



WELLINGTON JUSTICES OF THE PEACE ASSOCIATION INCORPORATED

Ministerial Professional Development Practice Note

Topic: Completing the Authority and Instruction (A&I) Form

Date: July 2021

Note the full form is attached at the back.

LINZ Dealing Number: Client Reference: PRIVATE INDIVIDUAL CLIENT AUTHORITY AND INSTRUCTION FOR AN ELECTRONIC TRANSACTION (This form is approved by the New Zealand Law Society and Registrar-General of Land)

1. TO LAW FIRM: (Firm name)	DO NOT ALTER
2. CLIENT(S): (Full name(s). If tenant in common state share.)	DO NOT ALTER
3. TRANSACTION: Property Address: Nature and Date of Base Document:	DO NOT ALTER
<p>Is this transaction high risk? Yes / No (See Notes to the Form)</p> <p>The client is previously known to you or your 'trusted colleague' for _____ years, or</p> <p>Attached is a document connecting the client to the property and a file note of the additional actions taken to verify identity.</p> <p>Instruments: Discharge of Mortgage Title Reference(s): Registered Number: Mortgagee Name: Transfer Title Reference(s): Transferor(s): Transferee(s) and/or Nominees: Transferee(s) Proprietorship: Mortgage Title Reference(s): Mortgagee Name: Mortgage Type: Memorandum Number: Priority Amount \$: Additional Text:</p>	<p>Is this section properly completed? They often skip the client is previously known to you or a trusted colleague but you can rely on the low risk assessment if it is not a high risk proceed.</p> <p>If it is a high risk expect to see the rest of this section completed and make your own decision as to whether to proceed or not.</p> <p>If the risk section is not completed at all or the previously known section is not complete again make your own judgement as to whether to proceed.</p> <p>One option is to cross out the risk section and/or the previously known if not completed and you and the party(ies) initial that change.</p> <p>You will rarely see these forms with the instruments section completed.</p> <p>There may be a sentence to reflect that the lawyer/solicitor has evidence of high risk or low risk. You can proceed as you are relying on that statement.</p>
4. AUTHORITY AND INSTRUCTION: I confirm that: (a) this form is for the transaction noted above; (b) I am 18 years of age or over;	Section 4, are all clients in front of you if not then cross off the name of the client(s) who is not there to sign so it cannot be added in later.

<p>(c) I am not an undischarged bankrupt;</p> <p>(d) I am not subject to any order or management pursuant to the Protection of Personal and Property Rights Act 1988 or any other legislation that could restrict my ability to deal with my land;</p> <p>(e) as required by regulation 7 of the Land Transfer Regulations 2018 I irrevocably authorise and instruct you to register the instruments above as an e-dealing;</p> <p>(f) I understand that by signing this form I am legally bound by the electronic instruments certified and registered on my behalf as if such instruments had been signed by me personally;</p> <p>(g) I understand that the authorised transaction will become a matter of public record upon registration.</p> <p>Signature of _____ Date _____</p> <p>Signature of _____ Date _____</p> <p>(Note: Each Client named must sign personally. 'For and on behalf' is not acceptable.)</p>	<p>Date is today's date and the certified copy of the ID you are attaching must be certified for that date by you as the identifying party. See your section at 5 Client identification at number (c)</p> <p>Do not let your client use an old certified copy. The form will highly likely be rejected.</p> <p>The ID used must be valid. The driver's licence copy must show both sides if the expiry date is on the back see Note 3 on the form. You cannot use an overseas driver license for ID but can use an overseas passport. Note the NZ Firearms License does not have a photo on it.</p>
<p>5. CLIENT IDENTIFICATION: (Tick applicable ID. Person establishing identity to complete.) See Note (Tick applicable ID. Person establishing identity to complete.)</p> <p>See Notes to the Form.</p> <p>Client name NZ Drivers or Firearms Licence or Passport or Other safe harbour photo ID OR Equally effective means</p> <p>Client name NZ Drivers or Firearms Licence or Passport or Other safe harbour photo ID OR Equally effective means</p> <p>Attach copy of ID used or record details (e.g. passport number) where copying not practicable.</p> <p>I certify that:</p> <p>(a) I have witnessed the client(s) sign this form;</p> <p>(b) I have sighted the original form(s) of identity ticked above;</p> <p>(c) I have attached a copy of ID(s) used;</p> <p>(d) the photo(s) name(s) and signature(s) match the client(s) name(s) and identification provided;</p> <p>(e) the client(s) appear(s) to be of sound mind.</p> <p>Signature of person establishing identity _____</p> <p>Full name of person establishing identity _____</p> <p>Occupation _____</p> <p>Phone/Email Address _____</p>	<p>Section 5 Cross off any clients not present.</p> <p>Tick the applicable ID</p> <p>In letter (c) note that you are attaching a copy of the ID.</p> <p>You will note the form is designed for multiple people to sign and for you to identify. If there is only one person present put a line through the unused boxes so people not in front of you cannot be added in.</p> <p>You will need to make the form work by crossing off the (s) see after client(s) and subsequent places.</p> <p>If there are two people then do not cross off the (s) after client as it is a plural in that case.</p> <p>Sound mind remember you are not the psychologist or psychiatrist just make sure they know what they are signing,</p> <p>Write your Full name after your signature, your occupation is Justice of the Peace for New Zealand</p> <p>No need for an email address just give your public phone number.</p> <p>Do not be sucked into "my lawyer says you have to email it to them" you don't.</p>

DO READ THE NOTES to the FORM

Notes two and three are of importance to you.

The rest is for the legal practitioner who is delegating to you the identification of the client.

Notes to the form:

1. Before making any certifications, Practitioners must comply with the requirements specified in LINZS20018 Authority and Identity Requirements for E-Dealing Standard 2018 and LINZG20775 Authority and Identity Requirements for E-Dealing Guideline 2018 (Guideline).
2. The forms of photo ID Practitioners can rely on are set out in Table 1 of s5 of the Guideline. The most common Safe Harbour options are a NZ drivers licence, NZ firearms licence and passport.
3. Attached copies of photo IDs must include the expiry date (recorded on the reverse side of the new drivers licence).
4. When using Equally Effective Means, Practitioners must record a file note of their decision to opt out of safe harbour and how the chosen means are effective – see Table 1 of s5 of the Guideline.
5. When delegating verification of identity, Practitioners must record a file note demonstrating how the delegate is an independent, trusted person upon whom the Practitioner can reasonably rely – see s4.6 of the Guideline.
6. Guidance on high risk transactions can be found in ss 4.1.1.1, 4.2.1, 4.2.2 and 4.3 of the Guideline. If a transaction appears on the face of it to be high risk the practitioner must either confirm the client is personally known to them, otherwise record a file note documenting the additional steps taken to verify identity and obtain a document connecting the client to the property.
7. When using audio-visual technology to verify identity, modify section 5 of the A&I form as per the guidance in s4.7 of the Guideline.
8. Where the client is signing this form under a Power of Attorney the identity that is required to be established is that of the attorney - see also the guidance in s3.1.2 of the Guideline. Attach a copy of the PA (if it is not deposited with LINZ) and the relevant certificate of non-revocation of PA.
9. A trustee may use the same form in respect of the same transaction in their personal capacity and as trustee.
10. A faxed copy of this form is acceptable [refer to guidance in the New Zealand Law Society's Property Law Section Property Transactions and E-Dealing Practice Guidelines (PLS Guidelines)].
11. The consent of prior mortgagees, lessors, etc. may be necessary to avoid a breach
12. This form is derived from the PLS Guidelines.

LINZ Dealing Number:
Client Reference:

PRIVATE INDIVIDUAL CLIENT AUTHORITY AND INSTRUCTION FOR AN ELECTRONIC TRANSACTION

(This form is approved by the New Zealand Law Society and Registrar-General of Land)

1. TO LAW FIRM:

(Firm name)

2. CLIENT(S):

(Full name(s). If tenant in common state share.)

3. TRANSACTION:

Property Address:

Nature and Date of Base Document:

Is this transaction high risk? Yes / No

(See Notes to the Form)

- The client is previously known to you or your 'trusted colleague' for _____ years, or
- Attached is a document connecting the client to the property and a file note of the additional actions taken to verify identity.

Instruments:

- Discharge of Mortgage
 - Title Reference(s):
 - Registered Number:
 - Mortgagee Name:
- Transfer
 - Title Reference(s):
 - Transferor(s):
 - Transferee(s) and/or Nominees:
 - Transferee(s) Proprietorship:
- Mortgage
 - Title Reference(s):
 - Mortgagee Name:
 - Mortgage Type:
 - Memorandum Number:
 - Priority Amount \$:
 - Additional Text:

4. AUTHORITY AND INSTRUCTION:

I confirm that:

- this form is for the transaction noted above;
- I am 18 years of age or over;
- I am not an undischarged bankrupt;
- I am not subject to any order or management pursuant to the Protection of Personal and Property Rights Act 1988 or any other legislation that could restrict my ability to deal with my land;
- as required by regulation 7 of the Land Transfer Regulations 2018 I irrevocably authorise and instruct you to register the instruments above as an e-dealing;
- I understand that by signing this form I am legally bound by the electronic instruments certified and registered on my behalf as if such instruments had been signed by me personally;
- I understand that the authorised transaction will become a matter of public record upon registration.

_____ Date: _____

Signature of _____

Date: _____

Signature of _____

(Note: Each Client named must sign personally. For and on behalf is not acceptable.)

5. CLIENT IDENTIFICATION: (Tick applicable ID. Person establishing identity to complete.) See Notes to the Form.

	NZ Drivers / Firearms Licence	Passport	Other Safe Harbour Photo ID	Equally Effective Means
Client Name	_____	_____	_____	_____
Client Name	_____	_____	_____	_____

Attach copy of ID used or record details (e.g. passport number) where copying not practicable.

I certify that:

- (a) I have witnessed the client(s) sign this form;
- (b) I have sighted the original form(s) of identity ticked above;
- (c) I have attached a copy of ID(s) used;
- (d) the photo(s) name(s) and signature(s) match the client(s) name(s) and identification provided;
- (e) the client(s) appear(s) to be of sound mind.

Signature of person establishing identity

Full name of person establishing identity

Occupation

Phone/Email

Address

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