

No. 84 of 1970

An Ordinance to amend the *Housing Ordinance* 1959–1969 as amended by the *Housing Ordinance* 1970

[Reserved 8 December, 1970]

[Assented to 24 December, 1970]*

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:—

1.—(1.) This Ordinance may be cited as the *Housing Ordinance* (No. 2) 1970. Short title and citation

(2.) The *Housing Ordinance* 1959–1969 as amended by the *Housing Ordinance* 1970 is in this Ordinance referred to as the Principal Ordinance.

(3.) Section 1 of the *Housing Ordinance* 1970 is amended by omitting sub-section (3.).

(4.) The Principal Ordinance as amended by this Ordinance may be cited as the *Housing Ordinance* 1959–1970.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.† Commencement

3. Section 4 of the Principal Ordinance is amended— Interpretation

(a) by inserting in sub-section (1.), after the definition of “let”, the following definition:—

“‘market value’, in relation to a dwelling that is sold, means the amount that is fifty dollars less than the amount for which, in the opinion of the Commission, the dwelling, including the right to the lease of the land on which the dwelling is situated could be sold if offered for sale by private treaty;” and

(b) by omitting the definition of “prescribed cost”.

4. Section 13A of the Principal Ordinance is amended— Sale of dwelling to tenant

(a) by omitting sub-section (3.) and inserting in its stead the following sub-section:—

* Notified in the *Northern Territory Government Gazette* No. 52 of 30 December, 1970, page 374.
† The date fixed was 1 January, 1971 (see *Northern Territory Government Gazette* No. 52 of 30 December, 1970, page 373).

“(3.) The price at which a dwelling may be sold under the last preceding sub-section is the market value of the dwelling”; and

(b) by omitting paragraph (d) of sub-section (4.) and inserting in its stead the following paragraph:

“(d) the payment by the purchaser, while any of the price is unpaid, of such land rent, rates and other charges as are imposed on or in relation to the dwelling, or the land on which the dwelling is erected by or under any laws in force in the Territory, in respect of any period after the lease of that land is transferred to the purchaser.”.

Restriction on
transfer of
dwelling

5. Section 13B of the Principal Ordinance is amended—

(a) by omitting sub-section (3.) and inserting in its stead the following sub-section:—

“(3.) Where an offer under the last preceding sub-section is accepted, the Commission shall pay to the purchaser, by way of purchase money, the sum of the following amounts:—

(a) an amount equal to the current value of the dwelling;

(b) an amount equal to the price for which the dwelling was sold to the purchaser less the current value of the dwelling as at the date when it was sold to him.”; and

(b) by adding at the end thereof the following sub-section:—

“(6.) In this section ‘current value of the dwelling’ does not include the value of the right to the lease of the land on which the dwelling is situated.”.

Power of
Commission to
enter land
and take
property of
Commission

6. Section 14 of the Principal Ordinance is amended by omitting from sub-section (2.) the word “persons” and inserting in its stead the word “person”.

Advance of
money by
Treasurer

7. Section 17 of the Principal Ordinance is amended by omitting sub-section (3.) and inserting in its stead the following sub-section:—

“(3.) In this section—

‘dwelling’ includes the right to a lease of the land on which the dwelling is situated;

‘the long term bond rate’ means the interest rate *per annum* payable in respect of the Commonwealth securities having a currency of not less than five years being offered in Australia for public

subscription at the date the advance is made or, if none is being offered at that date, the interest rate per annum payable in respect of such securities last so offered prior to that date; but where the securities are or were being offered simultaneously for various currencies, each of not less than five years, the long term bond rate means the interest rate per annum payable in respect of those securities having the longest currency.”.

8. Section 33D of the Principal Ordinance is repealed and the following section inserted in its stead:—

“33D. The price at which a dwelling may be sold under section 33B of this Ordinance is the market value of the dwelling.”. Sale Price

9. Notwithstanding the amendment effected by section 4 of this Ordinance, where an application to purchase a dwelling is received by the Commission before the date of commencement of this Ordinance, the price at which that dwelling may be sold under sub-section (2.) of section 13A of the Principal Ordinance as amended by this Ordinance is the price for which it could have been sold by the Commission on the day immediately preceding the date of commencement of this Ordinance. Transitional
