



# Release Notes for e-Dealing Users

Changes for lawyers and conveyancers as part of Landonline Release 3.19

## Land Transfer Act 2017

The Land Transfer Act 2017 (LTA) comes into force on Monday 12 November 2018 (Go Live date).

The following release notes set out the main changes to Landonline to support the LTA.

These include:

- terminology changes including 'Record of Title' as well as changes to terminology on some of the Prepare screens, some Landonline notices and other areas where references the Land Transfer Act 1952 have been updated to the LTA some changes to instruments including:
  - 16 new instrument types all of which are e-capable
  - 6 existing instrument types are now e-capable
- changes to statutory notice periods
- changes to certifications involving:
  - separating some existing certifications into multiple choice
  - providing bespoke certifications for:
    - Statutory Land Charges
    - Court Order related instrument types
    - Retirement Village instrument types
    - Māori Land Court (MLC) instrument types.

### Note:

1. From the Go Live date any LODGE instruments with an attached image that have been part-signed will have their certifications and signatures cleared and the instruments will revert to a 'Draft' status. You can choose to complete the signing of the instrument before 5pm on 9 November. Or you can arrange to re-certify and sign the instruments from 12 November onwards.

Template instruments that will step down to LODGE as they require added text and AUTO REG instruments that have been part signed, will not be affected so they will retain their part-signed status.

1. When signing instruments that were created prior to the Go Live date you may notice the wording on the first page refers to 'Affected Computer Registers' or 'Affected Records of Title' in the Landonline preview screen. However the instrument itself will display the correct terminology based on:

- the date the instrument was created
- the date the instrument is certified and signed
- whether the instrument was edited on or after the Go Live Date prior to signing.

## (.)\_Record of Title (previously Computer Register)

LINZ Ref: LOLCM-969

**Description:** This covers the terminology change from 'Computer Registers' to 'Record of Title' and the display of title headers under the LTA.


Titles that have a status of live or part-cancelled as at 12 November 2018 (the date the LTA came into effect) will now display as 'Record of Title' in the header with the relevant title type.




**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD**



Current live titles (including those that are part cancelled) will also have a text box added to the historic view to reflect that they were created before the LTA came into force. This does not apply to new titles issued after commencement of the LTA.



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Historical Record**



Constituted as a Record of Title pursuant to sections 7 and 12 of the Land Transfer Act 2017 - 12 November 2018

<b>Identifier</b>	<b>WNTRAIN13</b>
<b>Land Registration District</b>	<b>Wellington</b>
<b>Date Issued</b>	04 July 2005
<b>Prior References</b>	
WNTTESTDATAONLY	

Records embodied in the register (for example, Leases under the Land Act 1948) will not display a title type in the header of the title.

In the following examples we have also highlighted 'Registered Owners' which replaces the term 'Registered Proprietors'.

### Qualified title example (formerly 'Provisional' title)



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
QUALIFIED**



S.W. Muir  
Registrar-General  
of Land

**Identifier** 488992  
**Land Registration District** Gisborne  
**Date Registered** 04 August 2009 09:00 am

**Prior References**  
8244484.1

<b>Estate Type</b>	Partition Order	<b>Instrument</b>	MFPO 8244484.1
<b>Area</b>	3035 square metres more or less		
<b>Legal Description</b>	Maraenui No.11 Block		

**Registered Owners**

### Cross Lease example



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
CROSS LEASE**



S.W. Muir  
Registrar-General  
of Land

**Identifier** WNTRAIN472  
**Land Registration District** Wellington  
**Date Issued** 13 August 2012

**Prior References**  
WNTRAIN4

<b>Estate</b>	Fee Simple - 1/3 share
<b>Area</b>	1 square metres more or less
<b>Legal Description</b>	Allotment 1234 Test District

**Registered Owners**

Test Corporate Test Unlimited

<b>Estate</b>	Leasehold	<b>Instrument</b>	L 9153400.1
<b>Area</b>	1 square metres more or less	<b>Term</b>	999 years test
<b>Legal Description</b>	Allotment 1234 Test District		

**Registered Owners**

Test Corporate Test Unlimited

### Leasehold example



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
LEASEHOLD**



**Identifier** 852398  
**Land Registration District** Marlborough  
**Date Registered** 06 March 2000 09:40 am

**Prior References**  
 MB2B/909

Estate	Leasehold	Instrument	L 210359.1
Area	4021 square metres more or less	Term	30 years and 3 months commencing from the 30.11.1999

**Legal Description** Lot 7 Deposited Plan 676

**Registered Owners**

### Timeshare example



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
TIMESHARE**



**Identifier** SA40C/948  
**Land Registration District** South Auckland  
**Date Issued** 15 February 1988

**Prior References**  
 SA40A/193

**Supplementary Record Sheet**  
 SA40C/498

### Unit Title example



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
UNIT TITLE**



**Identifier** **WN42B/942**  
**Land Registration District** **Wellington**  
**Date Issued** 12 March 1993

**Prior References**  
WN42B/653

**Supplementary Record Sheet**  
WN42B/949

**Estate** Stratum in Freehold  
**Legal Description** Unit 1/2 and Accessory Unit 1/2 Deposited  
Plan 75685

**Registered Owners**

The above estates are subject to the reservations, restrictions, encumbrances, liens and interests noted below and on the relevant unit plan and supplementary record sheet

## ( ) Terminology and LTA changes in Landonline

LINZ Ref: LOLCM-970

**Description:** This covers the changes in the Landonline workspace to reflect the changes to terminology and Act references from the LTA.

Landonline's workspace (screens and navigation) will be updated to reflect the new terminology from the Go Live date. The main changes are listed in the table below. One exception is the OCTN – Order for New Certificate of Title instrument description which remains the same.

It should be noted that although the screen terminology may have been updated the instrument view itself may still refer to the old terminology based on the different transition scenarios which are set out later in this document.

Current	New
Registered Proprietor	Registered Owner
Servient tenement	Burdened land
Dominant tenement	Benefited land
Certificate of title	Record of title
Provisional	Qualified
Computer Register	Record of Title
CT	RT, or Record of Title

## (.)\_Changes to Instruments

**LINZ Ref: LOLCM-973**

**Description:** This covers the changes to existing and new instruments to reflect the LTA.

There are a number of changes to instruments as a result of the LTA. This includes a combination of updated terminology or LTA references, decommissioning of some existing instrument types and creating new instrument types.

For further detail on transition provisions, refer to the 'Transition' section below.

### **New Instrument types**

There are 16 new instrument types. 13 are listed below, and the remaining three are new caveats described below.

- A143 - Application under s143 LTA (replacing A145 & S145 instruments)
- LCOV – Land Covenants (including Land Covenant in gross)
- VLC – Variation of Land Covenant
- PRLC – Partial Revocation of Land Covenant
- RLC – Revocation of Land Covenant
- AP17 – Application to bring land under the Act (replacing the APP code)
- A185 – Application for Title to Access Strip - s185 LTA 2017 (replacing the A89A code)
- A90 – Application under s90 LTA 2017 (replacing the A99A code)
- M143 – Application under s143 LTA 2017 (MLC) (replacing the M145 code)
- C132 – Cancellation/Revocation/Rescission of Licence to Occupy - s132 LTA 2017
- EE – Extinguishment of Easement - s113, 114 or 115 LTA 2017 (replacing the MEE and RE codes)
- A120 – Application for Release of Statutory Land Charge - s120(3) LTA 2017
- CFEN – Application to Cancel Fencing Covenant or Agreement - s21 LTA 2017, r17 LTR 2018.

Existing dealings containing instruments with the codes that are being replaced can still continue (refer to the Transitional section below) but new dealings from the Go Live date will not be able to be created using containing these decommissioned codes.

Please note: Land Covenants should no longer be created using an EI or E instrument code. However any that have already been created can still proceed – refer to the Transition section below.

Three new e-capable caveat types which are all LODGE with Image) will now be available with unique codes:

- XAPP – Caveat against Application for Record of Title – ss162, 174 or 187 LTA 2017
- XUTA – Caveat forbidding subdivision of land – s195 Unit Titles Act 2010

- XJFH – Caveat under s6 Joint Family Homes Act 1964.

These types of caveats would have previously been lodged manually using the X code.

Because three new caveat types are LODGE with Image instruments you cannot use the existing Prepare Caveat template screen for them. However they will have the default certifications.

#### **Existing instrument types that are now e-capable:**

Six existing instrument types have now become e-capable with certifications:

- CHO – Charging Order
- CO – Court Order
- COCP – Court Order under the Criminal Proceeds (Recovery) Act 2009
- ROCP – Restraining Order under Section 42 Proceeds of Crime Act 1991
- FOCP – Forfeiture Order under the Criminal Proceeds (Recovery) Act 2009
- RO42 – Restraining Order under the Criminal Proceeds (Recovery) Act 2009.

There are also some e-capable instrument types that did not previously have certifications, which will now require certifications unless they have already been signed prior to the Go Live date. Information regarding changes to certifications is contained in the 'Certifications' section below.

## **()\_Changes to Notice Periods**

**LINZ Ref: LOLCM-974**

**Description:** This covers the change to the calculation of notice periods to working days under the LTA.

Under the LTA all notice periods will now be calculated in 'working days'.

Working day means a day of the week other than:

1. Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, and Labour Day; and
2. a day in the period commencing on 25 December and ending on 2 January in the following year; and
3. if 1 January falls on a Friday, the following Monday; and
4. if 1 January falls on a Saturday or a Sunday, the following Monday and Tuesday; and

if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday. Refer to

<http://www.legislation.govt.nz/act/public/2017/0030/latest/DLM6731040.html>

(<http://www.legislation.govt.nz/act/public/2017/0030/latest/DLM6731040.html>)

This applies to:

- Requisition periods – now 40 working days (previously two months) and 10 working days (previously 14 days).
- Fees exempt period – now 60 working days.

Second Requisition notice (for manual requisition dealings) – now automatically sent after 20 working days.

Refer to <https://www.linz.govt.nz/regulatory/20017> ([//www.linz.govt.nz/regulatory/20017](https://www.linz.govt.nz/regulatory/20017))- LINZ Requisition Period Directive 2018 LINZD20017.

## ()\_Changes to Notice Templates

**LINZ Ref: LOLCM-975**

**Description:** This covers the updates to notice templates resulting from the LTA.

All notice templates have been updated to align with the changes in terminology, section references and notice periods (to working days) under the LTA.

## ()\_Certifications

**LINZ Ref: LOLCM-977**

**Description:** This covers the changes to certifications resulting from the LTA and also the Land Transfer Regulations 2017 (LT Regs)

As part of the LTA/LT Regs there have been a number of updates to certifications.

Certification changes include:

- Some existing 'special' certifications have been separated out into multiple options
- Two new certifications for Variations of Mortgage:
  - if the variation is only **reducing** the amount secured, the stated priority limit or the interest rate.
  - if a mortgage affecting the same title is not a subsequent mortgage for which s101(4) LTA 2017 applies.
- Updated terminology in some of the certification wording.
- New bespoke certifications for existing instruments that have become e-capable and some e-capable instrument types that previously did not require certifications ie:
  - Statutory Land Charges
  - Instruments under the Retirement Villages Act 2003
  - Maori Land Court instruments

Please note: All instruments signed on or after the Go Live date will display the updated certifications regardless of the status of the dealing.

**Certification examples:**

- **An existing certification that has been split out into multiple options:**
  - **Original wording:** I certify that the <holder> under <Instrument Number> has consented to this transaction and I hold that consent, or the <Instrument Number> does not prevent registration.
  - **New wording:**
    - I certify that the <holder> under <Instrument Number> has consented to this transaction and I hold that consent



- <Instrument Number> is being discharged/extinguished in a prior dealing or in the same dealing
- <Instrument Number> does not prevent registration of this transaction
- You will now select one of three above options based on which one applies.  
The benefit of separating some certifications into multiple choice allows some dealings being able to auto register if there are no other reasons for stepping the dealing down.

- **Variation of Mortgage:** Updated certification if other mortgages are current on the affected title.

**Choose one of the following certifications**

Mortgage 20000171.1 does not apply to the estate or interest affected by this transaction

Mortgage 20000171.1 is being discharged/extinguished in a prior dealing or in the same dealing

I certify that the Mortgagee under Mortgage 20000171.1 has consented to this transaction and I hold that consent

I certify that the consent of the subsequent mortgagee is not required for Mortgage 20000171.1 as the variation instrument only reduces the amount secured, or the stated priority limit, or the rate of interest

Mortgage 20000171.1 is not a subsequent mortgage for which section 101(4) of the Land Transfer Act 2017 applies

- **Māori Freehold Land (ML):** ML certification is now split into two options as shown below.

**Special**

**Choose one of the following certifications**

I certify that any statutory provisions specified by the Registrar relating to Maori Freehold land have been complied with

I certify that any statutory provisions specified by the Registrar relating to Maori Freehold land do not apply to this transaction

*This does not change any existing requirements to have confirmation from the Māori Land Court (MLC) attached to an instrument.*

- **Statutory Land Charge (SLC):** now has its own default certification

**Charge Holder Certifications**

**Default**

I certify that the notice is lodged under the provision of the enactment specified in the notice

- **Charging Order:** now e-capable with its own default certifications

**Charge Holder Certifications**

**Default**

I certify this instrument is a correct copy of a sealed copy of the court order

I certify that I hold evidence showing the truth of the certification I have given and will retain that evidence for the prescribed period

- **Court Order:** now e-capable with its own default certifications.

**Applicant Certifications**

**Default**

I certify this instrument is a correct copy of a sealed copy of the court order

I certify that I hold evidence showing the truth of the certification I have given and will retain that evidence for the prescribed period

- **Orders under the Criminal Proceeds (Recovery) Act 2009 and Restraining Orders under Proceeds of Crime Act 1991:** Both now e-capable with their own default certifications.

**Applicant Certifications**

**Default**

I certify this instrument is a correct copy of a sealed copy of the court order

I certify that I hold evidence showing the truth of the certification I have given and will retain that evidence for the prescribed period

**Updated instruments that are re-signed on or after the Go Live date:**

Although Statutory Land Charges and Court Order related instrument types are now e-capable with certifications they do not require authority and instruction (A&I) forms. This is because the certifications are bespoke and do not relate to identity matters, rather they are certifications relating to the correctness of the instruments.

The same applies to Retirement Village Act and Māori Land Court instrument types which have been e-capable but previously did not require certifications. They still do not require A&I forms even though they now have certifications.

If any of these instruments were signed prior to the Go Live date they will not have certifications and are acceptable as is. If they are subsequently edited and have been re-signed on or after the Go Live date they will then require certifications.

If any of these instruments which have already been signed prior to the Go Live date with no certifications are then submitted on or after that date, the instrument will fail pre-validation. The following message will display: "The instrument has not been signed by an authorised Conveyancing Professional for each role in the instrument".

As these instrument types are all LODGE you can continue to submit as the dealing will step down anyway – there is no need to re-sign in this scenario.

## ()\_Transition

**LINZ Ref: LOLCM-978**

**Description:** This describes the provisions in place for various transition scenarios for dealings that are in progress as at the Go Live date.

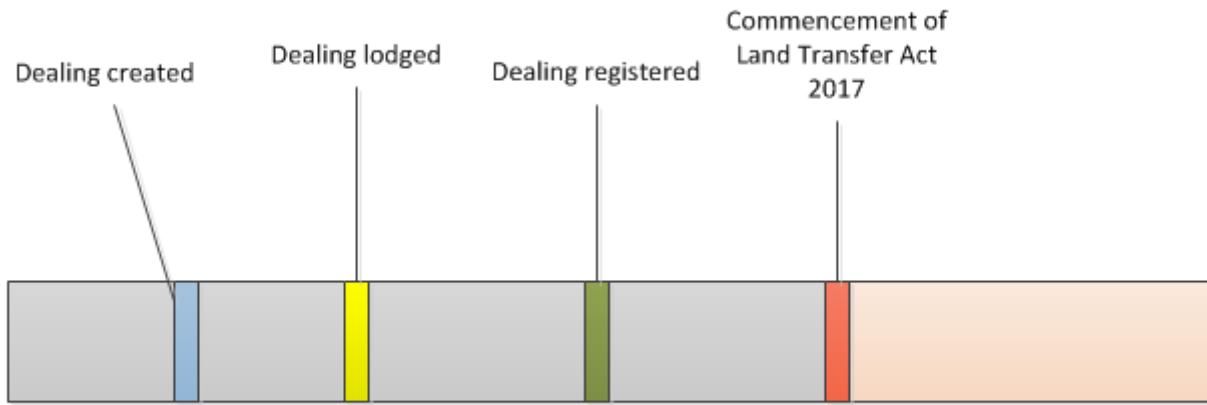
Provisions have been made for dealings that are in-progress either in the Landonline workspace or submitted to LINZ as at the Go Live date. These provisions affect instrument views, notices, memorials and certifications.

As mentioned earlier terminology will be updated on the screens in workspace from the Go Live date. However instrument views will display the 1952 or 2017 Act views according to the date they were created and subsequently edited and signed. So it is possible to have an instrument view such as a caveat that references the 1952 Act but the Prepare Caveat screen terminology will be in terms of the LTA.

Subject to the exception noted below instruments created prior to the Go Live date that have been signed but not yet submitted **will not need to be re-signed**.

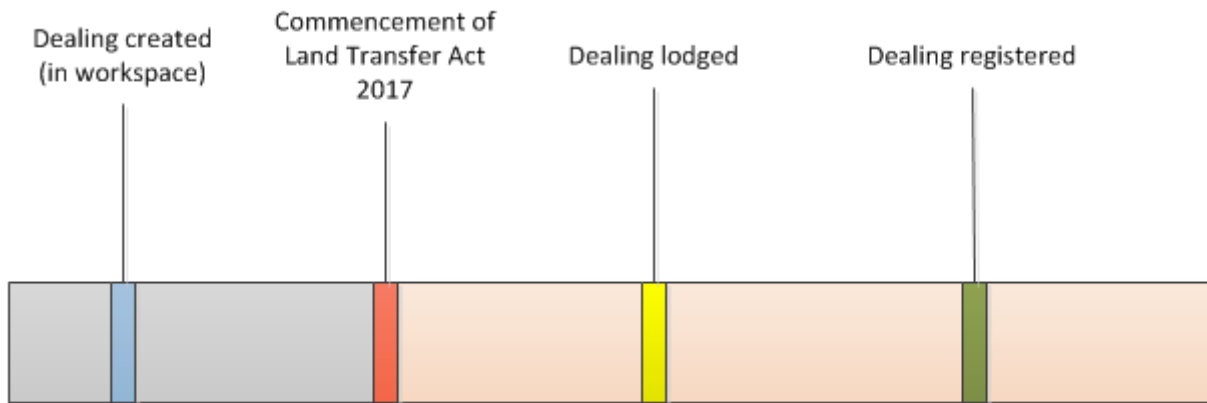
**Note:** Also as mentioned earlier any LODGE instruments with an attached image, that had been part signed prior to the Go Live date will have their certifications and signatures cleared and reverted to a 'Draft' status. These will need to be re-certified and signed. Template instruments that had stepped down to LODGE due to added text are not affected and will retain their part signed status.

**Scenario One: Dealing created and lodged prior to the Go Live date.**



Instrument Views	Notices Format/Notices Days	Certifications
1952	1952/1952	1952

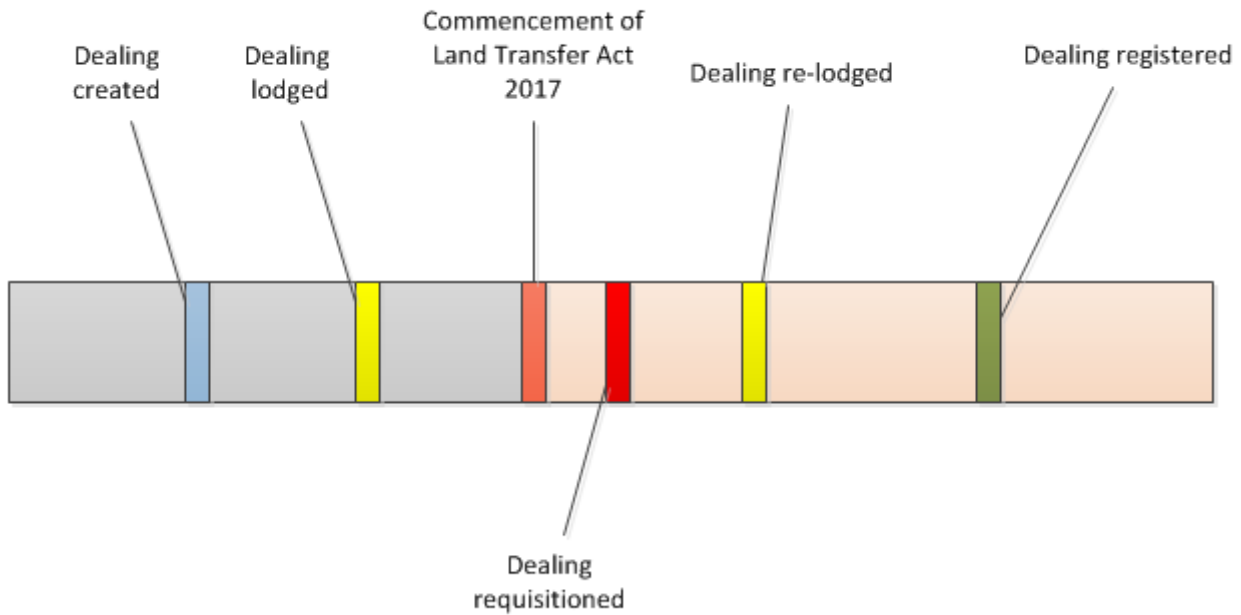
**Scenario Two: Dealing created in workspace prior to the Go Live date and lodged on or after this date.**



Instrument Views	Notices Format/Notices Days	Certifications
1952/2017	2017/2017	Combination 1952/2017

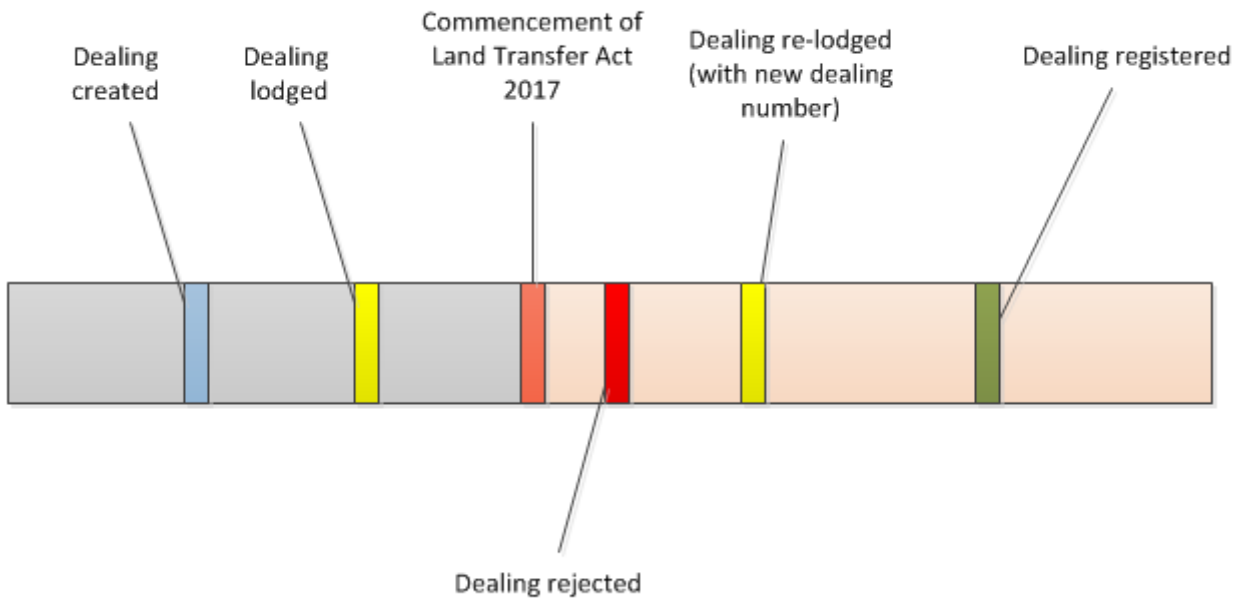
Instrument Views	Notices Format/Notices Days	Certifications
<p>The date the dealing is created determines which view displays.</p> <p>If an instrument is added to a dealing before the Go Live date it will have the 1952 view.</p> <p>If it is signed before the Go Live date it will retain the 1952 view.</p> <p>If the instrument is edited, signed or resigned after the Go Live date the instrument will update to the 2017 view.</p> <p>A LODGE instrument with an attached image that is part signed before the Go Live date will need to be re-signed after this date and updated to the 2017 view.</p>	<p>Dealing lodged after the Go Live date so 2017 format and period applies calculated in working days.</p>	<p>1952 if certified before the Go Live date, and 2017 if signed after this date.</p> <p>If part signed before the Go Live date and the instrument has an attached image, it will need to be fully signed again. If signed on or after the Go Live date certifications will be under the 2017 view.</p>

**Scenario Three: Dealing created and lodged prior to the Go Live date. Requisitioned on or after the Go Live date will retain its lodgement date prior to the Go Live date.**



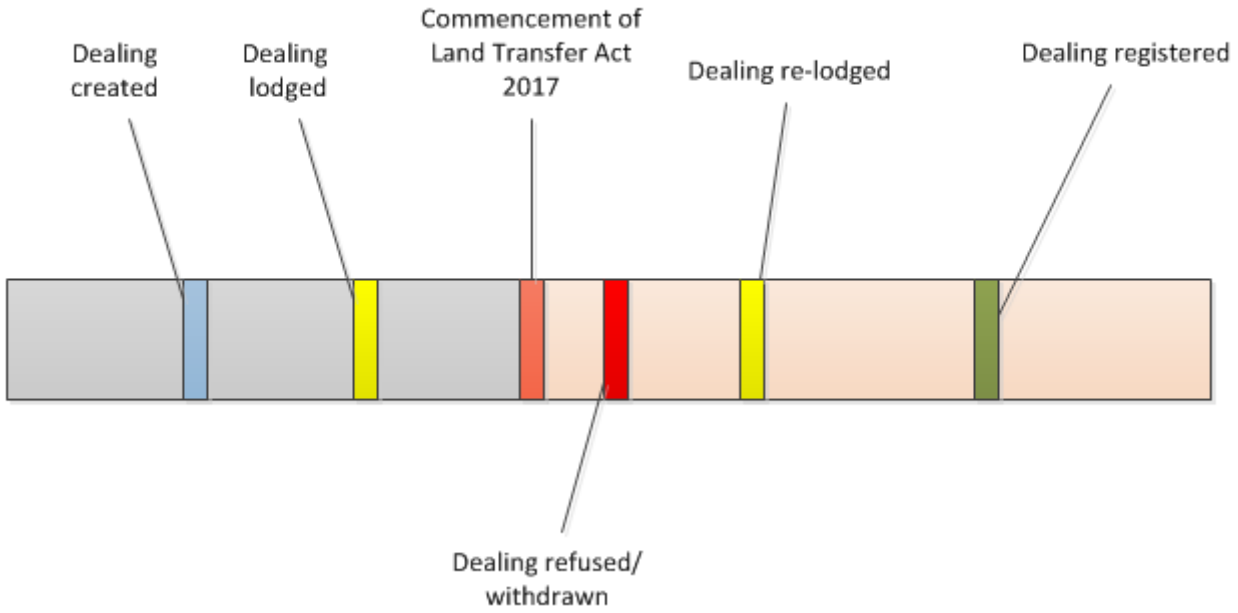
Instrument Views	Notices Format/Notices Days	Certifications
1952	1952/1952	1952/2017
<p>All instruments will retain 1952 views as they were initially created, signed and lodged before The Go Live date.</p> <p>New instruments will also have 1952 views as dealing lodgement date is before the Go Live date.</p>	<p>1952 terminology displays in the Notice.</p> <p>Any Notice time periods calculate in days.</p>	<p>Existing certifications will remain under the 1952 Act. Any re-certified or additional instruments will have 2017 certifications.</p>

**Scenario Four: Dealing created and lodged prior to the Go Live date and then rejected on or after that date. Subsequently re-lodged.**



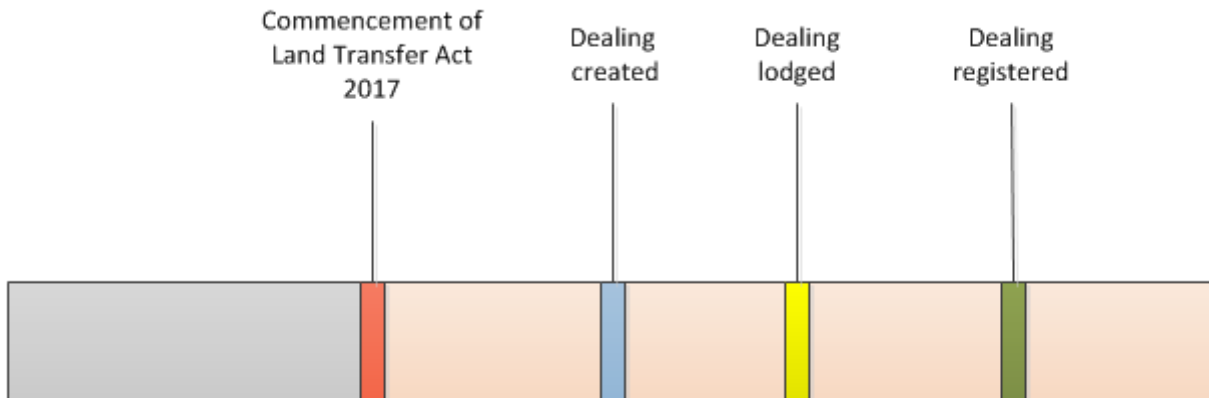
Instrument Views	Notices Format/Notices Days	Certifications
1952 initial 1952/2017 depending on edits or additions	1952/2017	Combination 1952/2017
<p>Instruments in the replacement dealings will initially retain 1952 views and original certifications.</p> <p>If any of those instruments are edited and re-signed on or after the Go Live date the instrument view will update to the 2017 view with 2017 certifications. Any new instruments added to the dealing will have 2017 views and 2017 certifications.</p>	Rejection 1952. All other notices 2017.	1952 for existing certifications retained from original dealing. If an instrument is re-certified and signed or a new instrument added then 2017.

**Scenario Five: Dealing created and lodged prior to the Go Live date is withdrawn or refused on or after that date. Subsequently re-lodged.**



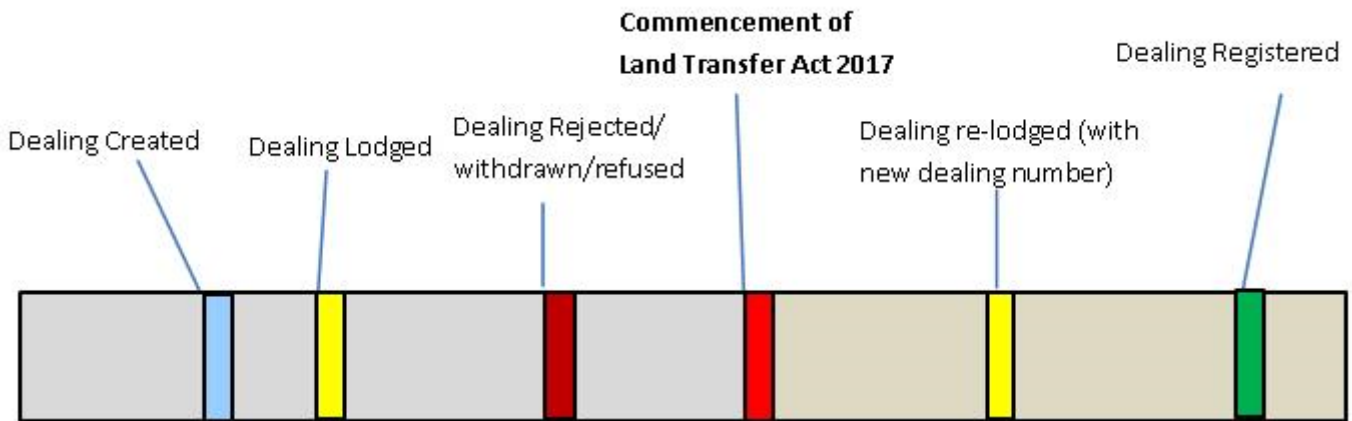
Instrument Views	Notices Format/Notices Days	Certifications
<p>Instruments in the replacement dealings will retain 1952 views and original certifications.</p> <p>If any of those instruments are edited and re-signed on or after the Go Live date the instrument view will update to the 2017 view with 2017 certifications.</p> <p>Any new instruments added to the dealing will have 2017 views and 2017 certifications.</p>	<p>2017/2017</p> <p>Refusal or Withdrawn Notice will be 1952.</p>	<p>Combination 1952/2017 if any instrument recertified otherwise 1952 as per original dealing returned to Landonline workspace.</p>

**Scenario Six: Dealing created and lodged on or after the Go Live date.**



Instrument Views	Notices Format/Notices Days	Certifications
2017	2017/2017	2017
New terminology displayed, for example: <ul style="list-style-type: none"> <li>Record of Title,</li> <li>Registered Owner</li> </ul>	Notice periods calculate in working days. New terminology displays in the notice.	New certifications for new e-capable instruments available and will display in Landonline.

**Scenario Seven: Dealing created prior to the Go Live date is rejected, withdrawn or refused prior to that date. Then the replacement dealing lodged on or after the Go Live date.**



Instrument Views	Notices Format/Notices Days	Certifications
1952 view if not edited, or edited prior to the Go Live date or new instrument added prior to this date.  2017 if edited on or after the Go Live date or new instrument added on or after this date.	2017	1952 if signed prior to the Go Live date,  2017 if signed on or after the Go Live date.

## ( ) Memorial Template changes

LINZ Ref: LOLCM-1112

**Description:** This covers the changes to memorial templates.

To align Memorials with the LTA a number of updates have been made to reflect the new terminology. Externally this will be visible where a change has been made to the text of the memorial itself. One exception are easements – these memorials have been left as ‘subject’ and ‘appurtenant’ rather than changing to ‘burdened’ and ‘benefited’.



## ()\_Estates

**LINZ Ref: LOLCM-1124**

**Description:** A new estate type 'License to Occupy under Part III Subpart VI Land Transfer Act 2017' has been made available to align with the LTA.

This new estate type is checked by the same pre-validation process as the existing Licence to Occupy under Part VIIA Land Transfer Act 1952.

**Note:** There are no changes to any existing estate types.

## ()\_Warning Messages

**LINZ Ref: LOLCM-1125**

**Description:** This covers the changes to warning messages to align with the LTA.

Warning Messages throughout the Landonline workspace have been updated to align with the terminology of the LTA.

## ()\_Guaranteed Search

**LINZ Ref: LOLCM-1150**

**Description:** This covers the updates to guaranteed search to align with the LTA.

From the Go Live date all guaranteed search details will be updated to reference the new LTA as shown in the screenshot below.



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD**  
Guaranteed Search Copy issued under Section 60 of the Land  
Transfer Act 2017



R. W. Muir  
Registrar-General  
of Land

## ()\_New Request type - Application to Sustain Caveat (A143)

**LINZ Ref: LOLCM-1251**

**Description:** A new external request type has been made available for the new A143 instrument.

A new request type 'Application to Sustain Caveat (A143)' has been created for the new instrument type A143 (Application under s143 LTA). This replaces the existing Request type 'Application to Sustain Caveat (S145/A145)' which supported the A145/S145 instrument under the 1952 LTA.

**Last Updated:** 7 November 2018

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