

Serial Number 1948/64



**THE ECONOMIC STABILIZATION EMERGENCY REGULATIONS  
1942, AMENDMENT NO. 13**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 28th day of  
April, 1948

Present :

THE RIGHT HON. P. FRASER PRESIDING IN COUNCIL

PURSUANT to the Emergency Regulations Continuance Act, 1947, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Economic Stabilization Emergency Regulations 1942, Amendment No. 13, and shall be read together with and deemed part of the Economic Stabilization Emergency Regulations 1942\* (hereinafter referred to as the principal regulations).

2. (1) Regulation 15 of the principal regulations is hereby amended by omitting from subclause (5) the words "Any authorized person may oppose any such application".

- \* Statutory Regulations 1942, Serial number 1942/335, page 815.  
Reprinted with Amendment Nos. 1 to 3: Statutory Regulations 1944, Serial number 1944/36, page 106.  
Amendment No. 4: Statutory Regulations 1944, Serial number 1944/93, page 252.  
Amendment No. 5: Statutory Regulations 1945, Serial number 1945/6, page 8.  
Amendment No. 6: Statutory Regulations 1945, Serial number 1945/75, page 181.  
Amendment No. 7: Statutory Regulations 1946, Serial number 1946/2, page 2.  
Amendment No. 8: [*Revoked.*]  
Amendment No. 9: Statutory Regulations 1946, Serial number 1946/184, page 527.  
Amendment No. 10: Statutory Regulations 1946, Serial number 1946/208, page 588.  
Amendment No. 11: Statutory Regulations 1947, Serial number 1947/29, page 68.  
Amendment No. 12: Statutory Regulations 1947, Serial number 1947/87, page 326.

(2) Regulation 15 of the principal regulations is hereby further amended by adding the following subclauses :—

“(6) Any authorized person may appear and be heard and adduce evidence on the hearing of any application under this regulation.

“(7) Where any such application is made after the 1st day of May, 1948, the applicant shall, at least seven clear days before the day fixed for the hearing, post or deliver notice thereof to the office of the Inspector of Factories nearest to the Court in which the application is made.”

3. (1) The principal regulations are hereby amended by revoking regulation 20, and substituting the following regulation :—

“20. (1) Every person commits an offence against this regulation who—

“(a) In consideration of the grant, renewal, termination, or continuance of a tenancy of any property, requires or accepts whether from the tenant or from any outgoing tenant or incoming tenant, any fine, premium, or other sum in addition to the rent :

“(b) Stipulates for or demands or accepts, for himself or for any other person, any bonus, fine, premium, or other like sum in consideration of obtaining or offering to obtain or doing anything for the purpose of obtaining any property for the occupation of any other person :

“(c) In consideration of the transfer of a tenancy of any property (whether directly, or by means of the creation of a new tenancy, or otherwise), in a case to which Part III of the Servicemen's Settlement and Land Sales Act, 1943, does not apply, requires or accepts from the new tenant any sum other than the rent, except such sum (if any) as may be previously approved for the purposes of this regulation by an authorized person :

“(d) Stipulates for or demands or accepts, as a condition of the tenancy or the transfer of the tenancy of any property, payment for the furniture or fixtures or other effects of the dwellinghouse, or for any other chattels, of any sum in excess of the fair selling value thereof.

“(2) Where a premium was paid in consideration of the grant of a lease of any property executed before the 15th day of December, 1942, the following provisions shall apply :—

“(a) Subject to paragraph (b) of this subclause, subclause (1) of this regulation shall not be deemed to prohibit the payment of a premium in consideration of any renewal or successive renewals of that lease, or in consideration of the grant of a new lease or successive new leases of the same property :

“(b) The amount of the premium paid in respect of any such lease, renewal, or new lease shall be taken into account in ascertaining the rent payable thereunder as if the premium were part of the rent and accrued from day to day throughout the term of the lease, renewal, or new lease, as the case may be.

“(3) All moneys received by any person in contravention of this regulation may at any time within twelve months after the date of payment be recovered by or on behalf of the person by whom they were paid as a debt due to him by the person who received the payment, and may, without prejudice to any other mode of recovery, be deducted from any rent that may be payable by the creditor to the debtor within that period of twelve months.

(2) Regulation 3 of the Economic Stabilization Emergency Regulations 1942, Amendment No. 3, is hereby consequentially revoked.

4. Regulation 25 of the principal regulations is hereby amended by omitting from subclause (1) the words “any dwellinghouse to which the Fair Rents Act, 1936, applies or”.

5. Regulation 26 of the principal regulations is hereby amended by revoking paragraph (c).

6. The foregoing provisions of these regulations shall not affect the liability of any person for any offence committed before the commencement of these regulations.

T. J. SHERRARD,  
Clerk of the Executive Council.

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Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 29th day of April, 1948.

These regulations are administered in the office of the Director of Stabilization in the Treasury.