

TANGANYIKA



No. 45 OF 1962

I ASSENT,

Governor-General

18TH JULY, 1962

**An Act to establish a National Housing Corporation for the purpose of facilitating the Provision of Houses and other buildings in Tanganyika by means of Financial Assistance and otherwise and for matters incidental thereto and connected therewith**

[-----]

ENACTED by the Parliament of Tanganyika.

**PART I**

PRELIMINARY

1. This Act may be cited as the National Housing Corporation Act, 1962, and shall come into operation on such date as the Minister may, by notice in the *Gazette*, appoint.

Short title  
and  
commence-  
ment

2. In this Act, unless the context otherwise requires-  
"approved" means approved by the Corporation;

Interpretation

"Corporation" means the National Housing Corporation established by section 3;

"financial year of the Corporation" means a year commencing on the first day of July in any year and ending on the next following thirtieth day of June:

Provided that the first financial year of the Corporation shall commence on the date of coming into operation of this Act and end on the thirtieth day of June, 1963;

"Governing Board" means the Board established by the First Schedule;

"house" includes any part of a house, "building" includes any part of a building other than a house and "construct" in relation to a house or other building includes the process of modification, alteration and repair;

"housing scheme" means a proposal for the construction of houses including such other proposals as may be necessary or desirable, by way of the provision of roads, drains or open spaces or otherwise howsoever, to implement the scheme;

"local authority" means a city or municipal council, a town council or a district council;

"Minister" means the Minister for the time being responsible for housing.

## PART II

## THE NATIONAL HOUSING CORPORATION

- Establishment of Corporation
- 3.-**(1) There is hereby established a body, which shall-
- (a) be a body corporate by the name of the National Housing Corporation, with perpetual succession and a common seal;
  - (b) in its corporate name be capable of suing and being sued; and
  - (c) be capable of holding, purchasing and otherwise acquiring, and disposing of any property movable or immovable for the purposes or in the course of its business.
- (2) The provisions of the First Schedule hereto shall have effect as to the constitution and proceedings of, and otherwise in relation to, the Corporation.
- Business of the Corporation
- 4.-**(1) The business of the Corporation shall be to provide and facilitate the provision of houses and other buildings in Tanganyika and in particular, but without prejudice to the generality of the foregoing-
- (a) to lend or grant money to a local authority for the purposes of an approved housing scheme to be undertaken by the local authority;
  - (b) subject to the provisions of section 6 and section 10, to make loans or guarantee loans made to any person or body of persons, corporate or unincorporated, for the purpose of enabling such person or body to acquire land and construct thereon approved houses or other buildings or to carry out approved housing schemes; and
  - (c) to construct houses or other buildings and carry out approved housing schemes.
- (2) Every loan made by the Corporation under this Act shall bear interest at such rate as the Corporation shall from time to time specify and shall be subject to such other terms and conditions as may be prescribed or as the Corporation may impose.
- (3) In considering the propriety of making a loan or guaranteeing a loan made to any person or body of persons, the Corporation shall have regard to the financial position of the person or body and the sufficiency of the security for the repayment of the loan.
- (4) The Corporation shall have power, for the purposes of its business, to do all such acts as appear to it to be requisite, advantageous or convenient for or in connection with its business, and may carry on any activities in that behalf either alone or in association with or as agent for or otherwise on behalf of any other persons or bodies (including the Government and local authorities).
- (5) For the avoidance of doubt it is hereby declared that the provisions of subsection (4) with respect to the powers of the Corporation relate only to its capacity as a body corporate and nothing in that subsection shall authorize the disregard by the Corporation of any enactment or rule of law.
- Powers of the Minister
- 5.-**(1) The Minister may give directions to the Corporation as to any Matter relating to the conduct of its business or the exercise of its powers, and the Corporation shall give effect to every such direction.

(2) The Corporation shall, within six months after the end of each financial year of the Corporation, make a full report to the Minister on the conduct of its business during that year, and the Minister shall lay a copy thereof before the National Assembly.

(3) The report for a year shall set out every direction given by the Minister under this section and under section 12 during that year.

6.-(1) No loan shall be made by the Corporation under paragraph (b) of subsection (1) of section 4 to any member of the Governing Board or of the staff of the Corporation nor shall any loan made to any such person be guaranteed by the Corporation under that paragraph.

Restriction  
on making  
of loans

(2) Any member of the Governing Board or of the staff of the Corporation who knowingly authorizes or makes any payment or executes any instrument in contravention of the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a period not exceeding six months or to both such fine and imprisonment; and the court before which he is convicted may order that a member of the Governing Board shall vacate his seat, and thereupon his seat shall become vacant.

7.-(1) No member of the Governing Board shall at any meeting of the Board take part in the discussion of or vote upon, or where business is transacted by circulation of papers, take part in such business on-

Circumstances  
in which  
members of  
Board shall  
not vote

(a) any application for a loan or for the guarantee of a loan by, or business relating to, a person who is the spouse or a member of the family of such member;

(b) any application for a loan or for the guarantee of a loan by, or business relating to, a person who is a debtor or creditor of such member or in partnership with or in the employ of such member; or

(c) any application for a loan or for the guarantee of a loan by any body of persons, corporate or unincorporated, or a person who is, to the knowledge of such member, a debtor under a mortgage of any body of persons, corporate or unincorporated, of which such member is a shareholder or director or under which he holds any office or position other than that of auditor.

(2) Any member of the Governing Board who contravenes any provision of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding five thousand shillings or imprisonment for a period not exceeding six months or to both such fine and imprisonment; and the court before which he is convicted may order that he shall vacate his seat as such member, and thereupon his seat shall become vacant.

(3) In this section the family of a member of the Governing Board shall be deemed to include the father, mother, child, brother or sister of such member and any person married to his father, mother, child, brother or sister.

### PART III

#### FINANCIAL

8.-(1) Where any moneys are paid to the Corporation as part of its funds out of moneys provided for that purpose by Parliament, the Minister may, with the concurrence of the Minister for the time being responsible for finance, require the Corporation to pay interest thereon

Funds  
provide by  
Parliament  
or raised by  
Government

to the Government; and where the Minister so requires, the Corporation shall pay interest at such times and rates as the Minister, with such concurrence as aforesaid, may determine when such moneys are paid to the Corporation:

Provided that the Minister, with such concurrence as aforesaid, may waive the payment of interest under this subsection for any period which he thinks fit.

(2) The Government may, with the approval of the National Assembly signified by resolution, raise moneys, either within or outside Tanganyika, specifically for the purposes of the Corporation; and all moneys so raised shall be charged on and issued out of the Consolidated Fund, and when paid to the Corporation shall form part of its funds.

(3) The Minister, with the concurrence of the Minister for the time being responsible for finance, shall determine the manner and time of repayment of any moneys paid to the Corporation under subsection (2), and the times and rate at which interest shall be paid thereon, and the Corporation shall make repayment and pay interest in accordance therewith.

(4) All sums received from the Corporation under this section shall be paid into the Consolidated Fund.

Borrowing  
powers of the  
Corporation

**9.**-(1) The Corporation may, with the approval of the Minister, given with the concurrence of the Minister for the time being responsible for finance, and subject to such conditions as he with such concurrence may determine, borrow sums required by it for meeting any of its obligations or for the purposes of its business:

Provided that the Corporation shall not borrow under this section so as to have outstanding at any time an aggregate amount exceeding five million pounds or such other sum as may from time to time be approved by resolution of the National Assembly.

(2) The powers of the Minister under this section shall extend -to the amount (within the maximum herein before specified), the nature and sources of the borrowing, and the times at and conditions on which the borrowing may be effected, and his approval may be either general or limited to a particular borrowing.

(3) A person lending money to the Corporation shall not be bound to inquire whether the borrowing of such money is within the power of the Corporation.

Restriction  
on  
guarantees

**10.** Except with the prior approval of the Minister, given with the concurrence of the Minister for the time being responsible for finance, the Corporation shall not guarantee a loan if, on the date on which it is proposed to give such guarantee, the moneys which the Corporation may be called upon to pay under all other guarantees then outstanding shall exceed such sum as may be prescribed.

Guarantees  
Reserve Fund

**11.**-(1) The Corporation shall establish a Guarantees Reserve Fund into which shall be paid, from time to time, such sums as will maintain the credit balance of such Fund at an amount not less than one quarter of the total of the moneys which the Corporation is liable for the time being to be called upon to pay under guarantees given by the Corporation.

(2) Subject to the provisions of subsection (3), the moneys in the Guarantees Reserve Fund shall be applied solely to meet the obligations incurred by the Corporation under any guarantee.

(3) Nothing in subsection (2) shall prevent the Corporation from transferring from the Guarantees Reserve Fund to any other of its funds the sum by which the credit balance of the Fund exceeds the amount at which the Fund is required for the time being to be maintained under subsection (1).

**12.-**(1) In addition to the Guarantees Reserve Fund the Corporation shall establish and maintain a General Reserve Fund and shall, subject to any directions given by the Minister under subsection (3), pay into such Fund any net profit earned by the Corporation.

General  
Reserve Fund

(2) The General Reserve Fund shall be applied by the Corporation in making good any loss or deficiency which may occur in any of the transactions of the Corporation, other than those for which the Guarantees Reserve Fund is available.

(3) The Minister, with the concurrence of the Minister for the time being responsible for finance, may give directions to the Corporation as to the balance to be maintained in the General Reserve Fund and, where such directions are given, the Corporation shall not be required to pay any of its net profits into the Fund whereby the balance thereof would exceed the amount directed by the Minister.

**13.-**(1) The Corporation may, with the approval of the Minister given with the concurrence of the Minister for the time being responsible for finance, and subject to such conditions as he may, with such concurrence, determine, invest such part of its funds as are not required for the purposes of its business, and the moneys forming part of its reserve funds and any provident fund established by the Corporation.

Investment

(2) The powers of the Minister under this section shall extend to the amount which may be invested, the nature of the investment and the terms and conditions thereof, and his approval may be either general or limited to a specific investment.

**14.-**(1) The Corporation shall keep proper accounts and other records in relation thereto, and shall prepare in respect of each financial year of the Corporation a statement of accounts in such form as the Minister may direct, being a form which shall conform with the best commercial standards.

Accounts  
and audit

(2) The form of the accounts and of the statement shall be such as to secure the provision of separate information in respect of each of the main activities of the Corporation.

(3) Subject to any resolution of the National Assembly under section 28 of the Exchequer and Audit Ordinance, 1961, the accounts of the Corporation shall be audited by auditors to be appointed annually by the Minister.

(4) As soon as the accounts of the Corporation for any financial year thereof have been audited, it shall send a copy of the statement of accounts prepared in respect of that year to the Minister together, with a copy of any report made by the auditors on the statement or on the accounts.

Ord. 1961  
No. 21

(5) The Minister shall, within a period of six months (or such longer period as the National Assembly may by resolution appoint) after the end of the financial year of the Corporation to which the accounts relate, lay a copy of every such statement and report before the National Assembly.

#### PART IV

##### GENERAL PROVISIONS RELATING TO BUSINESS OF THE CORPORATION

Power to contract, etc- 15.-(1) All deeds, instruments, contracts and other documents shall be deemed to be duly executed by or on behalf of the Corporation-

- (a) if sealed with the common seal of the Corporation and signed by two members of the Governing Board; or
- (b) if executed in that behalf by one member of the Governing Board appointed by such Board for such purpose and by the Secretary or any member of the staff of the Corporation acting in that office.

(2) A deed, instrument, contract or other document executed in accordance with this section shall, subject to any exception that may be taken thereto on any ground other than that of the competence of the party executing the same on behalf of the Corporation, be effectual in law and shall bind the Corporation and its successors and all other parties thereto.

(3) A deed, instrument, contract or other document made in accordance with this section may be varied or discharged in the like manner in which it is authorized by this section to be executed.

Access to valuation roll 16. The Corporation shall have access without fee or charge to the valuation roll of any local authority and it shall be the duty of officers of every such authority to supply without fee or charge to the Corporation, upon application, particulars as to any valuation, of rateable property in respect of which such local authority has the power to levy rates.

Secrecy 17.-(1) Any person employed in the administration of the business of the Corporation shall regard and deal with all documents, information, returns and forms relating to applications for loans or other financial assistance or the making of loans or other financial assistance by the Corporation as secret.

(2) Any such person who, having possession of or control over any documents, information, returns or forms relating to any of the matters aforesaid, communicates or attempts to communicate such information or anything contained in such documents, returns or forms to any person-

- (a) other than a person to whom he is authorized by the Minister or the Corporation to communicate it; or
- (b) otherwise than for the purposes of the business of the Corporation;

or  
(c) otherwise than by or in accordance with the directions of any court, shall be guilty of an offence and liable on Conviction before a magistrate of the first class to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

**18.** Any applicant to the Corporation for a loan or other financial assistance who willfully fails to disclose any material information within his knowledge, or who willfully makes any statement which he knows to be false or does not believe to be true shall be guilty of an offence and liable on conviction before a magistrate of the first class to a fine not exceeding ten thousand shillings or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment and shall further be liable to have any advance or other assistance made to him by the Corporation cancelled forthwith, and to repay to the Corporation forthwith all sums advanced to him by the Corporation.

False  
statement

**19.** Subject to the provisions of this section, every loan made by the Corporation to any person or body of persons shall, unless the Corporation in the special circumstances of the case otherwise determines, be secured by a first mortgage or charge over the land on which the house or other building is situate or is to be constructed or, as the case may be, over the land acquired for the approved scheme together with all the buildings and improvements on such land, and by such further security as the Corporation may in any case require.

Security for  
loans

**20.**-(1) The Corporation may, and shall when so required by the Minister, inquire into and report to the Minister on the necessity or otherwise of the provision of houses in any part of Tanganyika.

Additional  
duties of  
Corporation

(2) The Corporation shall advise and assist in the preparation of proposals for houses and housing schemes.

**21.** Any member of the Governing Board and any officer of the Corporation authorized in that behalf by the Governing Board may, at any reasonable time, enter upon any land or building in respect of which a grant or loan has been made, undertaken to be made or applied for by or to the Corporation, for the purpose of inspecting and reporting on the same or for the purpose of carrying out any function under this Act or regulations made thereunder.

Power of  
entry and  
inspection

**22.** The Minister may make regulations for the better carrying out of the purposes of this Act, for prescribing terms and conditions of financial assistance, for fees, and for prescribing anything which is to be or may be prescribed.

Regulations

## PART V

### TRANSFER OF THE ASSETS AND LIABILITIES OF THE GOVERNMENT ON ACCOUNT OF THE ROOF LOANS FUND AND THE TENANT PURCHASE FUND TO THE CORPORATION

**23.** Upon the coming into operation of this Act, the provisions of the Second Schedule hereto shall apply for the transfer of the assets and liabilities vested in the Government on account of the Roof Loans Fund and the Tenant Purchase Fund to the Corporation, to and in relation to such assets and liabilities when so transferred and for such other matters as are contained therein, and the Minister and all officers of the Government who, prior to the date of coming into operation of this Act, had any functions in respect of either of such Funds shall do all such acts as may be necessary or desirable for the more effectual vesting of such assets and liabilities in the Corporation.

Transfer of  
Roof Loans  
Fund and  
Tenant  
Purchase  
Fund

Orders by  
Minister

24. The Minister may by order provide for any matter which appears to him to be necessary or desirable for the purpose of securing the effective transfer of any assets or liabilities vested in the Corporation by virtue of this Part and, without prejudice to the generality of the foregoing, may appoint any person to do any act or sign any document for and on behalf of the Government whereby the assets of the Government on account of the Roof Loans Fund or the Tenant Purchase Fund may be transferred to the Corporation.

## PART VI

### TRANSFER OF CERTAIN HOUSES OWNED BY THE GOVERNMENT TO THE CORPORATION

Transfer of  
Government  
owned  
houses

25. The Minister may from time to time by order transfer to the Corporation any houses owned by the Government, other than houses intended for the occupation of persons in the service or employment of the Government, and upon such order being made the provisions of the Third Schedule hereto shall apply for the transfer of such houses and of the assets and liabilities vested in the Government on account thereof and for such other matters as are contained therein, and the Minister and all officers of the Government who, prior to the making of such order, had any functions in respect of such houses shall do all such acts as may be necessary or desirable for the more effectual vesting thereof in the Corporation.

Orders by  
Minister

26. The Minister may by order provide for any matter which appears to him to be necessary or desirable for the purpose of securing the effective transfer of any houses vested in the Corporation by virtue of this Part and of any assets and liabilities on account thereof and, without prejudice to the generality of the foregoing, may appoint any person to do any act or sign any document for and on behalf of the Government whereby the houses referred to in any order made under section 25 and the assets and liabilities on account thereof may be transferred to the Corporation.

### FIRST SCHEDULE

(Section 3 (2))

(a) *The Corporation*

Constitution  
of  
Corporation

1. The Corporation shall consist of the persons who are for the time being members of the Governing Board.

(b) *The Governing Board*

Governing  
Board

2.-(1) Subject to the provisions of this Act, the business of the Corporation shall be controlled and conducted by a Governing Board (hereinafter called the Board) which shall consist of a Chairman and such number of other members, being not more than ten, as the Minister may from time to time determine.

(2) The Chairman and the other members of the Board shall be appointed by the Minister.

(3) A member of the Board shall, unless his appointment is sooner terminated by the Minister or he otherwise ceases to be a member, hold office for such period as the Minister may specify to his appointment, or, if no period is so specified, for a period of two years from the date of his appointment, and shall, be eligible for re-appointment.



(4) Any member of the Board may at any time retire by giving notice in writing to the Minister and from the date specified in the notice or, if no date is so specified, from, the date of receipt of the notice by the Minister, he shall cease to be a member of the Board.

3.-1) No person shall be appointed a member of the Board-

(a) if he is an undischarged bankrupt or has assigned his estate for the benefit of his creditors or has made an arrangement with his creditors; or

(b) if he is of unsound mind; or

(c) if he has been convicted of an offence involving or necessarily implying fraud or dishonesty and has suffered a substantive sentence of imprisonment therefor.

(2) A member of the Board shall become disqualified to retain and shall ipso facto cease to hold his office as such member if he shall become subject to any of the disabilities set out in sub-paragraph (1) or if he be absent without the permission of the Board from four consecutive meetings thereof.

4. Where any member of the Board ceases to be a member before the normal expiration of his term of office, the Minister may appoint another person in his place to hold office until such first-named person's term of office would have expired had he not so ceased to be a member.

5.-(1) At any meeting of the Board not less than one half of the members of the Board shall form a quorum.

(2) At any meeting of the Board the Chairman shall preside. In the absence of the Chairman, the members present at the meeting shall choose one of their number to be chairman for that meeting.

(3) In the event of an equality of votes on any matter, the chairman of the meeting shall, in addition to his deliberative vote, have a casting vote.

6.-(1) Subject to the provisions of paragraph 5 relating to a quorum, the Board may act notwithstanding any vacancy in the membership thereof.

(2) No act or other proceeding of the Board shall be invalid by reason only that there is some defect in the appointment of a person purporting to be a member of the Board.

7.-(1) Subject to the provisions of this Schedule and to any directions of the Minister, the Board may-

(a) conduct its business at meetings of the Board or by circulation of papers;

(b) delegate the conduct of any business of the Corporation to any member of the Board or of the staff of the Corporation:

Provided that-

(i) any decision of the Board shall, if taken at any meeting, require the concurrence of the majority of the members present at that meeting, and, if taken on a circulation of papers, require the concurrence of the majority of the members of the Board; and

(ii) where any business is conducted by circulation of papers, any member of the Board may require any such business to be referred to a meeting of the Board.

8.-(1) Every member of the Board shall be paid out of the funds of the Corporation such remuneration as the Minister may from time to time determine.

(2) The Corporation may pay out of the funds thereof the reasonable travelling expenses incurred by a member of the Board when engaged on the business of the Corporation at a place not less than five miles from his normal residence.

9.-(1) Minutes of the proceedings of every meeting of the Board shall be regularly entered in a book kept for the purpose and the book shall be kept so as to show adequate details of the business conducted at such meeting. The minutes of the proceedings of each meeting shall be submitted at the same or the next ensuing meeting and, if then passed as correct, shall be confirmed by the signature of the person (2) When confirmed as aforesaid, the minutes shall be prima facie evidence in any court or inquiry that the proceedings as therein recorded were the, proceedings of such meeting.

10. Subject to the provisions of this Schedule and to any directions given by the Minister, the Board may regulate its own procedure.

(c) Staff

11.-(1) Subject to the provisions of paragraph (2), the Board shall appoint a Secretary to the Board who shall be the chief executive officer of the Corporation.

Disqualifica-  
tion

Casual  
vacancies

Procedure

Vacancies,  
etc, not to  
invalidate  
proceedings

Conduct of  
business

Remuneration  
of members

Minutes

Board may  
regulate its  
procedure

Secretary  
and other  
staff

	(2) The appointment of the Secretary and his terms and conditions of service shall be subject to the approval of the Minister.
	(3). The Secretary shall be entitled to be present and to speak (but not to vote) at meetings of the Board.
	(4) The Board may, from time to time, appoint on such terms and conditions as it may think fit, such officers, clerks and servants as it may consider necessary for carrying on the business of the Corporation.
Seconded Government officers	12. The Board may, with the approval of the Minister and with the consent of the officer concerned, appoint under paragraph 11 to the service of the Corporation (either on a whole-time or a part-time basis) a Government officer seconded to the service of the Corporation for that purpose.
Provident fund	13.-(1) The Board may establish, control, manage, maintain and contribute to a provident fund for the benefit of the members of the staff of the Corporation, and may grant gratuities in accordance with the rules governing such fund to such members upon their retirement from the service of the Corporation and to their dependents on the death of any such member. (2) In cases where no benefit or, in the opinion of the Board, insufficient benefit, accrues from the fund established, the Board may, in its discretion, grant from the funds thereof gratuities or additional gratuities, as the case may be, to members of the staff of the Corporation or their dependents in the circumstances mentioned in sub-paragraph (1).
Minister may nominate persons to staff of Corporation	14. Where, prior to the date of coming into operation of this Act the Minister has nominated any person to the staff of the Corporation, such person shaft, with effect from such date, be deemed to have been appointed by the Board as a member of its staff on the same terms and conditions as those specified by the Minister at the time of making such nomination.

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SECOND SCHEDULE

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(Section 23)

TRANSFER OF THE ASSETS AND LIABILITIES OF THE GOVERNMENT ON ACCOUNT OF THE ROOF LOANS FUND AND THE TENANT PURCHASE FUND

Transfer of assets and liabilities	1. On the date of coming into operation of this Act (hereinafter referred to as the operative date), all the assets and liabilities of the Government on account of the Roof Loans Fund and the Tenant Purchase Fund shall pass by succession to the Corporation and the Corporation shall have all powers necessary to take possession of, recover and deal with such assets and discharge such liabilities.
Delivery of movable	2. On the operative date the Minister shall deliver to the Corporation, or in accordance with its direction, all movable property vested in the Government on account of the Roof account of the Roof Loans Fund and the Tenant Purchase Fund and all books, papers, documents, minutes, receipts and ledgers appertaining thereto.
Agreements	3. Every agreement, whether in writing or not, other than an agreement for personal services, and every deed or bond, to which the Government was a party on account of the Roof Loans Fund or the Tenant Purchase Fund or which affected the Government in that behalf, and whether or not of such a nature that rights, liabilities and obligations thereunder could be assigned, shall have effect from the operative date, as if- (a) the Corporation were a party thereto or affected thereby instead of the Government; (b) for any reference (however worded and whether expressed or implied or not) to the Government or its attorney there were substituted in respect of anything to be done on or after the operative date a reference to the Corporation.
Legal proceedings	4. Any proceedings pending immediately before the operative date to which the Government or any representative thereof was a party on account of any transaction arising out of the operation of the Roof Loans Fund or the Tenant Purchase Fund shall be continued as if the Corporation were a party thereto in lieu of the Government or its representative, as the case may be.
Completion of acts	5. Where anything has been commenced by or under the authority of the Government prior to the operative date and such thing is within the powers of the Corporation or was done in relation to any matters transferred by this Schedule from the Government to the Corporation, such thing may be carried on and completed by or under the authority of the Corporation,

6. Where any question arises as to whether an asset or liability, or any personal property or book, paper, document, minute, receipt or ledger, or any agreement, deed or bond, or any transaction, is on account of or pertains to the Roof Loans Fund or the Tenant Purchase Fund, the matter shall be referred to the Minister who shall certify under his hand whether or not the same was on account of or pertained to the Roof Loans Fund or the Tenant Purchase Fund, and where the Minister so certifies no court

7. Every capital fund or asset of the Roof Loans Fund or the Tenant Purchase Fund which vests in the Corporation under this Act shall be deemed to be a capital fund or asset, as the case may be, of the Corporation, and every revenue fund or asset of the Roof Loans Fund or the Tenant Purchase Fund which so vests shall be deemed to be a revenue fund or asset of the Corporation.

8. The assets and liabilities of the Government on account of the Roof Loans Fund or the Tenant Purchase Fund which vest in the Corporation under this Act, shall vest on the same conditions as pertained thereto immediately before the operative date.

Certificates by Minister

Capital and revenue assets to vest as such

Transferred assets and liabilities to be subject to original terms

**THIRD SCHEDULE**

(Section 25)

TRANSFER OF CERTAIN HOUSES FROM THE GOVERNMENT TO THE CORPORATION

1. Upon the date of coming into operation of any order made under section 25 (hereinafter referred to as the operative date) all such houses owned by the Government as are referred to in the order and all assets and liabilities of the Government on account thereof shall pass by succession to the Corporation and the Corporation shall have all powers necessary to take possession of, recover and deal therewith.

2. On the operative date the Minister shall deliver to the Corporation, or in accordance with its directions, all books, papers, documents, receipts and ledgers appertaining to such houses as are referred to in the order,

3. Every agreement (whether in writing or not) and every instrument, deed or bond to which the Government or any representative thereof, the Governor or the Governor-General, was a party on account of any houses referred to in the order whether or not of such a nature that rights, liabilities and obligations thereunder could be assigned, shall have effect from the operative date as if-

(a) the Corporation were a party thereto or affected thereby instead of the Government or its representative, the Governor or the Governor-General;

(b) for any reference (however worded and whether expressed or implied) to the Government or its representative, the Governor or the Governor-General there were substituted in relation to anything to be done on or after the operative date a reference to the Corporation.

4. Any proceedings pending immediately before the operative date to which the Government or its representative was a party on account of any matter relating to any of the houses referred to in the order shall be continued as if the Corporation were a party thereto instead of the Government or its representative, as the case may be.

5. Where anything has been commenced by or under the authority of the Government prior to the operative date and such thing is within the powers of the Corporation or was done in relation to any of the houses referred to in the order, such thing may be carried on and completed by the Corporation.

Transfer of houses

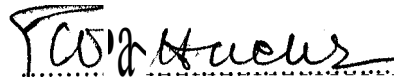
Delivery of documents

Agreements, etc.

Legal proceedings

Completion of acts

Passed in the National Assembly on the twenty-ninth day of June, 1962.

  
Clerk of the National Assembly