

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
29th September, 1939.*

Hon. Mr. Armstrong.

RURAL HOUSING.

ANALYSIS.

Title.	
1. Short Title.	6. Advances to be repaid by instalments and to be recoverable as rates.
2. Interpretation.	7. Power of Councils to raise loans without polls.
3. Advances by County Councils to farmers for erection of dwellings.	8. Act to extend to boroughs, town districts, and road districts.
4. Notices to and objections by lessors and mortgagees.	9. Loans to local authorities by State Advances Corporation.
5. Exemptions from stamp duty and fees.	10. Regulations.

A BILL INTITULED

AN ACT to provide for Financing the Erection of Dwellings for Farmers and Farm Workers. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Rural Housing Act, 1939. Short Title.

2. In this Act, unless the context otherwise requires,— Interpretation.

“ Dwelling ” includes an addition to or adaptation of existing premises:

“ Farm worker ” means a person whose principal occupation consists of working on a farm for wages, or of share-milking or share-cropping:

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“Farmer” means a person whose principal occupation is the carrying-out of farming operations (whether by himself or by a manager or other person on his behalf) on a farm owned or leased by him; and includes the personal representatives of a deceased farmer. 5

Advances by
County Councils
to farmers for
erection of
dwellings.

3. (1) Any County Council may advance money to a farmer to enable him to provide a dwelling for his own use or for the use of any farm worker who is principally employed by him or for the use of any member of his family who is engaged in farming operations on the farm, or to enable him to repair or add to existing dwellings. 10

(2) No advance under this section shall be made by any County Council to any farmer unless the dwelling is to be provided or is situated on a farm owned or leased by the farmer and situated within the county. 15

(3) No such advance shall be granted except upon the written application of the farmer and by a resolution of a duly constituted meeting of the Council. 20

(4) Every application for an advance shall be in the prescribed form, and shall contain a description of all the lands comprised in the farm and such other information and particulars as the Council may require, and shall be accompanied by plans and specifications of the proposed dwelling or repairs. Every such application shall be verified as to the facts contained therein by the statutory declaration of the farmer. 25 30

(5) No advance shall be granted except with the precedent consent of the State Advances Corporation of New Zealand.

(6) A valuation of the proposed dwelling shall be made for the Council by the Valuer-General, and no advance shall be granted for a sum in excess of the valuation. With the valuation, the Valuer-General shall furnish a report on the necessity for the dwelling and the ability of the farmer to meet the charges in connection therewith. 35 40

(7) The amount of any advance may, at the discretion of the Council, be made by progress-payments corresponding in amount to the value of the

work from time to time effected, on the certificate of the County Engineer or such other officer as the Council shall appoint.

(8) The loan shall be repaid by half-yearly, 5 quarterly, or other periodical instalments of principal and interest, calculated according to a prescribed table.

4. Before making any advance under this Act the Council shall give notice of the application to the lessor if the land is leasehold and to every registered 10 mortgagee of the land, and the Council shall not make the advance if the lessor or any mortgagee, within *thirty* days of the giving of the notice to him or within such further period as may be prescribed, objects to the making of the advance.

15 5. No stamp duty shall be charged in respect of any declaration under this Act or in respect of any agreement required by the Council, and no fee shall be charged by the Valuer-General in respect of any valuation or report made pursuant to subsection *six* of 20 section *three* of this Act, or by the District Land Registrar for the registration of any charge under the Statutory Land Charges Registration Act, 1928, in respect of an advance under this Act.

6. (1) The amount of every advance under this Act, 25 together with a sum equal to one-half per centum of the amount advanced (to cover the cost of supervision by the servants of the Council), shall be a charge upon all the lands comprised in the farm in respect of which the advance is made, and the total amount, or the 30 amount of any instalment thereof, may be recovered as rates are recovered under the Rating Act, 1925, and the provisions of that Act as to the recovery of rates shall, with the necessary modifications, and except to the extent to which they are inconsistent with 35 this Act or with regulations made thereunder, apply accordingly:

Provided that no part of any such amount shall be recoverable under subsection one of section seventy of the Rating Act, 1925, from any mortgagee or lessor 40 to whom notice of the application for the advance is given under section *four* of this Act.

(2) A separate book shall be kept by the Council in which particulars of the instalments (distinguishing 45 principal from interest), of the lands in respect whereof they are payable, of the dates for payment

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Exemption
from stamp
duty and fees.

See Reprint
of Statutes,
Vol. VII,
p. 1280

Advances to be
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recoverable
as rates.

Ibid., p. 977

thereof, and of the names of the persons paying them shall be entered; and every such book shall be *prima facie* evidence of the correctness of its contents.

(3) All interest and principal repayments received by the Council in respect of any advance shall be applied in or towards payment of the annual charges in respect of any loans raised by the Council for the purposes of this Act. 5

Power of Councils to raise loans without polls.

7. The Council may from time to time, by special order and without taking the steps prescribed by sections nine to thirteen of the Local Bodies' Loans Act, 1926, raise a special loan for any of the purposes of this Act. 10

Act to extend to boroughs, town districts, and road districts.

8. Where any farm is situated within any borough, town district, or road district, the Borough Council, Town Board, or Road Board, as the case may be, shall have, in respect of that farm, the same powers under this Act as it would have if it were a County Council and the farm were within the county. 15

Loans to local authorities by State Advances Corporation.

9. The State Advances Corporation of New Zealand may from time to time, with the approval of the Minister of Finance, make loans out of the Housing Account to any local authority to enable it to make advances under this Act. 20

Regulations.

10. (1) The Governor-General may from time to time, by Order in Council, make all such regulations as may in his opinion be necessary or expedient for giving full effect to the provisions of this Act and for the due administration thereof. 25

(2) Without limiting the general power hereinbefore conferred, it is hereby declared that regulations may be made under this section for all or any of the following purposes:—

(a) Prescribing the forms of applications, notices, agreements, and other documents required under this Act: 35

(b) Prescribing the method of giving notices under this Act:

(c) Prescribing rates of interest and tables of repayment for advances: 40

(d) Prescribing covenants to be implied in agreements made between farmers and local authorities under this Act.