

HOUSING IMPROVEMENT ACT.

Act No. 59, 1936.

An Act to constitute a Housing Improvement Board of New South Wales; to confer and impose certain powers, authorities, duties and functions on the said Board and on certain councils in relation to the elimination of unsatisfactory housing conditions, the provision of housing accommodation, and certain other matters; to amend the Co-operation Act, 1923-1936, and certain other Acts; and for purposes connected therewith. [Assented to, 23rd December, 1936.]

George VI,
No. 59, 1936.

BE

No. 59, 1936.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

PRELIMINARY.

Short title
and com-
mencement.

1. (1) This Act may be cited as the "Housing Improvement Act, 1936."

(2) This Act shall commence upon a date to be appointed by the Governor and notified by proclamation published in the Gazette.

Division
into Parts.

2. This Act is divided into Parts, as follows:—

PART I.—PRELIMINARY.

PART II.—AMENDMENT OF CERTAIN ACTS.

PART III.—HOUSING IMPROVEMENT BOARD.

DIVISION 1.—*Constitution.*

DIVISION 2.—*Officers and employees.*

PART IV.—HOUSING IMPROVEMENT ADVISORY COMMITTEES.

PART V.—CLEARANCE AREAS AND HOUSING IMPROVEMENT SCHEMES.

PART VI.—INVESTIGATION BY THE BOARD.

PART VII.—REGULATIONS.

Interpre-
tation.

3. (1) In this Act, unless the context or subject-matter otherwise indicates or requires—

"Board" means the Housing Improvement Board of New South Wales constituted under this Act.

"Chairman" means chairman of the board.

"Clearance area" means a tract of land which has been declared by the Governor by proclamation published in the Gazette to be a clearance area for the purposes of this Act.

"Deputy

“Deputy chairman” means deputy chairman of the board. No. 59, 1936.

“Housing improvement scheme” means a scheme of housing improvement which has been declared by the Governor by proclamation published in the Gazette to be the housing improvement scheme to be carried out in relation to a particular clearance area.

“Member” means member of the board.

“Prescribed” means prescribed by this Act or by the regulations.

“Regulations” means regulations made under this Act.

(2) This Act shall be read and construed subject to the Commonwealth of Australia Constitution Act and so as not to exceed the legislative power of the State, to the intent that, where any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected. Construct-
tion,
Common-
wealth Con-
stitution.

PART II.

AMENDMENT OF CERTAIN ACTS.

4. (1) The Co-operation Act, 1923-1936, is amended— Amendment
of Act No. 1,
1924.

(a) by omitting section fifty-five and by inserting in lieu thereof the following section:— Subst. s. 55.

55. The rules of a building society may provide for the withdrawal of shares by a member: Withdrawal
of shares
from build-
ing society.

Provided that no such rule shall be registered unless and until it has been approved by the registrar, who as a condition of such approval may require a certificate as to the actuarial value of shares to be withdrawn.

(b)

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New s. 114A.

Co-operative
building
advisory
committee.

(b) by inserting next after section one hundred and fourteen the following new section:—

114A. (1) (a) The Minister may constitute a co-operative building advisory committee (in this section referred to as the "committee") consisting of not less than three nor more than five members.

(b) One of such members shall be the person who for the time being holds the office of registrar and who shall, by virtue of his office as registrar be the chairman and executive member of the committee.

(c) Another of such members shall be the Under-Secretary to the Treasury or an officer of the Treasury nominated in writing from time to time by the Under-Secretary to act on his behalf, either generally or for any particular meeting of the committee. Any nomination under this paragraph may be revoked by the Under-Secretary by writing under his hand.

(2) The other members of the committee shall be appointed by the Minister and shall hold office for such period as he may deem fit and may be removed from office by the Minister.

(3) It shall be the duty of the committee to submit recommendations to the Minister with respect to—

(a) proposals to promote the building of dwelling-houses by co-operative effort;

(b) proposals to improve the methods of operations of co-operative building societies;

(c) proposals to finance the operations of co-operative building societies;

(d) such other matters as may be referred to the committee by the Minister.

(4) Meetings of the committee shall be convened by the chairman or by any two members.

(5)

(5) Each member shall, unless he is an officer of the Public Service or a member of the Legislative Council or of the Legislative Assembly of New South Wales be paid such fees as may be prescribed by regulation. No. 59, 1936.

(c) by omitting subsection three of section seventeen; Sec. 17.

(d) by inserting next after section seventeen the following new section:— New s. 17A.

17A. (1) Where a building society proposes to lend money to a member who is not already the owner of a dwelling-house, and Colonial Treasurer may undertake to indemnify building societies against loss in certain circumstances.

(a) such money is to be lent for the purpose of enabling him to purchase land upon which a dwelling house is already erected or to purchase land and erect a dwelling thereon or to erect a dwelling-house on land already owned by him; and

(b) the dwelling-house is to be occupied by the member to whom the money is to be lent; and

(c) the amount proposed to be lent does not exceed seven hundred and fifty pounds; and

(d) the amount proposed to be lent reduced by the paid up value of the members share capital exceeds eighty per centum but does not exceed ninety per centum of the value of the land and the dwelling-house erected or to be erected thereon as ascertained in such manner as the Co-operative Building Advisory Committee constituted under this Act directs;

the Colonial Treasurer may, with the approval of the Governor, enter into an agreement with the building society proposing to lend such money, and may by such agreement undertake to indemnify such society against such of the loss sustained by that society in respect of the loan as is directly attributable to the fact that
the

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the amount so lent reduced by the paid up value of the member's share capital is in excess of eighty per centum of the value of the land and dwelling-house as ascertained in accordance with paragraph (d) of this subsection.

(2) The approval of the Governor to any agreement referred to in subsection one of this section shall not be given except upon the recommendation of the Co-operative Building Advisory Committee constituted under this Act.

(3) Such sums as may from time to time become due and payable by the Colonial Treasurer under any agreement authorised by this section shall be paid out of moneys provided by Parliament.

(4) The Colonial Treasurer shall not enter into any agreement under this section where the agreement would involve him in a liability which when added to the total liabilities subsisting in respect of other agreements entered into under this section would in the aggregate exceed the amount of five hundred thousand pounds.

The approval of the Governor to any agreement under this section shall be conclusive evidence that the agreement has not been entered into in contravention of this subsection.

(5) In respect of each of the quarters respectively commencing on the first day of January, April, July and October in each year the Colonial Treasurer shall furnish a report to Parliament showing—

- (a) the building societies with which he has entered into agreements under this section during the quarter to which the report relates;
- (b) the number of agreements so entered into with each such building society;
- (c) the total amount of the liabilities under the agreements so entered into with each such building society.

Each

Each such report shall be accompanied by a statement showing— No. 59, 1936.

- (i) the building societies with which the Colonial Treasurer had, before the commencement of the quarter to which the report relates, entered into agreements which are still subsisting at the termination of such quarter;
- (ii) the number of such agreements with each such building society;
- (iii) the total amount, as at the termination of such quarter, of the liabilities under the agreements so entered into with each such building society.

Such report and statement shall be laid before both Houses of Parliament as soon as practicable after the termination of the quarter to which the report relates.

- (e) by inserting next after section one hundred and fifteen the following new section:— New s. 115A.

115A. The Minister may on the recommendation of the Co-operative Building Advisory Committee constituted under this Act authorise the payment out of moneys available for the purpose of an amount not exceeding two thousand five hundred pounds in any one financial year for the purposes of meeting the expenses of organising and conducting propaganda, publicity or advertising which is directed towards encouraging the operations or the formation of co-operative building societies whose objects include financing the erection of dwelling-houses. Payments to encourage formation of building societies.

(2) The Co-operation (Amendment) Act, 1928, is amended by omitting paragraph (d) of section two. Consequential amendment of Act No. 18, 1928.

(3) The Income Tax (Management) Act, 1936, is amended by omitting from paragraph (n) of section sixteen the word "Starr-Bowkett" and by inserting in lieu thereof the word "Co-operative." Amendment of Act No. 41, 1936.

PART III.

HOUSING IMPROVEMENT BOARD.

DIVISION 1.—*Constitution.*Constitution
of board.

5. (1) (a) There shall be constituted a Housing Improvement Board which shall consist of five members, who shall be appointed by the Governor.

(b) One of such members shall in and by the instrument of his appointment be appointed chairman of the board, and another of such members shall, in and by the instrument of his appointment, be appointed deputy chairman of the board.

(c) The provisions of the Public Service Act, 1902, or of any Act amending that Act, shall not apply to or in respect of the appointment of members, and such members shall not be subject to the provisions of any such Act during their term of office as such members.

(d) Members shall, subject to this Act, hold office for a period of twelve months, and shall if otherwise qualified be eligible for reappointment from time to time for a further period of twelve months.

(e) Where a vacancy occurs in the office of a member before the expiration of his term of office, the Governor may appoint a person to fill the vacancy and the person so appointed shall, subject to this Act, hold office until the expiration of the term of office of his predecessor and shall be eligible for reappointment from time to time for a further period of twelve months.

Body
corporate.

(2) (a) The board shall be a body corporate, with perpetual succession and a common seal, and may sue and be sued in its corporate name, and shall, for the purposes and subject to the provisions of this Act, be capable of purchasing, holding, granting, demising, disposing of or otherwise dealing with real and personal property, and of doing and suffering all such acts and things as bodies corporate may by law do and suffer.

(b) The corporate name of the board shall be "The Housing Improvement Board of New South Wales."

(c) The common seal shall be kept in the custody of the chairman and shall not be affixed to any instrument except in pursuance of a resolution of the board. Any

Any instrument executed in pursuance of any such resolution shall be attested by the signature of any two members.

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(3) (a) The procedure for the calling of meetings of the board and for the conduct of business at such meetings shall, subject to this Act and any regulations in relation thereto, be as determined by the board.

Meetings--
Procedure.

(b) Three members of the board, one of whom shall be the chairman or the deputy chairman, shall form a quorum, and any duly convened meeting at which a quorum is present shall be competent to transact any business of the board, and shall have and may exercise and discharge all the powers, authorities, duties and functions of the board.

(c) At any meeting of the board the chairman, or in his absence the deputy chairman, shall preside.

(d) The chairman, or in his absence the deputy chairman, shall have a deliberative vote, and if the voting be equal, a casting vote.

(4) (a) In the case of the illness, suspension or absence of any member the Governor may appoint a deputy to act in the place of such member during his illness, suspension or absence.

Deputies.

(b) Any deputy appointed under this subsection shall have the immunities and while he acts as such deputy may exercise all the powers and authorities of the member in whose place he acts.

(c) A deputy appointed under this subsection may, if the Governor thinks fit, be paid such fee for each meeting attended by him and such travelling expenses as the Governor may determine.

(d) No person shall be concerned to inquire whether or not any occasion has arisen requiring or authorising a deputy to act in the place of a member, or as to the necessity or propriety of any appointment of a deputy ; and all acts or things done or omitted by a deputy when so acting as aforesaid shall be as valid and effectual and shall have the same consequences as if the same had been done or omitted by the member for whom the deputy is acting.

(5)

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Fees and expenses.

(5) (a) Each of the members shall be entitled to receive as remuneration for his services such fee as may be from time to time fixed by the Governor for each meeting of the board at which the member attends.

(b) Each member shall be entitled to receive travelling expenses at such rate as the Governor may from time to time determine.

(c) The office of a member shall not, for the purposes of the Constitution Act, 1902, or the Sydney Corporation Act, 1932-1934, or of any Act amending or replacing those Acts, be deemed to be an office or place of profit under the Crown.

Delegation.

(6) (a) The board may from time to time by resolution delegate to any member either generally or in any particular case or class of cases such of the powers, authorities, duties or functions of the board as are specified in the resolution.

(b) A member, when acting within the scope of any such delegation to him, shall be deemed to be the board.

(c) The board may by resolution revoke any such delegation.

Validity of acts and proceedings.

(7) No act or proceeding of the board shall be invalidated or prejudiced by reason only of the fact that at the time when such act or proceeding was done, taken or commenced, there was a vacancy in the office of any one member.

Minutes.

(8) The board shall cause minutes of its decisions to be kept upon the official papers, and cause minutes to be kept of its proceedings at formal meetings.

Protection from personal liability.

(9) (a) No matter or thing done, and no contract entered into by the board, and no matter or thing done by any member or by any other person whomsoever acting under the direction of the board shall, if the matter or thing was done or the contract was entered into bona fide for the purpose of executing this Act, subject them or any of them personally to any action, liability, claim or demand whatsoever.

(b) Nothing in this subsection shall exempt any member from liability to be surcharged with the amount

amount of any payment which is disallowed by the Auditor-General in the accounts of the board, and which such member authorised or joined in authorising.

6. (1) A member shall be deemed to have vacated his office—

Vacation
of office.

- (a) if he becomes bankrupt, compounds with his creditors, or makes an assignment of his fees or estate for their benefit;
- (b) if he is absent from four consecutive ordinary meetings of the board without leave obtained from the board in that behalf;
- (c) if he becomes an insane person or patient or an incapable person within the meaning of the Lunacy Act of 1898;
- (d) if he resigns his office by writing under his hand addressed to the Governor;
- (e) if he is removed from office by the Governor.

(2) Any member who—

- (a) is in any wise concerned or interested in any bargain or contract made by or on behalf of the board; or
- (b) in any wise participates or claims to be entitled to participate in the profit thereof or in any benefit or emolument arising from the same,

shall thereby vacate his office as a member, and shall also be liable upon summary conviction to a penalty not exceeding fifty pounds:

Provided that no member shall be liable to vacate his office or be liable to any penalty as aforesaid by reason only of—

- (i) receiving or being entitled to receive any fees or expenses pursuant to this Act;
- (ii) being beneficially interested in any newspaper in which the board inserts advertisements;
- (iii) being a shareholder or member (but not a director or manager) of any incorporated company of more than twenty persons which has entered into any contract with or done any work under the authority of the board.

7.

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Costs and
expenses
of the
board.

7. The costs and expenses incurred by the board in exercising and discharging the powers, authorities, duties and functions conferred and imposed upon it under this Act, and the fees and expenses which members and deputies are entitled to receive under this Act shall be paid out of moneys provided by Parliament.

DIVISION 2.—*Officers and employees.*

Officers and
employees.

8. (1) The Governor may, under and subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, appoint and employ a secretary and such other officers and employees as may be necessary to enable the board to exercise and discharge the powers, authorities, duties and functions conferred and imposed on the board by this Act.

(2) The officers and employees so appointed shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, during their tenure of office.

(3) The board may appoint, employ and dismiss such casual employees as it deems necessary for the purposes of this Act, and may fix wages and conditions of employment of such casual employees where such wages and conditions are not fixed in accordance with the provisions of any other Act.

The appointment of casual employees under this subsection shall not be subject to the provisions of the Public Service Act, 1902, or any Act amending that Act, and a casual employee so appointed shall not be subject to the provisions of any of such Acts during the period of his employment.

(4) (a) For the purpose of exercising and discharging the powers, authorities, duties and functions conferred and imposed on the board by this Act, the board may, with the approval of the Minister of the department concerned, on such terms as may be arranged, make use of the services of any of the officers or employees of any Government department.

(b) The board may for the like purpose with the approval of any statutory body or council, on such terms as may be arranged, make use of the services of any of the officers, servants, or employees of such statutory body or council.

(c)

(c) In this subsection—

“Statutory body” means any public body which the Governor may by proclamation published in the Gazette declare to be a statutory body.

“Council” means the council of a municipality or shire, and includes the Sydney County Council, any other county council, and the Municipal Council of Sydney.

(5) Nothing in this section shall be construed to preclude the board from engaging for any particular purpose specified in a resolution of the board the services of any architect, surveyor, builder, contractor or other person whatsoever.

PART IV.

HOUSING IMPROVEMENT ADVISORY COMMITTEES.

9. (1) The Governor may from time to time constitute one or more Housing Improvement Advisory Committees.

Housing
Improvement
Advisory
Committees.

Each of such committees shall consist of such number of members as the Governor may determine.

(2) The members of any such committee shall be appointed by the Governor and shall hold office for such term as may be specified in the instrument by which they are appointed.

(3) The provisions of the Public Service Act, 1902, or any Act amending that Act, shall not apply to any appointment under this section; and a member of a Housing Improvement Advisory Committee shall not in his capacity as such member be subject to the provisions of any such Act.

(4) It shall be the duty of a Housing Improvement Advisory Committee—

(a) to consider such matters in relation to proposals for housing improvement schemes, and the carrying out of such schemes as may be referred to it by the board or by the Governor, and to furnish reports to the board and the Governor, and advise on the matters referred to it;

(b)

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- (b) to carry out such functions of an advisory character as the Governor may determine or as may be prescribed.

PART V.

CLEARANCE AREAS AND HOUSING IMPROVEMENT SCHEMES.

Interpretation.

10. In this Part of this Act—

“Council” means the council of a municipality or shire, and includes the Municipal Council of Sydney.

“Area” means municipality or shire and in relation to the Municipal Council of Sydney means the City of Sydney.

Notification of proposal for housing improvement scheme.

11. (1) Where, in respect of any tract of land, the board is satisfied—

- (a) (i) that any dwelling house situate upon the tract of land is for any reason whatsoever unfit for human habitation; or
- (ii) that by reason of the arrangement of the dwelling houses and the other buildings (if any) upon the tract of land, or of the state of repair of such other buildings or of the arrangement of any ways upon the tract of land or of any ways which the tract of land fronts, adjoins or abuts upon, or by reason of the narrowness of such ways or any of them, the health of the occupants of any dwelling house situate upon the tract of land or of any neighbouring building is likely to be injuriously affected; and
- (b) that the most satisfactory way of dealing with the conditions existing on the tract of land is the demolition of all or any of the buildings on the tract of land and/or the construction of buildings on the tract of land and/or the re-arrangement or reconstruction of the buildings or ways upon the tract of land or any of such buildings or ways,

the

the board may by notification published in the Gazette and in a newspaper circulating in the locality in which the tract of land is situated give notice of a proposal for a housing improvement scheme in relation to the tract of land or any part thereof.

(2) Before any notification under subsection one of this section is so published the proposal shall be submitted by the Board to the council of the area in which the tract of land to which the proposal relates is situate.

Such council may, within sixty days after the proposal has been submitted to it, make representations and recommendations to the Board in relation to the proposal.

The Board shall give consideration to such representations and recommendations (if any) and may make such alterations in the proposal as it thinks fit, or may abandon the proposal.

Where the board alters the proposal the altered proposal shall be the proposal of which notice may be given under subsection one of this section.

(3) Every notice under subsection one of this section shall—

- (a) describe by reference to a map or plan the tract of land to which it relates;
- (b) name the place at which a copy of such map or plan may be inspected, and the times at or within which such map or plan will be available for inspection;
- (c) describe in general outline the nature of the housing improvement scheme which the board proposes for dealing with the conditions existing in the tract of land;
- (d) appoint a date, not being earlier than thirty days after the date of publication of the notice in the Gazette, on or before which objections may be lodged against the proposal;
- (e) contain such other particulars as may be prescribed.

(4) Any person interested in the tract of land to which the notice relates or any part of the tract of land may, not later than the date appointed therefor, lodge with or forward to the office of the board an objection in writing to the proposal referred to in the notice.

Any

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Any such objection shall state the ground upon which the same is based.

(5) For the purposes of this section "way" means any road, highway, street, square, lane, court, alley or other public thoroughfare or place whether the same be in actual use or not and includes any way, lane, court, square or alley or portion thereof (whether privately owned or not) used as a thoroughfare or as a means of access to the properties of two or more owners.

Submission
to Governor,
and declara-
tion of
clearance
area and
housing
improve-
ment
scheme.

12. (1) The board shall give consideration to all objections against its proposal which have been lodged within the time appointed therefor and may, in order to meet any such objection, make such amendments or alterations in its proposal as the board, in its absolute discretion, thinks fit.

(2) The board may thereupon submit to the Governor details showing—

- (a) a description of the tract of land;
- (b) the housing improvement scheme proposed in relation to the tract of land;
- (c) an estimate of the probable expenditure which will be involved in carrying out such scheme;
- (d) such further particulars relating to the tract of land or the scheme as may be prescribed.

(3) The Governor may recommend the board to alter a proposal submitted to him under this section, and if the board adopts the recommendation, the altered proposal shall be substituted for that first submitted.

(4) (a) If the Governor approves of a proposal submitted to him under this section he may, by proclamation published in the Gazette, declare that the tract of land described in the proposal shall be a clearance area for the purposes of this Act and that the proposed housing improvement scheme shall, for the purposes of this Act, be the housing improvement scheme which may be carried out in relation to that clearance area.

(b) No proclamation under this subsection shall be made or published after the thirty-first day of December one thousand nine hundred and thirty-seven.

13.

13. (1) Where a council is prepared to carry out a housing improvement scheme in relation to a clearance area situated within the area of such council the Colonial Treasurer may out of moneys provided by Parliament make advances to enable the council to carry out such scheme.

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Advances
by Colonial
Treasurer.

(2) Before any such advance is made the Colonial Treasurer may require the council to enter into an agreement conditioned to secure the payment by the council of yearly or half-yearly instalments for defraying—

- (a) the refund of the money advanced or a portion thereof; and
- (b) interest on such money or portion thereof at such rate as the Colonial Treasurer may decide.

(3) If any such instalment be not paid on the due date there shall be added thereto a sum equal to ten per centum thereof; and such instalment, together with such additional sum, may be recovered by the Colonial Treasurer.

The Colonial Treasurer may on cause shown remit part or the whole of such additional charge in respect of any agreement entered into under this section.

(4) The provisions of the Local Government Act, 1919, or of any other Act relating to moneys borrowed or contracts entered into by councils shall not apply to advances made or agreements entered into under this section.

(5) The Colonial Treasurer shall not make any advance under this section of an amount which when added to the total amount outstanding in respect of other advances made under this section would exceed five hundred thousand pounds.

14. (1) Where a council is prepared to carry out a housing improvement scheme in relation to a clearance area situated within the area of such council, it may from time to time and notwithstanding anything contained in any other Act, take such steps, provide such equipment, carry out such works and operations (including works

Carrying
out of
housing
improve-
ment
scheme.

of

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of maintenance and repair) and exercise such powers of control and management in relation to such clearance area as may be necessary or desirable to give effect to such housing improvement scheme.

(2) Without prejudice to the generality of subsection one of this section the council may from time to time for the purpose of carrying out a housing improvement scheme—

- (a) acquire under and in accordance with Part XXV of the Local Government Act, 1919, or Division 1 of Part XVI of the Sydney Corporation Act, 1932-1934, as the case may be, the whole or any part of the land comprised in the clearance area to which the housing improvement scheme relates; and
- (b) sell, let, or otherwise dispose of any of such land.

PART VI.

INVESTIGATION BY THE BOARD.

Board to
conduct
investigation.

15. (1) The board shall, as soon as practicable after the commencement of this Act, conduct investigations as to the further laws which should be enacted in this State in relation to the elimination of unsatisfactory housing conditions, the provision of housing accommodation, town planning and regional planning, and shall furnish to the Governor a report setting out the results of the investigations together with such recommendations as the board may think fit.

The report shall be furnished within six months after the commencement of this Act, or within such further period as the Governor may from time to time specify by proclamation published in the Gazette.

The report shall be accompanied by a draft Bill for the legislation necessary to give effect to its report and recommendations.

| (2)

(2) Without prejudice to the generality of subsection one of this section the report shall contain statements setting out the conclusions of the board as to—

- (a) the most economic method of effecting the elimination of unsatisfactory housing conditions and of providing housing accommodation;
- (b) the method to be adopted in acquiring land for the purposes of the elimination of unsatisfactory housing conditions and of providing housing accommodation;
- (c) the manner in which and the security upon which the moneys necessary to meet the costs and expenses of the elimination of unsatisfactory housing conditions and the provision of housing accommodation is to be raised or provided;
- (d) the scheme to be adopted for the purposes of the elimination of unsatisfactory housing conditions and the provision of housing accommodation, including details as to the control, management, maintenance, repair, sale, letting and disposal of land acquired for any of such purposes.

(3) For the purposes of any investigation under this section the board shall have the powers and immunities of a commissioner, and the chairman of the board shall have the powers of a chairman within the meaning of Division 1 of Part II of the Royal Commissions Act, 1923-1934, and the provisions of that Act with the exception of section thirteen and of Division 2 of Part II shall mutatis mutandis apply to any witness or person summoned by or appearing before the board.

PART VII.

REGULATIONS.

16. (1) The Governor may make regulations not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed, to carry this Act into effect

Regulations.

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Without

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Without prejudice to the generality of the foregoing provision of this subsection the regulations may authorise the board to carry out regional surveys in the manner and to the extent specified in the regulations.

(2) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations;
- (c) be laid before both Houses of Parliament within fourteen sittings days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have any effect.

(3) The regulations may impose a penalty not exceeding twenty pounds for any breach thereof.

(4) Any penalty imposed by the regulations may be recovered in a summary manner before a stipendiary or police magistrate or any two justices.