

# Housing Act 1912 No 7

[1912-7]



New South Wales

## Status Information

### Currency of version

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Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Act was repealed by the [Housing Act 2001 No 52](#), sec 76 (1) with effect from 1.7.2001.

### Authorisation

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## Contents

<b>Long title</b> .....	5
<b>Part 1 Preliminary</b> .....	5
1 Name of Act .....	5
1A (Repealed) .....	5
2 Definitions .....	5
<b>Part 1A (Repealed)</b> .....	6
<b>Part 1B Acquisition of land</b> .....	6
4-4C (Repealed) .....	6
4D Housing areas .....	6
4E (Repealed) .....	7
<b>Part 1C Development of land</b> .....	7
5-6A (Repealed) .....	7
7 Erection of buildings by Corporation .....	7
7A Building materials .....	7
7B Temporary buildings .....	7
<b>Part 1D Disposal of land</b> .....	7
8-11A (Repealed) .....	7
12 Surrender of lands etc .....	7
13-15 (Repealed) .....	8

<b>Part 1E Joint ventures, agency etc</b> .....	8
16 Power to enter into joint ventures .....	8
16A Joint ventures with public authorities .....	9
17 Management of lands purchased or compulsorily acquired otherwise than under this Act .....	9
18 Construction of other buildings .....	9
18A (Repealed).....	10
18B Crown lands.....	10
19–22 (Repealed) .....	11
<b>Part 1F Regulations</b> .....	11
23 Regulations.....	11
<b>Part 2 Advances for dwelling-houses</b> .....	11
24 Making of applications.....	11
25 Determination of applications .....	12
26 (Repealed) .....	12
27 Agreement to be entered into .....	12
28 Application to purchase house .....	13
29 Where money advanced not applied to proper purpose.....	13
30 Periods for repayment .....	13
31 Security for advance.....	13
32 (Repealed) .....	13
33 Conditions annexed to land while subject to mortgage.....	13
34 Application for foreclosure.....	14
35 Sale of land on default of mortgagor .....	14
36, 37 (Repealed) .....	14
38 Power to assist building societies by loans etc .....	14
39 Corporation may assist councils to erect houses.....	15
39A Building relief .....	15
40 (Repealed) .....	15
<b>Part 2A (Repealed)</b> .....	15
<b>Part 2B Miscellaneous provisions relating to the Corporation</b> .....	15
40F Investigation.....	15

40G Miscellaneous powers .....	16
40H-40P (Repealed) .....	16
<b>Part 3 Miscellaneous provisions relating to land</b> .....	<b>16</b>
41 Compulsory acquisition under certain circumstances .....	16
42 Cancellation of agreement .....	17
43 Possession to Corporation upon cancellation of agreement .....	17
44-47 (Repealed) .....	18
<b>Part 4 Offences</b> .....	<b>18</b>
48 False statements .....	18
49 Penalties .....	18
50 Savings and transitional provisions .....	19
<b>Schedule 1 Savings and transitional provisions</b> .....	<b>19</b>
<b>Schedule 2 (Repealed)</b> .....	<b>20</b>

# Housing Act 1912 No 7



New South Wales

An Act to provide for the exercise by the New South Wales Land and Housing Corporation of certain functions relating to housing and land supply; and for other purposes.

## Part 1 Preliminary

### 1 Name of Act

This Act may be cited as the *Housing Act 1912*.

### 1A (Repealed)

### 2 Definitions

(1) In this Act, except in so far as the context or subject-matter otherwise indicates or requires:

**building** includes fence, wall, provision for lighting, heating, refrigeration, water supply, drainage and sewerage and any other appurtenance of a building.

**Corporation** means the New South Wales Land and Housing Corporation constituted by the *Housing Act 1985*.

**dwelling-house** means any building, or any part of a building, which has been used, is used or is intended to be used, as a dwelling.

**Housing Account** means the Housing Account established by the *Housing Act 1985*.

**Housing Acts** means this Act, the *Housing Act 1976* and the *Housing Act 1985*.

**purchaser** means a person who, pursuant to this Act, has entered into any agreement with the Corporation for the purchase of land, and the person's permitted assigns.

**regulation** means a regulation made under this Act.

(2) In this Act, a reference to:

(a) a function includes a reference to a power, authority and duty, and

- (b) the exercise of a function includes, where that function is a duty, a reference to the performance of that duty.

## **Part 1A**

### **3, 3A (Repealed)**

## **Part 1B Acquisition of land**

### **4-4C (Repealed)**

### **4D Housing areas**

- (1) The Minister may recommend to the Governor that any area should be constituted a housing area and any such recommendation shall be accompanied by a plan indicating the area proposed to be constituted a housing area.
  - (2) Where the Minister has made a recommendation with respect to any area the Governor may by notification published in the Gazette and in a newspaper circulating in the police district wherein the area is situated declare such area to be a housing area and upon such publication in the Gazette such area shall be constituted a housing area.
  - (3) The Governor may upon a like recommendation and in the like manner revoke any such notification.
  - (4) During any period within which any notification is in force in respect of any housing area the owner of and any other person having an interest in the land within such housing area shall not, without the consent of the Corporation:
    - (a) construct, build, place, reconstruct, rebuild, demolish, damage, replace or repair any building or work or portion of a building or work upon such land,
    - (b) sell any such land or any portion thereof or any interest therein,
    - (c) lease any such land for a term exceeding one year.
  - (5)
    - (a) Upon the acquisition for the purposes of this Act of any land within a housing area no compensation shall be payable in respect of any improvements effected in contravention of the provisions of subsection (4).
    - (b) Where any transaction is entered into in contravention of paragraphs (b) or (c) of subsection (4) the transaction shall not thereby be invalidated, and the rights powers and remedies of any person thereunder shall be the same as if this section had not been enacted.
- (b1) Any person who contravenes any provision of subsection (4) (a) is guilty of an

offence against this Act.

(c) Any person who contravenes any provision of paragraphs (b) or (c) of subsection (4) shall upon summary conviction be liable to a penalty not exceeding 10 penalty units.

(6) The Corporation shall cause a plan of the housing area to be lodged with:

(a) The Registrar-General,

(b) The Valuer-General, and

(c) The council of the area (within the meaning of the *Local Government Act 1993*) within which the housing area is situated.

#### **4E (Repealed)**

### **Part 1C Development of land**

#### **5-6A (Repealed)**

#### **7 Erection of buildings by Corporation**

The Corporation may erect on any land vested in or acquired by the Corporation buildings for residential, business, or other purposes, or for public use, and shall be charged with the duty of maintaining and repairing them.

#### **7A Building materials** (cf Act No 65, 1941, s 19)

The Corporation may manufacture, produce or purchase and supply building materials, fittings or appliances to any person upon such terms and conditions as the Corporation may from time to time determine.

#### **7B Temporary buildings** (cf Act No 65, 1941, s 19A)

The Corporation shall have power to construct buildings for emergency housing accommodation and upon such terms and conditions as it considers reasonable to sell or hire any such building to any person legally possessed of land.

### **Part 1D Disposal of land**

#### **8-11A (Repealed)**

#### **12 Surrender of lands etc**

(1) The Corporation may accept a surrender of any land leased, dedicated, or granted under this Act.

The land so surrendered may be disposed of by the Corporation under this Act.

- (2) The Corporation may agree to cancel any contract of sale made before or after the commencement of the *Housing (Amendment) Act 1924*.
- (3) The Corporation may, if it thinks fit, pay to the person surrendering any land leased, granted, or dedicated, or to the purchaser upon the cancellation of a contract of sale, such sum by way of compensation for any visible and effective improvements on the land, but not exceeding the value of the improvements at the date of such surrender or cancellation, the cost of which has not been defrayed or advanced by the Corporation, as to the Corporation may seem just.
- (4) The Corporation may also in its discretion repay to a purchaser upon the cancellation of a contract of sale the whole or such proportion as it thinks fit of the purchase money of the land which has been paid by the purchaser under this Act.

### **13-15 (Repealed)**

## **Part 1E Joint ventures, agency etc**

### **16 Power to enter into joint ventures**

- (1) In this section:

**affiliate** means any company in which the Corporation has a controlling interest by virtue of its shareholding in the capital of the company.

**joint venture** includes partnership or other association.

- (2) The Corporation may, with the approval of the Minister but subject to section 16A, enter into a joint venture with other persons or bodies for the purpose of the acquisition, development, management or disposal of land for residential, business, public or other purposes.
- (3) For the purpose of the acquisition, development, management or disposal of land pursuant to subsection (2), the Corporation may, with the approval of the Minister:
  - (a) join in the formation of any company to be incorporated in New South Wales, and
  - (b) purchase, hold, dispose of or deal with shares in, or subscribe to the issue of shares by, any company incorporated in New South Wales.
- (4) An affiliate formed for a commercial purpose is not and does not represent the Crown.
- (5) The Corporation may, with the approval of the Minister, guarantee the due performance of any covenants, promises, obligations or liabilities (including the repayment of loans, bank overdrafts or other financial accommodation and the payment of interest thereon) undertaken by or imposed upon:
  - (a) an affiliate, or



(b) any person or body acting for or on behalf of a joint venture referred to in subsection (2).

(6) The Corporation may, with the approval of the Minister, make advances of money or provide other financial accommodation to:

(a) an affiliate, or

(b) any person or body acting for or on behalf of a joint venture referred to in subsection (2).

(7) The Corporation may, for the purpose of the acquisition, development, management or disposal of land pursuant to subsection (2), do all things not expressly authorised by this Act that are necessary or convenient for, or incidental to, that purpose.

#### **16A Joint ventures with public authorities**

(1) The Corporation shall not enter into a joint venture referred to in section 16 (2) with a public authority constituted by or under an Act without the concurrence of the Minister administering that Act and of the Treasurer.

(2) Notwithstanding anything in any other Act, any public authority constituted by or under an Act is hereby authorised or empowered to enter into a joint venture referred to in section 16 (2), and for that purpose may do or suffer anything necessary or convenient for, or incidental to, carrying out the joint venture.

#### **17 Management of lands purchased or compulsorily acquired otherwise than under this Act**

The Governor, by notification in the Gazette, may impose on the Corporation the duty of managing any lands which have been purchased or compulsorily acquired on behalf of the Crown otherwise than under this Act, and which are not by statute or other authority placed in the charge of any other officer or public body, and may revoke or alter any such notification.

For the purpose of such management the Corporation shall exclusively have the powers of a Constructing Authority under Division 7 of Part 6 of the [Public Works Act 1912](#).

Moneys received by the Corporation in respect of such properties shall be paid into the Treasury and carried to such account as the Treasurer may direct.

The expenditure of the Corporation in relation to such properties shall be defrayed from votes passed by Parliament.

#### **18 Construction of other buildings**

(1) (Repealed)

(2) The Corporation may, at the request and cost of:

- (a) any Minister of the State of New South Wales or any Minister of State of the Commonwealth of Australia,
- (b) any Government Department of the State of New South Wales or any Department of State of the Commonwealth of Australia, or
- (c) any statutory body representing the Crown and incorporated under any Act or Act of the Parliament of the Commonwealth of Australia or both,

and on such terms as may be agreed upon, construct buildings and carry out works on land vested in the Minister, Department or statutory body making the request or otherwise lawfully available to the Minister, Department or statutory body, as the case may be, for the construction of the buildings or the carrying out of the works thereon.

- (3) The Corporation may exercise the powers conferred on it under subsection (2) notwithstanding that the cost of the buildings constructed or the works carried out by it is not met directly out of funds of the Minister, Department or statutory body making the request, as the case may be, provided that an arrangement has been made with the Treasurer by the Minister, Department or statutory body, as the case may be, for the payment of that cost to the Housing Account.

- (4) In this section:

**buildings** means buildings intended for use for any purpose whatsoever.

**works** includes road, drainage, and site developmental works and any other works incidental thereto.

#### **18A (Repealed)**

#### **18B Crown lands**

- (1) The Governor may by proclamation withdraw from the Corporation any lands vested in the Corporation under this Act, and upon publication of such proclamation in the Gazette the lands therein specified shall be divested from the Corporation and shall be deemed to be Crown lands reserved from every form of sale or lease within the meaning of the [Crown Lands Consolidation Act 1913](#) until otherwise notified in the Gazette, subject as provided in the next following subsection.
- (2) Upon any land so withdrawn being subsequently sold, leased, or otherwise disposed of:
  - (a) if the land is land which was compulsorily acquired or purchased for housing purposes the proceeds of the sale or lease or other disposition, less cost of collection and other necessary expenses, shall be paid to the Housing Account,
  - (b) if the land is land which was Crown lands, and was compulsorily acquired for housing purposes, the proceeds of the sale, lease, or other disposition shall be

applied as follows:

- (i) The costs of sale and collection shall be first paid thereout.
- (ii) Of the balance the amount which represents the value of the land at the date of the acquisition shall be credited to such accounts as it would be credited to if the amount were received in the ordinary course of the alienation of Crown lands.
- (iii) Of the balance remaining the Housing Account shall be credited with the amount (if any) expended from that account in respect of such acquisition, and the amount (if any) so expended upon works for the improvement of the land.
- (iv) If there is any balance remaining the surplus shall be divided equally, and one-half credited to the Housing Account and the other half as in subparagraph (ii).

## **19-22 (Repealed)**

## **Part 1F Regulations**

### **23 Regulations**

- (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 for carrying out or giving effect to this Act.
- (2) The regulations may impose a penalty not exceeding 1 penalty unit for any breach thereof.
- (2A) A provision of a regulation may:
  - (a) apply generally or be limited in its application by reference to specified exceptions or factors,
  - (b) apply differently according to different factors of a specified kind, or
  - (c) authorise any matter or thing to be from time to time determined, applied or regulated by any specified person or body,or may do any combination of those things.
- (3), (4) (Repealed)

## **Part 2 Advances for dwelling-houses**

### **24 Making of applications**

Any person may make application to the Corporation as prescribed:

- (a) That the Corporation may make advances of money to the person or on the person's behalf for the purpose of enabling the person to erect or add to on land owned by the person in fee or held by the person under the *Crown Lands Consolidation Act 1913* a dwelling-house as a home for the person or the person's family, or that the Corporation may erect the dwelling-house for the person on such land.
- (b) That the Corporation may make advances to the person or on the person's behalf to enable the person to purchase a dwelling-house as aforesaid.

## **25 Determination of applications**

- (1) Subject to subsection (2), the Corporation may grant the application unconditionally or subject to such conditions as it thinks fit, or it may refuse the application.
- (2) An application shall not be granted unless the applicant:
  - (a) satisfies the Corporation that the dwelling-house is for the applicant's use or for the use of a member of the applicant's family, and
  - (b) satisfies such other requirements as to eligibility as may from time to time be determined by the Corporation and approved by the Minister.

- (3) Where the application is that the Minister erect a dwelling-house for the applicant on land owned by the applicant in fee or held by the applicant under the *Crown Lands Consolidation Act 1913* and:

- (a) that land is subject to a mortgage or charge securing money owing by the applicant, or
- (b) there is money owing in respect of that land to the Crown,

the amount required to discharge that mortgage or charge or that debt to the Crown, not exceeding such maximum amount as may from time to time be determined by the Corporation, may be added to the amount to be expended in the erection of the dwelling-house and the repayment thereof shall be provided for in the security given by the applicant under section 31.

## **26 (Repealed)**

## **27 Agreement to be entered into**

- (1) Where an application under paragraph (a) of section 24 is granted, the applicant shall enter into such agreement as may be required by the Corporation and shall pay such fee as may be prescribed.
- (2) (Repealed)

## **28 Application to purchase house**

Before an application under paragraph (b) of section 24 is granted the Corporation shall, after taking expert advice, determine what is the value of the property proposed to be purchased, and the amount to be advanced by the Corporation shall not exceed the said value or the purchase price whichever is the less.

## **29 Where money advanced not applied to proper purpose**

If at any time in the opinion of the Corporation any money advanced under this Part has not been applied to the purpose for which it was advanced, or has not been carefully and economically expended, the Corporation may refuse to pay any further instalments of the proposed advance, and may at once call in the whole amount already advanced, together with costs and expenses incurred in connection therewith, whereupon the borrower shall forthwith repay the same.

## **30 Periods for repayment**

The maximum periods for repayment by instalments of advances and moneys expended by the Corporation under this Part shall be as prescribed. The regulations may prescribe different periods of time in respect of different buildings having regard to the materials of which they are constructed.

## **31 Security for advance**

- (1) Every applicant shall give security to the satisfaction of the Corporation for any moneys so advanced or expended.
- (2) Where any moneys advanced or expended under this Part are secured by a mortgage of land, such mortgage shall, inter alia, contain covenants for keeping the mortgaged premises in repair and insured in the name of the Corporation; and such mortgage shall be registered.

## **32 (Repealed)**

## **33 Conditions annexed to land while subject to mortgage**

The following conditions shall apply in respect of land subject to any mortgage under this Part:

- (a) Such land shall not, nor shall any part thereof, be transferred, assigned, or let without the previous consent in writing of the Corporation.
- (b) Any transfer, assignment, or letting of such land, or any part thereof, in contravention of this section, shall be void, and the Corporation may cause the estate of the owner in such land to be sold.
- (c) Where the owner of any such land becomes bankrupt, the Corporation may cause the owner's estate therein to be sold.

### **34 Application for foreclosure**

If any amount of principal or interest due in respect of any advance made or money expended under this Part, on the security by mortgage of land not held under the provisions of the *Real Property Act 1900*, is unpaid for a period of three months after the due date thereof, the Corporation may, in lieu of taking proceedings in any court, make application to the Registrar-General in writing for an order for foreclosure.

Such application shall state that such default has been made as aforesaid, and that the land, estate, or interest mortgaged has been offered for sale by public auction by a licensed auctioneer, and that the amount of the highest bid at such sale was not sufficient to satisfy the moneys so due, together with the expenses occasioned by such sale, and that notice in writing of the intention of the Corporation to make such application has been given to the mortgagor or other person entitled to the equity of redemption, by leaving the same at that person's usual or last known place of abode or by forwarding the same by registered letter through the post office. Such application shall be accompanied by a certificate of the auctioneer by whom such land was put up for sale or of some person present when the land was put up for sale and such other proof of the matters stated therein as the Registrar-General may require. The statements made in such application shall be verified by statutory declaration.

The Registrar-General may, at the expense of the Corporation, cause notice to be published, once in the Gazette and once in each of the three succeeding weeks in at least one newspaper circulating in the district in which the mortgaged land is situated, offering such land for sale, and shall limit and appoint a time not less than one month from the date of the publication in the Gazette, upon or after which the Registrar-General may issue to the Corporation an order for foreclosure unless in the interval a sufficient amount has been realised by the sale of the land to satisfy the principal and interest moneys due and all expenses occasioned by such sale and proceedings.

Every such order for foreclosure under the hand of the Registrar-General shall, upon registration under the *Registration of Deeds Act 1897*, have the effect of barring all right and equity of redemption in the said land on the part of the mortgagor or of any person claiming through or under the mortgagor.

### **35 Sale of land on default of mortgagor**

Where land is sold by the Corporation for non-payment of principal or interest of money advanced or expended under this Part or for breach of any covenant in the instrument of mortgage securing the same, the land shall be freed from any charge in respect of any indebtedness under the instrument of mortgage or any restriction imposed by this Act.

### **36, 37 (Repealed)**

### **38 Power to assist building societies by loans etc**

The Corporation may, subject to and for the purposes of this Act, assist building societies,

whose objects include the erection or provision of houses for its members, by:

- (a) making grants or loans to the society,
- (b) subscribing for any share or loan capital of the society, and
- (c) (Repealed)

on such terms and conditions as to rate of interest and repayment or otherwise, and on such security as the Corporation may think fit.

### **39 Corporation may assist councils to erect houses**

The Corporation may, subject to and for the purposes of this Act and subject to the provisions of the [Local Government Act 1993](#), assist the councils of areas (within the meaning of the [Local Government Act 1993](#)) to erect houses by:

- (1) making grants or loans to such councils, and
- (2) (Repealed)

on such terms and conditions as to rate of interest and repayment or otherwise, and on such security as the Corporation may think fit.

### **39A Building relief** (cf Act No 65, 1941, s 15)

The Corporation may at its discretion make advances upon such securities and at such rates of interest and subject to such covenants, conditions and provisions as it may impose for the purpose of enabling:

- (a) any proprietor of land to alter, extend, paint, repair, renovate or improve buildings on that land, or to carry out other improvements of that land,
- (b) any building of a public or civic character or any public recreation ground to be constructed, erected, renovated, repaired or extended, or
- (c) any pastoral, agricultural and horticultural association, club, progress association or friendly society to extend, paint, repair or renovate buildings.

### **40 (Repealed)**

## **Part 2A**

### **40A-40E (Repealed)**

## **Part 2B Miscellaneous provisions relating to the Corporation**

### **40F Investigation** (cf Act No 65, 1941, s 17)

- (1) The Corporation may, and whenever required by the Minister shall, conduct

investigations as to the methods which should be adopted in order to ensure the provision in the State of adequate housing accommodation upon reasonable terms or at reasonable rentals.

- (2) The Corporation shall furnish the Minister with a report setting out the results of any investigation made under this section.
- (3) For the purposes of any investigation under this section the Director of Housing holding office as such under the *Public Service Act 1979* shall have the power and immunities of a commissioner within the meaning of Division 1 of Part 2 of the *Royal Commissions Act 1923*, and the provisions of that Act (with the exception of section 13 and of Division 2 of Part 2) shall apply to any witness or person summoned by or appearing before the Director in the same way as the provisions apply to any witness or person summoned by or appearing before a royal commission.

**40G Miscellaneous powers** (cf Act No 65, 1941, s 18)

The Corporation may:

- (a) carry out all such surveys and investigations as may be necessary or expedient for the purposes of this Act, or for the purpose of ascertaining the housing conditions in any locality,
- (b) publish for general information the results of any such survey or investigations,
- (c) publish from time to time printed matter dealing with housing,
- (d) take steps by the holding of architectural competitions or otherwise to obtain the better design and arrangement of dwelling-houses and of subdivisions of land for housing and allied purposes,
- (e) recommend the making of regulations under the *Local Government Act 1993* concerning any matter relating to building, and
- (f) give to any person such advice or assistance of a technical or architectural nature, and such advice of a financial nature, upon matters relating to housing, as the Corporation may from time to time determine.

**40H-40P (Repealed)**

**Part 3 Miscellaneous provisions relating to land**

**41 Compulsory acquisition under certain circumstances**

- (1) The Minister may compulsorily acquire in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* land upon which a dwelling-house has been erected by the Corporation for a purchaser, or by a person to whom an advance has been made under this Act for the erection of the dwelling-house, in the event of the purchaser or



the person to whom the advance has been made declining or failing to execute the prescribed form of purchase agreement or mortgage, as the case may be, upon being required in writing so to do.

- (2) The compensation in any such case shall be assessed only in respect of the interest of the purchaser or person to whom the advance was made, and any increased value to the land occasioned by the expenditure of the Corporation, or of the advance made by it, shall be disregarded.

#### **42 Cancellation of agreement**

Where any agreement for purchase is cancelled or forfeited for non-fulfilment of the conditions thereof, it shall be lawful for the Corporation in lieu of the damages provided for in the agreement to claim and recover for use and occupation an amount equivalent to eight and one-half per centum per annum of the improved capital value of the property.

#### **43 Possession to Corporation upon cancellation of agreement**

- (1) If a purchaser makes default in the observance or performance of any of the conditions of a contract of sale, and such default shall continue for a period of sixty days the whole of the purchase money and other moneys owing under the contract of sale shall forthwith become due and payable and shall be recoverable by the Corporation with interest at the rate payable under the contract of sale, and without prejudice to any other powers the Corporation may, with or without giving notice, cancel the contract or may enter into possession of the land and dwelling described in the contract for sale and receive the rents and profits thereof.
- (2) At any time after such cancellation, or when the Corporation proposes to enter into possession of the land and dwelling described in the contract for sale and receive the rents and profits thereof, the Corporation may require the purchaser or occupant to deliver up possession of the land and dwelling described in the contract of sale, and in the event of refusal so to do the Corporation may issue a warrant to the sheriff to deliver possession of the said land and dwelling to the person appointed in such warrant to receive the same.
- (3) Upon the receipt of such warrant the sheriff shall deliver possession of such dwelling-house accordingly, and the costs accruing by reason of the issuing and execution of such warrant, to be settled by the Sheriff, shall be paid by the person refusing to give possession.
- (3A) Any costs due to the Corporation under subsection (3) may be recovered by the Corporation as a debt in a court of competent jurisdiction.
- (4) The Corporation may, in its discretion, repay to a purchaser whose agreement has been so cancelled the whole or such proportion as it thinks fit of the purchase money of the dwelling-house which has been paid by the purchaser under this Act.

(5) Where the Corporation has, without cancelling the contract, entered into possession of the land and dwelling described in any contract of sale it shall remain in possession until such time as it shall signify to the person entitled to the benefit of such contract its intention to vacate possession or until the terms and conditions of the said contract of sale shall have been fully completed and satisfied.

(6) (Repealed)

#### **44-47 (Repealed)**

### **Part 4 Offences**

#### **48 False statements**

Any person who:

- (a) wilfully makes any false statement or representation to obtain or claim from the Corporation accommodation or a rebate of rental, or any other advantage or concession, or to deceive any officer or servant of the Corporation, or to affect the rate or amount of any such rebate of rent or rental, or
- (b) by means of personation or any fraudulent device whatsoever obtains or claims from the Corporation accommodation or any such rebate of rent or rental or other advantage or concession, or
- (c) by any wilfully false statement or representation aids or abets any person in obtaining or claiming from the Corporation accommodation or any such rebate of rent or rental or any other advantage or concession, or
- (d) receives any money in consideration of or in respect of the procuring from the Corporation of accommodation or any such rebate of rent or rental or any other advantage or concession,

shall be guilty of an offence against this Act.

#### **49 Penalties**

- (1) Any person who commits an offence against this Act shall, where no other penalty is expressly provided, be liable on summary conviction to imprisonment for a term not exceeding six months or to a penalty not exceeding 4 penalty units, or both.
- (2) Any penalty imposed by this Act or the regulations thereunder may be recovered in a summary manner before a Magistrate or any 2 justices constituting a Local Court.
- (3) Any proceedings for an offence against this Act or the regulations thereunder may be commenced at any time within twelve months from the time when the facts first came to the knowledge of the Corporation.

- (4) Any such proceedings may be taken by the Corporation or some person appointed by it by delegation, either generally or in a particular case.
- (5) All penalties recovered under this section in respect of an offence referred to in section 48 shall be paid into the Housing Account.

## **50 Savings and transitional provisions**

Schedule 1 has effect.

## **Schedule 1 Savings and transitional provisions**

(Section 50)

### **1 Regulations**

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

*Housing (Amendment) Act 1982*

- (2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later date.
- (3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
  - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or
  - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.
- (4) Subclauses (1)–(3), in their application to the *Housing (Amendment) Act 1982*, re-enact (with minor modifications) clause 13 of Schedule 4 to the *Housing (Amendment) Act 1982*. Subclauses (1)–(3) are transferred provisions to which section 30A of the *Interpretation Act 1987* applies.

### **2 Provision consequent on enactment of *Housing (Amendment) Act 1982***

- (1) On and from 20 February 1983, a reference in any other Act, in any instrument made under any Act or in any document of any kind, being a reference, or a reference to be construed as a reference, to the *Housing of the Unemployed Act 1934*, the *Housing Improvement Act 1936* or the *Housing Act 1941*, is taken to be a reference to this Act.
- (2) This clause is taken to have commenced on 20 February 1983 (the date of commencement of Schedule 4 to the amending Act).

(3) Subclause (1) re-enacts (with minor modifications) clause 6 (b) of Schedule 4 to the amending Act. Subclause (1) is a transferred provision to which section 30A of the *Interpretation Act 1987* applies.

(4) In this clause:

**amending Act** means the *Housing (Amendment) Act 1982*.

## **Schedule 2 (Repealed)**