



# Affordable Housing: Enabling Territorial Authorities Act Repeal Act 2010

Public Act    2010 No 101  
Date of assent    5 August 2010  
Commencement    see section 2

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## The Parliament of New Zealand enacts as follows:

### 1    Title

This Act is the Affordable Housing: Enabling Territorial Authorities Act Repeal Act 2010.

**2 Commencement**

This Act comes into force on the day after the date on which it receives the Royal assent.

*Repeal of Affordable Housing: Enabling Territorial Authorities Act 2008***3 Repeal of Affordable Housing: Enabling Territorial Authorities Act 2008**

The Affordable Housing: Enabling Territorial Authorities Act 2008 (2008 No 67) is repealed.

**4 Amendment to Building Act 2004**

- (1) This section amends the Building Act 2004.
- (2) Section 49(2) is amended by—
  - (a) omitting “; and” from paragraph (b); and
  - (b) repealing paragraph (c).

**5 Amendments to Goods and Services Tax Act 1985**

- (1) This section amends the Goods and Services Tax Act 1985.
- (2) Section 5 is amended by repealing subsections (7D) and (7E).
- (3) Section 11B is amended by repealing subsections (1D) and (1E).

**6 Amendment to Housing Corporation Act 1974**

- (1) This section amends the Housing Corporation Act 1974.
- (2) Section 3B is amended by—
  - (a) omitting “; and” from paragraph (b); and
  - (b) repealing paragraph (c).

**7 Amendment to Local Government Act 2002**

- (1) This section amends the Local Government Act 2002.
- (2) Schedule 10 is amended by repealing clause 7A.

*Amendment to Property Law Act 2007***8 Amendment to Property Law Act 2007**

- (1) This section amends the Property Law Act 2007.
- (2) The following section is inserted after section 277:

**277A Certain covenants void**

- (1) A covenant concerning land is void if a principal purpose of the covenant is to stop the land being used for housing for—
  - (a) people on low incomes; or

- (b) people with special housing needs; or
- (c) people whose disabilities mean that they need support or supervision in their housing.
- (2) Without limiting the covenants that are void under subsection (1), covenants to the following effect are void:
- (a) a covenant that the transferee will not directly or indirectly convey the land to Housing New Zealand Corporation, any other central or local government body, or a private body that may facilitate the occupation of housing on the land by people selected by the corporation or the body:
- (b) a covenant that the transferee will not directly or indirectly convey the land to Housing New Zealand Corporation, a subsidiary company of Housing New Zealand Corporation, any other central or local government body, or a private body that provides housing to tenants on a subsidised basis:
- (c) a covenant that the transferee will not directly or indirectly convey the land to a central or local government body or a private body for the purposes of public or institutional housing.
- (3) This section applies only to covenants entered into on or after the day on which this section comes into force.
- Compare: 2008 No 67 ss 30, 34

### Legislative history

29 July 2010	Divided from Infrastructure Bill (Bill 63–2) by committee of the whole House as Bill 63–3D
3 August 2010	Third reading
5 August 2010	Royal assent

This Act is administered by the Ministry of Housing and Urban Development.