



ANALYSIS

Title	1. Short Title and commencement 2. Registration of easements
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1992, No. 135

An Act to amend the Crown Forest Assets Act 1989

[18 December 1992]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Crown Forest Assets Amendment Act 1992, and shall be read together with and deemed part of the Crown Forest Assets Act 1989 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the day on which it receives the Royal assent.

2. Registration of easements—The principal Act is hereby amended by inserting, after section 8, the following section:

“8A. (1) Notwithstanding anything in the Land Transfer Act 1952, where an easement is granted or reserved over or in favour of Crown forest land for which no certificate of title has been issued, a District Land Registrar shall, on written application by either of the responsible Ministers, register the instrument granting or reserving the easement by constituting it a folium of the register.

“(2) Before a District Land Registrar registers the instrument, the Chief Surveyor for the land district in which the Crown forest land is situated must issue a certificate as to the correctness of the description of the land contained in the instrument or endorse on the instrument a certificate to that effect.

“(3) A certificate in accordance with subsection (2) of this section shall be conclusive evidence to the District Land Registrar of the matters required to be stated therein.

“(4) Where an instrument granting or reserving an easement over or in favour of Crown forest land is constituted a folium of the register, the easement shall be treated for all purposes, including all subsequent dealings, as if it had been created under the Land Transfer Act 1952.

“(5) Where an instrument granting or reserving an easement over or in favour of Crown forest land is constituted a folium of the register and the land is registered under the Land Transfer Act 1952, before issuing a certificate of title under that Act in respect of the land, the District Land Registrar shall make all entries necessary to record the registration of the easement.”

This Act is administered in the Treasury.
