



Domestic Violence (Public Registers) Amendment Regulations 2018

Patsy Reddy, Governor-General

Order in Council

At Wellington this 8th day of October 2018

Present:

The Right Hon Jacinda Ardern presiding in Council

These regulations are made under section 127 of the Domestic Violence Act 1995 on the advice and with the consent of the Executive Council.

Contents

		Page
1	Title	2
2	Commencement	2
3	Principal regulations	2
4	Regulation 2 amended (Interpretation)	2
5	Regulation 3 replaced (Application)	2
	3 Application	2
6	Part 4 replaced	2
Part 4		
Disclosure of information under Land Transfer Act 2017		
	15 Disclosure of information under Land Transfer Act 2017 for certain purposes	2
7	Schedule 1 amended	3

Regulations

1 Title

These regulations are the Domestic Violence (Public Registers) Amendment Regulations 2018.

2 Commencement

These regulations come into force on 12 November 2018.

3 Principal regulations

These regulations amend the Domestic Violence (Public Registers) Regulations 1998 (the **principal regulations**).

4 Regulation 2 amended (Interpretation)

(1) In regulation 2(1), revoke the definition of **District Land Registrar**.

(2) In regulation 2(1), insert in its appropriate alphabetical order:

Registrar-General of Land has the meaning given to Registrar in section 5(1) of the Land Transfer Act 2017

5 Regulation 3 replaced (Application)

Replace regulation 3 with:

3 Application

These regulations apply to public registers maintained under any of the provisions specified in Schedule 1.

6 Part 4 replaced

Replace Part 4 with:

Part 4

Disclosure of information under Land Transfer Act 2017

15 Disclosure of information under Land Transfer Act 2017 for certain purposes

(1) Where a direction is made, nothing in Part 6 of the Act or in these regulations prevents the Registrar-General of Land from providing (under section 40 of the Land Transfer Act 2017) a copy of an instrument or a record of title to a person who requires it—

- (a) to conduct a transaction with the person to whom that direction relates; or
- (b) to have an instrument registered or noted under the Land Transfer Act 2017 or any other enactment; or

- (c) to exercise a right held, or satisfy an obligation owed, in relation to the particular land (but not land generally), such as the right to sell the land under a mortgagee's power of sale.
- (2) The person provided with the copy must not disclose the copy, or any information obtained from the copy, to anyone else except for the purpose for which the copy was required under subclause (1).
- (3) The Registrar must give notice to the person to whom the direction relates—
 - (a) before providing the copy of the instrument or record of title to the person who requires it; or
 - (b) as soon as practicable after providing the copy to the person who requires it, if it is impracticable to give notice before that.
- (4) The notice must be given in accordance with section 221 of the Land Transfer Act 2017 and must specify—
 - (a) the instrument or record of title of which a copy will be provided; and
 - (b) the person to whom the copy will be provided; and
 - (c) when the copy will be provided.

7 Schedule 1 amended

In Schedule 1, insert in their appropriate alphabetical order:

Land Transfer Act 2017	Section 9
Land Transfer Regulations 2018	Regulation 24

Michael Webster,
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 amend the Domestic Violence (Public Registers) Regulations 1998 (the **principal regulations**). The amendments commence on 12 November 2018, the date on which the Land Transfer Act 2017 commences.

The principal regulations are consequentially amended to fit with the Land Transfer Act 2017.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 11 October 2018.

These regulations are administered by the Ministry of Justice.