioners must record a file note of their decision to opt out of safe harbour and how the chosen means are effective – see Table 1 of s5 of the Guideline.
5. When delegating verification of identity, Practitioners must record a file note demonstrating how the delegate is an independent, trusted person upon whom the Practitioner can reasonably rely – see s4.6 of the Guideline.
6. Guidance on high risk transactions can be found in ss 4.1.1.1, 4.2.1, 4.2.2 and 4.3 of the Guideline. If a transaction appears on the face of it to be high risk the practitioner must either confirm the client is personally known to them, otherwise record a file note documenting the additional steps taken to verify identity and obtain a document connecting the client to the property.
7. When using audio-visual technology to verify identity, modify section 5 of the A&I form as per the guidance in s4.7 of the Guideline.
8. Where the client is signing this form under a Power of Attorney the identity that is required to be established is that of the attorney - see also the guidance in s3.1.2 of the Guideline. Attach a copy of the PA (if it is not deposited with LINZ) and the relevant certificate of non-revocation of PA.
9. A trustee may use the same form in respect of the same transaction in their personal capacity and as trustee.
10. A faxed copy of this form is acceptable [refer to guidance in the New Zealand Law Society's Property Law Section *Property Transactions and E-Dealing Practice Guidelines* (PLS Guidelines)].
11. The consent of prior mortgagees, lessors, etc. may be necessary to avoid a breach of covenants.
12. This form is derived from the PLS Guidelines.