

Regulations regarding the Purchase under the Rotorua Town Lands Act, 1920, of the Fee-simple of Crown Lands held on Lease in Town and Suburbs of Rotorua.

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 12th day of April, 1921.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section twenty-one of the Rotorua Town Lands Act, 1920 (hereinafter referred to as "the said Act"), it is enacted that the Governor-General may by Order in Council make such regulations as he considers necessary for carrying into effect the provisions of the said Act :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred by the said Act, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations for the purposes of the said Act ; and doth hereby declare that the regulations hereby made shall take effect as from the date of the publication thereof in the *New Zealand Gazette*.

REGULATIONS.

1. In these regulations the term "Commissioner" means the Commissioner of Crown Lands for the Auckland Land District.

2. Every lessee, sublessee, or underlessee of land in the town or suburbs of Rotorua, as defined by the said Act, who desires to purchase the fee-simple of the land comprised in his lease, sublease, or underlease, as the case may be, in pursuance of the provisions of the said Act, shall give notice of his intention to the Commissioner in the form No. 1 in the Schedule hereto.

3. Every such notice shall, on delivery at the office of the Commissioner, be stamped with the date of such delivery, and the Commissioner shall as soon as practicable give notice under his hand, in the form No. 2 in the Schedule hereto, setting out in accordance with the said Act the terms upon which the purchase is to be completed.

4. Every license to occupy issued in pursuance of any such notice to purchase on deferred payments shall be under the hand of the Commissioner, and shall be in the form No. 3 in the Schedule hereto. Where the freehold of part only of the land comprised in a lease is being acquired, form No. 3 shall be adapted accordingly.

5. Every such license to occupy shall be registered under the Land Transfer Act, 1915, in manner provided by section 90 of the Land Act, 1908.

6. For the purpose of the computation of the purchase price of part of the land comprised in a lease, the original unimproved value of such part shall be deemed to be a sum which bears the same proportion to the original unimproved value of the whole of the land comprised in such lease as the area of the said part together with the area of one-half of the width of the adjoining portion of any road or street laid off upon the land comprised in such lease bears to the whole area comprised in the lease.

On completion by a lessee or sublessee or underlessee of the purchase for cash, or on payment of the first deposit in respect of a purchase on deferred payments, of part of the land comprised in a lease, the rent payable under the lease shall be abated so as to bear such proportion to the original rental as the present unimproved value of the area comprised in the balance of the lease bears to the present unimproved value of the whole of the land comprised in the lease ; provided, however, that in special circumstances the rent payable under the lease shall be abated in such other proportion as the Commissioner shall determine.

The Commissioner shall thereupon forward to the District Land Registrar a certificate under his hand in the form No. 4 of the Schedule hereto specifying the portion of the land of which the freehold has been acquired and the corresponding reduction of rent.

The District Land Registrar shall deposit such certificate in his office, and shall note on the registered instrument of lease and on the duplicate thereof, when forwarded for that purpose, a memorandum to the following effect : " Fee-simple of portion of land in this lease has been acquired, and yearly rent reduced to , as from ."

7. The fee payable under section 8 of the said Act, when notice of intention to purchase is again given, shall be £5.

SCHEDULE.

Form No. 1.

NOTICE OF INTENTION TO PURCHASE THE FEE-SIMPLE OF LAND COMPRISED IN A LEASE OF CROWN LAND IN ROTORUA.

(Under the Rotorua Town Lands Act, 1920.)

I, [Name in full, address, and occupation], being the lessee from the Crown [or sublessee, or underlessee, from]

of an area of _____ acres _____ roods _____ perches, and being the whole [or part] of Section _____, Block _____, Rotorua, and being the whole [or part] of the land comprised in lease No. _____, do hereby give notice, in pursuance of the above-mentioned Act, of my intention to purchase the fee-simple of the said land, and I do hereby elect to purchase for cash [or on deferred payments].

Dated at _____ this _____ day of _____, 19 _____
[Signature of lessee.]

I,* _____, being the lessee of the above-mentioned section, do hereby consent to the above application, and undertake to facilitate the production of the necessary titles when required. [Signature of lessee.]

I,* [We], being a sublessee[s] or underlessee[s] of the above-mentioned section, hereby consent to the above application. [Signature of sublessee(s) or underlessee(s).]

*To be completed by lessee and all other intermediate sublessees or underlessees when application is made by a sublessee or underlessee.

Form No. 2.

NOTICE BY THE COMMISSIONER OF CROWN LANDS OF PRICE FIXED FOR THE FEE-SIMPLE OF LAND COMPRISED IN A LEASE OF CROWN LAND IN ROTORUA.

(Under the Rotorua Town Lands Act, 1920.)

Section _____, Block _____, of Rotorua.
_____ acres _____ roods _____ perches.

To [Name, address, and occupation of lessee].

IN pursuance of your notice of intention to purchase for cash [or on deferred payments] the fee-simple of the above-mentioned land, received by me on the _____ day of _____, 19 _____, I have to give you notice that the price of the land, as determined in accordance with the provisions of the Rotorua Town Lands Act, 1920, is £ _____.

The freehold title [or deferred-payment license] will issue on payment of the undermentioned amounts to the Receiver of Land Revenue not later than the _____ day of _____, 19 _____ [Six months after date of this notice].

Valuation fee	£ _____
Crown-grant fee, or license fee	£ _____
Price	£ _____
Deposit on deferred payments	£ _____
Rent due up to the [Date of delivery of notice to purchase]	£ _____

Total payments required £ _____

To this amount must be added interest on the price (in the case of a cash purchase) at the rate of 5 per cent. per annum from the _____ day of _____, 19 _____ [Date of delivery of notice to purchase] to the date of payment of the price—namely, _____ per day.

Your lease must be delivered up to the Commissioner before the issue of the freehold title, or license to occupy.

If the above amount is not paid on or before the day of _____, 19 _____ [Six months after date of this notice], the contract of purchase may be cancelled by the Commissioner, in which case you will have no right to give any further notice of intention to purchase until the expiry of a period of five years from the date of delivery of the first notice, save with the consent of the Minister of Lands, and on payment of a fee of £5.

The next payment in reduction of the principal under deferred payments will fall due on the _____ day of _____, 19 _____.

Dated at Auckland this _____ day of _____, 19 _____.

Commissioner of Crown Lands.

Form No. 3.

OCCUPATION LICENSE ISSUED UNDER THE ROTORUA TOWN LANDS ACT, 1920, ON THE PURCHASE ON DEFERRED PAYMENTS OF LAND INCLUDED IN A LEASE OF CROWN LAND IN ROTORUA.

THIS DEED, made the _____ day of _____, 19 _____, between His Majesty the King, of the one part, and _____, of _____ (who with his executors, administrators, and assigns is hereinafter referred to as the licensee), of the other part :

Whereas the licensee, being the owner of a lease under the _____ Act, _____, of the land hereinafter described, did, on the _____ day of _____, 19 _____, in pursuance and exercise of the right of purchase conferred upon him by the Rotorua Town Lands Act, 1920, give notice to the Commissioner of Crown Lands of his intention to purchase on deferred payments the fee-simple of the land comprised in the said lease :

And whereas the price of the said land, computed in accordance with the said Act, is _____ :

And whereas the licensee has, in pursuance of the said Act, paid the prescribed deposit, and has also paid all rent