



# Property Law Amendment Act 2010

Public Act 2010 No 76  
Date of assent 6 July 2010  
Commencement see section 2

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### The Parliament of New Zealand enacts as follows:

- 1 Title**  
This Act is the Property Law Amendment Act 2010.
- 2 Commencement**  
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act amended**  
This Act amends the Property Law Act 2007.
- 4 When mortgagee becomes mortgagee in possession**  
(1) Section 139(1) is amended by repealing paragraph (c) and substituting the following paragraph:

- “(c) the date of the mortgagee’s application to the court for the order if—
  - “(i) the mortgagee applies to the court for an order for possession of the land or goods; and
  - “(ii) the court, in response to the mortgagee’s application, makes the order.”
- (2) Section 139 is amended by adding the following subsection:
- “(3) Despite subsections (1) and (2), sections 156, 162, and 163 apply to a mortgagee who becomes a mortgagee in possession under subsection (1)(c) of this section—
  - “(a) as if the references in sections 156(1) and 162(1) to the mortgagee’s entering into possession were references to the making of the order for possession of the land or goods by the mortgagee; and
  - “(b) as if the references in sections 156(1)(b) and (c) and 163(1)(a) to the date of entry into possession were references to the date of the making of that order.”

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### Legislative history

29 June 2010	Divided from Statutes Amendment Bill by committee of the whole House, third reading
6 July 2010	Royal assent

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This Act is administered by the Ministry of Justice.

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