

New Zealand.



ANALYSIS.

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| Title. | |
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1906, No. 46.

Title. AN ACT to amend "The Scenery Preservation Act, 1903."

[29th October, 1906.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. The Short Title of this Act is "The Scenery Preservation Amendment Act, 1906"; and it shall form part of and be read together with "The Scenery Preservation Act, 1903" (hereinafter referred to as "the principal Act").

Interpretation.

2. In this Act and in the principal Act, if not inconsistent with the context,—

"Crown land" means Crown lands as defined by "The Land Act, 1892":

"Minister" means the Minister charged for the time being with the administration of the principal Act:

"Owner" means the registered proprietor of the land under "The Deeds Registration Act, 1868," or "The Land Transfer Act, 1885":

"Private land" means land owned by any person other than a Maori; and includes any former Crown land reserved and vested in any trustees or body corporate, whether by Act of Parliament or otherwise, for any public purpose, or for any endowment, whether the land is so vested or not:

"Reserve" means a reserve under the principal Act.

3. For the purposes of this Act there is hereby constituted a Board, to be called "the Scenery Preservation Board," consisting of—

Scenery Preservation Board constituted.

The Surveyor-General:

The General Manager of the Tourist and Health Resorts Department:

The Commissioner of Crown Lands for the land district in which is situated any land proposed to be acquired or dealt with under this Act:

Provided that the Commissioner of Crown Lands shall be deemed to be a member of the Board only in cases where the functions of the Board are exercised in connection with land situate within the land district of which he is the Commissioner.

4. The Governor may from time to time appoint a fit person to be Secretary to the Board, and may also appoint one or more Inspectors as he deems necessary for the purposes of this Act, and may prescribe their duties and functions.

Secretary and Inspectors.

5. Such Board shall, when so directed by the Minister, inspect any lands possessing scenic or historic interest, or on which there are thermal springs, and make inquiries respecting the same, and report to the Governor; and shall from time to time recommend what lands, whether Crown or private, in the opinion of the Board should be permanently reserved as scenic, thermal, or historic reserves.

Board to report as to lands to be reserved.

6. (1.) Where the land so recommended to be reserved is Crown land the Governor may by Proclamation declare the same to be a reserve under the principal Act.

How land to be made a reserve.

(2.) Where the land is other than Crown land it may be taken as a public work under "The Public Works Act, 1905," and the provisions of that Act shall apply accordingly, and the land so taken shall be deemed to be a reserve under the principal Act.

7. Where any land to be taken as aforesaid does not comprise the whole of the area included in an existing title, the Governor may take the residue of the land comprised in such title, or any portion thereof.

Governor may take residue of any land.

8. Subject to the provisions of any special Act, every reserve under the principal Act shall be inalienable:

Disposal of land no longer required.

Provided that land taken under the last preceding section may be exchanged for other land which the Board may consider suitable for reservation as a scenic, thermal, or historic reserve, or may be disposed of as Crown lands under "The Land Act, 1892," and the net proceeds of such disposal shall be deemed to be funds provided for the purposes of the principal Act.

9. Any private land proclaimed as a reserve under the principal Act shall thereupon cease to be subject to any previous reservation under any other Act.

Previous reservations under other Acts to cease.

10. The Minister may from time to time take such steps as he thinks fit for the fencing and maintenance of any reserve.

Maintenance of reserves.

11. Every person is liable to a fine not exceeding one hundred pounds who, at any time after the gazetting of any Proclamation declaring any Crown land to be a reserve, or of any notice under

Offences on reserves.

section eighteen of "The Public Works Act, 1905," describing any other land intended to be taken as a reserve,—

- (a.) Lights a fire on the reserve; or
- (b.) Cuts or removes any timber or bush thereon without the written authority of the Minister; or
- (c.) In any way interferes with any reserve or damages the scenic or historic features thereof.

Regulations.

12. The Governor may from time to time, by Order in Council gazetted, make such regulations as he deems necessary or expedient in order to give full effect to the provisions of the principal Act and this Act.

Repeal.

13. Sections two to five of the principal Act are hereby repealed so far as the same are inconsistent with the provisions of this Act.