



## **Housing Restructuring and Tenancy Matters (Appointment of Agency and Regulatory Authority) Order 2018**

Patsy Reddy, Governor-General

### **Order in Council**

At Wellington this 24th day of September 2018

Present:

Her Excellency the Governor-General in Council

This order is made under sections 100 and 159 of the Housing Restructuring and Tenancy Matters Act 1992—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the joint Ministers (within the meaning of that Act).

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## **Order**

### **1 Title**

This order is the Housing Restructuring and Tenancy Matters (Appointment of Agency and Regulatory Authority) Order 2018.

### **2 Commencement**

This order comes into force on 1 October 2018.

### **3 Interpretation**

In this order, **Act** means the Housing Restructuring and Tenancy Matters Act 1992.

### **4 Ministry of Housing and Urban Development and Ministry of Social Development appointed as social housing agencies**

- (1) The Ministry of Housing and Urban Development is appointed as the agency—
  - (a) to perform the functions set out in section 101(a) of the Act and to exercise any related powers:
  - (b) to perform any functions and to exercise any powers of the agency set out in the Act to the extent that they relate to the functions set out in section 101(a),—
    - (i) including, but not limited to, the functions and powers set out in sections 137, 137A, and 138; but
    - (ii) not including any function or power set out in any section specified in subclause (2)(c) (except as provided in subparagraph (i) of this paragraph).
- (2) The Ministry of Social Development is appointed as the agency—
  - (a) to perform the functions set out in section 101(a) of the Act and to exercise any related powers:
  - (b) to perform the functions set out in section 101(b) of the Act and to exercise any related powers:
  - (c) to perform any functions and to exercise any powers of the agency set out in the Act that relate to the functions set out in section 101(b) of the Act or to income-related rent (or to both), including, but not limited to, the functions and powers set out in—
    - (i) section 74(3):
    - (ii) section 94(2):
    - (iii) sections 103 to 113:
    - (iv) sections 115 to 129:
    - (v) section 137:

- (vi) section 139:
- (vii) sections 145 to 155:
- (d) to perform any other functions (and to exercise any related powers)—
  - (i) of the agency that are set out in the Act but not otherwise described in this clause:
  - (ii) under Part 7 of the Act that are delegated to the agency.

**5 Ministry of Housing and Urban Development appointed as regulatory authority**

The Ministry of Housing and Urban Development is appointed to perform the functions and exercise the powers of the regulatory authority under Part 10 of the Act.

**6 Revocation**

The Housing Restructuring and Tenancy Matters (Appointment of Agency and Regulatory Authority) Order 2013 (SR 2013/476) is revoked.

Michael Webster,  
Clerk of the Executive Council.

**Explanatory note**

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

This order, which comes into force on 1 October 2018, is made under sections 100 and 159 of the Housing Restructuring and Tenancy Matters Act 1992 (the **Act**). This order provides for—

- the appointment of the Ministry of Housing and Urban Development as the social housing agency in respect of—
  - the functions described in section 101(a) of the Act and any functions set out in the Act that relate to the functions set out in section 101(a); and
  - any powers related to those functions:
- the appointment of the Ministry of Social Development as the social housing agency in respect of—
  - the functions described in section 101(a) and (b) of the Act, any functions set out in the Act that relate to the functions set out in section 101(b) or to income-related rent (or to both), any other functions set out in the Act, and any other functions under Part 7 of the Act that are delegated to the agency; and
  - any powers related to those functions:

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Explanatory note

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- the appointment of the Ministry of Housing and Urban Development as the regulatory authority under Part 10 of the Act.

This order also revokes an earlier order (under which the Ministry of Social Development had been appointed as the social housing agency and the Ministry of Business, Innovation, and Employment had been appointed as the regulatory authority).

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 27 September 2018.

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

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Wellington, New Zealand:

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