

Reprint
as at 28 November 1985



Maori Housing Regulations 1960 (SR 1960/96)

Cobham, Governor-General

Order in Council

At the Government Buildings at Wellington this 29th day of June 1960

Present:

The Right Hon W Nash, CH, Presiding in Council

Pursuant to the Maori Housing Act 1935, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

Contents

	Page
1	2
2	2
3	2
4 Fees and charges	2
5	3
6	3
Schedule	4

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by Te Puni Kōkiri.

Regulations

1

These regulations may be cited as the Maori Housing Regulations 1960 and shall come into force on the day after the date of their notification in the *Gazette*.

2

In these regulations unless the context otherwise requires,—

Act means the Maori Housing Act 1935

applicant means any person who applies for or who has been granted a loan under the Act

Board means the Board of Maori Affairs constituted under the Maori Affairs Act 1953

Director means the officer in charge of the district office of the Department of Maori Affairs for the district in which the dwelling is erected or proposed to be erected.

Regulation 2 **Director**: inserted, on 28 November 1985, by regulation 2(1) of the Maori Housing Regulations 1960, Amendment No 1 (SR 1985/290).

Regulation 2 **District Officer**: revoked, on 28 November 1985, by regulation 2(1) of the Maori Housing Regulations 1960, Amendment No 1 (SR 1985/290).

3

- (1) Every applicant for an advance under the Act shall make his application in writing on the form of application prescribed by the Board, giving true and complete answers to the questions on the form, and shall forward or deliver his application to the Director.

- (2) *[Revoked]*

Regulation 3(1): amended, on 28 November 1985, by regulation 2(2) of the Maori Housing Regulations 1960, Amendment No 1 (SR 1985/290).

Regulation 3(2): revoked, on 28 November 1985, by regulation 3 of the Maori Housing Regulations 1960, Amendment No 1 (SR 1985/290).

4 Fees and charges

- (1) The Board may from time to time, by scale or otherwise, fix fees and charges payable in respect of advances under the Act, and determine the manner in which any such fees and charges are to be paid.
- (2) Without limiting the Board's discretion to determine the manner in which any such fees and charges are to be paid in any particular case, the Board may agree—
 - (a) to deduct the amount of any such fee or charge from the amount of the advance; or

- (b) to add the amount of any such fee or charge to the amount of the advance, in which case it shall become part of the amount of the advance for all purposes.
- (3) The Board may, in any particular case, refund or remit the whole or any part of any fees and charges fixed under this regulation.

Regulation 4: replaced, on 28 November 1985, by regulation 4 of the Maori Housing Regulations 1960, Amendment No 1 (SR 1985/290).

5

Every memorial of charge executed by the Board under the provisions of section 21 of the Maori Housing Amendment Act 1938 shall be in form 1 of the Schedule, and every consent in writing required by subsection (3) of that section shall be in form 2 of the Schedule.

6

The Maori Housing Regulations 1936 (SR 1937/109) and the Maori Housing Regulations 1936, Amendment No 1 (SR 1954/150), are hereby revoked.

Schedule

Form 1

r 5

Memorial of charge

Pursuant to section 21 of the Maori Housing Amendment Act 1938, the Board of Maori Affairs doth hereby execute a memorial of charge over the land or interest in land described in the Schedule hereto as evidence—

- *(a) that the land is subject to a statutory charge under subsection (1) of the said section; or
- *(b) that the Board has, after receiving the required consents, created a collateral charge under subsection (3) of the said section.

The principal sum secured by the said memorial of charge shall be the sum of £ [amount] and shall be deemed to have been advanced on [date].

The rate of interest on the said principal sum shall be at the rate of [specify] per centum per annum.

The principal sum and interest thereon shall be payable by monthly/half-yearly sums of £[amount] at the District Office of the Department of Maori Affairs at [place] commencing on [date].

The balance of the principal sum and any interest outstanding shall be payable on [date].

Dated at: [place, date]

Signature:

*Delete as required.

Schedule

[Full legal description of land or interest charged]

Form 2

r 5

Consent to the creation of a collateral charge

I, [name] of [address], [occupation], do hereby consent to a collateral charge being created by the Board of Maori Affairs under section 21(3) of the Maori Housing Amendment Act 1938 over the land interests described in the Schedule hereto, such charge to be held by the Board as collateral security for the repayment of a loan of £ [amount] together with interest thereon at the rate of [specify] per centum per annum granted under the Maori Housing Act 1935 to [specify] of [specify], such loan being repayable by monthly/half-yearly instalments of £[amount] spread over a term of [number of years] years from the date of the advance.

Dated at: [place, date]

Signed by the said AB in my presence and I hereby certify that he had a knowledge of the English language sufficient to be able to understand and did understand the effect of the foregoing before signing the same:

Signature:

Witness:

Occupation:

Address:

Schedule

[Full legal description of land or interest to be charged]

T J Sherrard,
Clerk of the Executive Council.

Contents

- 1 General
- 2 Status of reprints
- 3 How reprints are prepared
- 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
- 5 List of amendments incorporated in this reprint (most recent first)

Notes**1 General**

This is a reprint of the Maori Housing Regulations 1960. The reprint incorporates all the amendments to the regulations as at 28 November 1985, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted

enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)

- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Maori Housing Regulations 1960, Amendment No 1 (SR 1985/290)