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Statutory and Evidentiary Requirements for E-Dealing Standard 2025

This Standard is made under section 236 of the Land Transfer Act 2017 by the Registrar-General of Land

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Statutory and Evidentiary Requirements for E-Dealing Standard 2025

1 Title

This is the Statutory and Evidentiary Requirements for E-Dealing Standard 2025.

2 Commencement

This Standard comes into force on X Month 2025.

3 Purpose

To set requirements under section 236(1)(b), (c), (d) and (e) of the Land Transfer Act 2017 which, if met, will satisfy a practitioner's obligations under section 27 of the Land Transfer Act 2017 and regulation 7 and 8 of the Land Transfer Regulations 2018 to:

- (a) comply with the statutory requirements specified by the Registrar-General of Land for a particular class of instrument, and
- (b) hold and retain evidence showing the truth of their certifications under section 30 of the Land Transfer Act 2017.

4 Interpretation

In this Standard, the definitions in the Land Transfer Act 2017 and Land Transfer Regulations 2018 apply, and unless the context otherwise requires, —

LTA means the Land Transfer Act 2017.

LTR means the Land Transfer Regulations 2018.

Practitioner means a lawyer or a conveyancing practitioner as defined in s6 of the Lawyers and Conveyancers Act 2006 who certifies an electronic instrument for registration under the Land Transfer Act 2017.

Registrar means the Registrar-General of Land appointed under section 231 of the Land Transfer Act 2017.

Statutory Requirements

5 Practitioner's certification obligations

- (1) Before certifying an electronic instrument as to the matters set out in regulation 7(3)(c) of the Land Transfer Regulations 2018, a practitioner must comply with any statutory requirements specified by the Registrar for the class of instrument, as set out in clause 6.

6 Statutory requirements specified by the Registrar-General of Land

- (1) Under section 236(1)(d) and (e) of the Land Transfer Act 2017, the Registrar sets in relation to the certification of electronic instruments the statutory requirements for instruments of a particular class in the table below.

Statutory provision	Nature of provision	Compliance requirement	Class of instrument	Practitioner acting for (as applicable)
Burial and Cremation Act 1964 <i>s31</i>	The registered notice of dedication as a denominational burial ground operates as a perpetual caveat to restrain any dealing with the land manifestly inconsistent with such notice.	The instrument does not contravene s31 Burial and Cremation Act 1964.	<ul style="list-style-type: none"> • Transfer • Lease • Lease variation • Mortgage • Mortgage variation • Encumbrance • Transmission • Application to deposit unit plan 	<ul style="list-style-type: none"> • Transferor • Lessor • Mortgagor • Encumbrancer • Applicant
Conservation Act 1987 <i>s16A</i>	The Minister may, by notice in the <i>New Zealand Gazette</i> , authorise the exchange of any stewardship area for other land.	The transfer complies with s16A Conservation Act 1987.	<ul style="list-style-type: none"> • Transfer 	<ul style="list-style-type: none"> • Transferor
Conservation Act 1987 <i>s26</i>	The Minister may dispose of stewardship areas or interest in land subject to the requirements to give notice.	The transfer complies with s26 Conservation Act 1987.	<ul style="list-style-type: none"> • Transfer 	<ul style="list-style-type: none"> • Transferor
Farm Debt Mediation Act 2019 <i>s11</i>	<p>A creditor must not take an enforcement action under a security interest in a farm property:</p> <ul style="list-style-type: none"> • unless an enforcement certificate is in force in respect of the relevant farm debt, or • if there is a prohibition certificate in force in respect of the relevant farm debt. <p>Section 11 does not apply if there is a mediation agreement under s12, or if the farmer is subject to an insolvency proceeding or process under s13.</p>	<p>The transfer by</p> <ul style="list-style-type: none"> • the mortgagee, or • by the administrator, liquidator, or receiver, complies with s11 Farm Debt Mediation Act 2019. 	<ul style="list-style-type: none"> • Transfer • Transfer (in exercise of power of sale) 	<ul style="list-style-type: none"> • Transferor

Statutory provision	Nature of provision	Compliance requirement	Instrument type	Practitioner acting for (as applicable)
Housing Act 1955 s37	The purchaser's interest in State housing land in any agreement or licence registered under s18, may not be disposed of unless the instrument: <ul style="list-style-type: none"> • is in favour of the Crown or Kāinga Ora-Homes and Communities, or the Crown or Kāinga Ora-Homes and Communities is a party to the instrument, or • is an application to register the settlement of the land under the Joint Family Homes Act 1964, or • is a disposition by way of mortgage, or • is endorsed with the consent of Kāinga Ora-Homes and Communities. 	The instrument complies with s37 Housing Act 1955.	<ul style="list-style-type: none"> • Transfer • Lease • Lease variation 	<ul style="list-style-type: none"> • Transferor • Lessor • Lessee
Incorporated Societies Act 2022 s225	The entitlement of the applicant to be registered as owner by operation of law has been verified by direction vesting the assets where a society has been removed from the register or is in liquidation.	The application has been verified by a direction under s221 Incorporated Societies Act 2022.	<ul style="list-style-type: none"> • Transmission 	<ul style="list-style-type: none"> • Applicant
Land Act 1948 s89	Lessee or licensee shall not transfer, sub-lease or otherwise dispose of the interest in land without the consent of the lessor or licensor.	Consent has been obtained and is held.	<ul style="list-style-type: none"> • Transfer • Lease (sub-lease) • Lease variation • Easement • Easement variation 	Lessee or licensee in their capacity as: <ul style="list-style-type: none"> • Transferor • Lessor • Grantor

Statutory provision	Nature of provision	Compliance requirement	Instrument type	Practitioner acting for (as applicable)
Land Act 1948 <i>s91</i>	No assignment by any executor or administrator without notice being given to the Commissioner of Crown Lands.	Notice has been given, and a copy of the notice is held.	• Transfer	• Transferor
Land Transfer Act 2017 <i>s137</i>	The Registrar must not register a transfer of a registered licence unless the Registrar is satisfied that an instrument disposing of the shares to which the licence relates to the person acquiring the licence under the transfer has been registered by the company.	An instrument disposing of the shares to the person acquiring the licence has been registered in the Companies Office.	• Transfer (of licence to occupy)	• Transferor
Land Transfer Act 2017 <i>s154</i>	The Registrar must not register an instrument or record any matter that prejudicially affects any trust to which s154 applies.	The instrument does not contravene s154(5) LTA.	• Transfer • Mortgage • Mortgage variation • Lease • Lease variation • Encumbrance	• Transferor • Mortgagor • Lessor • Encumbrancer
Maori Housing Amendment Act 1938 <i>s11</i>	Purchaser cannot dispose of land held under an agreement under s8 by sale, lease, mortgage, assignment or in any other manner unless the statutory procedures set out in s11 have been complied with.	Consent has been obtained and is held.	• Transfer • Mortgage • Mortgage variation • Encumbrance • Lease • Lease variation • Licence to occupy	• Transferor • Mortgagor • Encumbrancer • Lessor • Licensor
Maori Housing Amendment Act 1938 <i>s14</i>	Lessee cannot assign their leasehold interest without the consent of the Chief Executive of Te Puni Kōkiri / Ministry of Māori Development.	Consent has been obtained and is held.	• Transfer • Lease • Variation of lease • Lease (sub lease)	• Transferor • Lessor
Maori Purposes Act 1970 <i>s30</i>	Land vested in Poho-o-Rawiri Marae Committee cannot be sold without the consent of the Māori Land Court.	Consent has been obtained and is held.	• Transfer	• Transferor
Māori Purposes (Wi Pere Trust) Act 1991 <i>s33</i>	The application of Te Ture Whenua Maori Act 1993 to the land set out in Schedule 4 is modified as set out in s33 of the Māori Purposes (Wi Pere Trust) Act 1991.	The transfer complies with s33 Māori Purposes (Wi Pere Trust) Act 1991.	• Transfer	• Transferor

Statutory provision	Nature of provision	Compliance requirement	Instrument type	Practitioner acting for (as applicable)
Maori Purposes Act 1993 <i>s16</i>	Disposal of land acquired under s87 of the Maori Affairs Restructuring Act 1989 requires the consent of the Minister for Māori Development.	Consent has been obtained and is held.	<ul style="list-style-type: none"> • Transfer • Lease • Lease variation 	<ul style="list-style-type: none"> • Transferor • Lessor
Maori Reserved Land Act 1955 <i>s86</i>	The Māori Trustee may sell Township land: (a) with the written consent of the beneficial owners or the trustees of owners with a legal disability, or (b) pursuant to a resolution of the assembled owners.	The instrument complies with s86 Maori Reserved Land Act 1955 and, while the land remains vested in the Māori Trustee, s157 Te Ture Whenua Maori Act 1993.	<ul style="list-style-type: none"> • Transfer • Lease • Lease variation 	<ul style="list-style-type: none"> • Transferor • Lessor
Maori Reserved Land Amendment Act 1997 <i>s12</i>	The Registrar must not register a transfer of any land that is subject to a lease to which this Act applies or of the lessee's interest in a lease to which this Act applies unless: (a) the transfer is to the lessor or lessee, or (b) where the transfer is to a third party, the lessor or lessee that is not a party to the transfer consents in writing to the transfer, or (c) the transfer is accompanied by a certificate from the solicitor acting for the transferor that the transfer does not contravene the provisions in Schedule 1.	The transfer complies with s12 Maori Reserved Land Amendment Act 1997 and, if relevant, does not contravene Schedule 1.	<ul style="list-style-type: none"> • Transfer 	<ul style="list-style-type: none"> • Transferor
Mining Tenures Registration Act 1962 <i>s16</i>	Mining licence cannot be transferred until notice is given to Commissioner of Crown Lands.	The transfer complies with s16 Mining Tenures Registration Act 1962.	<ul style="list-style-type: none"> • Transfer 	<ul style="list-style-type: none"> • Transferor

Statutory provision	Nature of provision	Compliance requirement	Instrument type	Practitioner acting for (as applicable)
Otago Regional Council (Kuriwao Endowment Lands) Act 1994 <i>s13(4)</i>	Endowment lands to which this Act applies cannot be disposed of unless the Council agrees to dispose of the land by resolution and after public notice has been given.	A certificate of compliance under s13(4) Otago Regional Council (Kuriwao Endowment Lands) Act 1994 has been obtained and is held.	• Transfer	• Transferor
Overseas Investment Act 2005 <i>Schedule 5 cl 13</i>	A water areas acquisition notice may be varied in accordance with reg 17 Overseas Investment Regulations 2005, which also requires the consent of the mortgagee of an estate or interest in the fresh or seawater area.	The instrument does not contravene reg 17 Overseas Investment Regulations 2005, and consent has been obtained and is held.	• Variation of a water areas acquisition notice	• Owner
Overseas Investment Act 2005 <i>Schedule 5 cl 15</i>	A water areas acquisition notice may be cancelled in accordance with reg 18 Overseas Investment Regulations 2005.	The instrument does not contravene reg 18 Overseas Investment Regulations 2005.	• Cancellation of a water areas acquisition notice	• Crown
Overseas Investment Act 2005 <i>s51C</i>	Certain instruments must not be lodged for registration unless a statement, from the person acquiring an interest in residential land under a transaction, has been obtained.	A statement has been obtained from the: • Transferee • Lessee • Licensee, or • Grantee, as applicable, and is held.	• Transfer • Lease • Lease variation • Licence to occupy • Easement to grant a regulated profit à prendre (as defined in the Overseas Investment Act 2005)	• Transferee • Lessee • Licensee • Grantee

Statutory provision	Nature of provision	Compliance requirement	Instrument type	Practitioner acting for (as applicable)
Public Bodies Leases Act 1969	The Public Bodies Leases Act 1969 contains powers of certain public bodies to lease land and statutory provisions in relation to leasing e.g. restraints on lessor's power to lease farm land (s11); public notice requirements (s17); commencement of term of lease (s18).	The leasing authority has complied with the provisions of the Public Bodies Leases Act 1969	<ul style="list-style-type: none"> • Lease • Lease variation 	<ul style="list-style-type: none"> • Lessor
Racing Industry Act 2020 <i>s21</i>	Restrictions on dealing with a racing venue owned by a racing club.	The instrument complies with s21 Racing Industry Act 2020.	<ul style="list-style-type: none"> • Transfer • Lease • Lease variation • Mortgage • Encumbrance 	<ul style="list-style-type: none"> • Transfer • Lessor • Mortgagor • Encumbrancer
Reserves Act 1977 <i>s112(1)</i>	Prohibits dealing with any reserve except in conformity with the trusts upon which the reserve is held.	The instrument does not contravene s112(1) Reserves Act 1977.	<ul style="list-style-type: none"> • Transfer • Mortgage • Mortgage variation • Transmission • Lease • Lease variation • Encumbrance • Easement to grant easement or profit à prendre • Easement variation • Covenant to note certain covenants • Covenant variation 	<ul style="list-style-type: none"> • Transferor • Mortgagor • Applicant • Lessor • Encumbrancer • Grantor • Covenantor
Reserves Act 1977 <i>s115(1)</i>	Where a lease or licence includes a right to transfer, the lessee or licensee shall not dispose of their interest without the consent of the administering body. Does not apply to reserves for railway purposes (s115(5)).	The instrument does not contravene s115(1) Reserves Act 1977.	<ul style="list-style-type: none"> • Transfer • Mortgage • Lease (sub lease) 	<ul style="list-style-type: none"> The lessee or licensee in their capacity as • Transferor • Mortgagor • Lessor

Statutory provision	Nature of provision	Compliance requirement	Instrument type	Practitioner acting for (as applicable)
Te Ture Whenua Maori Act 1993 <i>s126</i> <i>s150A</i> <i>s150B</i> <i>s150C</i> <i>s150D</i>	An instrument affecting Māori land must not be registered unless the instrument has been confirmed by the Māori Land Court, the Māori Land Court has issued a certificate of confirmation, or the instrument is noted by the Registrar of the Māori Land Court (as applicable).	Confirmation of the Māori Land Court has been obtained and is held, or the instrument is noted (as applicable).	<ul style="list-style-type: none"> • Transfer • Lease • Lease variation • Mortgage • Encumbrance • Easement to grant easement or profit à prendre • Easement variation • Covenant to note certain covenants • Covenant variation • Licence to occupy • Application to deposit unit plan 	<ul style="list-style-type: none"> • Transferor • Lessor • Mortgagor • Encumbrancer • Grantor • Licensor • Applicant

Evidentiary Requirements

7 Practitioner's certification obligations

- (1) Before certifying an electronic instrument as to the matters set out in regulation 7(3)(a) to (d), 7(4) or 8 of the Land Transfer Regulations 2018, the practitioner must hold evidence showing the truth of their certifications.
- (2) The practitioner must retain the evidence showing the truth of their certifications for 10 years after the date on which the instrument is lodged for registration or notation in accordance with section 30 of the Land Transfer Act 2017 and regulation 7(6) of the Land Transfer Regulations 2018.

8 Evidentiary requirements under the Land Transfer Act 2017

- (1) Under section 236(1)(c) the Registrar sets the standard for retention of evidence under the Land Transfer Act 2017 in the table below.

Class of instrument	Evidentiary requirements
Application to correct or change name (s21 LTA and reg 17 LTR)	The practitioner for the applicant must hold and retain – <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • documents that evidence the grounds for the application.
Application to record boundary change resulting from accretion or erosion (s21 LTA and reg 17 LTR)	The practitioner for the applicant must hold and retain – <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
Application to cancel fencing covenant or fencing agreement (reg 19 LTR)	The practitioner for the applicant must hold and retain – <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).

Class of instrument	Evidentiary requirements
Transfer instrument to transfer estate or interest in land or to assign the benefit of certain covenants in gross (s73 LTA)	<p>The practitioner for the transferor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the transferor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the transferor • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable). <p>The practitioner for the transferee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the transferee • evidence that reasonable steps have been taken to confirm the identity of the transferee, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
Transmission instrument (s87 LTA)	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • evidence that establishes the applicant's entitlement to the estate or interest verified by the oath or statutory declaration of the applicant.
Application to register vesting under enactment (s90 LTA)	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • evidence that establishes the applicant's entitlement to the estate or interest verified by the oath or statutory declaration of the applicant.
Lease instrument (s91 LTA) Lease variation instrument (s92 LTA)	<p>The practitioner for the lessor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the lessor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the lessor • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable). <p>The practitioner for the lessee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the lessee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the lessee, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).

Class of instrument	Evidentiary requirements
Lease surrender instrument (s94 LTA)	<p>The practitioner for the lessor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the lessor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the lessor, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable). <p>The practitioner for the lessee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the lessee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the lessee • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable).
Application to note merger of estate or interest (other than easement or <i>profit à prendre</i>) (reg 18 LTR)	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • evidence the merger has been effected at law and in equity verified by the oath or statutory declaration of the applicant.
Application to note re-entry by lessor (s98 LTA)	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
Mortgage instrument (s100(1) LTA) Mortgage variation instrument (s101 LTA) Mortgage priority instrument (s102 LTA)	<p>The practitioner for the mortgagor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the mortgagor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the mortgagor • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where necessary). <p>The practitioner for the mortgagee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the mortgagee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the mortgagee, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).

Class of instrument	Evidentiary requirements
Encumbrance instrument (s100(3) LTA)	<p>The practitioner for the encumbrancer must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the encumbrancer • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the encumbrancer • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable). <p>The practitioner for the encumbrancee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the encumbrancee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the encumbrancee, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
Mortgage discharge instrument (s104 LTA)	<p>The practitioner for the mortgagee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the mortgagee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of mortgagee, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
Application to register discharge of mortgage securing annuity or rent charge (s106 LTA)	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
Discharge instrument to release charge, or record cancellation or expiry of interest, under another enactment (Various enactments)	<p>The practitioner for the chargeholder must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the chargeholder • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the chargeholder, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).

Class of instrument	Evidentiary requirements
<p>Easement instrument, or transfer instrument, to create easement or <i>profit à prendre</i> (s73, s108 or s109 LTA)</p> <p>Easement variation instrument (s112 LTA)</p>	<p>The practitioner for the grantor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the grantor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the grantor • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable). <p>The practitioner for the grantee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the grantee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the grantee, and • any consents or other matters necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
<p>Easement instrument, or transfer instrument, to surrender easement or <i>profit à prendre</i> (s108 or s109 LTA)</p>	<p>The practitioner for the grantor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the grantor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the grantor, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable) <p>The practitioner for the grantee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the grantee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the grantee, and • any consents or other matters necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable).
<p>Application to record merger, or extinguishment through lapse of time, of easement or <i>profit à prendre</i> (s113 LTA)</p> <p>Application to record extinguishment of easement or <i>profit à prendre</i> on occurrence of event (s114 LTA)</p> <p>Application to record extinguishment of redundant easement (s115 LTA)</p>	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other matters necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).

Class of instrument	Evidentiary requirements
<p>Covenant instrument, or transfer instrument, to note certain covenants (s73 or s116(1) or (2) LTA)</p> <p>Covenant variation instrument (s116(3) LTA)</p>	<p>The practitioner for the covenantor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the covenantor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the covenantor • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable). <p>The practitioner for the covenantee must hold and –</p> <ul style="list-style-type: none"> • written authority from the covenantee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the covenantee, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
<p>Covenant instrument to revoke certain covenants (s116(1) LTA)</p>	<p>The practitioner for the covenantor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the covenantor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the covenantor, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable). <p>The practitioner for the covenantee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the covenantee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the covenantee • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable).
<p>Notice to register statutory land charge (s118 LTA)</p>	<p>The practitioner for the chargeholder must hold and retain –</p> <ul style="list-style-type: none"> • evidence the notice is lodged under the provision of the enactment specified in the notice.
<p>Certificate of release of statutory land charge (s120(1) LTA)</p>	<p>The practitioner for the chargeholder must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the chargeholder • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the chargeholder, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
<p>Application for release of statutory land charge (s120(3) LTA)</p>	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).

Class of instrument	Evidentiary requirements
Licence to occupy (s124 LTA)	<p>The practitioner for the licensor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the licensor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the licensor • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable). <p>The practitioner for the licensee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the licensee • evidence the practitioner took reasonable steps to confirm the identity and legal capacity of the licensee, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
Notice of cancellation, revocation, or rescission of licence (s132 LTA)	<p>The practitioner for the licensor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the licensor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the licensor • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable). • any consents to registration or notation of the instrument (where applicable).
Licence surrender instrument (s133 LTA)	<p>The practitioner for the licensor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the licensor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the licensor, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable). <p>The practitioner for the licensee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the licensee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the licensee, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable). • any consents to registration or notation of the instrument (where applicable).

Class of instrument	Evidentiary requirements
<p>Caveat against dealings document (s138 LTA)</p> <p>Caveat document against application for record of title based on adverse possession (s162 LTA)</p> <p>Caveat document against bringing land under Act (s174 LTA)</p> <p>Caveat document against application for record of title to access strip (s187 LTA)</p> <p>Caveat document against record of title limited as to parcels (s 207 LTA)</p>	<p>The practitioner for the caveator must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the caveator, or • a file note recording the caveator's verbal instructions.
<p>Withdrawal of caveat against dealings (s144 LTA)</p>	<p>The practitioner for the caveator must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the caveator • evidence the practitioner took reasonable steps to confirm the identity and legal capacity of the caveator, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
<p>Notice of claim to interest (s42(2) Property Relationships Act 1976)</p>	<p>The practitioner for the claimant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the claimant, or • a file note recording the claimant's verbal instructions.
<p>Application for record of title based on adverse possession (s155 LTA)</p>	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
<p>Application to bring land under Act (s172 LTA)</p>	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).

Class of instrument	Evidentiary requirements
Application for record of title to access strip (s185 LTA)	The practitioner for the applicant must hold and retain – <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
Application for freehold estate in land with limited record of title (s204 LTA)	The practitioner for the applicant must hold and retain – <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
Application to register settlement of land as joint family home (ss 4, 5 or 12A Joint Family Homes Act 1964)	The practitioner for the applicant must hold and retain – <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable) • any consents to registration or notation of the instrument (where applicable), and • evidence the land may be settled as a joint family home embodied in a statutory declaration from the applicant.
Caveat document against application to register settlement of land as joint family home (s6(1) Joint Family Homes Act 1964)	The practitioner for the caveator must hold and retain – <ul style="list-style-type: none"> • written authority from the caveator, or • a file note recording the caveator's verbal instructions.
Application to cancel registration of settlement of land as joint family home (s10 Joint Family Homes Act 1964)	The practitioner for the applicant must hold and retain – <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).

Class of instrument	Evidentiary requirements
Instrument creating esplanade strip <i>(s232 or s235 Resource Management Act 1991)</i> Instrument creating easement for access strip <i>(s237B Resource Management Act 1991)</i>	<p>The practitioner for the grantor must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the grantor • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the grantor • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable). <p>The practitioner for the grantee must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the grantee • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the grantee, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable).
Covenant against transfer, lease or other disposition of part of land <i>(s240 Resource Management Act 1991)</i>	<p>The practitioner for the registered owner must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the registered owner • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the registered owner, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable). <p>The practitioner for the territorial authority must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the territorial authority, and • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the person giving authority on behalf of the territorial authority.
Application to deposit unit plan <i>(ss 17, 21, 24, 30, or 68, or subpart 3 of Part 4 Unit Titles Act 2010)</i>	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the applicant • evidence that reasonable steps have been taken to confirm the identity and legal capacity of the applicant, and • any consents or other documents necessary to comply with the statutory requirements specified by the Registrar in this Standard (where applicable), and • any consents to registration or notation of the instrument (where applicable).
Caveat document forbidding subdivision of land <i>(s195(3) Unit Titles Act 2010)</i>	<p>The practitioner for the caveator must hold and retain –</p> <ul style="list-style-type: none"> • written authority from the caveator, or • a file note recording the caveator's verbal instructions.
An order of the Court <i>(ss 57, 89, 105, 142 and 189 LTA and other various enactments)</i>	<p>The practitioner for the applicant must hold and retain –</p> <ul style="list-style-type: none"> • a certified copy of the Court order being a correct copy of the sealed copy of the order.

Revocation

9 Revocation

- (1) The Certification of Electronic Instruments (Statutory Requirements and Retention of Evidence) Standard 2018 published on 11 October 2018 is revoked.

Made at Wellington on X Month 2025.

Robbie Muir
Registrar-General of Land

Explanatory note

This note is not part of the legislation but is intended to indicate its general effect.

The Statutory and Evidentiary Requirements for E-Dealing Standard 2025 does not add direct costs to transactions under the Land Transfer Act 2017. The Standard sets minimum requirements for practitioners to satisfy their certification obligations relating to statutory requirements specified by the Registrar-General of Land and evidentiary requirements. These requirements have "de minimis" business impacts.