

1984/92



**THE RENT LIMITATIONS REGULATIONS 1984,  
AMENDMENT NO. 1**

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DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 2nd day of April 1984

Present:

THE HON. J. K. MCLAY PRESIDING IN COUNCIL

PURSUANT to the Economic Stabilisation Act 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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ANALYSIS

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| <ol style="list-style-type: none"> <li>1. Title</li> <li>2. Commencement and expiry</li> <li>3. Power to increase rent where no increase since 31 March 1926</li> <li>4. Power to increase rent where no increase since 1 April 1981</li> </ol> | <ol style="list-style-type: none"> <li>5. Power to increase rent where rent has been increased since 1 April 1981 or dwellinghouse has been first let as such since that date</li> <li>6. Power to increase rent where lease in force for 21 years and no increase for that period</li> <li>7. Prohibition on payment of premiums</li> <li>8. Savings</li> </ol> |
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REGULATIONS

**1. Title**—These regulations may be cited as the Rent Limitations Regulations 1984, Amendment No. 1, and shall be read together with and deemed part of the Rent Limitations Regulations 1984\* (hereinafter referred to as the principal regulations).

**2. Commencement and expiry**—(1) These regulations shall come into force on the 3rd day of April 1984.

(2) These regulations shall continue in force until the 28th day of February 1985, and shall then expire.

**3. Power to increase rent where no increase since 31 March 1926—** Regulation 6 (1) of the principal regulations is hereby amended by revoking paragraph (a), and substituting the following paragraph:

“(a) The rent for any controlled dwellinghouse that was let at any time on or before the 31st day of March 1926 has not been increased at any time after that date; and”.

**4. Power to increase rent where no increase since 1 April 1981—** Regulation 7 (1) (a) of the principal regulations is hereby amended by inserting, after the words “controlled dwellinghouse”, the words “(not being a dwellinghouse first let as such on or after the 1st day of April 1981)”.

**5. Power to increase rent where rent has been increased since 1 April 1981 or dwellinghouse has been first let as such since that date—** Regulation 8 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) This regulation applies to—

“(a) Every case where the rent of any controlled dwellinghouse has been increased at any time on or after the 1st day of April 1981; and

“(b) Every case where any controlled dwellinghouse has first been let as a dwellinghouse on or after the 1st day of April 1981.”

**6. Power to increase rent where lease in force for 21 years and no increase for that period—** Regulation 13 (2) of the principal regulations is hereby amended by omitting the word “regulations” in the first place where it appears, and substituting the word “regulation”.

**7. Prohibition on payment of premiums—**The principal regulations are hereby amended by inserting, after regulation 18, the following regulation:

“18A. (1) Every person, being the landlord of any controlled property or acting on behalf of the landlord, commits an offence against these regulations who, in consideration of or on the occasion of the grant, renewal, termination, or continuance of a tenancy of the controlled property, stipulates for or demands or accepts, whether from the tenant or from any outgoing tenant or incoming tenant, any premium in addition to the rent.

“(2) In this regulation ‘premium’ includes any fine or other like sum and any other consideration in addition to rent.”

**8. Savings—**(1) Nothing in these regulations shall affect any increase in rent lawfully effected under regulation 7 or regulation 8 of the principal regulations before the 3rd day of April 1984.

(2) Notwithstanding the amendments made to regulations 7 and 8 of the principal regulations by regulations 4 and 5 of these regulations, where—

(a) Any controlled dwellinghouse is a dwellinghouse first let as such on or after the 1st day of April 1981; and

(b) The rent of that controlled dwellinghouse has not been increased at any time on or after the date on which it was first let as a dwellinghouse on or after the 1st day of April 1981; and

(c) The rent of that controlled dwellinghouse fell due for review and was reviewed under any Act or in accordance with the terms of any lease or agreement at any time during the period commencing with the 22nd day of June 1982 and ending with the close of the 31st day of March 1984; and

(d) The result of the review was to increase the rent of that controlled dwellinghouse,—  
the rent may be increased accordingly in accordance with regulation 7 of the principal regulations as if that regulation (as it stood immediately before the commencement of these regulations) applied in respect of the rent of that controlled dwellinghouse and as if the amendments made by regulations 4 and 5 of these regulations had not been made.

P. G. MILLEN,  
Clerk of the Executive Council.

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#### EXPLANATORY NOTE

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

These regulations, which come into force on 3 April 1984, amend the Rent Limitations Regulations 1984 (which expire on 28 February 1985).

*Regulation 3* clarifies the meaning of regulation 6 (a) of the principal regulations.

*Regulations 4 and 5* make it clear that where a controlled dwellinghouse has first been let as a dwellinghouse on or after 1 April 1981, the rent of that dwellinghouse may not be increased under regulation 7 of the principal regulations (which provides in certain circumstances for an increase of up to 10 percent at the discretion of the landlord). Regulation 8 of the principal regulations (which provides that an increase of up to 3 percent may be effected by agreement) will apply in respect of the rent of such a dwellinghouse.

The provisions of *regulations 4 and 5* are subject to the savings provisions contained in *regulation 8* of these regulations.

*Regulation 6* corrects a printing error in regulation 13 (2) of the principal regulations.

*Regulation 7* is designed to prohibit, during the currency of the principal regulations, the payment of key money in respect of controlled properties.

In the case of controlled dwellinghouses, prohibitions on the payment of key money are contained in section 32 (1) of the Tenancy Act 1955 and section 22 (1) of the Rent Appeal Act 1973.

*Regulation 8* is a savings provision (which applies in respect of the amendments made to regulations 7 and 8 of the principal regulations by *regulations 4 and 5* of these regulations).

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 3 April 1984.

These regulations are administered in the Housing Corporation of New Zealand.