

**Reprint
as at 12 November 2018**

Land Transfer Amendment Regulations 2004

(SR 2004/158)

Land Transfer Amendment Regulations 2004: revoked, on 12 November 2018, pursuant to section 249(1) of the Land Transfer Act 2017 (2017 No 30).

Pursuant to sections 235 and 236 of the Land Transfer Act 1952, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

	Page
1 Title	1
2 Commencement	1
3 New Schedule 5 substituted	2
4 Revocation	2

Schedule

New Schedule 5 substituted in principal regulations

1 Title

- (1) These regulations are the Land Transfer Amendment Regulations 2004.
- (2) In these regulations, the Land Transfer Regulations 2002¹ are called “the principal regulations”.

2 Commencement

These regulations come into force on 5 July 2004.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

These regulations are administered by Land Information New Zealand.

¹ SR 2002/213

3 New Schedule 5 substituted

The principal regulations are amended by revoking Schedule 5, and substituting the Schedule 5 set out in the Schedule.

4 Revocation

The Land Transfer Amendment Regulations 2003 (SR 2003/125) are consequentially revoked.

Schedule
New Schedule 5 substituted in principal regulations

r 3

Schedule 5
Fees payable for matters under Land Transfer Act 1952

r 42

Key to table

In the table below, **n/a** means that the manual or digital process (as the case may be) is not applicable to the relevant item.

Item	Description of item	Fee (\$)	
		Manual	Digital
Search fees			
1	For inspecting in a land registry office—		
	(a) a grant or certificate of title, or a lease or licence registered or entered in the register in accordance with the Land Act 1948	7	n/a
	(b) a document (other than a plan) not specified in paragraph (a)	7	n/a
2	For providing, under section 33(3) or (4) of the 2002 Act,—		
	(a) a search copy of any grant or certificate of title or computer register. or a search copy of any lease or licence registered or entered in the register in accordance with the Land Act 1948	4	2
	(b) a search copy showing only current information (other than the relevant plan or diagram)	4	2
	(c) a search copy showing current and historical information (other than the relevant plan or diagram)	4	2

Item	Description of item	Fee (\$)	
		Manual	Digital
Search fees			
	(d) a search copy under, and for the purposes of, section 172A of the Act	7	3
	(e) a copy of a document (other than a survey plan) including paper abstracts, instrument images, and detailed instrument structured text views not specified in paragraphs (a) to (d)	7	3
	(f) an instrument structured text view (other than a detailed structured text view)	4	no fee
3	For certification as a true copy	41	n/a
Lodgement fees			
4	On the presentation of an electronic instrument from an electronic workspace facility, and for the registration of that electronic instrument	n/a	36
5	On the deposit of a paper instrument in a secure facility under section 47(1)(b) of the Act, or the presentation of a paper instrument by post under section 47(1)(c) of the Act, including (without limitation) the presentation of an instrument in place of an instrument that was found not to be in order for registration, and returned, under section 43(1)(a) of the Act	20	n/a
6	On the presentation of a paper instrument by hand at a public counter under section 47(1)(a) of the Act, including (without limitation) the presentation of an instrument in place of an instrument that was found not to be in order for registration, and returned, under section 43(1)(a) of the Act	40	n/a
7	For the registration, deposit, or filing of any instrument, dealing, or document unless otherwise specifically exempted or provided for	30	n/a
8	If any instrument or other matter purports to deal with or affect land	2	no fee

Item	Description of item	Fee (\$)	
		Manual	Digital
Search fees			
	included in more than 1 computer register, for each computer register other than the first		
9	For the creation of a computer register under any of section 7, section 9 (in relation to an interest referred to in subsection (1)(a) of that section), section 11, or section 13 of the 2002 Act	106	n/a
10	For issuing a provisional lease or mortgage	43	n/a
11	For noting any merger	8	n/a
12	For bringing forward on to a new computer register, under sections 117 and 118A of the Act, or any other enactment having the same authority and effect, any encumbrances, liens, and interests to which any previous estate or interest in the same land was subject	31	n/a
13	For depositing any plan	55	n/a
14	For approving any form	69	n/a
15	For advertising any application or notice required to be advertised	401	n/a
16	For sending any notice on the application or request of any person, whether required by the Act or otherwise (including the preparation and sending of a notice of the lodging of a caveat under the Act or of a notice of claim under section 42 of the Property (Relationships) Act 1976)	10	n/a
17	On the resubmission of an instrument in compliance with a requisition under section 43(1)(b) of the Act, including (without limitation) where the instrument is resubmitted in place of an instrument that was found not to be in order for registration, and retained, under that provision	20	n/a
Registrar's fees			
18	Examining evidence produced to the Registrar under section 164C(3)(a) of	no fee	n/a

Item	Description of item	Fee (\$)	
		Manual	Digital
Search fees			
	the Act that meets any requirements under section 164C(1) or (2) of the Act, where no act taken under section 164B(2) or section 164C(3)(b) of the Act		
19	Examining evidence produced to the Registrar under section 164C(3)(a) of the Act that does not meet any requirements under section 164C(1) or (2) of the Act, where no action is taken under section 164B(2) or section 164C(3)(b) of the Act	130 per person hour plus reasonable disbursements	n/a
20	Requiring a statement under section 164C(3)(b) of the Act	130 per person hour plus reasonable disbursements	n/a
21	Any other action relating to the audit of a certification for the purpose of exercising (or deciding whether to exercise) the powers under section 164B(2) of the Act	130 per person hour plus reasonable disbursements	n/a

Diane Morcom,—
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 5 July 2004, amend the Land Transfer Regulations 2002 by substituting a new schedule of fees payable under the Land Transfer Act 1952. The main features of new Schedule 5 are as follows:

- the Schedule is restructured to provide a more logical sequence;
- some items have been deleted or merged with others;
- most fees are reduced.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 3 June 2004.

Eprint notes**1 *General***

This is an eprint of the Land Transfer Amendment Regulations 2004 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *About this eprint*

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this eprint*

Land Transfer Act 2017 (2017 No 30): section 249(1)