

THE HOUSING (AMENDMENT) ACT 1967

No. 18 of 1967

Date of assent: 4th July 1967

Date of commencement: 4th July 1967

An Act of Parliament to provide for a National Housing Corporation and to amend the Housing Act

ENACTED by the Parliament of Kenya, as follows:—

1. This Act may be cited as the Housing (Amendment) Act 1967. Short title.
2. The Central Housing Board established by section 3 of the Housing Act (hereinafter referred to as the principal Act) is hereby renamed the National Housing Corporation, and shall continue in being under that name in accordance with the principal Act as amended by this Act. Renaming of Central Housing Board.
Cap. 117.
3. Section 2 of the principal Act is amended— Amendment of section 2 of principal Act.
- (a) by substituting for the definition of “Board”, which appears therein, a new definition as follows—
“the Corporation” means the National Housing Corporation established by section 3 of this Act;
- (b) by deleting the definition of “local authority”, which appears therein.
4. Section 3 of the principal Act is amended— Amendment of section 3 of principal Act.
- (a) by substituting for the words “Central Housing Board”, which appear therein and in the marginal note thereto, the words “National Housing Corporation”;
- (b) by substituting for subsections (2) and (3) thereof two new subsections as follows—
- (2) The Corporation shall consist of the Permanent Secretary of the Ministry and not less than six nor more than eight other members appointed by the Minister, being persons who in his opinion possess special knowledge of housing development or housing finance and of whom at least three shall be public officers, and the Minister shall designate one of the members to be chairman.

(3) Members of the Board appointed by the Minister shall each hold office for a period of three years or such longer period as the Minister may think fit, but the Minister shall have power to cancel an appointment at any time.

(c) by substituting for the word "Board", which appears in subsection (4) thereof, the word "Corporation".

Amendment of section 4 of principal Act.

5. Section 4 of the principal Act is amended by substituting for subsection (2) thereof a new subsection as follows—

(2) The quorum of the Corporation shall be four members, of whom at least two shall be public officers and at least two shall be persons who are not public officers.

Insertion of new section 5A in principal Act.

6. There shall be inserted in the principal Act, immediately after section 5 thereof, a new section as follows—

Bank account.

5A. The Corporation shall keep all moneys belonging to it in a bank approved by the Minister.

Amendment of section 7 of principal Act.

7. Section 7 of the principal Act is amended—

(a) by inserting immediately after paragraph (b) thereof a new paragraph as follows—

(b) make loans to organizations established for promoting the development of housing; and

(b) by inserting at the end thereof a new paragraph as follows—

(g) pay such allowance to members of the Corporation as the Minister may, in writing, approve.

Insertion of new sections 7A and 7B in principal Act.

8. There shall be inserted in the principal Act, immediately after section 7 thereof, two new sections as follows—

Power of Corporation to guarantee loans.

7A. (1) The Corporation may guarantee the repayment of the principal money and interest and other charges in respect of any loan which has been made to a person for the purpose of enabling him to buy or construct an approved dwelling or to carry out an approved scheme, upon—

(a) that person entering into an agreement with the Corporation to reimburse to it any money which it is called upon to pay under the guarantee; and

(b) security being provided for the due performance of such agreement.

(2) The security to be provided under subsection (1) (b) of this section shall be—

(i) a right of pre-emption of the property given to the Corporation by the first mortgagee; and

(ii) such other security (if any) as the Minister may in any particular case authorize.

(3) Any moneys which the Corporation is called upon to pay under guarantee given under subsection (1) of this section shall be provided from the Housing Fund.

Other powers of Corporation.

7B. The Corporation may—

(a) undertake and encourage research and experiment in housing and related matters, and undertake and encourage the collection and dissemination of information concerning housing and related matters;

(b) take part in housing exhibitions and other forms of publicity;

(c) undertake and encourage the provisions of training in furtherance of the purposes of this Act and provide training for members of its staff;

(d) perform such other duties connected with housing as the Minister may direct.

9. Section 28 of the principal Act is amended by deleting paragraph (a) thereof.

Amendment of section 28 of principal Act.

10. (1) Sections 4 and 5 (including in each case the marginal note), and sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 22, 23, 25 and 26 of the principal Act are each amended by substituting for the word "Board", wherever it appears therein, the word "Corporation" in each case.

Amendment to other sections.

(2) Section 5 of the principal Act is amended by substituting for the words "Legislative Council" and the word "Council", which appear therein, the words "National Assembly" and the word "Assembly" respectively.

(3) Sections 9, 20 and 21 of the principal Act are amended by substituting for the words "Governor in Council" and the word "Governor", which appear therein, the word "Minister" in each case.

Transitional provisions.

11. Notwithstanding the amendments introduced by section 4 of this Act, the persons who immediately before the commencement of this Act were members of the Central Housing Board shall upon such commencement become members of the National Housing Corporation, and shall remain such members until new members of the National Housing Corporation are appointed in accordance with such amendments or until the expiration of one month from such commencement, whichever is earlier.