

irrecoverable. In fixing a fair rent a Magistrate is to have regard to the relative circumstances of the landlord and of the tenant. Such fair rent is not to exceed the basic rent unless the Magistrate is satisfied, by evidence produced by the landlord, that in the special circumstances of the case it is fair and equitable that the fair rent should exceed such basic rent. In the case of premises to which the Act applied prior to the operation of the 1942 amendment, the fair rent is to be fixed with reference to the "basic rent" under the repealed sections.

Under the Economic Stabilization Emergency Regulations 1942 it is required that a register containing certain particulars be kept, this register to be produced for inspection. Further, every person commits an offence against the regulations who stipulates for or demands or accepts for himself or for any other person on account of the rent of any dwellinghouse any sum that is irrecoverable by virtue of the Fair Rents Act, 1936.

The Inspector of Factories is empowered to act on behalf of any tenant in proceedings under the Act, and the following table indicates the extent to which tenants have availed themselves of the services of the Department's Inspectors:—

Town.	Total Number of Applications.	Agreements under Section 21.		Cases where Court Proceedings for Fixation of Fair Rent involved.		Cases where Demand for Increased Rent settled without Reference to Court (other than Agreed Increases).	Tenant represented in Eviction Proceedings or Notices to quit.	
		Approved.	Not approved.	Owner's Application.	Tenant's Application.		Involving Court Proceedings.	Notice to quit withdrawn or abandoned as a Result of Inspector's Intervention.
Auckland ..	2,208	847	28	133	122	834	236	8
Wellington ..	1,916	264	83	33	241	758	228	309
Christchurch..	602	133	10	73	34	262	78	12
Dunedin ..	237	95	9	27	3	63	27	13
Other towns..	905	372	42	45	23	274	76	73
Totals ..	5,868	1,711	172	311	423	2,191	645	415

The Department investigated 660 alleged infringements of the statute. In 122 investigations it was found that no infringement had occurred. Warnings were issued in 271 cases. Court action was taken in 8 cases, convictions being secured in all but one of the cases. Fines imposed amounted to £70 10s. Two of the cases were in respect of a refusal to let a dwellinghouse to an applicant with children (section 9, Fair Rents Amendment Act, 1942), 2 for requiring or accepting a premium or other sum in consideration of the grant of a tenancy (section 11), and 4 for accepting or demanding rent in excess of the basic or fair rent.

AMENDMENT TO FAIR RENTS ACT, 1936

Under section 25 of the Statutes Amendment Act, 1945 (which superseded the Fair Rents Emergency Regulations 1945 (Serial number 1945/106)), an Inspector of Factories is given authority to approve the agreement where the occupier of a dwellinghouse agrees to let any part thereof to a serviceman and the parties agree in writing that the Fair Rents Act shall not apply to the premises so let. Fifty-four such agreements were submitted to the Department. Of these, 52 were approved and 2 refused.

ECONOMIC STABILIZATION EMERGENCY REGULATIONS 1942: STABILIZATION OF RENTS

Inspectors of Factories in their capacity as "authorized persons" in terms of the regulations dealt with 1,070 agreements covering increases of rent. Approval was given in 965 cases and declined in 105 cases. Sixty-three complaints that the regulations had been infringed were received and dealt with. One prosecution was instituted. A conviction was secured and a fine of £2 imposed for demanding a sum that was irrecoverable by virtue of Part III of the regulations.