



## ANALYSIS

Title  
1. Short Title

2. Execution of documents  
3. Restriction on registration of  
instruments

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1971, No. 101

**An Act to amend the Housing Act 1955**

[8 December 1971]

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 Housing Amendment Act 1971, and shall be read together with and deemed part of the Housing Act 1955 (hereinafter referred to as the principal Act).

**2. Execution of documents**—Section 36 of the principal Act is hereby amended—

(a) By omitting from subsection (2) the words “Every such transfer shall bear a certificate by the Corporation as to the date of possession fixed in respect of that sale by the relevant agreement for sale.”:

(b) By repealing the proviso to subsection (2).

**3. Restriction on registration of instruments**—(1) The principal Act is hereby amended by repealing section 37, and substituting the following section:

“37. No District Land Registrar shall register any instrument that purports to transfer, lease, or in any other way dispose in whole or in part of the purchaser’s interest in any agreement registered under section 18 of this Act or under the provisions of any corresponding former enactment, unless—

“(a) The instrument is in favour of the Crown or the Corporation, or the Crown or the Corporation is a party to the instrument; or

“(b) The instrument is an application to register the settlement of the land as a joint family home under the Joint Family Homes Act 1964; or

“(c) The instrument is a disposition by way of mortgage; or

“(d) The consent of the Corporation is endorsed on the instrument.”

(2) Section 38 of the principal Act is hereby amended by omitting from the proviso the words “an endorsement or memorial relating to the restrictions imposed by section twenty-five of the Finance Act 1950, or”.

(3) Where any licence or certificate of title has endorsed on it, immediately before the commencement of this Act, a memorandum, endorsement, or memorial, which refers to the restrictions imposed by subsection (1) of section 37 of the principal Act or by section 25 of the Finance Act 1950, those restrictions shall no longer apply in respect of the land comprised in that licence or certificate of title, and where any licence or certificate of title, so endorsed, is presented to the District Land Registrar for the Land Registration District in which the land to which the licence or certificate of title relates is situated, that District Land Registrar shall, without requiring the payment of any fee, cancel such memorandum, endorsement, or memorial.

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This Act is administered in the State Advances Corporation of New Zealand.

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