

RENT RESTRICTION CONTINUANCE BILL.

EXPLANATORY MEMORANDUM.

THE purpose of this Bill is to extend for a further period of twelve months (that is, until the 1st August, 1928) the operation of the existing law as to the restriction of rent. The effect of the extension will be to postpone for the same period the commencement of the operation of the amendments made by the Rent Restriction Act, 1926, to the effect—(1) That the rent restriction law should apply only to those dwellinghouses to which it is made applicable by a Magisterial order made on the application of a tenant; (2) that the standard rent of a dwellinghouse should be fixed by reference to its present capital value instead of to its pre-war capital value

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
29th July, 1927.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

25th November, 1927.

Hon. Mr. Anderson.

RENT RESTRICTION CONTINUANCE.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Extension of duration of existing law as to restriction of rent until 1st August, <i>February</i>, 1928. Repeal.</p> | <p>3. Consequential amendments of Rent Restriction Act, 1926.</p> |
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A BILL INTITULED

AN ACT to extend the Duration of the Existing Law relating to the Restriction of Rent, and to postpone the Commencement of the Operation of the Amendments effected by the Rent Restriction Act, 1926. Title.

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 Rent Restriction Continuance Act, 1927. Short Title.

2. (1) Part I of the War Legislation Amendment Act, 1916, and the several amendments thereof, in so far as those enactments are now in force, shall continue in force until the first day of ~~August~~, *February*, nineteen hundred and twenty-eight. Extension of duration of existing law as to restriction of rent until 1st ~~August~~, *February*, 1928.

(2) Section two of the Rent Restriction Act, 1926, is hereby repealed. Repeal.

3. The Rent Restriction Act, 1926, is hereby amended as follows:—
(a) By omitting from sections three and four and from the First Schedule all references to the first day of August, nineteen hundred and twenty-seven, and in each case substituting a reference to the first day of ~~August~~, *February*, nineteen hundred and twenty-eight. Consequential amendments of Rent Restriction Act, 1926.

(b) By omitting from section five the reference to the first day of January, nineteen hundred and twenty-eight, and substituting a reference to the first day of January, nineteen hundred and twenty-nine.

New.

4. (1) Notwithstanding anything to the contrary in section three of the Rent Restriction Act, 1926, the amendments and repeals made by that section of the several enactments mentioned in the First and Second Schedules to that Act shall be deemed not to have taken effect as from the first day of August, nineteen hundred and twenty-seven, as Commencement of operation of amendments made by Rent Restriction Act, 1926.

New.

provided in that section, but they shall take effect as from the first day of February, nineteen hundred and twenty-eight, in accordance with the amendment effected by paragraph (a) of the *last preceding section*.

Provided that every order made by a Stipendiary Magistrate after the said first day of August, nineteen hundred and twenty-seven, and before the passing of this Act, fixing the standard rent of any dwelling-house, or of any room or other part thereof, shall have force and effect according to its tenor:

Provided further that no action or other proceedings shall lie against the landlord of any dwellinghouse for the recovery of, or otherwise in respect of, any rent charged in excess of the standard rent for any period between the said first day of August, nineteen hundred and twenty-seven, and the date of the passing of this Act unless an order in relation to that dwellinghouse was in force under section four of the Rent Restriction Act, 1926, for the period in respect of which such rent was charged.

Special provisions with respect to recovery of possession of a dwellinghouse by a landlord.

5. (1) Where a landlord has entered into a binding contract for the sale of the freehold of a dwellinghouse (whether alone or together with other lands), he shall be entitled, without notice of determination of the tenancy, to apply to a Stipendiary Magistrate for an order for possession of the dwellinghouse, and if the Magistrate, upon the hearing of such application, is satisfied that such contract effects a real and genuine sale, the landlord shall be entitled to an order for the recovery of possession of the dwellinghouse at such date (being a date not later than three months from the date of the hearing) as the Magistrate under all the circumstances of the case deems it just to appoint.

(2) The right to recover possession of a dwellinghouse conferred by this section shall be in addition to all other such rights conferred by Part I of the War Legislation Amendment Act, 1916, and the several amendments thereof.