

# Update

# Adams' Land Transfer

## Service 101 — May 2021

### Commentary

Commentary has been updated in the following areas:

#### Land Transfer Act 2017

S 3 to S6.4 — has undergone a general review

S 6 Meaning of fraud

- Inclusion of *North Shore Aero Club Inc v Black River Trustees Limited* [2020] NZHC 3070 — see [S6.4.1]

S 24 Effect of registration

- General — see [S24.2]
- Inclusion of *North Shore Aero Club Inc v Black River Trustees Limited* [2020] NZHC 3070 — see [S24.11]

S 25 Electronic workspace facilities

- Cross references — see [S25.1]

S 40 Access to register

- Comment — see [S40.2]

S 41 Registrar may withhold information for person's safety

- Comment — see [S41.2]

S 42 Application to Registrar to withhold information for person's safety

- Comment — see [S42.2]

S 47 Registration of persons as joint tenants

- Background: an overview of Co-ownership — see [S47.3.1]
- Determination of a joint tenancy — see [S47.5.3.1]
- Partition and sale — Property Law Act 2007 — see [S47.10], [47.10.1]
- *Trainor v Leotuki* [2020] NZHC 3121 — see [S47.10.2]

S 79 Content of tax statement

- Cross references — see [S79.2]
- Form of tax statement — see [S79.3]
- Main home transfers and exclusions — see [S79.4]

Subpart 2 Leases [ss 91–98]

- Relief against cancellation — see [LEASE.INTRO9.2]

Subpart 3 Mortgages [ss 99–106]

- A sale under the control of the Registrar — see [Mortgages.INTRO7.9]

S 104 Discharge of mortgage

- Cross references — see [S104.1]
- Comment — see [S104.2]

S 155 Application for record of title based on adverse possession

- Comment — subsections (1) and (2) — see [S155.2]

## **Legislation**

### **Overseas Investment Act 2005**

- The Overseas Investment Act 2005 has been amended by the Overseas Investment (Urgent Measures) Amendment Act 2020.

### **Te Ture Whenua Maori Act 1993**

- The Te Ture Whenua Maori Act 1993 has been amend by the Local Government (Rating of Whenua Māori) Amendment Act 2021.