



ANALYSIS

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1. Short Title

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1980, No. 143

An Act to amend the Statutory Land Charges Registration Act 1928 [13 January 1981]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Statutory Land Charges Registration Amendment Act 1980, and shall be read together with and deemed part of the Statutory Land Charges Registration Act 1928 (hereinafter referred to as the principal Act).

2. Release of registered charge—(1) The principal Act is hereby amended by repealing section 7, and substituting the following section:

“7. (1) Upon the production of a certificate in form No. 2 in the Schedule to this Act, signed by the person or authority entitled to the benefit of the charge, releasing the land from the whole or part of the charge, or releasing any part of the land from the whole or any part of the charge, the Registrar shall make an entry in the register and (where necessary) on the outstanding instrument of title, noting that the charge is released wholly or partially.

“(2) In the case of a charge registered for the benefit of a corporation, a certificate under this section may be signed

on behalf of such corporation by the chairman or the secretary, clerk, or other responsible officer of the governing body of the corporation.

“(3) If it appears to the Registrar that any charge registered under this Act has been wholly or partially satisfied, and that for any reason it is impossible or impracticable to obtain a certificate to that effect as required by the foregoing provisions of this section, the Registrar may, on application in writing by any proprietor of the land affected by the charge, cause a release or partial release of the charge to be registered.”

(2) Section 2 (c) of the Statutory Land Charges Registration Amendment Act 1971 is hereby consequentially repealed.

3. Form of release amended—Form No. 2 in the Schedule to the principal Act is hereby amended by omitting the words “, and you are hereby required and directed to register a release of the same”, and substituting the words “[*or* partially satisfied *or* is no longer claimed in respect of the part of the land described below], and you are hereby required to make an entry in the register and (where necessary) on the outstanding instrument of title, noting that the charge is released wholly [*or* partially]”.

This Act is administered in the Department of Justice.