

**1956/26**

**THE JOINT FAMILY HOMES REGULATIONS 1951,  
AMENDMENT NO. 2**

C. W. M. NORRIE, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 7th day of March 1956

**Present:**

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Joint Family Homes Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

**REGULATIONS**

1. These regulations may be cited as the Joint Family Homes Regulations 1951, Amendment No. 2, and shall be read together with and deemed part of the Joint Family Homes Regulations 1951\* (hereinafter referred to as the principal regulations).

2. Regulation 3 of the principal regulations is hereby amended by revoking paragraphs (b) and (c).

3. The principal regulations are hereby amended by revoking regulation 5.

4. (1) The principal regulations are hereby amended by revoking regulation 13A, as set out in regulation 5 of the Joint Family Homes Regulations 1951, Amendment No. 1.

(2) The Joint Family Homes Regulations 1951, Amendment No. 1, is hereby consequentially amended by revoking regulation 5.

5. (1) Regulation 17 of the principal regulations is hereby amended by omitting the words "on payment of the prescribed fee".

(2) The Second Schedule to the principal regulations is hereby amended by omitting so much thereof as relates to the fee for the search of the register book of applications.

6. Regulation 18 of the principal regulations is hereby amended by omitting the words "by stamps".

7. (1) The First Schedule to the principal regulations, as amended by regulation 6 of the Joint Family Homes Regulations 1951, Amendment No. 1, is hereby further amended by revoking Form 2, and substituting the form set out in the Schedule to these regulations.

\*S.R. 1951/28  
Amendment No. 1: S.R. 1953/7

(2) The Joint Family Homes Regulations 1951, Amendment No. 1, is hereby consequentially amended by revoking so much of the Schedule as relates to the said Form 2.

**SCHEDULE**

**FORM TO BE SUBSTITUTED FOR FORM 2 IN THE FIRST SCHEDULE TO THE PRINCIPAL REGULATIONS**

“Form 2

“DECLARATION TO ACCOMPANY APPLICATION

“I (or We), of [Address and occupation], do hereby solemnly and sincerely declare:

“1. That I am (or we are) applying under the Joint Family Homes Act 1950 to register as a joint family home the following land, namely: [Describe land or refer to preceding application].

“2. That my wife (or husband) and I (or we) at present reside and have our home in a dwellinghouse erected on the said land.

“3. That the said dwellinghouse and land are used exclusively as a home for my wife (or husband) and me (or for us) and the following members of our household, namely [State names and relationship] except to this extent, namely: (If the dwellinghouse and land are used exclusively for the above purposes, delete the words ‘except to this extent, namely’; if they are not used exclusively for the above purposes but it is submitted that they are used principally for these purposes, add, after the words ‘except to this extent, namely’, the other uses to which they are being put).

“4. That I am (or we are) the registered proprietor(s) of the said land, and that I am (or we are) able at the date hereof to pay all my (or our) debts other than debts charged on the said land without the aid of the said land.

“5. That I am not, and my wife (or husband) is not, the owner, or a joint owner, of any other joint family home registered as such under the provisions of the Joint Family Homes Act 1950 (or neither of us is the owner, etc.).

“6. That the place (or several places) where I (or we) have during the twelve months preceding the date hereof resided, or carried on business, are as follows [Specify place or places and period].

“7. That I (or we) have no creditors who reside in any other place.

“(Clauses 6 and 7 may be omitted in cases where advertising is not required and the prescribed advertising fee is not being paid.)

“And I (or we) make this solemn declaration conscientiously believing the same to be true and by virtue of the Justices of the Peace Act 1927.

“Declared at ..... this ..... day of ..... 19....., before me—

.....  
“Justice of the Peace; or Solicitor.

“Signature(s) : .....”

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

## EXPLANATORY NOTE

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

These regulations amend the Joint Family Homes Regulations 1951. The amendments are mainly consequential on the removal of the limit as to the value of the land which may be settled as a joint family home. Provision is made for a slightly different form of declaration to accompany the form of application to register land as a joint family home, and the provisions requiring payment of fees by stamps and payment of search fees are omitted.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 8 March 1956.

These regulations are administered in the Department of Justice.