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In this guide

Introduction

General terms

Land registration systems

Title and deed terms

Survey plans

How the deeds records fit together

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Land – glossary of useful terms

Introduction

The Dunedin Regional Office of Archives New Zealand holds a variety of records that will be of interest to those who wish to undertake land research. Land research can be complicated and comes with its own group of terms that can take a little getting used to – this glossary has been developed as a quick reference tool to hopefully provide a helping hand. Please feel free to ask the archives staff at any time for assistance.

General terms

Legal description

Also known as an appellation. How a particular parcel (or measured piece) of land is officially identified. Traditionally, this was done with block and section numbers within a survey district, a town or a township (or a hundred in Southland). With subdivisions, this is now often done using lots on subdivision plans.

- *Section 2 Block VII Town of Dunedin*
- *part Section 14 Block XII Tiger Hill Survey District*
- *Section 18 Block XXI Invercargill Hundred*
- *Lot 26 DP 4302*

Freehold land

Land that is owned by an individual or group with few or no restrictions on it. This contrasts with other interests in land such as leases (“leasehold”) and cross-leases. Often referred to as “an estate in fee simple”.

Crown land

Land “vested in Her Majesty” that is not set aside for any public purpose or held by any person in fee simple. It is administered by a Government agency (currently Land Information New Zealand, LINZ).

Land registration systems

LAND TRANSFER SYSTEM

Also known as the Torrens System. Introduced in 1870. It was optional to use this system

from 1871, and compulsory from 1924.

Certificate of Title

Records the legal owners of land and all dealings with the land, such as transfers of ownership and mortgages, leases etc. All transactions relating to a specific piece of land are listed on the same title document. References are made up of a volume and folio (page) number and often the abbreviation for the land district is noted in front.

e.g. *OT 287/50*
SL 16/23

DEEDS SYSTEM

The first system for registration of land ownership documents in New Zealand. It was introduced in Otago from 1851 and in Southland from 1863.

Deed

The deed itself was held by the landowner, as their evidence of ownership. It was lodged and registered at the Deeds Registry Office and copied into a deeds register. It was not compulsory to register deeds, and there were often delays between documents being issued and registered. Each transaction relating to a specific piece of land constitutes a separate deed document and therefore a separate entry in the deeds register.

Crown grant

Land originally owned by the Crown granted to private owners before the title system came about. Crown grants continue to exist till this day for large pieces of land. Any subdivisions of land from a Crown grant will be issued a Certificate of Title.

Title and deed terms

Conveyance/Transfer

Ownership of land is transferred from one individual/party to another.

Mortgage

Land owner loaned money to pay for the property, or took out a loan against the property. In the earlier days, this was often done from a person rather than a bank or financial organisation.

Lease

Land can be leased from the Crown (particularly common in rural areas), or from one individual/party to another. Leases from the Crown tend to be recorded in Certificate of Title volumes, but this is often not the case with private leases.

Pastoral Lease

Lease of Crown land for grazing and pastoral purposes by an individual or by body corporates. Leaseholders were granted exclusive occupation rights and fixed rentals for a certain period of time but were not able to own the land freehold.

Transmission

Occurs when land is passed from the estate of a deceased person to another, generally through the court probate process.

Proclamation

A declaration that land is to be taken for a specific purpose, such as a road or a reserve.

Survey plans

The Dunedin Regional Office holds copies of these plans on aperture cards – the originals are still held by Land Information New Zealand (LINZ).

Deposited plan (DP)

Plans recording subdivisions under the Land Transfer Act that have been deposited by the Registrar General of Lands. They are identified by a number and a DP prefix such as DP 12345. These could be a simple plan of the property's boundaries, area and dimensions, a detailed survey plan or a combination of both. Sometimes also known as a 'Title Plan' or a 'Land Transfer Plan'.

Survey Office plan (SO)

A record of all survey observations (bearing and distances) required to determine the correct position of the boundaries of a lot or section. Survey Office plans show these observations, together with underlying Certificate of Title boundaries, legal roads, and other information necessary to comply with the statutory requirements applying at that time. The plans included mining plans, railway and road plans, topographical maps, and those based on aerial photographs. Plans are identified with a number and an SO prefix such as SO 12345.

Māori Land plan (ML)

Māori land plans were prepared for any subdivision of Māori-owned land. The plans were also prepared to show roads on Māori land. They are identified by a number and an ML prefix, such as ML 12345.

Deeds plan

Deeds plans were made when sections that were registered under the Deeds System were subdivided. Documents were issued for each new area of land, and new plans were lodged in the Deeds Registry Office.

How the Deeds Records fit together

