

**Serial Number 1951/270**

**THE TENANCY REGULATIONS 1951**

B. C. FREYBERG, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington, this 21st day of  
November 1951

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

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

**REGULATIONS**

1. (1) These regulations may be cited as the Tenancy Regulations 1951.

(2) These regulations shall come into force on the eighteenth day after the date of their notification in the *Gazette*.

2. (1) On the hearing of any application to fix the fair rent of any dwellinghouse under the Tenancy Act 1948, the Court shall not have regard to any general or local increase in values since the 1st day of September 1942, except as provided in this regulation.

(2) In the case of a dwellinghouse built on or before the 1st day of September 1942, the Court may fix a fair rent that is not more than 15 per cent in excess of a rent determined on the value of the dwellinghouse as at the 1st day of September 1942 :

Provided that, in the case of any such dwellinghouse purchased after the 22nd day of February 1950, and let to a new tenant after the commencement of these regulations, the Court may have regard to the capital cost to the landlord, in addition to the relative circumstances of the landlord and of the tenant and other relevant matters.

(3) In the case of a dwellinghouse built after the 1st day of September 1942, the Court may have regard to the capital cost to the landlord, in addition to the relative circumstances of the landlord and of the tenant and other relevant matters :

Provided that, in the case of any such dwellinghouse purchased by the landlord after the 22nd day of February 1950, this subclause shall not be deemed to authorize any increase in the fair rent unless the landlord has let the dwellinghouse to a new tenant after the commencement of these regulations.

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 require the fair rents of dwellinghouses under the Tenancy Act 1948 to be fixed on the following basis :—

- (a) Where the dwellinghouse was built on or before 1 September 1942, the fair rent may be fixed on its value as at that date increased by not more than 15 per cent ; but if any such dwellinghouse has been purchased after 22 February 1950 and let to a new tenant after the commencement of these regulations, the Court may have regard to the capital cost to the landlord, while still having regard to the relative circumstances of the landlord and of the tenant :
- (b) Where the dwellinghouse has been built after 1 September 1942, the Court may have regard to the capital cost to the landlord, while still having regard to the relative circumstances of the landlord and of the tenant ; but if any such dwellinghouse has been purchased after 22 February 1950 the landlord is not to be entitled to an increased fair rent unless he has let the dwellinghouse to a new tenant after the commencement of these regulations.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette* : 22nd day of November 1951.

These regulations are administered in the Department of Labour and Employment.