

E-dealing requirements & Councils

The Edealing environment now has different requirements when documents, of which the Council is a party to, are to be registered.

For example - a consent notice is relatively straightforward – a simple scanned image of the document is lodged for registration. An Easement in favour of Council however, has different requirements. The unsigned image of the Easement Instrument is attached to the dealing but Council must sign an authority and Instruction form authorising a Conveyancing Professional to sign the document in the Edealing on its behalf.

This does not necessarily mean though that when a signed image of the document is lodged an A & I form is not required. For example a signed section 243(a) RM Act certificate consenting to the variation or surrender of a conditional easement does not require an A & I form however, a signed certificate under section 243(e) cancelling the condition in relation to an easement does require an A & I form from Council.

The LINZ website sets out the different types of Edealing capable instruments and when an A & I form is **or** is not required. It is up to the Conveyancing Professional being the solicitor acting for that party to satisfy themselves of these requirements before they 'sign' the dealing.

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May 2010