



ANALYSIS

Title	2. Open space covenants
1. Short Title and commencement	3. Variation of open space covenants

1996, No. 5

**An Act to amend the Queen Elizabeth the Second
National Trust Act 1977** [13 March 1996]

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

1. Short Title and commencement—(1) This Act may be cited as the Queen Elizabeth the Second National Trust Amendment Act 1996, and shall be read together with and deemed part of the Queen Elizabeth the Second National Trust Act 1977 (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. Open space covenants—Section 22 of the principal Act is hereby amended by repealing subsection (8), and substituting the following subsection:

“(8) Where the burden of the covenant applies to land comprising part of the land in a certificate or instrument of title, the District Land Registrar may require the deposit of a plan in accordance with section 167 of the Land Transfer Act 1952; or, in lieu of such a plan, the District Land Registrar may accept a document incorporating the covenant, so long as the document is accompanied by a certificate given by the Surveyor-General, or the Chief Surveyor of the land district in which the land is situated, to the effect that the covenant is adequately described and properly defined—

“(a) For the nature of the covenant; and

- “(b) In relation to existing surveys made in accordance with regulations for the time being in force for the purpose; and
- “(c) In accordance with standards agreed from time to time by the Board and either the Surveyor-General or the Chief Surveyor, as the case may be.”

3. Variation of open space covenants—Section 22A of the principal Act (as inserted by section 14 of the Queen Elizabeth the Second National Trust Amendment Act 1991) is hereby amended by repealing subsection (5), and substituting the following subsection:

“(5) Where the variation of a covenant alters the area of the land to which the covenant relates and that land comprises part of the land in a certificate or instrument of title, the District Land Registrar may require the deposit of a plan in accordance with section 167 of the Land Transfer Act 1952; or, in lieu of such a plan the District Land Registrar may accept a document incorporating the variation, so long as the document is accompanied by a certificate given by the Surveyor-General, or the Chief Surveyor of the land district in which the land is situated, to the effect that the variation is adequately described and properly defined—

- “(a) For the nature of the covenant; and
- “(b) In relation to existing surveys made in accordance with regulations for the time being in force for the purpose; and
- “(c) In accordance with standards agreed from time to time by the Board and either the Surveyor-General or the Chief Surveyor, as the case may be.”

This Act is administered in the Department of Conservation.
