

Update
Hinde McMorland & Sim
LAND LAW
in New Zealand

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Commentary

Chapter 6 The Extent of the Landholder's Rights

Commentary has been updated by Peter Twist in the following areas:

- Buildings and structures on land: see [6.005].
- The purpose of annexation: see [6.038].
- Procedure: see [6.048].
- Types of party wall: see [6.054].

Chapter 9 Title by Registration

Commentary has been updated by Jody L Foster in the following areas:

- Meaning of fraud: see [9.015].
- Fraud against the holder of an unregistered interest: see [9.019].
- Consistency with the objectives of the Torrens system: see [9.061].
- Scope of rights in personam: see [9.068].
- Fraud in relation to claims in personam: see [9.072].

Chapter 12 Residential Tenancies and Dwellinghouses

Commentary has been updated by Thomas Gibbons to cover the Residential Tenancies Amendment Act 2020 phase 2 changes, which came into force on 11 February 2021. The following areas have been updated:

- The exceptions: tenancies to which the Act does not apply: see [12.003].
- Form and contents of a tenancy agreement: see [12.006].
- Key money and letting fees: see [12.007].
- Bonds and Other Security: see [12.008].
- Advertising rent and rent bidding: see new para [12.008A].
- Rent in advance: see [12.009].
- Rent control: see [12.010].
- The landlord: see [12.012].
- The tenant: see [12.013].
- Tenant assignment, subletting, and parting with possession: see new para [12.013AA].
- Tenant fixtures: see new para [12.013AB].
- Responsibility for damage: see [12.013A].
- How residential tenancies are normally terminated: see [12.015].

- Termination by notice: see [12.016].
- Termination by order of the Tenancy Tribunal: see [12.017].
- Recovery of possession: see [12.019].
- The Tenancy Tribunal, Constitution and jurisdiction: see [12.022].
- Enforcement of orders: see [12.027].
- “Unlawful acts”: see [12.028].
- Pecuniary penalties, infringement offences, improvement notices, and enforceable undertakings: see new para [12.028A].
- Functions and powers of the chief executive: see [12.031].

Chapter 13 Concurrent Interests in Land

Commentary has been updated by Dr Toni Collins in the following areas:

- The rights of co-owners as between themselves: see [13.002].
- Compulsory division: see [13.020].
- Orders of division or sale under the Property Law Act 2007: see [13.021].

Legislation

Contract and Commercial Law Act 2017

The Contract and Commercial Law Act 2017 has been amended by the Trusts Act 2019, effective 30 January 2021.

Residential Tenancies Act 1986

The Residential Tenancies Act 1986 has been amended by:

- the Privacy Act 2020, effective 1 December 2020;
- the Residential Tenancies Amendment Act 2019, effective 30 January 2021; and
- the Residential Tenancies Amendment Act 2020, effective 11 February 2021.

Property Law Act 2007

The Property Law Act 2007 has been amended by the Trusts Act 2019, effective 30 January 2021.

Unit Titles Act 2010

The Unit Titles Act 2010 has been amended by the Residential Tenancies Amendment Act 2020, effective 11 February 2021.