



**THE PROPERTY LAW (MORTGAGEES' SALES) REGULATIONS
1983, AMENDMENT NO. 3**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 2nd day of September 1991

Present:

THE RIGHT HON. J. B. BOLGER PRESIDING IN COUNCIL

PURSUANT to section 104AA of the Property Law Act 1952 (as inserted by section 7 of the Property Law Amendment Act 1982 and renumbered by section 2(2) of the Property Law Amendment Act (No. 2) 1982), Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Property Law (Mortgagees' Sales) Regulations 1983, Amendment No. 3, and shall be read together with and deemed part of the Property Law (Mortgagees' Sales) Regulations 1983* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 8th day of October 1991.

*S.R. 1983/44
Amendment No. 1: (Revoked by S.R. 1987/45.)
Amendment No. 2: S.R. 1987/45

2. Fees and commission—The principal regulations are hereby amended by revoking regulation 3 (as substituted by regulation 2 of the Property Law (Mortgagees' Sales) Regulations 1983, Amendment No. 2), and substituting the following regulation:

“3. (1) The fee payable by the mortgagee to the Registrar pursuant to section 103 (1) (a) of the Property Law Act 1952 shall be \$400.

“(2) The minimum amount payable by the mortgagee to the Registrar pursuant to section 103 (1) (b) of that Act shall be \$100, and the maximum amount so payable shall be \$5,000.”

3. Goods and services tax included—The fees prescribed by these regulations are inclusive of goods and services tax under the Goods and Services Tax Act 1985.

4. Revocations—(1) The Property Law (Mortgagees' Sales) Regulations 1983, Amendment No. 2 are hereby revoked.

(2) The Fees Regulations 1987* are hereby amended by revoking so much of the Schedule as relates to the Property Law (Mortgagees' Sales) Regulations 1983, Amendment No. 2.

MARIE SHROFF,
Clerk of the Executive Council.

*S.R. 1987/68

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 8 October 1991, relate to the conduct of mortgagees' sales through the Registrar of the High Court. They increase from \$300 to \$400 the fee payable on application to the Registrar for the conduct of the sale.

The fees prescribed are inclusive of goods and services tax.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 5 September 1991.

These regulations are administered in the Department of Justice.