

GOVERNMENT SHIFTS RESPONSIBILITY FOR ALTERING THE COMPUTER LAND REGISTER TO LAWYERS

Significant changes to the registration of land conveyancing transactions are imminent with the Government's announcement that Land Information New Zealand ("LINZ") will significantly abdicate its responsibility in respect of registering land instruments and altering the computer land register. The Government's intention is that the responsibility will shift to conveyancing lawyers to electronically register land dealings and alter the computer land register.

Fortune Manning is of the view that the Government's decision to shift responsibility from LINZ to conveyancing lawyers is in effect pushing the costs of administering the computer land register from the Government to the private professional sector.

From mid-2007 LINZ will no longer be responsible for registering standard paper-based land dealings and it will become compulsory for conveyancing lawyers to electronically create and register standard land dealings via LINZ's web-based software. The Government's intention is that the electronic system will be systematically phased-in and enhanced, such that by July 2008 there will no longer be any physical registration of paper-based instruments through LINZ.

Fortune Manning will shortly undertake the transfer from the paper-based system to the electronic-dealing ("e-dealing") system. Our existing conveyancing clients will be familiar with the paper-based system of land registration with the usual land instruments required to acquire, dispose or charge interests in land. Under the e-dealing system our clients will no longer sign the traditional land instruments but will instead sign a standard A & I Form (Authority and Instruction Form) which instructs and authorises Fortune Manning to electronically register the dealings necessary to dispose, acquire, or charge an interest in land.

Under the e-dealing system Fortune Manning conveyancing solicitors and partners will personally create and register the necessary land dealings and update the computer land register using the e-dealing software. The result will be that when e-dealings are electronically signed, certified, and released for registration the computer land register will be instantaneously and automatically altered. This will mean that when selling or purchasing property, we will be able to alter the computer land register on the same day as we settle your transaction.

The e-dealing software is to be significantly enhanced during the next year so that by July 2008 complex land dealings and subdivisions will all be created and registered using e-dealing.

For more information concerning the changes to the registration process for land dealings, please contact [David Selkirk](mailto:David.Selkirk@fortunemanning.co.nz) on 09 915 2421 or email david.selkirk@fortunemanning.co.nz.