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Reserves and Other Lands Disposal Act 1955

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

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An Act to provide for the sale, reservation, and other disposition of certain reserves, Crown lands, endowments, and other lands, to validate certain transactions, and to make provision in respect of certain other matters

1 Short Title

This Act may be cited as the Reserves and Other Lands Disposal Act 1955.

2 Cancelling the vesting of certain land in the Mangawai Harbour Board as an endowment and vesting that land in Her Majesty for recreation purposes

Whereas the land described in subsection (3) is vested in the Mangawai Harbour Board (in this section referred to as the **Board**) as an endowment for the improvement of the Harbour of Mangawhai pursuant to section 2 of the Mangawai Harbour Endowment Reserve Act 1893:

And whereas certain of the Board's endowment lands have been subdivided into building lots and the said land is shown as one of the lots thereon:

And whereas certain other freehold lands at Mangawhai have been subdivided:

And whereas, to meet the requirements in respect of reserves for these freehold subdivisions in terms of section 12 of the Land Subdivision in Counties Act 1946 and to make better provision in respect of reserves in the locality, it is desirable that the land described in the said subsection (3) be set apart as a recreation reserve subject to the Reserves and Domains Act 1953:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is hereby declared to be no longer vested in the Mangawai Harbour Board as an endowment for the improvement of the Harbour of Mangawhai pursuant to section 2 of the Mangawai Harbour Endowment Reserve Act 1893, and is hereby declared to be set apart as a recreation reserve subject to Part 2 of the Reserves and Domains Act 1953.
- (2) The District Land Registrar for the Land Registration District of Auckland is hereby authorized and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is more particularly described as follows:
All that area in the North Auckland Land District, Otamatea County, being Lot 6 on a plan deposited in the Land Registry Office at Auckland under Number 39205, being part of Allotment 44, Suburbs of Molesworth, situated in Block II, Mangawhai Survey District, containing by admeasurement 38 perches and two-tenths of a perch, more or less, and being part of the land comprised and described in certificate of title, Volume 1063, folio 256, Auckland Registry.

3 Authorizing the Rotorua County Council to subdivide certain land and conferring on the said Council special leasing powers in respect of that land

Whereas the land described in subsection (10) (in this section referred to as the **said land**) is vested in Her Majesty:

And whereas there are erected on portion of the said land certain holiday and fishing cottages:

And whereas for better administration the said land should be subdivided and the users thereof granted valid leases:

And whereas it is expedient to vest the said land in the Chairman, Councillors, and Inhabitants of the County of Rotorua (in this section referred to as the **Corporation**) in trust as a recreation reserve subject to the Reserves and Domains Act 1953, and to empower the Rotorua County Council (in this section referred to as the **Council**) to subdivide the said land, to confer on the Council special leasing powers in respect of the subdivision, and to enable the Council to apply the revenue from the leasing as aforesaid in the manner hereinafter provided:

Be it therefore enacted as follows:

- (1) The land described in subsection (10) is hereby vested in the Corporation in trust as a recreation reserve subject to the Reserves and Domains Act 1953.
- (2) Notwithstanding anything to the contrary in the Reserves and Domains Act 1953, the Council is hereby authorized to subdivide the land described in subsection (10) and any such subdivision shall conform to that shown on the plan lodged in the office of the Chief Surveyor, at Auckland, as Scheme Plan Number 3280.
- (3) The Council is hereby authorized to grant leases over any lots in the said subdivision to any occupier thereof or to the person appearing to the Council to be entitled to the buildings and other improvements erected thereon or, if there is no occupier or no person appearing to be so entitled, in accordance with subsection (4).
- (4) All lots on the said subdivision over which leases are not granted under subsection (3) shall be offered for lease by public tender or public auction.
- (5) All leases granted under this section shall be on such terms and conditions as the Minister of Lands may approve:

provided that the term of any such lease shall not exceed 21 years and shall not contain any right of renewal or any right of acquiring the fee simple:

provided also that the Council may, with the consent of the Minister of Lands, on the expiry of any such lease, if the leased land is not required for recreation purposes, offer to the lessee a lease for a further term of 10 years on such terms and conditions as the Minister of Lands may determine.

- (6) On the expiry or sooner determination of any lease granted under this section, the lessee shall have the right to remove all buildings and other improvements belonging to the said lessee.
- (7) The net revenue derived by the Council from the leasing of any land under this section shall be applied in or towards the general development and beautification of the recreation reserve adjoining the eastern portion of the said land, which reserve comprises 11 acres 12 perches and seven-tenths of a perch, more or less, shown more particularly on a plan lodged in the office of the Chief Surveyor, at Auckland, under Number 36956, and thereon coloured green.
- (8) The powers conferred on the Council by this section shall be in addition to and not in substitution for any other leasing powers of the Council under the Reserves and Domains Act 1953.
- (9) The District Land Registrar for the Land Registration District of Auckland is hereby authorized and directed to deposit such plans, make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (10) The land to which this section relates is particularly described as follows:
All that area in the South Auckland Land District, Rotorua County, containing by admeasurement 9 acres and 6 perches, more or less, situated in Block VIII, Rotorua Survey District, and being Lots 1 to 13 inclusive, Lots 15 to 24 inclusive, Lots 26 to 37 inclusive, and Lots 39 to 47 inclusive, as shown on the scheme plan lodged in the office of the Chief Surveyor, at Auckland, under Number 3280.

Section 3(5) second proviso: amended, on 29 September 1977, by section 2 of the Rotorua County Council Empowering Act 1977 (1977 No 7 (L)).

4 **Validating an agreement between J A Jans and the Taranaki Harbour Board**

Whereas John Alois Jans, of Oakura, in the County of Taranaki, farmer (in this section referred to as the **purchaser**), of the one part, and the Taranaki Harbour Board (in this section referred to as the **Board**) of the other part, have entered into and executed a certain deed of agreement dated 9 February 1955 (in this section referred to as the **said agreement**):

And whereas the said agreement provides for the sale by the Board to the purchaser of portion of its harbour endowment land at a price of 500 pounds upon terms and conditions as set out therein:

And whereas a copy of the said agreement is deposited in the Head Office of the Department of Lands and Survey, at Wellington, as Taranaki Deed Number 851:

And whereas doubts have arisen as to the power of the Board to sell the said land and to the validity of the said agreement:

And whereas it is expedient that the said Board should be authorized to sell the portion of the said harbour endowment and that the said agreement should be authorized and validated:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Harbours Act 1950 or in any other Act or rule of law, the said agreement is hereby declared to be and to have been valid and binding in all respects and to have full force and effect according to its tenor and the purchaser and the Board shall be deemed to have and to have had all powers and authorities necessary to enter into and execute the agreement and to do all things requisite for the carrying out of the terms and conditions thereof and to execute the necessary documents to give effect thereto.
- (2) The District Land Registrar for the Land Registration District of Taranaki is hereby authorized and directed to deposit such plans, accept such documents for registration, and to do all such things as may be necessary to give effect to the provisions of the said agreement.

5 Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948

Whereas the lands described in subsection (2) are set apart as permanent State forest land under the Forests Act 1949:

And whereas it is desirable that the said lands should be declared Crown land subject to the Land Act 1948:

Be it therefore enacted as follows:

- (1) The setting apart of the lands described in subsection (2) as permanent State forest is hereby revoked and the said lands are hereby declared to be Crown land subject to the Land Act 1948.
- (2) The lands to which this section relates are particularly described as follows:

Firstly, all that area in the Wellington Land District, Kairanga County, containing by admeasurement 107 acres 3 roods and 21 perches, more or less, being Section 375, Block III, Gorge Survey District: as the same is more particularly delineated on the plan marked L and S 55917, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Wellington SO Plan 23209).

Secondly, all those areas in the Nelson Land District, Murchison County, containing together by admeasurement 164 acres and 3 roods, more or less, being Section 9 and parts of Sections 3, 22, and 30, Block XIII, Tutaki Survey District: as the same are more particularly delineated on the plan marked L and S 46/165, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Nelson SO Plan 9903).

Thirdly, all those areas in the Canterbury Land District, Ashburton County, containing together by admeasurement 3 546 acres, more or less, being part of

Reserves 3117 and 3118 situated in Blocks XII and XVI, Somers Survey District, Block VIII, Hutt Survey District, and Block I, Spaxton Survey District: as the same are more particularly delineated on the plan marked L and S X/99/2, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered yellow and red respectively (Canterbury SO Plan 8757).

Fourthly, all those areas in the Canterbury Land District, Selwyn County, containing together 22 500 acres, more or less, being Reserves 3298 and 3299 situated in Blocks V, VI, VII, IX, X, XI, XIII, and XIV, Harper Survey District, and Blocks VIII and XII, Wilberforce Survey District: as the same are more particularly delineated on the plan marked L and S 15/244/19, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green.

Fifthly, all that area in the Canterbury Land District, Selwyn County, containing 9 000 acres, more or less, being Reserve 3310 situated in Blocks I, V, VI, VII, VIII, X, and XI, Whitcombe Survey District, and Block I, Glenrock Survey District: as the same is more particularly delineated on the plan marked L and S 8/8/99, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Sixthly, all that area in the Westland Land District, Grey County, containing by admeasurement 79 acres, more or less, being part of Reserve 1694 situated in Blocks XIII and XIV, Mawheraiti Survey District, and being part of the land proclaimed as permanent State forest by a Proclamation published in the *Gazette* of 20 October 1949 at page 2465: as the same is more particularly delineated on the plan marked L and S X/98/40, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Seventhly, all that area in the Southland Land District, Wallace County, containing 119 acres 1 rood and 37 perches, more or less, being parts of Sections 24 and 31, Block XVII, Jacobs River Hundred: as the same is more particularly delineated on the plan marked L and S 22/4094, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Southland SO Plan 6243).

6 Effecting adjustments to the status of certain lands in the City of Wellington, being portions of the Victoria College site, the Mount Street Cemetery, the Wellington Town Belt, and a public street

Whereas the land firstly described in subsection (8) is portion of a public street adjoining land vested in the Victoria University College, a body corporate constituted under the Victoria University College Act 1933 (in this section referred to as the **College**):

And whereas certain buildings of the College have been erected on part of the said street:

And whereas it is desirable that the said portion of street should be closed and vested in the College in trust as a site for College buildings and as grounds appertaining thereto:

And whereas the land secondly described in the said subsection is portion of the above-mentioned public street:

And whereas this land has for many years been used for access purposes to and from the College and it is desirable that this portion of street be also closed and vested in the Mayor, Councillors, and Citizens of the City of Wellington (in this section referred to as the **Corporation**) as an access way:

And whereas the land thirdly described in the said subsection is portion of the land vested in the College in trust as a site for College buildings and as grounds appertaining thereto:

And whereas the said land thirdly described has for many years been used for access purposes and it is desirable that it be vested in the Corporation as an access way with certain rights reserved to the College in respect thereof:

And whereas the land fourthly described in the said subsection is portion of the land vested in the Roman Catholic Archbishop of the Archdiocese of Wellington in trust to permit the said land to be forever used and appropriated as a cemetery for the burial of members of the Roman Catholic religion exclusively:

And whereas this portion of land has for many years been used for access purposes and it is desirable that it be vested in the Corporation as an access way:

And whereas the lands fifthly and sixthly described are portions of the land vested as aforesaid in the Roman Catholic Archbishop of the Archdiocese of Wellington:

And whereas the said lands fifthly and sixthly described adjoin the grounds of the College and there has been erected thereon part of the buildings of the College and it is desirable that the said lands be vested in the College in trust as a site for College buildings and as grounds appertaining thereto:

And whereas the land seventhly described in the said subsection is portion of the Wellington Town Belt vested in the Corporation for an estate in fee simple upon trust as a public recreation ground for the inhabitants of the City of Wellington:

And whereas the said land has long been used for street purposes and it is desirable to vest it in the Corporation for those purposes:

Be it therefore enacted as follows:

- (1) The portion of public street firstly described in subsection (8) is hereby declared to be closed and is hereby vested in the College in trust as a site for College buildings and as grounds appertaining thereto subject to the provisions of the Victoria University College Act 1933.

- (2) The portion of public street secondly described in subsection (8) is hereby declared to be closed and the said land is hereby vested in the Corporation as an access way subject to the Public Works Act 1928.
- (3) The vesting in the College of the land thirdly described in subsection (8) is hereby cancelled and the said land is hereby declared to be vested in the Corporation as an access way subject to the Public Works Act 1928 freed and discharged from all trusts, reservations, and restrictions heretofore affecting it:
provided that the right is reserved to the College and its licensees, invitees, servants, and agents to cross and recross the said land with or without vehicles of all descriptions, horses, or other animals, and reserving further to the College the right to build over the said land at a height of not less than 15 feet above the surface thereof subject to such conditions as to safeguarding the users of the said access way as the Corporation may impose.
- (4) The vesting in the Roman Catholic Archbishop of the Archdiocese of Wellington of the land fourthly described in subsection (8) is hereby cancelled and the land is hereby declared to be vested in the Corporation as an access way subject to the Public Works Act 1928 freed and discharged from all trusts, reservations, and restrictions heretofore affecting it.
- (5) The vesting in the Roman Catholic Archbishop of the Archdiocese of Wellington of the lands fifthly and sixthly described in subsection (8) is hereby cancelled and the lands are hereby declared to be vested in the College in trust as a site for College buildings and as grounds appertaining thereto subject to the provisions of the Victoria University College Act 1933, freed and discharged from all trusts, reservations, and restrictions heretofore affecting them.
- (6) The vesting in the Corporation of the land seventhly described in subsection (8) is hereby cancelled and the land is hereby declared to be a street subject to the provisions of the Municipal Corporations Act 1954 freed and discharged from all trusts, reservations, and restrictions heretofore affecting it.
- (7) The District Land Registrar for the Land Registration District of Wellington is hereby authorized and directed, upon application being made to him in that behalf and upon payment of all necessary fees and the deposit of such plan or plans as he may require, to issue certificates of title for the land declared to be vested in the College and for the land declared to be vested in the Corporation as access way and to do all such other things as may be necessary to give effect to the provisions of this section.
- (8) The land to which this section relates is more particularly described as follows:
All those areas in the Wellington Land District, City of Wellington, being—
Firstly, all that area containing by admeasurement 28 perches and eleven hundredths of a perch, more or less, abutting Reserve 7, Town of Wellington, and the Town Belt adjoining the Town of Wellington, being the land more particularly delineated on the plan numbered 20231, lodged in the office of the Chief Surveyor, at Wellington, and thereon coloured green.

Secondly, all that area containing by admeasurement 1 perch and forty-six hundredths of a perch, more or less, abutting Reserve 7, Town of Wellington, a public street, and the land firstly described herein, being the land more particularly delineated on the plan numbered 20231, lodged in the office of the Chief Surveyor, at Wellington, and thereon coloured sepia.

Thirdly, all that area containing by admeasurement 13 perches and four hundredths of a perch, more or less, being part of the Town Belt adjoining the Town of Wellington, and being part of the land comprised and described in certificate of title, Volume 401, folio 286, Wellington Registry, and being the land more particularly delineated on the plan numbered 20231, lodged in the office of the Chief Surveyor, at Wellington, and thereon coloured purple.

Fourthly, all that area containing by admeasurement 25 perches and fifty-seven hundredths of a perch, more or less, being part Reserve 7, Town of Wellington, and being part of the land comprised and described in Deeds Index, Volume 6, folio 755, Wellington Registry, and being the land more particularly delineated on the plan numbered 20231, lodged in the office of the Chief Surveyor, at Wellington, and thereon coloured red.

Fifthly, all that area containing by admeasurement 16 perches and thirty-seven hundredths of a perch, more or less, being part Reserve 7, Town of Wellington, and being part of the land comprised and described in Deeds Index, Volume 6, folio 755, Wellington Registry, and being the land more particularly delineated on the plan numbered 20231, lodged in the office of the Chief Surveyor, at Wellington, and thereon coloured orange.

Sixthly, all that area containing by admeasurement 2 perches and ninety-four hundredths of a perch, more or less, being part of Reserve 7, Town of Wellington, and being part of the land comprised and described in Deeds Index, Volume 6, folio 755, Wellington Registry, and being the land marked "Severance", more particularly delineated on the plan numbered 20231, lodged in the office of the Chief Surveyor, at Wellington.

Seventhly, all that area containing by admeasurement 6 perches and eleven hundredths of a perch, more or less, being part of the Town Belt adjoining the Town of Wellington, being part of the land comprised and described in Deeds Index, Volume 1, folio 4A, Wellington Registry, and being the land more particularly delineated on the plan numbered 20231, lodged in the office of the Chief Surveyor, at Wellington, and thereon coloured blue.

7 Authorizing the winding-up of the New Zealand Romney Marsh Sheep Breeders' Association

Whereas the New Zealand Romney Marsh Sheep Breeders' Association (in this section referred to as the **Association**) is incorporated under the Agricultural and Pastoral Societies Act 1908:

And whereas the members of the Association consider that a society incorporated under the Incorporated Societies Act 1908 could more advantageously

promote the aims and objects of the members and the members desire to wind up the affairs of the Association and to promote a new society to be incorporated under the Incorporated Societies Act 1908 (in this section referred to as the **proposed society**) having similar objects and rules to those of the Association:

And whereas the Agricultural and Pastoral Societies Act 1908 contains no provision for the winding-up of an association incorporated under that Act:

And whereas it is desirable and expedient that provision be made accordingly:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in the Agricultural and Pastoral Societies Act 1908 or in any other Act or rule of law, the Association is hereby authorized and empowered, upon the passing of a resolution to that effect at a duly convened general meeting of the Association, to wind up its affairs and cease to be a society under the Agricultural and Pastoral Societies Act 1908.
- (2) The Association is hereby authorized and empowered to assign, transfer, set over, and vest in the proposed society all the land described in subsection (6) together with all other assets of the Association:
provided that, before divesting itself of its assets, the Association shall pay or otherwise satisfy all debts owing by the Association at the date of its winding-up.
- (3) Every financial member of the Association at the date of the winding-up thereof shall, subject to the provisions of the Incorporated Societies Act 1908, be entitled to become a member of the proposed society upon signing and lodging with the Secretary thereof a written application for membership in the proposed society and an undertaking to abide by the rules of the society.
- (4) No transfer, assignment, or assurance of assets of the Association in favour of the proposed society made pursuant to subsection (2) shall be liable for payment of gift duty or conveyance duty.
- (5) The District Land Registrar for the Land Registration District of Wellington is hereby authorized and directed to make such entries in the register books, accept such documents for registration, and do all such other acts and things as may be necessary to give effect to the provisions of this section.
- (6) The land to which this section relates is particularly described as follows:
All that area in the Wellington Land District containing by admeasurement 9 perches and twenty-four hundredths of a perch, more or less, being Lot 1 on the plan lodged in the Land Registry Office at Wellington under Number 14067, being part of Subdivision A, Manchester Block, situated in the Borough of Feilding, and being all the land comprised and described in certificate of title, Volume 537, folio 154, Wellington Registry, subject to and together with the party wall easements affecting the same.

8 Authorizing the Auckland Hospital Board to sell or exchange certain endowment land

Whereas the areas of land described in subsection (3) are vested in the Auckland Hospital Board (in this section referred to as the **Board**) as an endowment for a hospital:

And whereas these areas have for many years past been fenced in with adjoining lands not vested in the Board:

And whereas certain portions of adjoining land not vested in the Board have also for many years been fenced in with the Board's lands:

And whereas it is desirable that the areas not fenced in with the balance of the main hospital site should be disposed of to the owners of adjoining lands:

And whereas the Board has no power to do this and it is desirable that it should be authorized to do so:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Auckland Hospital Reserves Act 1883, the Auckland Hospital Acts Amendment Act 1907, or any other Act, the Board may sell or exchange the areas of land described in subsection (3), or any part or parts thereof, in such manner, on such terms, and subject to such conditions, as it thinks fit and, on any such sale or exchange, any trust, reservation, or restriction theretofore affecting the land disposed of shall be deemed to be cancelled.
- (2) The District Land Registrar for the Auckland Land Registration District is hereby authorized and directed to deposit such plans, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is more particularly described as follows:
All those areas in the North Auckland Land District, Eden County, containing together by admeasurement 7 perches and four-tenths of a perch, more or less, being parts of Allotment 41, Section 3, Suburbs of Auckland, situated in Block VIII, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 757, folio 246, Auckland Registry (limited as to parcels and to title): as the same are more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Auckland, under Number 37731, and thereon coloured yellow.

9 Authorizing boundary adjustments between the Auckland Public Hospital and the Auckland Domain and defining the status of the Auckland Hospital site

Whereas the areas of land firstly described in subsection (6) are portions of the Auckland Domain vested in the Corporation of the City of Auckland (in this

section referred to as the **Corporation**) pursuant to the Auckland Domain Vesting Act 1893 as a place of public recreation and enjoyment:

And whereas the said areas of land have been occupied for many years by the Auckland Hospital Board (in this section referred to as the **Board**) and there is erected upon them portions of buildings comprising part of the Auckland Public Hospital:

And whereas it is desirable and expedient that the said areas of land be vested in the Board:

And whereas the land secondly described in the said subsection (6) is vested in the Board pursuant to the Auckland City and Auckland Hospital Board Empowering Act 1922 for general hospital purposes:

And whereas the land thirdly described in the said subsection (6) is vested in the Board pursuant to the Auckland Hospital Reserves Act 1890 subject to a provision that the land shall be used only for the purposes of planting and ornamentation:

And whereas the land adjacent to the lands secondly and thirdly described in the said subsection (6) is part of the Auckland Domain vested in the Corporation:

And whereas the said lands have been used for many years as part of the Auckland Domain and it is desirable and expedient that the said lands should be vested in the Corporation:

And whereas the land fourthly described in the said subsection (6) is vested in the Board pursuant to the Auckland Hospital Reserves Act 1890 subject to a provision that the land shall be used only for the purposes of planting and ornamentation:

And whereas the land adjacent thereto is vested in the Corporation as a site for a morgue:

And whereas, for the purpose of enlarging the site of the said morgue, it is desirable and expedient that the said land shall be vested in the Corporation as an addition to the existing morgue site:

And whereas certain areas of land comprising the site of the Auckland Public Hospital are vested in the Board subject to different trusts, reservations, and conditions and it is desirable that these lands, being those fifthly and sixthly described in subsection (6), should all be held by the Board for hospital purposes:

Be it therefore enacted as follows:

- (1) The vesting in the Corporation, pursuant to the Auckland Domain Vesting Act 1893, of the areas of land firstly described in subsection (6) is hereby cancelled and the said areas of land are hereby declared to be vested in the Board in trust for hospital purposes, pursuant to section 70 of the Hospitals Act 1926.
- (2) The vesting in the Board, pursuant to the Auckland City and Auckland Hospital Board Empowering Act 1922 and the Auckland Hospital Reserves Act

1890, of the lands secondly and thirdly described in subsection (6) is hereby cancelled and the said lands are hereby declared to be vested in the Corporation subject to the provisions of the Auckland Domain Vesting Act 1893 and to form portion of the Auckland Domain.

- (3) The vesting in the Board, pursuant to the Auckland Hospital Reserves Act 1890, of the land fourthly described in subsection (6) is hereby cancelled and the said land is hereby declared to be vested in the Corporation in trust as a site for a morgue, pursuant to paragraph (c) of section 163 of the Municipal Corporations Act 1954.
- (4) Notwithstanding anything to the contrary in any Act or rule of law, the trusts, reservations, and conditions affecting the lands fifthly and sixthly described in subsection (6) are hereby cancelled and the said lands are hereby declared to be vested in the Board in trust for hospital purposes, pursuant to section 70 of the Hospitals Act 1926.
- (5) The District Land Registrar for the Land Registration District of Auckland is hereby authorized and directed to deposit such plans, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (6) The land to which this section relates is more particularly described as follows:

All those areas in the North Auckland Land District, Eden County, situated in Block VIII, Rangitoto Survey District, being—

Firstly, all those areas containing together by admeasurement 1 rood 9 perches and nine-tenths of a perch, more or less, and being parts of the Auckland Domain: as the same are more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Auckland, under Number 37731, and thereon coloured blue.

Secondly, all that area containing by admeasurement five-tenths of a perch, more or less, and being part of the Auckland Domain and being part of the land comprised and described in certificate of title, Volume 430, folio 252, Auckland Registry: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Auckland, under Number 37731, and thereon coloured yellow.

Thirdly, all that area containing by admeasurement seven-tenths of a perch, more or less, being part of the Auckland Domain and being part of the land comprised and described in certificate of title, Volume 717, folio 264, Auckland Registry: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Auckland, under Number 37731, and thereon coloured sepia.

Fourthly, all that area containing by admeasurement 5 perches and nine-tenths of a perch, more or less, being part of the Auckland Domain and being part of the land comprised and described in certificate of title, Volume 717, folio 264, Auckland Registry: as the same is more particularly delineated on the plan

lodged in the office of the Chief Surveyor, at Auckland, under Number 37731, and thereon coloured sepia.

Fifthly, all that area containing by admeasurement 3 acres 3 roods 21 perches and four-tenths of a perch, more or less, being part of the Auckland Domain and being the residue of the land remaining and described in certificate of title, Volume 717, folio 264, Auckland Registry, after deducting the land thirdly and fourthly described in this subsection.

Sixthly, all that area containing by admeasurement 12 acres, more or less, being Allotment 41 of Section 3, Suburbs of Auckland, and being all the land comprised and described in certificate of title, Volume 757, folio 246, Auckland Registry (limited as to parcels and to title).

10 Authorizing the Manaia Town Council to sell certain land

Whereas the lands firstly described in subsection (7) are reserved as sites and endowments for municipal purposes and are vested in trust in the Chairman, Councillors, and Citizens of the Town District of Manaia as endowments for town purposes:

And whereas the Manaia Town Council (in this section referred to as the **Council**) desires to dispose of the said lands firstly described:

And whereas the land secondly described in subsection (7) is reserved as a site for a public library and is vested in the Chairman, Councillors, and Citizens of the Town District of Manaia:

And whereas the said land secondly described is required as a site for the erection of an automatic telephone exchange:

And whereas it is desirable and expedient to empower the Council to dispose of the said lands firstly and secondly described in subsection (7) and to apply the proceeds thereof in the manner hereinafter provided:

And whereas the Council is possessed of certain money, being the proceeds from the sale by the Council of certain other of its endowment lands, and it is expedient also to apply that money in the manner hereinafter provided:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the Council may sell the lands firstly described in subsection (7), or any part or parts thereof, in such manner, on such terms, and subject to such conditions as it thinks fit, and on the sale of any such land all trusts, reservations, and restrictions theretofore affecting the land shall be deemed to be cancelled.
- (2) The net proceeds from the sale of the said lands firstly described in subsection (7) shall be paid into a separate account and be applied in or towards the cost of purchasing lands for public purposes or the erection or construction of buildings, improvements, or amenities of any kind, including maintenance on land controlled by the Council or vested in the Council as a public reserve, and any

money accruing by way of interest on sums so held in trust by the Council shall be used or expended by it for the said purposes heretofore mentioned.

- (3) Notwithstanding anything to the contrary in any Act or rule of law, the Council may sell the land secondly described in subsection (7) to the Crown as a site for the erection of an automatic telephone exchange and, on the sale of any such land, all trusts, reservations, and restrictions theretofore affecting the land shall be deemed to be cancelled.
- (4) The net proceeds from the sale of the land secondly described in subsection (7) shall be paid into a separate account and be applied in or towards the cost of purchasing land for a public library or for the improvement thereof or applied in the same manner as provided by subsection (2).
- (5) The money now held by the Council from the sale of certain of its other endowment lands shall be paid into the account referred to in subsection (2) and applied in the same manner as provided by the said subsection (2).
- (6) The District Land Registrar for the Land Registration District of Taranaki is hereby authorized and directed to deposit such plans, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (7) The lands to which this section relates are particularly described as follows:

Firstly, all those areas of land in the Town District of Manaia each containing 1 rood, more or less, and being Sections 3 and 14, Block IV, Section 4, Block VI, Section 22, Block VII, Sections 8 and 19, Block VIII, Section 3, Block XII, Section 1, Block XIII, Sections 11 and 16, Block XVI, Sections 8 and 18, Block XXI, Sections 3 and 14, Block XXIV, Sections 3 and 13, Block XXV, Sections 7 and 18, Block XXVI, Sections 5 and 16, Block XXVII, and Sections 9 and 20, Block XXVIII, all of the Town of Manaia, and being the land comprised and described in certificates of title, Volume 14, folios 246, 236 (part), 235 (part), 234, 239 (part), 242 (part), 252, 261, 250, 255, 257, 251, and 254, Taranaki Registry.

Secondly, all that area of land in the Town District of Manaia containing by ad-measurement 1 rood, more or less, and being Lots 1 and 2 on a plan deposited in the Land Registry Office at New Plymouth, under Number 4374, and being Section 20, Block XIV, Town of Manaia, and being the whole of the land comprised and described in certificate of title, Volume 71, folio 230, Taranaki Registry.

11 Authorizing the Governor-General to proclaim certain lands in Maniototo County and Naseby Borough to be Crown land

Whereas certain lands in the Borough of Naseby and the County of Maniototo in the Otago Land District have been either granted in fee simple or leased or

have been taken up under residence site or business site or special claim licences issued under the Mining Act 1926:

And whereas many of the owners and licensees of these lands cannot be traced and their lands have been abandoned:

And whereas certain of the said lands are occupied and it is not possible to perfect the titles of the occupiers:

And whereas, for the better planning of the district, it is desirable that the said lands or portions thereof should be resumed by Her Majesty and disposed of as Crown land, but subject to the rights of the owners or licensees thereof to claim compensation as hereinafter provided:

And whereas, when the said areas were subdivided, various strips of land were laid off as roads or streets:

And whereas some of these roads or streets are legal and others have never been legalized:

And whereas some of them have never been used as roads and will not be required as roads or streets in the future:

And whereas there are buildings on or partly on some of the roads or streets and it will be necessary to close such parts of roads or streets as are built on and to vest them in Her Majesty as Crown land to enable their disposal to the owners of the buildings:

And whereas certain lands have been set apart as an endowment for the Borough of Naseby and the Naseby Borough Council has permitted certain persons to erect houses thereon but is unable to give a secure tenure:

And whereas for the better utilization of these lands it is desirable that they should also be vested in Her Majesty as Crown land to enable their better disposal, but subject to the rights of the occupiers thereof:

And whereas it is desirable that special provision be made to deal with these various matters:

Be it therefore enacted as follows:

- (1) The lands firstly described in subsection (7), being lands vested in the Corporation of the Mayor, Councillors, and Citizens of the Borough of Naseby as a Borough endowment, are hereby vested in Her Majesty as Crown land subject to the Land Act 1948, freed and discharged from all reservations, trusts, or restrictions heretofore affecting them.
- (2) The Governor-General may from time to time by Proclamation close any streets or roads, whether legal or otherwise, within the boundaries of the land secondly described in subsection (7) and may also declare that the land so secondly described (including streets or roads, whether legal or otherwise), or any portion of the said land, shall, as from a date to be specified in that behalf in the Proclamation, be deemed to be vested in her Majesty as Crown land subject

to the provisions of the Land Act 1948, and every such Proclamation shall have effect according to its tenor:

provided that the Land Settlement Board established under the provisions of the Land Act 1948 may, in disposing of any lands vested in Her Majesty under this section, give preference to the application of any person who may be in *bona fide* occupation of any such land at the date specified in the Proclamation affecting the land.

- (3) Before exercising any of the powers conferred on him by this section, the Governor-General shall cause not less than 3 months' notice of his intention so to do to be given in the *Gazette* and in such newspaper or newspapers as he thinks fit.
- (4) If at any time within 5 years after the date specified in any Proclamation issued under this section, the registered proprietor or licensee or any other person having any estate or interest in any land to which the Proclamation relates adduces satisfactory evidence of his title to or interest in that land, he shall be entitled to claim compensation for his interest therein. The amount of any such compensation shall in every case be determined by the Land Settlement Board, and on any such determination shall, without further appropriation than this section, be paid out of the Land Settlement Account established under the Land Act 1948:
provided that in no case shall the amount of compensation awarded under this section exceed the unimproved value, as determined by the said Board, of the land as at the date specified in the Proclamation affecting the land, together with the value, as at that date and as determined by the said Board, of any improvements then existing on the land and effected by the claimant or at his expense.
- (5) This section applies to all land laid off as roads or streets whether or not the same have been legalized, and to all land in respect of which residence site or business site or special claim licences under the Mining Act 1926, or Crown grants, have heretofore been issued and which are more particularly secondly described in subsection (7).
- (6) The District Land Registrar of the Land Registration District of Otago is hereby authorized and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.
- (7) The lands to which this section relates are more particularly described as follows:
Firstly, all those areas in the Otago Land District situated in the Borough of Naseby, containing together by admeasurement 12 acres 2 roods and 5 perches, more or less, being part of Block I and Sections 169 to 178 (inclusive), Block I, part of Block II and Section 52, Block II, Block VII and part of Block X, Town of Naseby:

Secondly, all that area in the Otago Land District situated in the Borough of Naseby and County of Maniototo containing by admeasurement 325 acres, more or less, being the Town of Naseby and part of Block I, Naseby Survey District:

As the same are more particularly delineated on the plan marked L and S 22/5093, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red and blue respectively (SO Plan 12159).

12 Authorizing the Te Awamutu Borough Council to use certain land for housing purposes

Whereas the land described in subsection (4) was purchased by the Te Awamutu Borough Council (in this section referred to as the **Council**) as a site for a reservoir out of the proceeds of a special loan raised for the improvement of the Borough water works:

And whereas the said land is no longer required for the purpose of a reservoir:

And whereas, pursuant to section 4 of the Reserves and Other Lands Disposal Act 1945, the Council was authorized to transfer the said land without consideration to the Waikato Hospital Board (in this section referred to as the **Board**) as a site for the erection of a public hospital:

And whereas the Board has since acquired a more centrally situated site and the land is now no longer required by it for hospital purposes:

And whereas there is an urgent need for housing sections in Te Awamutu:

And whereas it is desirable to authorize the Council to use the said land for housing purposes:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in section 4 of the Reserves and Other Lands Disposal Act 1945, or in any other Act or rule of law, the Council is hereby authorized to use the land described in subsection (4) for housing purposes in accordance with the provisions of Part 24 of the Municipal Corporations Act 1954.
- (2) The District Land Registrar for the Land Registration District of Auckland is hereby authorized and directed to deposit such plans, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) Section 4 of the Reserves and Other Lands Disposal Act 1945 is hereby repealed.
- (4) The land to which this section relates is particularly described as follows:

All that area in the South Auckland Land District situated in the Borough of Te Awamutu containing by admeasurement 3 acres 3 roods 27 perches and two-tenths of a perch, more or less, being all the land on a plan deposited in the Land Registry Office at Auckland, under Number 25486, being portion of Al-

lotment 241, Parish of Mangapiko, and being the whole of the land comprised and described in certificate of title, Volume 672, folio 101, Auckland Registry.

13 Validating a lease and vesting certain land in the Corporation of the Borough of Cambridge in fee simple and declaring other land to be vested in the said Corporation for recreation purposes

Whereas the land firstly described in subsection (5) is vested in the Mayor, Councillors, and Citizens of the Borough of Cambridge (in this section referred to as the **Corporation**) as an endowment in aid of Borough funds pursuant to the Plans of Towns Regulation Act 1875:

And whereas the land secondly described in subsection (5) is vested in the Corporation as a reserve for municipal purposes subject to the Reserves and Domains Act 1953:

And whereas the Corporation has granted a lease for a term of 66 years over the land so secondly described to certain stock firms for saleyard purposes:

And whereas there is no authority in the Reserves and Domains Act 1953 for the grant of any such lease but as the leased land is eminently suitable for saleyard purposes it is desirable that the said lease should be validated:

And whereas, to enable the issue of the said lease, it has been agreed that the reservation over the land secondly described as aforesaid should be revoked and the land vested in the Corporation for an estate in fee simple, and it has also been agreed to the change of purpose of the land firstly described as aforesaid from an endowment in aid of Borough funds to a reserve for recreation purposes subject to the Reserves and Domains Act 1953, and to the vesting of that land in the Corporation, in trust, for those purposes:

And whereas it is desirable that provision be made accordingly:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Reserves and Domains Act 1953 or in any other Act or rule of law, the lease dated 23 February 1954, made between the Corporation as lessor and Dalgety and Company Limited, New Zealand Loan and Mercantile Agency Company Limited, and the Farmers' Co-operative Auctioneering Company Limited, as lessees is hereby confirmed and validated and declared to have been lawfully made and to be binding in all respects on the parties thereto and the said lease shall have full force and effect according to its tenor.
- (2) The vesting in the Corporation of the land firstly described in subsection (5) as an endowment in aid of Borough funds is hereby cancelled and the land is declared to be vested in the Corporation, in trust, as a reserve for recreation purposes subject to the Reserves and Domains Act 1953.
- (3) The vesting in the Corporation of the land secondly described in subsection (5) as a reserve for municipal purposes is hereby cancelled and the land is hereby declared to be vested in the Corporation for an estate in fee simple, freed and

discharged from all trusts, reservations, and restrictions heretofore affecting the land.

- (4) The District Land Registrar for the Land Registration District of Auckland is hereby authorized and directed to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.

- (5) The land to which this section relates is particularly described as follows:

All those areas in the South Auckland Land District, Borough of Cambridge, being—

Firstly, all those areas containing together by admeasurement 27 perches and forty-four hundredths of a perch, more or less, being Allotments 601 and 606, Town of Cambridge East, situated in Block IX, Cambridge Survey District, and shown on the plan deposited in the Land Registry Office at Auckland, under Number 4682, and being part of the land comprised and described in certificate of title, Volume 620, folio 90, Auckland Registry.

Secondly, all those areas containing together by admeasurement 6 acres, more or less, being Allotments 429, 429A, 430, 430A, 431, 431A, 432, 432A, 433, 433A, 434, and 434A, Town of Cambridge East, situated in Block IX, Cambridge Survey District, and shown on a plan deposited in the Land Registry Office at Auckland, under Number 18836, and being all the land comprised and described in certificate of title, Volume 500, folio 80, Auckland Registry.

14 Authorizing the Corporation of the City of Napier to lease certain endowment land

[Repealed]

Section 14: repealed, on 8 September 1999, by section 6(c) of the Napier Borough Endowments Amendment Act 1999 (1999 No 3 (L)).

15 Removing certain land from the provisions of section 5(3) of the Paritutu Centennial Park Act 1938

[Repealed]

Section 15: repealed, on 25 October 1963, by section 20(5) of the Reserves and Other Lands Disposal Act 1963 (1963 No 128).

16 Cancelling the vesting in Her Majesty for railway purposes of certain land and declaring that land to be public road

Whereas the areas of land described in subsection (3) are vested in Her Majesty the Queen for railway purposes:

And whereas the said areas form portion of the Outram branch railway in the Otago Land District and this railway has now been closed:

And whereas the Taieri County Council (in this section referred to as the **Council**) desires to take over these areas of land, partly for a new road and

partly for the purpose of widening and improving adjoining roads, and it is desirable that the said areas be declared public road:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Government Railways Act 1949 or in any other Act or rule of law, the vesting in Her Majesty for railway purposes of the areas of land described in subsection (3) is hereby cancelled and the said areas of land are hereby declared to be public road and shall be administered and dealt with henceforth accordingly.
- (2) The District Land Registrar for the Land Registration District of Otago is hereby authorized and directed to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is particularly described as follows:

All those areas of railway land in the Otago Land District, Taieri County, being—

Firstly, all that area containing by admeasurement 3 acres and 2 roods, more or less, being part Section 12, Block VI, East Taieri Survey District:

Secondly, all that area containing by admeasurement 9 acres, more or less, being part Sections 1, 2, 3, 4, 5, and 6, Block XVI, East Taieri Survey District:

Thirdly, all that area containing by admeasurement 20 perches, more or less, being part Section 1, Block XVII, East Taieri Survey District:

Fourthly, all that area containing by admeasurement 8 acres 2 roods and 30 perches, more or less, being part Sections 1, 2, 3, 4, 5, and 6, Block XVII, East Taieri Survey District:

Fifthly, all that area containing by admeasurement 12 acres, more or less, being part Sections 1, 2, 3, 4, 5, 6, 7, and 8, Block XVIII, East Taieri Survey District:

Sixthly, all that area containing by admeasurement 6 acres and 20 perches, more or less, being part Sections 1 and 7, Block I, West Taieri Survey District:

As the same are more particularly delineated on the plan marked L and S 16/3200, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red (SO Plan 12124).

17 Special provisions relating to the control of lands adjacent to the foreshore of the sea in the Marlborough Sounds and Croisilles–French Pass area

[Repealed]

Section 17: repealed, on 13 January 1983, by section 7(12) of the Reserves and Other Lands Disposal Act 1982 (1982 No 133).

18 Vesting railway land in the Corporation of the City of Wellington for water supply and other purposes

Whereas the areas of land firstly, secondly, and thirdly described in subsection (7) (in this section referred to as the **said areas**) are vested in Her Majesty the Queen for railway purposes and are portions of the Wellington–Napier Railway:

And whereas, as a result of the construction of the Rimutaka Tunnel deviation, the said areas will, when the new line is opened for rail traffic, be no longer required for railway purposes:

And whereas the said areas adjoin land vested in the Mayor, Councillors, and Citizens of the City of Wellington (in this section referred to as the **Corporation**) for water supply and other purposes pursuant to section 4 of the Wellington City and Suburban Water Supply Act 1927:

And whereas the Corporation desires the said areas to be vested in it for the same purposes as the adjoining land:

And whereas it is desirable and expedient for the said areas to vest as aforesaid without consideration and subject to the conditions, easements, and restrictions set out in this section but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same:

Be it therefore enacted as follows:

- (1) The vesting in Her Majesty of the areas of land firstly, secondly, and thirdly described in subsection (7) is hereby cancelled and the said areas are hereby declared to be vested without consideration in the Corporation for the purposes set out in section 4 of the Wellington City and Suburban Water Supply Act 1927, but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same:

provided that all improvements on the said areas so vested shall remain the property of Her Majesty and the right is reserved to Her Majesty to remove all rails, sleepers, telegraph lines, bridges, buildings, and other materials whatsoever:

provided also, that Her Majesty may sell to the Corporation any improvements on the said areas which the said Corporation desires to purchase and the said Corporation is hereby authorized to purchase such improvements at a price to be mutually agreed upon.

- (2) There is hereby reserved unto Her Majesty and her agents, servants, workmen, and contractors a full and free right of way for access purposes at all times and from time to time either on foot and with or without implements, horses, carts, or other vehicles of all descriptions over a route to be mutually agreed upon situate on the area of land secondly described in subsection (7) to enable the airshaft from the Rimutaka Tunnel to be serviced and maintained.

- (3) There is hereby reserved unto Her Majesty a full and free right at all times and from time to time to obtain without payment an uninterrupted supply of water for railway purposes at Mangaroa from the existing intake or from any suitable alternative intake which may hereafter be provided by Her Majesty on Section 11, Block XV, Akatarawa Survey District (being land vested in the Corporation for water supply and other purposes pursuant to section 4 of the Wellington City and Suburban Water Supply Act 1927) and there is also reserved unto Her Majesty the right to convey, without payment, any such water along a pipe line on or under the said Section 11 and along that portion of the area of land firstly described in subsection (7) vested in the Corporation pursuant to subsection (1) along which the existing pipe line is laid, which intake and pipe line is more particularly delineated on the plan lodged in the office of the New Zealand Railways Commission, at Wellington, under Number LO 13574.
- (4) There is hereby reserved unto Her Majesty and her agents, servants, workmen, and contractors a full and free right of entry at all times and from time to time over all portions of the said Section 11, Block XV, Akatarawa Survey District, and that portion of the area of land firstly described in subsection (7) vested in the Corporation pursuant to subsection (1) as is necessary for the purpose of repairing, maintaining, and examining the said pipe line as it is more particularly delineated on the plan lodged in the office of the New Zealand Railways Commission, at Wellington, under Number LO 13574.
- (5) The date of the vesting in the Corporation of the areas of land firstly, secondly, and thirdly described in subsection (7) shall be 1 April 1956.
- (6) The District Land Registrar for the Land Registration District of Wellington is hereby authorized and directed, on application being made to him in that behalf and on payment of the appropriate fees, to issue such certificate of title and to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (7) The areas of land to which this section relates are particularly described as follows:

All those areas of railway land in the Wellington Land District, Hutt County, being—

Firstly, all that area containing by admeasurement 76 acres 3 roods and 25 perches, more or less, situated in Block XV, Akatarawa Survey District:

Secondly, all that area containing by admeasurement 153 acres, more or less, situated in Block XV, Akatarawa Survey District, and Block III, Rimutaka Survey District:

Thirdly, all that area containing by admeasurement 180 acres, more or less, situated in Blocks III and IV, Rimutaka Survey District:

As the same are more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Wellington, under Number 23391, and thereon coloured pink, yellow, and pink respectively.

19 Authorizing the Hutt Park Committee to lease certain land

[Repealed]

Section 19: repealed, on 6 May 1982, by section 8(e) of the Lower Hutt City Council (Hutt Park) Act 1982 (1982 No 1 (L)).

20 Making special provision for the setting apart of lands required for the Wallaceville Animal Research Station

[Repealed]

Section 20: repealed, on 10 April 1998, by section 48(1) of the Crown Research Institutes Act 1992 (1992 No 47).

21 Repealing section 31 of the Reserves and Other Lands Disposal Act 1938 and making certain provisions incidental thereto

Whereas section 31 of the Reserves and Other Lands Disposal Act 1938 authorized the Minister of Works (in this section referred to as the **Minister**) to construct and undertake such works as he thought fit for the purpose of providing a permanent outlet from Lake Forsyth to the sea:

And whereas, by the same section, the Wairewa County Council (in this section referred to as the **Council**) was authorized to raise loans of 4,000 pounds and 1,000 pounds and to pay those sums into the Public Account as a contribution towards the cost of the said works and to take certain action incidental thereto and incidental to the maintenance of the said works:

And whereas the Council raised the said loans of 4,000 pounds and 1,000 pounds but reinvested them pending a decision on the construction of the said works:

And whereas the Council has not struck the rates in respect of the said loans as provided by the said section 31, but the redemption payments in respect of those loans have been paid from its General Account and it is desirable to authorize reimbursement of the money so paid and to validate the actions of the Council as aforesaid:

And whereas it has been found impracticable and uneconomic to proceed with the said works:

And whereas it has been agreed between the Minister and the Council that the works shall not be undertaken but that the Council shall not suffer any loss by reason thereof:

And whereas doubts have arisen as to the Council's title to its endowment, Reserve 3586, and the manner in which the trust attached to the said Reserve may be exercised:

And whereas it is desired to put these matters beyond doubt and also to confirm the Council's title to its other endowment area, Reserve 3185:

And whereas it is desirable and expedient to make provision for these and certain other matters incidental thereto:

Be it therefore enacted as follows:

- (1) Section 31 of the Reserves and Other Lands Disposal Act 1938 is hereby repealed.
- (2) Notwithstanding anything to the contrary in any Act or rule of law, the reinvestment by the Council of the proceeds of the said loans of 4,000 pounds and 1,000 pounds is hereby validated and declared to have been lawful.
- (3) The Minister is hereby authorized to pay to the Council the sum of 907 pounds 8 shillings and 1 penny as compensation for all losses incurred by the Council in raising, administering, and redeeming the said loans and in investing and re-investing loan moneys received from the said loans.
- (4) The vesting in the Council as an endowment of Reserves 3586 and 3185, being all the lands comprised and described in certificates of title, Volume 158, folio 250, and Volume 182, folio 104, respectively, Canterbury Registry, upon the trusts as heretofore affecting the reserves is hereby validated and declared to have been lawful, and, in respect of the said reserves, the following provisions shall apply:
 - (a) Reserve 3586 shall be held upon trust to provide funds for the purposes of letting out Lake Forsyth into the sea in times of flood and of keeping Lake Forsyth at such level as the Council shall deem expedient, subject to the provisions of section 143 of the Soil Conservation and Rivers Control Act 1941:
 - (b) Reserve 3185 shall be held upon trust for the purposes of enabling the Corporation to erect drainage works by which the annually recurring losses and injury caused by the flood waters of Lake Forsyth may be prevented.
- (5) The Council may, until the maturity of the investments representing the said loan moneys, continue to pay the redemption payments on the said loans from its General Account and shall, upon the maturity of any such investments, reimburse to its General Account such amount as may then have been paid therefrom in redemption of the said loans, and the amount so reimbursed may be used for such purposes in the County of Wairewa as the Council shall deem fit. The Council shall apply the balance of the said loan moneys towards future redemption payments on the said loans and may continue to invest and reinvest such balance as may from time to time be held by the Council in such investments as shall for the time being be authorized by law for the investment of trust funds and, if on maturity of the said loans, there are insufficient funds to complete repayment of the said loans, the Council is hereby authorized to make good any such deficiency by a payment from its General Account.

- (6) The Lake Forsyth Endowment Account, representing rents collected by or owing to the Council in respect of its endowment Reserves 3586 and 3185, is hereby declared to be closed and the Council shall establish a separate account for each of the said Reserves 3586 and 3185 and pay thereto all money now held or hereafter received in respect of the said reserves.
- (7) The money in the said accounts shall be expended as required for the proper fulfilment of the objects of the trusts of the reserve to which each account is related and the Council may from time to time, and until such time as the money in the separate accounts shall be required for the purposes aforesaid, invest and reinvest the money in each separate account in such investments as shall for the time being be authorized by law for the investment of trust funds and all income received from any such investments shall be accumulated and added to the money in each of such separate accounts and the Council shall have the power to make such charges against such separate accounts for reasonable expenses incurred in the administration of the trusts relating to each of the said reserves as shall be approved by the Controller and Auditor-General.
- (8) The District Land Registrar for the Land Registration District of Canterbury is hereby authorized and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.

22 Authorizing the abolition of the New River Harbour Board and vesting certain land the property of that Board in the Corporation of the City of Invercargill

Whereas, pursuant to the authority of the New River Harbour Board Ordinance 1874 and subsequent enactments, the land firstly, secondly, and thirdly described in the Schedule of this Act was vested in the Mayor, Councillors, and Citizens of the City of Invercargill (in this section referred to as the **Corporation**) upon trust as an endowment for the New River Harbour:

And whereas for many years the Corporation has been the Harbour Board for the New River Harbour and has expended substantial sums of money on the development and reclamation for farming and commercial purposes of certain portions of the said land:

And whereas portions of the said land are leased by the Corporation to the Crown and to various other persons:

And whereas the revenue from the said land credited to the Harbour Fund has for many years now been insufficient to meet the cost of this reclamation and development work and the General Account of the Corporation has been drawn upon to meet the deficiency:

And whereas this endowment land has been used and developed more for municipal purposes than for harbour purposes:

And whereas the harbour has not been used for commercial shipping for over 20 years and it would be impracticable and uneconomic to develop it as a commercial harbour and a Harbour Board is no longer required to control it:

And whereas it is desirable that the Harbour Board for the New River Harbour be abolished and that the status of the land firstly and thirdly described in the Schedule be altered and the land be revested in the Corporation as an endowment for municipal purposes and also that all assets and liabilities of the said Board be vested in the Corporation:

And whereas, to ensure the safe pilotage of any small vessels over the harbour bar, it is also desirable that a harbourmaster be retained for this purpose:

And whereas the site of the Invercargill Aerodrome is situated on portion of the said land and it is further desired that the status over the land secondly described in the Schedule be altered and the land be revested in the Corporation as a reserve for aerodrome purposes:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in the Harbours Act 1950 or in any other Act or rule of law, the New River Harbour Board referred to in Schedule 2 of the Harbours Act 1950 is hereby abolished and all assets and liabilities of the said Harbour Board and all other rights and obligations of the Board existing at the commencement of this Act shall vest in and be assumed by the Corporation.
- (2) Notwithstanding anything to the contrary in the New River Harbour Board Ordinance 1874 or in any other Act or rule of law, the vesting of the land firstly, secondly, and thirdly described in the Schedule in the Corporation is hereby revoked:

provided that nothing in this section shall be deemed to affect the validity of any dealing with any part of the said land in accordance with the terms under which it was held prior to the commencement of this Act.

- (3) The land firstly and thirdly described in the Schedule is hereby declared to be vested in the Corporation upon trust as an endowment for municipal purposes subject to the provisions of the Municipal Corporations Act 1954 and subject also to all leases, liens, encumbrances, easements, and other restrictions affecting the land:

provided that the provisions of sections 147 and 148 of the Harbours Act 1950 shall continue to apply in respect of the said land.

- (4) The land secondly described in the Schedule is hereby declared to be vested in the Corporation upon trust as a reserve for aerodrome purposes subject to the Reserves and Domains Act 1953:

provided that the provisions of sections 147 and 148 of the Harbours Act 1950 shall continue to apply in respect of the said land.

- (5) All leases over any portion of the land firstly and thirdly described in the Schedule subsisting on the coming into force of this section shall be deemed to

be made between the Corporation and the lessee named in the instrument of lease and shall continue in full force and effect according to their tenor.

- (6) *[Repealed]*
- (7) The District Land Registrar for the Land Registration District of Southland is hereby authorized and directed to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (8) The following enactments are hereby repealed:
 - (a) the New River Harbour Board Land Act 1875:
 - (b) the New River Harbour Endowment and Borrowing Act 1878:
 - (c) the New River Pilot Station Reserve Act 1879:
 - (d) the New River Harbour Endowments Act 1883:
 - (e) the Invercargill Corporation Empowering Act 1888:
 - (f) the New River Harbour Reclamation Act 1902:
 - (g) the Sandy Point and Grasmere Domains Vesting Act 1906:
 - (h) Section 97 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1917.
- (9) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the repeal of any provision by this section shall not affect any document made or any thing whatsoever done under the provision so repealed or under any corresponding former provision, and every such document or thing, so far as it is subsisting or in force at the time of the repeal and could have been made or done under this section, shall continue and have effect as if it had been made or done under the corresponding provision of this section and as if that provision had been in force when the document was made or the thing was done.

Section 22(6): repealed, on 5 December 1962, by section 8 of the Reserves and Other Lands Disposal Act 1962 (1962 No 49).

23 Amending section 79 of the Local Legislation Act 1927 in respect of certain financial adjustments between the Crown and the Auckland City Council

Whereas by section 79 of the Local Legislation Act 1927 special provisions were made in respect of the Orakei Garden Suburb more particularly described in subsection (11) of that section:

And whereas the said section 79 provided that, on the publication in the *Gazette* of a notice by the Minister of Lands that 50% of the saleable land in the said Orakei Garden Suburb had been sold by the Crown and possession thereof given to purchasers, the Auckland City Council (in this section referred to as the **Council**) was required to pay to the Crown the sum of 200,000 pounds on the terms specified in the said section:

And whereas it was further provided that, until the publication of such notice as aforesaid, special rates could not be charged by the Council in respect of the said Orakei Garden Suburb:

And whereas the 50% of the saleable land has not been sold by the Crown but, because of the erection of State houses and the reservation of other land in the Orakei Garden Suburb, the whole of the area has been fully developed:

And whereas, because of the general development of the locality, it has been agreed between the Council and the Crown that the said sum of 200,000 pounds shall be deemed to have been lent to the Council and the Council shall be deemed to have lawfully borrowed the same from the Crown on 31 March 1956, and that the Council may from that date charge special rates in respect of the Orakei Garden Suburb land:

And whereas certain new financial arrangements have also been agreed upon between the Council and the Crown for the repayment of the said sum of 200,000 pounds and it is desirable that provision be made to give effect to these matters:

Be it therefore enacted as follows:

- (1) Notwithstanding the provisions of section 79 of the Local Legislation Act 1927, subsection (4) of that section shall become effective on and from 1 April 1956, as if the notice referred to in subsection (3) of that section had been published.
- (2) Notwithstanding the provisions of subsection (5) of the said section 79, the sum of 200,000 pounds referred to therein shall be deemed to have been lent to the Council and the Council shall be deemed to have lawfully borrowed the same from the Crown on 31 March 1956, and the said sum shall be repayable together with interest thereon at 4% per annum as from that date by equal annual instalments, combining principal and interest, of 11,566 pounds and 5 pence, each due on 31 March in each year during a period of 30 years from 1 April 1956, the first of the said instalments being due and payable on 31 March 1957:

provided that, until such time as the Minister of Lands publishes a notice in the *Gazette* in terms of subsection (3) of the said section 79, the Council, instead of the said annual instalment, shall pay to the Crown an amount equivalent to the amount of the special rates payable in each year in respect of land in the Orakei Garden Suburb:

provided also that any amount so paid to the Crown shall not exceed the amount of the said annual instalment:

provided further that, if any such payment is less than the annual instalment for that year, the balance of that instalment shall, without further appropriation than this section, be written off.

- (3) Except as otherwise provided by this section, the provisions of section 79 of the Local Legislation Act 1927 shall remain in full force and effect.

24 Declaring certain land to be vested in Her Majesty for recreation purposes and authorizing the Corporation of the City of New Plymouth to apply money towards certain purposes

Whereas the land firstly and secondly described in subsection (4) is vested in the Mayor, Councillors, and Citizens of the City of New Plymouth (in this section referred to as the **Corporation**) in fee simple for the purposes of a cemetery within the meaning of the Cemeteries Act 1908:

And whereas the said land firstly and secondly described has not been declared to be dedicated and open as a cemetery pursuant to section 52 of the Cemeteries Act 1908:

And whereas the land secondly described is adequate for the Corporation's requirements for the purposes of a cemetery:

And whereas the Corporation proposes to subdivide the said land firstly described into building lots:

And whereas the land thirdly described in subsection (4) is portion of the land vested in the Corporation in fee simple for the purposes of constructing waterworks for the supply of pure water for the use of the inhabitants of the City:

And whereas the said land thirdly described is not required for the purposes of constructing waterworks and the Corporation wishes to vest it in the Crown in satisfaction of the reserve requirements under the Land Subdivision in Counties Act 1946 in respect of the proposed subdivision:

And whereas the land thirdly described is suitable for recreation purposes and it is desirable that it be vested in Her Majesty for such purposes subject to the Reserves and Domains Act 1953:

And whereas the Corporation also desires the proceeds from the sale of the land in the proposed subdivision to be applied towards all or any of the purposes referred to in this section but there is no statutory or other power enabling the Corporation to do so:

And whereas it is desirable and expedient that provision be made to give effect to these matters:

Be it therefore enacted as follows:

- (1) The net proceeds of the sale of the land firstly described in subsection (4) may be applied by the Corporation towards all or any of the following purposes:
 - (a) the development and improvement as a cemetery of the land secondly described in subsection (4) including the construction of a dwelling for a sexton:
 - (b) the provision of roads, sewerage, water, and other services for the purposes of the proposed subdivision of the land firstly described in subsection (4) (the said subdivision being shown on scheme plan lodged in the office of the Chief Surveyor, at New Plymouth, under Number 453):

- (c) the establishment, development, and improvement of a crematorium.
- (2) The vesting in the Corporation of the land thirdly described in subsection (4) is hereby cancelled and the said land is hereby declared to be vested in Her Majesty as a recreation reserve subject to the Reserves and Domains Act 1953 freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.
- (3) The District Land Registrar for the Land Registration District of Taranaki is hereby authorized and directed to deposit such plans, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is particularly described as follows:

All those areas in the Taranaki Land District, Taranaki County, being—

Firstly, all that area containing by admeasurement 5 acres 1 rood 35 perches and one-tenth of a perch, more or less, being Lots 1 to 25 inclusive on the scheme plan lodged in the office of the Chief Surveyor, at New Plymouth, under Number 453, and being part of Lot 1 on a Plan deposited in the Land Registry Office at New Plymouth under Number 5612, and being part Sections 85 and 86, Grey District, and part of Section 197, Fitzroy District, Block V, Paritutu Survey District, and being part of the land comprised and described in certificate of title, Volume 153, folio 196, Taranaki Registry.

Secondly, all that area containing by admeasurement 31 acres 20 perches and nine-tenths of a perch, more or less, being the balance of the land in the said Scheme Plan Number 453, and being the balance of the land comprised and described in certificate of title, Volume 153, folio 196, Taranaki Registry, after deducting the land firstly described in this subsection.

Thirdly, all that area containing by admeasurement 5 acres 3 roods 24 perches and six-tenths of a perch, more or less, being part of Section 184, Grey District, and part closed road, situated in Block V, Paritutu Survey District, and being part of the land comprised and described in certificate of title, Volume 45, folio 245, Taranaki Registry: as the same is more particularly delineated on the plan numbered L and S 1/1383, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

25 **Authorizing the Patea Borough Council to expend certain money**

Whereas pursuant to the Patea Borough Council Empowering Act 1930, the Patea Borough Council (in this section referred to as the **Council**) was authorized to sell certain reserves in the Town of Patea originally provided by the Crown and to pay the net amount from any sales into a capital fund to be called the Reserves Realization Fund:

And whereas the net proceeds from the sale of the said reserves credited to the said Fund also includes the value of the improvements existing thereon and formerly owned by the Council:

And whereas the Council is empowered to expend the revenue derived from the investment of the said Fund, but it is not empowered to use the capital sum thereof:

And whereas it is desirable and expedient that the Council should be authorized to expend that portion of the said Fund which is represented by the value of the improvements as aforesaid:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Patea Borough Council Empowering Act 1930 or in any other Act or rule of law, the Council is hereby authorized to expend from time to time for general borough purposes those moneys held in the Reserves Realization Fund which in the opinion of the Minister of Lands represent the value of improvements on the reserves when the reserves were sold pursuant to the said Patea Borough Council Empowering Act 1930.

26 Authorizing the removal of certain lands from the restrictions of section 19(8) of the Reserves and Other Lands Disposal Act 1938

Whereas section 19 of the Reserves and Other Lands Disposal Act 1938 validated an agreement dated 25 May 1938, made between the Waikato Land Settlement Society Incorporated (in this section referred to as the **Society**) of the one part, and His Majesty the King of the other part, whereby it was agreed that the Crown should take over and administer the lands and other assets of the Society as from 1 June 1938:

And whereas subsection (8) of the said section 19 provided that the person to whom any land had been disposed of by the Society or the person to whom any land vested in His Majesty under the said section 19 was disposed of by the Crown shall not be capable of alienating, mortgaging, charging, or leasing the land or any part thereof or of creating any right, title, estate, or interest in the land or any part thereof except with the prior consent of the Minister of Lands on the recommendation of the Land Settlement Board:

And whereas it is desirable and expedient that the provisions of the said subsection (8) should cease to apply to any such lands on the expiration of 5 years from the date of the passing of this Act:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in section 19 of the Reserves and Other Lands Disposal Act 1938 or in any Act or rule of law, subsection (8) of the said section 19 shall cease to have any force and effect at the expiration of a period of 5 years from the date of the passing of this Act.
- (2) The District Land Registrar for the Land Registration District of Auckland shall, upon the expiration of the said period of 5 years, note upon every certificate of title bearing the restriction imposed by the said subsection (8) that the said restriction shall no longer apply.

Schedule

Description of land to which section 22 relates

s 22

Southland Land District

Firstly, all those areas in the City of Invercargill and Southland County, being—

Description	Area			Certificate of title reference	
	A	R	P	Vol	Fol
Section 5, Block XXIII, New River Hundred, part of Section 126, Block XX, and parts of Section 19, Block XXI, Invercargill Hundred (except that piece of land to which section 6 of the Reserves and Other Lands Disposal Act 1985 relates)	2 222	1	0	114	293
Parts of Section 10, Block III, Invercargill Hundred, and Lot 20, DP 2320, being part of Block LXXVII, Town of Invercargill	1 334	2	32.9	151	46 (part)
Block LXXXII, Town of Invercargill	0	1	14	37	74
Lot 4, DP 827, being part of Section 10, Block III, Invercargill Hundred, and part of Block LXXIX, Town of Invercargill	0	1	0	184	115
Lot 5, DP 827, being part of Block LXXIX, Town of Invercargill, and part of Section 10, Block III, Invercargill Hundred	0	1	0	171	289
Lot 3, DP 827, being part of Block LXXIX, Town of Invercargill and part of Section 10, Block III, Invercargill Hundred	0	1	0	181	12
Lot 2, DP 827, being part of Block LXXIX, Town of Invercargill	0	1	0	184	114
Part of Block LXXIX, and Lot 1, DP 827, being part of Block LXXIX, Town of Invercargill	0	1	15	142	270 (balance)
Lots 2, 3, 4, and 5, Block A, DP 170, and Lots 1 and 2, DP 697, being Block LXXX, Town of Invercargill	1	1	0	158	191
Lots 1 and 2, Block B, DP 170, being part of Block LXXXI, Town of Invercargill	0	2	0	162	283 (balance)
Lot 3 of Block B, DP 170, being part of Block LXXXI, Town of Invercargill	0	1	0	187	277
Lots 4 and 5, Block B, DP 170, being part of Block LXXXI, Town of Invercargill	0	2	0	188	149
Sections 18, 19, 26, 27, 49, 50, 51, 52, 53, and parts of Sections 28, 29, 30, and 31, Block V, Campbelltown Hundred	927	1	7.8	112	15 (part)

Description	Area			Certificate of title reference	
	A	R	P	Vol	Fol
Sections 81 and 82, Block V, Campbelltown Hundred	46	3	33	88	43
Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25, and part of Sections 12 and 13, Block VI, Campbelltown Hundred	818	0	33	85	35
Section 70, Block V, Campbelltown Hundred	3 100	0	0	80	122 (balance)
Section 158, Block XV, Invercargill Hundred	53	3	22	82	108
Lots 15, 16, 17, and part of Lots 2, 3, 4, 5, 6, 7, and 10, DP 2320, part of Lots 1, and 2, DP 3900, parts of Lot 1, DP 4198, parts of Lot 1, DP 4104, parts of Lots 1 and 2, DP 4035, parts of Lot 1, DP 4024, and parts of Lot 3, DP 4227, being also part of Section 10, Block III, Invercargill Hundred, and part of Block LXXVII, Town of Invercargill	2	2	32.4	170	266 (balance)
Lot 1, DP 2320, being part of Block LXXVII, Town of Invercargill	0	1	8	181	257
Lot 8, DP 2320, being part of Block LXXVII, Town of Invercargill	0	1	8.5	179	136
Lots 4, 5, 6, 9, and 10, DP 3071, being parts of Section 19, Block XXI, Invercargill Hundred	226	1	8	179	292
Lot 1, DP 3071, being part of Section 19, Block XXI, Invercargill Hundred	68	2	10	184	58
Lot 2, DP 3071, being part of Section 19, Block XXI, Invercargill Hundred	70	0	0	184	59
Lot 3, DP 3071, being part of Section 19, Block XXI, Invercargill Hundred	66	2	0	184	60
Lot 7, DP 3071, being part of Section 19, Block XXI, Invercargill Hundred	46	3	19	184	6
Lots 4, 5, 10, and 13, SO 4611, being part of Section 19, Block XXI, Invercargill Hundred	330	2	37.4	186	80
Lot 8, DP 3071, being part of Section 19, Block XXI, Invercargill Hundred	18	1	5	188	103
Lot 11, DP 3071, being part of Section 19, Block XXI, Invercargill Hundred	61	0	0	188	102
Lot 12, DP 3071, being part of Section 19, Block XXI, Invercargill Hundred	39	2	15	188	101

Description	Area			Certificate of title reference	
	A	R	P	Vol	Fol
Lot 13, DP 3071, and Lots 8, 9, 11C, 12C, and 14, SO 4611, being part of Section 19, Block XXI, Invercargill Hundred	71	0	26.9	114	292 (balance)

as the same are more particularly delineated on the plan marked L and S 6/1/861, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Secondly, all that area in the City of Invercargill containing by admeasurement 590 acres 3 roods 39 perches, more or less being Lots 1 to 8, 10, 11, and part of Lot 9 on the plan deposited in Land Registry Office at Invercargill, under Number 3030, being part of Section 19, Block XXI, Invercargill Hundred, and being part of the land comprised and described in certificate of title, Volume 142, folio 226, Southland Registry: as the same is more particularly delineated on the plan marked L and S 6/1/861, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered blue.

Thirdly, all that area in the Southland County containing by admeasurement 1 029 acres 1 rood 31.1 perches, more or less, being part of Section 2, Block VII, Campbelltown Hundred: as the same is more particularly delineated on the plan marked L and S 6/1/861, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered yellow.

Schedule: amended, on 30 April 1985, by section 6(3) of the Reserves and Other Lands Disposal Act 1985 (1985 No 70).

Contents

- 1 General
- 2 Status of reprints
- 3 How reprints are prepared
- 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
- 5 List of amendments incorporated in this reprint (most recent first)

Notes

1 General

This is a reprint of the Reserves and Other Lands Disposal Act 1955. The reprint incorporates all the amendments to the Act as at 8 September 1999, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted

enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)

- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint
(most recent first)***

Napier Borough Endowments Amendment Act 1999 (1999 No 3 (L)): section 6(c)

Crown Research Institutes Act 1992 (1992 No 47): section 48(1)

Reserves and Other Lands Disposal Act 1985 (1985 No 70): section 6(3)

Reserves and Other Lands Disposal Act 1982 (1982 No 133): section 7(12)

Lower Hutt City Council (Hutt Park) Act 1982 (1982 No 1 (L)): section 8(e)

Rotorua County Council Empowering Act 1977 (1977 No 7 (L)): section 2

Reserves and Other Lands Disposal Act 1963 (1963 No 128): section 20(5)

Reserves and Other Lands Disposal Act 1962 (1962 No 49): section 8