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## ANALYSIS

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1958, No. 81

**An Act to amend the Municipal Corporations Act 1954**

[2 October 1958]

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 Municipal Corporations Amendment Act 1958, and shall be read together with and deemed part of the Municipal Corporations Act 1954 (hereinafter referred to as the principal Act).

**2. Advances and guarantees of loans for housing purposes**—The principal Act is hereby amended as follows:

- (a) By omitting from subsection four of section three hundred and thirty-seven the words “the sum of two thousand two hundred and twenty-two pounds”, and substituting the words “an amount from time to time prescribed by the Governor-General, by Order in Council”:
- (b) By omitting from subsection four of section three hundred and thirty-eight the words “the sum of two thousand two hundred and twenty-two pounds”, and substituting the words “an amount from time to time prescribed by the Governor-General, by Order in Council”:

- (c) By omitting from subsection two of section three hundred and forty the words “the sum of two thousand two hundred and twenty-two pounds”, and substituting the words “an amount from time to time prescribed by the Governor-General, by Order in Council”:
- (d) By omitting from paragraph (a) of section three hundred and forty-two the words “two thousand two hundred and twenty-two pounds”, and substituting the words “the amount for the time being prescribed by Order in Council for the purposes of the said section three hundred and thirty-seven or section three hundred and thirty-eight or section three hundred and forty, as the case may be”.

### **3. Amending provisions as to subdivisions of land—**

(1) Section three hundred and fifty of the principal Act is hereby amended by inserting in paragraph (a) of subsection two, after the word “lease”, the words “for any term (including the term of any renewal or renewals to which the lessee is entitled) of not less than fourteen years”.

(2) Section three hundred and fifty of the principal Act is hereby further amended by adding the following subsection:

“(3) Notwithstanding anything in subsection two of this section, land shall not be deemed to be subdivided for the purposes of this Part of this Act by reason solely of the fact that the owner grants a lease of, or advertises or offers for disposition by way of lease, any part of a building existing on the land, or which will exist on the land, at the commencement of the lease.”

(3) Section three hundred and fifty-one of the principal Act is hereby amended as follows:

(a) By omitting from subsection eight the words “and before the plan of the subdivision has been duly deposited under the Land Transfer Act 1952 or any former Land Transfer Act or in the Deeds Register Office”:

(b) By repealing the second proviso to subsection eight.

(4) Section three hundred and fifty-one of the principal Act is hereby further amended by adding the following subsections:

“(9) Nothing in this section shall be deemed to render any agreement to sell, lease, or otherwise dispose of any land illegal or void by reason only that it is entered into before a

plan of subdivision has been approved under this section, but the agreement shall be deemed to be made subject to a condition that approval of a plan of the subdivision will be obtained under this section.

“(10) A contravention of any provision of this section shall not invalidate or be deemed to have invalidated any instrument intended to affect or evidence the title to any land.”

(5) The provisions of this section shall apply and be deemed always to have applied with respect to every lease or agreement granted or entered into before the passing of this Act, as if this section had been in force when the lease was granted or the agreement was entered into:

Provided that nothing in this section shall affect the rights of the parties under any judgment given in any Court before the passing of this Act, or under any judgment given on appeal from any such judgment, whether the appeal is commenced before or after the passing of this Act.

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