

Reform of the Land Transfer Act

Rt. Hon. Sir Peter Blanchard

This paper traces the process undertaken by the Law Commission, Land Information NZ and the Ministry of Justice to develop a draft of a modernised Land Transfer Act.

It details the main topics covered in the initial consultation process and in the *Issues Paper* on the reform of the Land Transfer Act 1952 published by the Commission in 2008, the drafting process followed after the public consultation, and the preparation of the Report *A New Land Transfer Act* that was presented to the Minister of Justice in 2010. Finally, the paper describes the steps taken to introduce a Land Transfer Bill into the House of Representatives and the changes made during the Parliamentary process.

The paper will outline the major changes to the land transfer system under the Land Transfer Act 2017, and the justifications for these changes. The development of a statutory definition of fraud, the introduction of a discretion to allow the courts to override registered title to return land to a prior owner in cases of manifest injustice, and the expansion of the compensation regime will be discussed.