

New Zealand.



ANALYSIS.

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1910, No. 62.

AN ACT to make Better Provision for the Erection and Disposal of
Workers' Dwellings. Title.
[3rd December, 1910.]

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 Workers' Dwellings Act, Short Title.
1910.

2. In this Act, if not inconsistent with the context,—

Interpretation.

“Capital value” of a worker's dwelling means the capital value fixed by the Board, and shall cover the value of the land, the cost (if any) of its acquisition, the cost of survey, roading, subdivision, and other works and operations done on the land (including the value of the dwelling), the proper proportion of the value of so much of the land as is absorbed by roads or streets, and the estimated cost of administration :

“Board” means the Board constituted under this Act for the land district within which the worker's dwelling is situate :

“Minister” means the Minister of Labour :

“Worker” means every person, male or female, who is employed in work of any kind or in manual labour, whose earnings at the time of his application do not exceed one hundred

and seventy-five pounds per annum, and who is landless—meaning thereby that he is not either by himself or jointly with any other person the owner in fee-simple or the tenant or occupier under a lease of any land in New Zealand :

“ Worker’s dwelling ” means any dwelling erected on land set apart under this Act, and includes the land on which the same is erected or held therewith, not exceeding half an acre in the case of urban allotments, or one acre in the case of suburban allotments, or five acres in the case of rural allotments ; and also includes all outbuildings and sanitary and drainage arrangements necessary for such dwelling.

Land to be set apart for the purposes of this Act.

3. (1.) The Governor may from time to time, by Order in Council gazetted, set apart for the purposes of this Act any Crown land.

(2.) The Minister may from time to time, on the recommendation of the Board, purchase such land as he thinks fit for the purposes of this Act, and all land so purchased shall be set apart for the purposes of this Act.

Minister may erect workers' dwellings.

4. (1.) On any land so set apart the Minister may cause to be erected buildings suitable for workers’ dwellings, or may convert any buildings into workers’ dwellings ; and may from time to time alter, enlarge, repair, rebuild, and improve such dwellings :

Provided that the capital value of any worker’s dwelling shall not exceed six hundred pounds.

Cost of erection, &c.

(2.) All costs incurred under this section or in taking land under the Public Works Act, 1908, as aforesaid shall be defrayed out of moneys appropriated by Parliament for that purpose.

Superintendent of Workers' Dwellings.

5. The Governor may from time to time by Warrant under his hand appoint some fit person to be Superintendent of Workers’ Dwellings (hereinafter referred to as the Superintendent), who, under the Minister, shall have the general administration of this Act, and shall, on behalf of the Crown, execute all agreements and other documents necessary for the carrying-out of this Act.

Constitution of Boards.

6. (1.) For every land district there shall be a Board, consisting of three members (of whom the Superintendent shall be one), appointed from time to time by the Governor.

(2.) The Superintendent shall be *ex officio* Chairman of the Board, and in case of equality of voting shall have a casting as well as a deliberative vote.

Disposal of workers' dwellings.

7. Every worker’s dwelling shall be disposed of by the Board to a worker in one of the modes described in the First Schedule hereto.

Application.

8. Every application for a worker’s dwelling shall be in such form and shall contain such particulars as are prescribed by regulations, and shall be accompanied by a declaration that the applicant is a worker within the meaning of this Act, and, in the case of an application to purchase, by a deposit of ten pounds.

Agreement to purchase.

9. (1.) Where any application is approved by the Board the applicant shall sign (in duplicate) an agreement in respect to the worker’s dwelling to which the application relates.

(2.) Every agreement to purchase shall be in the form prescribed by regulations, and shall contain such terms and conditions as the Board thinks fit, not being inconsistent with the provisions of this Act.

(3.) Every such agreement shall contain a provision that the purchaser shall pay the capital value (after deducting the amount of the deposit paid as aforesaid), together with interest thereon, at the rate of five per centum per annum, by weekly, fortnightly, or monthly instalments (as may be arranged), for a period of twenty-five and a half years, such instalments being calculated at the rate of seven per centum per annum of the capital value, less the deposit as aforesaid.

10. Every weekly or other instalment made in reduction of the capital value and interest of any worker's dwelling shall consist partly of capital and partly of interest, and the amount of capital and interest respectively paid during each period of six months shall be calculated according to the scale in the Second Schedule hereto.

Reduction of capital value.

11. (1.) Irrespective of the prescribed weekly or other instalments, the purchaser of any worker's dwelling may at any time pay to the Board the sum of seven pounds, or any multiple of seven pounds.

Payments in advance.

(2.) All moneys so paid to the Board shall be applied in reduction of the purchase-money and interest in such manner as may be prescribed by regulations, and so that there may or may not be (at the option of the purchaser of the worker's dwelling) a break in the continuity of the payments to be subsequently made by him.

12. The tenant, lessee, or purchaser of a worker's dwelling shall reside therein, and if he fails so to do the Board may cancel his agreement or lease, and thereupon all moneys paid under the agreement or lease shall be forfeited:

Residence necessary.

Provided that the Board may at any time permit a purchaser or lessee to absent himself from his worker's dwelling for any period not exceeding twelve months at any one time.

13. (1.) All unpaid instalments and other moneys due on a worker's dwelling shall be recoverable by the Board in any Court of competent jurisdiction.

Recovery of unpaid instalments.

(2.) In any proceedings for the recovery of such instalments or other moneys it shall be sufficient if the particulars of demand state the amount sought to be recovered, and the date on which the same was payable, with such further and other particulars as the Board thinks necessary in order to fully inform the defendant of the nature of the demand.

(3.) The summons shall be served on the defendant at least twenty-one days before the date appointed for hearing, and unless eight days before such date a statement in writing by or on behalf of the defendant, showing a defence on the merits, is filed in the Court, judgment shall be given for the amount claimed and costs, without allowing any defence, and without the necessity of the Board or any one on its behalf appearing in Court or proving the liability of the defendant.

14. (1.) Whenever the full amount payable under any agreement to purchase is paid, and the Board is satisfied that the terms and con-

Certificate of title.

ditions contained in the agreement have been duly complied with, the Board shall grant to the purchaser a certificate to that effect; and on presentation of that certificate to the District Land Registrar, and on payment of the proper fees, the purchaser shall be entitled to receive from the District Land Registrar a certificate of title for his worker's dwelling, and shall thereafter not be subject to the conditions of residence provided in section twelve of this Act.

(2.) Every certificate of title for a worker's dwelling shall contain a statement that it is issued subject to the provisions of this Act.

Disposition of
worker's dwelling
with consent of
Board.

15. (1.) No disposition of any worker's dwelling shall be valid except with the consent of the Board.

(2.) The Board shall not arbitrarily or unreasonably refuse its consent, but in giving or withholding such consent shall be guided by the purpose and intention of this Act to provide and protect homes for workers and their families; and before giving consent to such disposition the Board shall see that no money or money's worth is being paid for goodwill: provided that this shall only apply in cases where the whole purchase-money has not been paid to the Board.

(3.) For the purposes of this section "disposition" includes sale, assignment, lease, and mortgage.

(4.) This section applies to all dispositions whether made before or after the issue of a certificate of title for the worker's dwelling.

Moneys received
to go to Public
Account for credit
of special accounts.

16. All moneys received under this Act shall be paid into the Public Account, and be credited, in the case of ordinary Crown lands or lands purchased, to a separate account to be called "The Workers' Dwellings Account," and in the case of lands acquired under the Land for Settlements Act, 1908, to the Land for Settlements Account.

Regulations.

17. The Governor may from time to time, by Order in Council gazetted, make such regulations, not inconsistent with this Act, as may be necessary for the effectual carrying-out of this Act.

Annual return to
Parliament.

18. The Minister shall, within thirty days after the commencement of each session, lay before Parliament a statement for the preceding financial year showing—

(a.) The moneys expended during the preceding financial year in acquiring land under this Act, and in preparing the same for workers' dwellings, and in erecting such dwellings:

(b.) The number of dwellings erected and the total number of dwellings disposed of under this Act:

(c.) The weekly or other payments contracted for, the amount of such payments received, and the amount of arrears outstanding.

Repeals.

19. (1.) The Workers' Dwellings Act, 1908, and sections seven, eight, and nine of the Land for Settlements Administration Act, 1909, are hereby repealed:

Savings.

Provided that such repeal shall not affect any lease or tenancy under the repealed enactments.

(2.) All lands set apart under the repealed enactments shall be deemed to have been set apart under this Act.

(3.) The holder of a lease under any enactment hereby repealed may at any time surrender his lease to the Board and obtain in lieu thereof a lease under this Act, or enter into an agreement of

purchase of the worker's dwelling comprised in the surrendered lease, or of any other worker's dwelling, on such terms and conditions as the Board and lessee may agree upon, or, failing such agreement, as may be determined by the Minister.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

MODES OF DISPOSAL OF WORKERS' DWELLINGS.

(1.) WEEKLY or monthly tenancy: By agreement for a weekly or monthly tenancy at a rental of six per centum of the capital value (being five per centum for interest and the balance for depreciation), in addition to the cost of insuring the dwelling from fire at its full value, and the estimated amount of rates to be levied.

(2.) Renewable lease: By lease for a term of twenty-one years with right of renewal, payments under the lease to be the same as for weekly or monthly tenancy.

(3.) Agreement to purchase: By agreement to purchase on the instalment system prescribed by this Act.

SECOND SCHEDULE.

TABLE SHOWING THE PRINCIPAL AND INTEREST CONTAINED IN A HALF-YEARLY PAYMENT OF £3 10s. FOR EVERY £100 OF LOAN AT 5 PER CENTUM INTEREST.

Half-year.	Half-yearly Instalment.*	Apportioned		Balance of Principal owing.
		On Account of Interest at 5 per Cent.	On Account of Principal	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	3 10 0	2 10 0	1 0 0	99 0 0
2	3 10 0	2 9 6	1 0 6	97 19 6
3	3 10 0	2 9 0	1 1 0	96 18 6
4	3 10 0	2 8 6	1 1 6	95 17 0
5	3 10 0	2 7 11	1 2 1	94 14 11
6	3 10 0	2 7 4	1 2 8	93 12 3
7	3 10 0	2 6 10	1 3 2	92 9 1
8	3 10 0	2 6 3	1 3 9	91 5 4
9	3 10 0	2 5 8	1 4 4	90 1 0
10	3 10 0	2 5 0	1 5 0	88 16 0
11	3 10 0	2 4 5	1 5 7	87 10 5
12	3 10 0	2 3 9	1 6 3	86 4 2
13	3 10 0	2 3 1	1 6 11	84 17 3
14	3 10 0	2 2 5	1 7 7	83 9 8
15	3 10 0	2 1 9	1 8 3	82 1 5
16	3 10 0	2 1 0	1 9 0	80 12 5
17	3 10 0	2 0 4	1 9 8	79 2 9
18	3 10 0	1 19 7	1 10 5	77 12 4
19	3 10 0	1 18 10	1 11 2	76 1 2
20	3 10 0	1 18 0	1 12 0	74 9 2
21	3 10 0	1 17 3	1 12 9	72 16 5
22	3 10 0	1 16 5	1 13 7	71 2 10
23	3 10 0	1 15 7	1 14 5	69 8 5
24	3 10 0	1 14 8	1 15 4	67 13 1

* 7 per cent. on the capital value at time of purchase.

TABLE SHOWING THE PRINCIPAL AND INTEREST CONTAINED IN A HALF-YEARLY PAYMENT OF £3 10s. FOR EVERY £100 OF LOAN AT 5 PER CENTUM INTEREST—*continued.*

Half-year.	Half-yearly Instalment.*	Apportioned		Balance of Principal owing.
		On Account of Interest at 5 per Cent.	On Account of Principal.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
25	3 10 0	1 13 10	1 16 2	65 16 11
26	3 10 0	1 12 11	1 17 1	63 19 10
27	3 10 0	1 12 0	1 18 0	62 1 10
28	3 10 0	1 11 1	1 18 11	60 2 11
29	3 10 0	1 10 1	1 19 11	58 3 0
30	3 10 0	1 9 1	2 0 11	56 2 1
31	3 10 0	1 8 1	2 1 11	54 0 2
32	3 10 0	1 7 0	2 3 0	51 17 2
33	3 10 0	1 5 11	2 4 1	49 13 1
34	3 10 0	1 4 10	2 5 2	47 7 11
35	3 10 0	1 3 8	2 6 4	45 1 7
36	3 10 0	1 2 6	2 7 6	42 14 1
37	3 10 0	1 1 4	2 8 8	40 5 5
38	3 10 0	1 0 2	2 9 10	37 15 7
39	3 10 0	0 18 11	2 11 1	35 4 6
40	3 10 0	0 17 7	2 12 5	32 12 1
41	3 10 0	0 16 4	2 13 8	29 18 5
42	3 10 0	0 14 11	2 15 1	27 3 4
43	3 10 0	0 13 7	2 16 5	24 6 11
44	3 10 0	0 12 2	2 17 10	21 9 1
45	3 10 0	0 10 9	2 19 3	18 9 10
46	3 10 0	0 9 3	3 0 9	15 9 1
47	3 10 0	0 7 9	3 2 3	12 6 10
48	3 10 0	0 6 2	3 3 10	9 3 0
49	3 10 0	0 4 7	3 5 5	5 17 7
50	3 10 0	0 2 11	3 7 1	2 10 6
51	2 11 9	0 1 3	2 10 6	Nil.
	177 11 9	77 11 9	100 0 0	...

* 7 per cent. on the capital value at time of purchase.