



Residential Tenancies (Healthy Homes Standards) Amendment Act 2022

Public Act 2022 No 63
Date of assent 25 November 2022
Commencement see section 2

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The Parliament of New Zealand enacts as follows:**1 Title**

This Act is the Residential Tenancies (Healthy Homes Standards) Amendment Act 2022.

2 Commencement

This Act comes into force on 26 November 2022.

Part 1**Amendment to Residential Tenancies Act 1986****3 Principal Act**

This Part amends the Residential Tenancies Act 1986.

4 Schedule 1AA amended

In Schedule 1AA, clause 12(5) and (6), replace “1 July 2024” with “1 July 2025” in each place.

Part 2**Amendments to secondary legislation****Subpart 1—Amendments to Residential Tenancies (Healthy Homes Standards) Regulations 2019****5 Principal regulations**

This subpart amends the Residential Tenancies (Healthy Homes Standards) Regulations 2019.

6 Regulation 7 amended (Exemptions)

In regulation 7(2)(a), replace “90 days” with “120 days”.

7 Schedule 1 amended

- (1) In Schedule 1, clause 1, definition of **community housing tenancy**, replace “Housing Restructuring and Tenancy Matters Act 1992” with “Public and Community Housing Management Act 1992”.
- (2) In Schedule 1, clause 1, definition of **general tenancy**, replace “HNZ” with “Kāinga Ora”.
- (3) In Schedule 1, clause 1, replace the definition of **HNZ housing tenancy** with:
Kāinga Ora housing tenancy means a residential tenancy of premises that are Kāinga Ora housing as defined in section 2(1) of the Public and Community Housing Management Act 1992

- (4) In Schedule 1, clause 2(2), replace the table with:

Type of tenancy	HH start day
Boarding house tenancy (but not Kāinga Ora housing tenancy or community housing tenancy)	1 July 2021
Kāinga Ora housing tenancy	1 July 2024
Community housing tenancy	1 July 2024
General tenancy	
(a) if DCT before 1 July 2021	
(i) if renewed on or after 1 July 2021 but before 28 August 2022	90th day after first renewal date after 1 July 2021
(ii) if renewed on or after 28 August 2022 but before 3 March 2025	120th day after first renewal date on or after 28 August 2022
(iii) otherwise	1 July 2025
(b) if DCT on or after 1 July 2021 but before 28 August 2022	90th day after DCT
(c) if DCT on or after 28 August 2022 but before 3 March 2025	120th day after DCT
(d) if DCT on or after 3 March 2025	1 July 2025

- (5) In Schedule 1,—

- (a) insert the Part set out in the Schedule of this Act as the last Part; and
 (b) make all necessary consequential amendments.

Subpart 2—Amendments to Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016

8 Principal regulations

This subpart amends the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.

9 Regulation 10A amended (Part 2 ceases to apply when healthy homes standards apply)

- (1) In regulation 10A(1), replace the table with:

Type of tenancy	Disapplication day*
Boarding house tenancy (but not Kāinga Ora housing tenancy or community housing tenancy)	1 July 2021
Kāinga Ora housing tenancy	1 July 2024
Community housing tenancy	1 July 2024
General tenancy	
(a) if DCT before 1 July 2021	
(i) if renewed on or after 1 July 2021 but before 28 August 2022	90th day after first renewal date after 1 July 2021
(ii) if renewed on or after 28 August 2022 but before 3 March 2025	120th day after first renewal date on or after 28 August 2022
(iii) otherwise	1 July 2025

Type of tenancy	Disapplication day*
(b) if DCT on or after 1 July 2021 but before 28 August 2022	90th day after DCT
(c) if DCT on or after 28 August 2022 but before 3 March 2025	120th day after DCT
(d) if DCT on or after 3 March 2025	1 July 2025

*The disapplication day for each type of tenancy is the same as the HH start day for that type of tenancy under clause 2 of Schedule 1 of the Residential Tenancies (Healthy Homes Standards) Regulations 2019.

- (2) In regulation 10A(2), definition of **community housing tenancy**, replace “Housing Restructuring and Tenancy Matters Act 1992” with “Public and Community Housing Management Act 1992”.
- (3) In regulation 10A(2), definition of **general tenancy**, replace “HNZ” with “Kāinga Ora”.
- (4) In regulation 10A(2), replace the definition of **HNZ housing tenancy** with:
- Kāinga Ora housing tenancy** means a residential tenancy of premises that are Kāinga Ora housing as defined in section 2(1) of the Public and Community Housing Management Act 1992

10 Regulation 30 amended (Effective date)

In regulation 30(1), replace “2 July 2024” with “2 July 2025”.

11 Regulation 34 amended (Schedule 1 amended)

In regulation 34, new clause 11, replace “2 July 2024” with “2 July 2025”.

Schedule

New Part 2 inserted into Schedule 1

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Part 2

Provisions relating to Residential Tenancies (Healthy Homes Standards) Amendment Act 2022

14 Application of regulation 7 (Exemptions)

Regulation 7(2)(a) applies to an exemption if the exemption ceases to apply under regulation 31(2)(c) on or after 28 August 2022.

15 Section 13A statement—modification of HH start day

- (1) An HH start day included in a section 13A statement in compliance with clause 12(2) must be read as the HH start day specified in clause 2.
- (2) This clause applies only to a section 13A statement that was made before the commencement of the Residential Tenancies (Healthy Homes Standards) Amendment Act 2022.

Legislative history

22 November 2022

Introduction (Bill 201–1), first reading, second reading,
committee of the whole House, third reading

25 November 2022

Royal assent

This Act is administered by the Ministry of Housing and Urban Development.