

Mr K. R. Allen

PUBLIC WORKS AMENDMENT (NO. 2)

ANALYSIS

Title	3. Compensation for dwellinghouses
1. Short Title	42A. Compensation for dwellinghouses
2. Definition of dwellinghouse	

A BILL INTITULED

An Act to amend the Public Works Act 1928

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

- 5 **1. Short Title**—This Act may be cited as the Public Works Amendment Act (No. 2) 1974, and shall be read together with and deemed part of the Public Works Act 1928 (hereinafter referred to as the principal Act).
- 10 **2. Definition of dwellinghouse**—Section 2 of the principal Act is hereby amended by inserting, after the definition of the term “Crown land”, the following definition:
“‘Dwellinghouse’ includes any house, home unit, flat, or other building used principally for residential purposes by the owner or owners thereof.”
- 15 **3. Compensation for dwellinghouses**—The principal Act is hereby further amended by inserting, after section 42, the following section:

No. 55—1

“42A. **Compensation for dwellinghouses**—(1) When a dwellinghouse occupied as a home by the owner or owners thereof is taken under this Act for any public works, such owner or owners shall be entitled to sufficient compensation to purchase a dwellinghouse, suitable to their age and circumstances, and of not less than equal value, or as near thereto as is possible in the circumstances, to the value of the dwellinghouse occupied by such owner or owners. Such value shall include the value of any fixtures attached thereto which are not easily removable without loss of value, and shall have fair regard to aesthetic and environmental features. 5 10

(2) The time of valuation shall be the date of signing the agreement for sale and purchase.

(3) The reasonable cost of transport of furniture and other chattels, and the legal costs and disbursements incidental to the purchase of a dwellinghouse of equal value to that taken under this Act, shall be payable to the owner or owners above-mentioned in addition to the compensation referred to in subsection (1) hereof. 15

(4) The procedures for establishing values shall apply throughout New Zealand with equal intent and manner of application. 20