

New Zealand.



ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Further extension of duration of law relating to restriction of rent. Repeal.</p> <p>3. Covenant to exclude application to any dwellinghouse of Part I of War Legislation Amendment Act, 1916, to be void.</p> | <p>4.</p> <p>5.</p> <p>6.</p> | <p>At option of landlord, standard rent for a period of one year may be 8 per centum of capital value as on 3rd August, 1914. Consequential repeal.</p> <p>Where rent payable on 3rd August, 1914, cannot be ascertained, standard rent may be fixed by reference to capital value.</p> <p>Obtaining possession of dwellinghouse by misrepresentation.</p> |
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1924, No. 3.

AN ACT to amend Part I of the War Legislation Amendment Act, 1916 (relating to the Restriction of Rent), and to continue its Operation. Title.
[31st July, 1924.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Rent Restriction Act, 1924, and shall be read together with and deemed part of Part I of the War Legislation Amendment Act, 1916. Short Title.

2. (1.) Part I of the War Legislation Amendment Act, 1916, and the several amendments thereof, in so far as those enactments are now in force, shall continue in force until the thirty-first day of August, nineteen hundred and twenty-five, and shall then be deemed to be repealed. Further extension of duration of law relating to restriction of rent.

(2.) The Rent Restriction Continuance Act, 1923, is hereby repealed. Repeal

3. No covenant, condition, or admission in any agreement, whether made before or after the passing of this Act, shall have any force or effect to exclude the application to any dwellinghouse of Part I of the War Legislation Amendment Act, 1916, or to estop any person from applying to a Stipendiary Magistrate to determine the capital value of any dwellinghouse, notwithstanding that such capital value may have been previously ascertained, as provided by section seven of the said Act, by mutual agreement to which such person was a party, or to oust the jurisdiction of a Covenant to exclude application to any dwellinghouse of Part I of War Legislation Amendment Act, 1916, to be void.

Stipendiary Magistrate to determine, on application made in that behalf, the capital value of any dwellinghouse.

4. (1.) Section six of the War Legislation Amendment Act, 1916, is hereby amended by repealing the proviso to paragraph (a) and substituting the following proviso:—

“ Provided that, in the case of a dwellinghouse let on or before the third day of August, nineteen hundred and fourteen, the standard rent may, at the option of the landlord, be either the standard rent as hereinbefore defined or an amount which, computed for a period of one year, is equal to eight per centum of the capital value of the dwellinghouse, as such, immediately before the said date.”

(2.) Subsection one of section twenty of the War Legislation Act, 1917, is hereby repealed.

5. (1.) If, in the case of a dwellinghouse let on or before the third day of August, nineteen hundred and fourteen, any doubt arises as to the rent at which it was let on that date, or, where the dwellinghouse was not let on that date, as to the rent at which it was last let before that date, the matter shall be determined by a Stipendiary Magistrate on application in that behalf made by the landlord or the tenant or by an Inspector of Factories on behalf of the tenant.

(2.) If on the hearing of such application sufficient evidence of the facts is not adduced to enable the Magistrate to ascertain the rent payable as aforesaid, the Magistrate may proceed to fix the capital value of the dwellinghouse, as such, immediately before the said third day of August, nineteen hundred and fourteen, as if application in that behalf had been made under section seven of the War Legislation Amendment Act, 1916, and in such case the standard rent, within the meaning of section six of the said Act as amended by the foregoing provisions of this Act, shall be fixed by reference to such capital value.

6. Section ten of the Housing Amendment Act, 1921-22, is hereby amended as follows:—

(a.) By inserting, after the words “section nine hereof” in subsection one, the words “or who obtains possession of a dwellinghouse by representation that he requires possession on that ground”; and by omitting from the same subsection the words “by means of such order”:

(b.) By omitting from subsection three the words “upon the said ground (e),” and substituting the words “upon the ground defined in paragraph (e) of subsection one of section nine hereof, or where possession has been obtained by representation that possession is required on that ground”; and by omitting from the same subsection the words “by means of such order”:

(c.) By omitting from subsection four the words “the making of the order for possession,” and substituting the words “possession was obtained.”

At option of landlord, standard rent for a period of one year may be 8 per centum of capital value as on 3rd August, 1914.

Consequential repeal

Where rent payable on 3rd August, 1914, cannot be ascertained, standard rent may be fixed by reference to capital value

Obtaining possession of dwellinghouse by misrepresentation.