

## HOUSING AMENDMENT BILL

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### EXPLANATORY NOTE

IN a number of State housing settlements electric wiring and poles were, by arrangement between the Ministry of Works and the Electrical Supply Authority concerned, erected at the rear of the sections in order to keep the poles off the street. In some instances underground cables are in the same position.

One of the terms of the arrangement was that the Electrical Supply Authority would have access for maintenance of the lines and equipment.

The Government's policy of selling State houses necessitates the preservation of the Electrical Supply Authorities' rights after the land passes into the hands of purchasers.

*Clause 2* of the Bill gives Electrical Supply Authorities these rights of access for maintenance, irrespective of who owns the land.

*Clause 3* provides for the registration by the State Advances Corporation of a notice of the existence of an underground electric cable against the title to the land through which it runs, being land that is or has been State housing land. Some formal intimation of the presence of the cable is desirable so that purchasers of State houses, and people who derive title through them, are warned that an underground cable runs through their land. The notice will not specify the exact position of the cable. That information can where necessary be obtained from the Electrical Supply Authority concerned.

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*Hon. Mr Sullivan*

## HOUSING AMENDMENT

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### ANALYSIS

Title  
1. Short Title

2. Rights of Electrical Supply Authorities in respect of certain land  
3. Registration of notice of underground electric cable

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### A BILL INTITULED

#### An Act to amend the Housing Act 1955

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

1. **Short Title**—This Act may be cited as the Housing Amendment Act 1956, and shall be read together with and deemed part of the Housing Act 1955 (hereinafter referred to as the principal Act).

10 2. **Rights of Electrical Supply Authorities in respect of certain land**—(1) Where any Electrical Supply Authority within the meaning of the Electricity Act 1945 has (before the date of the commencement of this Act) erected or laid,  
15 erects or lays, any pole or electric wire or cable or other electric equipment upon or through or over land which at

the time of the erection or laying was State housing land, the pole or electric wire or cable or electric equipment shall be deemed to have been or to be lawfully erected or laid under the authority of this section.

(2) Any Electric Power Board may, in respect of the land upon or through or over which it has erected or laid, or so erects or lays, any pole or electric wire or cable or other electric equipment, exercise the powers conferred by section eighty-four of the Electric Power Boards Act 1925 as though the land were private land when the act was done and as though that section applied to those acts and, in the case of the Auckland Electric Power Board, as though that section applied to that Board.

(3) The Council of any city or borough or town district or the Department of Tourist and Health Resorts may, in respect of the land upon or through or over which it has erected or laid, or so erects or lays, any pole or electric wire or cable or electric equipment, exercise the powers conferred by section two hundred and eighty of the Municipal Corporations Act 1954 as though the pole or wire or cable or electric equipment had been lawfully erected or laid under that Act and as though that section applied to those acts.

### **3. Registration of notice of underground electric cable—**

(1) In respect of any land to which subsection two of this section applies, the Board or the Minister may at any time and from time to time, by notice registered in accordance with this section against the title of the land intended to be affected, indicate the existence of an underground electric cable passing through or under that land.

(2) Any such notice may be given in respect of State housing land, or land which is the subject of an agreement for sale or licence to occupy under section sixteen or section seventeen of the principal Act that is for the time being in force, or in respect of any other land which was State housing land at the time when the cable was laid but is no longer State housing land.

(3) Any such notice may at any time by like notice so registered be withdrawn or amended by the Board or the Minister.

(4) Any such notice may be signed by the Board or the Minister. It shall not be necessary to specify in the notice, by diagram or otherwise, the position of the cable so long as the land through which it passes is described in accordance with the official description by which it is described in the

office of the District Land Registrar. No action shall lie against the Crown under Part XI of the Land Transfer Act 1952 by reason of any such notice registered under this section not indicating the position of the underground electric cable referred to therein.

5 (5) Upon the lodging of any such notice (together with a registration fee of one pound) with the appropriate District Land Registrar, he shall deposit the notice in his office and register it against the title to all the land indicated in the  
10 notice as affected thereby.

(6) While any notice indicating the existence of an underground electric cable remains registered as aforesaid it shall be deemed to be a registered encumbrance for the purposes of subsection nine of section eighteen of the principal Act  
15 and the provisions of that subsection shall apply accordingly.