

Joint Family Homes Repeal Bill

Member's Bill

Explanatory note

General policy statement

This Bill repeals the Joint Family Homes Act 1964. This Bill also repeals section 16(2) of the Family Protection Act 1955.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause, which provides that the Act comes into force 1 year after the date on which it receives the Royal assent.

Clause 3 provides for the repeal of the Joint Family Homes Act 1964 (the **principal Act**).

Clause 4 provides for the revocation of regulations made under the principal Act.

Clause 5 provides that if both husband and wife are still living, they shall remain as joint tenants of any settled property despite any loss of entitlement implicit in section 3 of the principal Act.

Clause 6 states that section 16(2) of the Family Protection Act 1955 is repealed.

Simon O'Connor

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Joint Family Homes Repeal Act **2012**.
- 2 Commencement**
This Act comes into force 1 year after the date on which it receives Royal assent. 5
- 3 Repeal of Joint Family Homes Act 1964**
The Joint Family Homes Act 1964 (1964 No 65) is repealed.
- 4 Regulations revoked**
The following regulations are revoked: 10

- (a) the Joint Family Homes Regulations 1965 (SR 1965/65):
- (b) the Joint Family Homes (Specified Sum) Order 2002 (SR 2002/364).

5 Provision for joint family homes 5

Despite any loss of entitlement implicit in section 3 of the Joint Family Homes Act 1964, any settled property (if both husband and wife are still living) remains vested in them as joint tenants.

6 Consequential repeal 10

Section 16(2) of the Family Protection Act 1955 is repealed.
