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as at 19 November 1981**



**Reserves and Other Lands Disposal
Act 1948**

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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.

This Act is administered by Land Information New Zealand.

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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 1948.

**2 Section 18, Reserves and Other Lands Disposal Act 1942
(special provisions with respect to a gift of land to the
Crown by the late Sir Robert Anderson) amended
[Repealed]**

Section 2: repealed, on 19 November 1981, by section 10(1)(b) of the Reserves and Other Lands Disposal Act 1981 (1981 No 57).

**3 Cancelling the vesting of certain lands in the Mayor,
Councillors, and Burgesses of the Borough of Motueka
and the Motueka Harbour Board, and constituting the
said lands as the Motueka Domain**

Whereas the land firstly described in subsection (3) is vested in the Mayor, Councillors, and Burgesses of the Borough of Motueka for the purposes of a recreation ground:

And whereas the land secondly described in the said subsection is vested in the Motueka Harbour Board for an endowment pursuant to the Motueka Harbour Board Act 1905, and the land thirdly described in the said subsection is also vested in the Motueka Harbour Board:

And whereas the said lands are suitable for the purposes of a public domain and it is desirable that they should be made available for those purposes:

And whereas the Motueka Harbour Board and the Motueka Borough Council have consented to the said lands being vested in His Majesty the King for the purposes of a public domain:

Be it therefore enacted as follows:

- (1) The vesting in the Mayor, Councillors, and Burgesses of the Borough of Motueka of the land firstly described in subsection (3) is hereby cancelled and the said land is hereby vested in His Majesty the King for a public domain subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and shall, together with the land referred to in subsection (2), constitute the Motueka Domain.
- (2) The vesting of the lands secondly and thirdly described in subsection (3) in the Motueka Harbour Board is hereby cancelled and the said lands are hereby vested in His Majesty the King for the purposes of a public domain subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928:

provided that any person authorised in that behalf by the Motueka Harbour Board may at any time enter upon the said lands for the purpose of erecting and maintaining such works as may, in the opinion of the Board, be necessary for the purpose of ensuring the safe navigation of vessels.

- (3) The lands to which this section relates are particularly described as follows:

Firstly, all that area in the Nelson Land District, Borough of Motueka, containing 7 acres and 2 roods, more or less, being Section 4, Block IV, Motueka Survey District, and being all of the land in certificate of title, Volume 41, folio 175, Nelson Registry: as the same is more particularly delineated on plan marked L and S 1/455, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

Secondly, all that area in the Nelson Land District, containing by admeasurement 4 acres and 7 perches, more or less, being portion of the Motueka Harbour Board Endowment, referred to in the Motueka Harbour Board Act 1905, and more particularly described as Section 27, Block IV, Motueka Survey District: as the same is more particularly delineated on the plan marked L and S 1/455, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured sepia.

Thirdly, all those areas in the Nelson Land District, containing by admeasurement 5 acres 3 roods and 33 perches, more or less, and being parts of Section 144, Motueka District, and parts of Sections 3 and 12, Block IV, Motueka Survey District, and being part of the land in certificate of title, Volume 43, folio 82, Nelson Registry: as the said lands are more particularly delineated on plan marked L and S 1/455 deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow.

4 Declaring land reserved as a public school site in the City of Wanganui to be Crown land, and making provision in respect of certain leases thereof

Whereas by the Wanganui School Sites Act 1909 the Education Board of the District of Wanganui (in this section re-

ferred to as the **Board**) was given certain leasing and borrowing powers in respect of the land described in subsection (9), which said land is vested in the Board as a site for a public school:

And whereas, pursuant to the said Act, the Board has borrowed moneys on the security of the said land and has entered into certain leases over portions of it and has also granted rights of way to the lessees in respect of other portions thereof:

And whereas it is desirable that the said land should be vested in His Majesty the King, and the Board has consented thereto:

And whereas it is also necessary to make provision for the rights of the lessees holding leases from the Board and for the repayment of borrowed moneys:

Be it therefore enacted as follows:

- (1) The land described in subsection (9) is hereby vested in His Majesty the King as Crown land subject to the provisions of the Land Act 1924.
- (2) The said land shall continue to be subject to such leases and other encumbrances as are now registered against the title to the said land.
- (3) The Minister of Education is hereby authorised to repay to the Public Trustee out of moneys appropriated by Parliament for the purchase of properties for educational purposes, all moneys necessary to obtain full satisfaction and discharge of Memorandum of Mortgage Number 98373, Wellington Registry, in favour of the Public Trustee.
- (4) The lessee of any portion of the said land under a lease existing on the passing of this Act may, with the consent of the Minister of Lands, and at such rental or price, and subject to such terms and conditions as the Minister may determine, elect at any time after the passing of this Act to surrender his lease and accept, in lieu thereof, a lease or licence over the land contained therein under the provisions of the Land Act 1924.
- (5) On the expiry of any lease existing on the passing of this Act of any portion of the said land, the lessee may either accept a renewal in terms of the said lease or accept a lease or licence of the same land under the provisions of the Land Act 1924.

- (6) Should any lessee elect not to convert to a lease or licence under the Land Act 1924, but to exercise the ordinary rights of renewal set out in his existing registered lease, then the Commissioner of Crown Lands for the Land District of Wellington is hereby authorised and empowered to sign such leases and other documents as may be necessary to give effect to the provisions hereof.
- (7) Any lease or licence issued in substitution for a lease existing on the passing of this Act, or any renewal of any such existing lease, shall be deemed to be subject to the encumbrances, liens, and interests to which the existing lease is subject in the order of their registered priority.
- (8) The District Land Registrar of the Land Registration District of Wellington is hereby authorised and directed to accept such documents for registration and to do all such things as may be necessary to give effect to the provisions of this section.
- (9) The land to which this section relates is more particularly described as follows:

All that area in the Land District of Wellington, City of Wanganui, containing by admeasurement 1 acre and six-hundredths of a perch, more or less, being Lots 1 to 13 inclusive, and the right of way shown on a plan deposited in the Land Registry Office at Wellington under Number 2475, being a subdivision of Sections 151, 152, 154, and part Section 153, Town of Wanganui, and being the residue of the land comprised and described in certificate of title, Volume 194, folio 163, Wellington Registry.

5 Revoking the reservation over portion of a recreation reserve in the Borough of Roxburgh, and authorising the Roxburgh Borough Council to subdivide and sell the said land

Whereas the land described in subsection (6) is vested in the Corporation of the Borough of Roxburgh in trust for the purposes of recreation for the inhabitants of the Town of Roxburgh:

And whereas the said land is unsuitable for the purposes of recreation and is not required therefor and the Roxburgh Bor-

ough Council (in this section referred to as the **Council**) desires to subdivide the land into building sections and to sell the same:

And whereas it is expedient that the Council should be authorised so to do on condition that the net proceeds of any such sale should be applied by the Council in the development and improvement of other lands held or controlled by the Council for the purposes of recreation:

Be it therefore enacted as follows:

- (1) The reservation in trust in respect of the land described in subsection (6) for the purposes of recreation for the inhabitants of the Town of Roxburgh is hereby cancelled, and the said land is hereby declared to be vested in the Corporation of the Borough of Roxburgh freed and discharged from the trusts, reservations, and restrictions affecting the same.
- (2) The Council may without further authority than this section subdivide the said land into building lots and may, for the purposes of better subdivision, proclaim, take, or set apart any portion of the said land for a public street. The Council is hereby authorised to sell the said lots of the subdivision either by public application and ballot at a fixed price, or by public auction or tender, and if any of the said lots remain unsold after being offered as aforesaid, the Council may sell the same by private contract.
- (3) Any such sale may be for cash or upon such terms as the Council may decide.
- (4) The net proceeds of the sale of the said lots shall be paid by the Council into a separate account and shall be applied by it in or towards the development and improvement of any other lands held or controlled by the Council for the purposes of recreation or in the provision of amenities or facilities thereon or in the provision of equipment for use thereon.
- (5) The District Land Registrar of the Land Registration District of Otago is hereby empowered and directed to make such entries in the register books, deposit such plans, accept such documents for registration, 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 particularly described as follows:

All that area in the Otago Land District, situated in the Borough of Roxburgh, containing by admeasurement 7 acres 1 rood 25 perches and seven-tenths of a perch, more or less, being Lot 28 and part Lot 29, on a plan deposited in the Land Registry Office at Dunedin under Number 1116, and being part of Section 33, Block II, Teviot Survey District, and being part of the land comprised and described in certificate of title, Volume 238, folio 87, Otago Registry: Bounded towards the north-west by Lot 27, 831.1 links; towards the north-east and south-east by a public road, 735.2 links and 318.3 links respectively; towards the south by a public road, 725.6 links; and towards the south-west by Section 15, Block X, Teviot Survey District, 953.2 links; be all the aforesaid linkages, more or less: as the same is more particularly delineated on the plan marked L and S 1/933, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

6 Increasing the membership of the One Tree Hill Domain Board

Whereas pursuant to section 44 of the Public Reserves, Domains, and National Parks Act 1928, a Board comprising 9 members was appointed to control the One Tree Hill Domain:

And whereas for the better control and management of the said domain it is desirable that the membership of the Domain Board be increased to 12 persons:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in section 44 of the Public Reserves, Domains, and National Parks Act 1928, the maximum number of persons who may be appointed as members of the One Tree Hill Domain Board is hereby increased to 12 and the Governor-General may, by Order in Council, appoint to the said Board such additional persons as he thinks fit to give effect to this provision.

- (2) Nothing in this section shall be construed to affect the provisions of section 63 of the Public Reserves, Domains, and National Parks Act 1928.

7 Authorising One Tree Hill Domain Board to make a compassionate allowance to widow of late Horace Augustus Yockney

The One Tree Hill Domain Board is hereby authorised to make out of its funds a payment of 25 pounds to the widow of the late Horace Augustus Yockney, formerly Clerk and Treasurer to the Board, as a compassionate allowance.

8 Cancelling the reservation over certain education endowment land and declaring it to be subject to the Scenery Preservation Act 1908

Whereas the land described in subsection (2) is reserved as an endowment for primary education:

And whereas the said land is not suitable for the purpose for which it was reserved, and it is desirable that it should be constituted a scenic reserve under the Scenery Preservation Act 1908:

Be it therefore enacted as follows:

- (1) The reservation as an endowment for primary-education purposes over the land described in subsection (2) is hereby cancelled, and the said land is hereby declared to be a scenic reserve under and subject to the Scenery Preservation Act 1908.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Wellington Land District, Rangitikei County, containing by admeasurement 21 acres 2 roods and 16 perches, more or less, being Part Section 4A, Block X, Hautapu Survey District, and being part of the land comprised and described in certificate of title, Volume 84, folio 178, Wellington Registry: as the same is more particularly delineated on the plan marked L and S 54203A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

9 Cancellling the vesting of a reserve in the Newman Public Library and Institute (Incorporated) and adding the land concerned to the Newman Domain

Whereas the land described in subsection (3) was reserved as a site for public buildings and was vested in the Newman Public Library and Institute (Incorporated) in trust for a site for a public library and institute:

And whereas the said institute has ceased to function, and there are no surviving trustees thereof:

And whereas in order to provide for the future control and management of the area it is desirable that the said land should be added to and form part of the Newman Domain:

Be it therefore enacted as follows:

- (1) The vesting of the land described in subsection (3) in trust for a site for a public library and institute in the Newman Public Library and Institute (Incorporated) is hereby cancelled and the reservation for a site for public buildings over the said land is hereby revoked, and the said land is declared to be vested in His Majesty the King as a public domain under and subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and shall be deemed to be added to and to form part of the Newman Domain under the control of the Newman Domain Board.
- (2) The District Land Registrar for the Land Registration District of Wellington is hereby directed to make such entries in the register books and on the outstanding certificate of title for the said land and to do all other such 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 that area in the Wellington Land District, containing by ad-measurement 2 roods, more or less, being part of Section 69, Town of Newman, being the whole of the land comprised and described in certificate of title, Volume 58, folio 271, Wellington Registry.

10 Authorising the Wairarapa College Board to sell certain lands

Whereas the Wairarapa College Board (in this section referred to as the **Board**) was established under the authority of the Education Amendment Act 1924 by an Order in Council dated 15 October 1925:

And whereas the constitution of the Board was altered and extended pursuant to the provisions of section 55 of the Finance Act 1937:

And whereas the Board is authorised to hold land, but has no power to dispose of any lands held by it:

And whereas the Board purchased certain areas of land for the purposes of erecting a residence for the Principal of Wairarapa College:

And whereas some of the lands so purchased are not now required for those purposes, and it is desirable and expedient that the lands not so required should be sold and that the Board should be given authority to dispose of the said areas subject to certain restrictions in regard to the application of the proceeds:

Be it therefore enacted as follows:

- (1) Notwithstanding the provisions of any Act, the Board is hereby authorised to sell the lands described in subsection (4) by public auction or tender, public application and ballot at a fixed price, or by private treaty.
- (2) The proceeds of the sales of the lands referred to in subsection (4) shall be applied by the Board, firstly, towards payment of the costs of the survey and expenses of any such sale, and, secondly, in payment to the fund administered by the Board known as the College House Fund.
- (3) The District Land Registrar of the Land Registration District of Wellington is hereby authorised and empowered to deposit such plans, accept such documents for registration, 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 lands to which this section relates are particularly described as follows:

All that area in the Wellington Land District, Borough of Masterton, containing by admeasurement 3 roods 15 perches and five-tenths of a perch, more or less, being Lots 1, 2, and 3 on a plan lodged in the office of the District Land Registrar at Wellington under Number 14274, being part of Section 23, Masterton Small Farm Settlement, and being parts of the lands comprised and described in certificates of title, Volume 105, folio 235, and Volume 115, folio 16, Wellington Registry.

11 Authorising the Auckland City Council to lend moneys from its General Account to its Motuihi Island Domain Account, and providing for repayment thereof

Whereas by an Order in Council dated 8 September 1930 and published in the *Gazette* of 11 September, the Auckland City Council (in this section referred to as the **Council**) was appointed a Domain Board to control and manage the Motuihi Island Domain under the name of the Motuihi Island Domain Board (in this section referred to as the **Board**):

And whereas the Board is desirous of extending the wharf at Motuihi Island, but has not sufficient funds in hand to permit the work to be undertaken:

And whereas the Council is prepared to lend certain moneys from its General Account to the Board to enable the said work to be completed, but the Council has not the necessary statutory authority to lend the money nor has the Board authority to borrow and repay any such money, and it is desirable to make provision accordingly:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act, the Council is hereby authorised to lend from its General Account a sum not exceeding 4,000 pounds to the Board for the purpose of extending the wharf at Motuihi Island, and the Board is hereby empowered to borrow and to repay the amount advanced to it under the authority of this section.
- (2) The rate of interest payable in respect of any such loan shall from time to time be fixed by the Council.

- (3) The said rate of interest may be less than, but shall not exceed, the rate for the time being charged to local bodies on bank overdrafts.
- (4) All moneys borrowed under the authority of this section and all interest payable in respect thereof shall be repaid within 20 years from the date when the first advance is made under this section.

12 C cancelling the vesting in trust in the Winton Athenaeum, Incorporated, of certain land in the Southland Land District, and vesting it on like trust in the Corporation of the Borough of Winton, and authorising the assignment of the assets of the Winton Athenaeum, Incorporated, to the Winton Borough Council

Whereas, pursuant to section 46 of the Reserves and other Lands Sale, Disposal, and Enabling and Public Bodies Empowering Act 1901, the land described in subsection (4) of this section was vested in the Winton Athenaeum, Incorporated, for an estate in fee simple in trust, without power of sale, as an endowment:

And whereas the said Athenaeum cannot now administer the said land and has requested the Winton Borough Council (in this section referred to as the **Council**) to take over the assets and to control and manage the property of the said Athenaeum, and the Council has agreed to do so:

And whereas the said Athenaeum has no power to assign its assets or the control and management thereof, and it is desirable to make provision accordingly:

Be it therefore enacted as follows:

- (1) The vesting in the Winton Athenaeum, Incorporated, of an estate in fee simple in trust, without power of sale, as an endowment, of the land described in subsection (4) is hereby cancelled, and the said land is hereby vested in the Corporation of the Borough of Winton for an estate in fee simple, subject to the same trusts as affected the said land before the commencement of this Act.
- (2) The deed of assignment dated 16 December 1947, made between the Winton Athenaeum, Incorporated, and the Council

is hereby authorised and validated and shall have full force and effect according to its tenor.

- (3) The District Land Registrar for the Land Registration District of Southland is hereby authorised and directed to make such entries in the register books, accept such documents for registration, 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 that area in the Southland Land District, containing by admeasurement 110 acres 1 rood, more or less, being Section 48, Block VIII, Winton Hundred, and being the whole of the land comprised and described in certificate of title, Volume 73, folio 292, Southland Registry.

13 Revoking the reservation over a scenic reserve in Block VIII, Katikati Survey District, and declaring the land to be added to the Katikati Domain

Whereas the land described in subsection (2) is set apart for scenic purposes under and subject to the Scenery Preservation Act 1908, and is known as the Katikati Hot Springs Scenic Reserve:

And whereas the said land is adjacent to an area of land to be added to the Katikati Domain administered by the Katikati Domain Board:

And whereas it is desirable that the Katikati Hot Springs Scenic Reserve should also be added to the Katikati Domain so that it may be administered in conjunction with the adjoining land and placed under the control of the Katikati Domain Board:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Scenery Preservation Act 1908, the reservation for scenic purposes over the land described in subsection (2) is hereby revoked and the said land is hereby declared to be a recreation reserve subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and to form part of the Katikati Domain under the control of the Katikati Domain Board.

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

All that area in the Auckland Land District, Tauranga County, containing by admeasurement 100 acres 2 roods and 10 perches, more or less, being Section 67, Block VIII, Katikati Survey District: as the same is more particularly delineated on the plan marked L and S 4/136A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

14 Amending the description of a reserve for a site for a post office in Block IV, Paritutu Survey District, Taranaki Land District

Whereas by a Warrant dated 22 September 1911, and published in the *Gazette* of 28 September, certain land was temporarily reserved for a site for a post office:

And whereas by a Warrant dated 5 December 1911, and published in the *Gazette* of 7 December, the said land was permanently reserved for that purpose:

And whereas by notices dated 23 February 1921, and 13 June 1922, respectively, portion of the aforesaid site for a post office was exchanged for certain other land, the former area subsequently becoming portion of a street, and the latter area becoming part of the aforesaid site for a post office:

And whereas the description of the lands referred to in the said Warrants and the description of the lands referred to in the said notices are incorrect, and it is desired to correct the erroneous descriptions:

Be it therefore enacted as follows:

- (1) The reservation for a site for a post office over the lands firstly and secondly described in subsection (2) is hereby cancelled, and the land described in subsection (3) is hereby permanently reserved for a site for a post office, and shall be deemed to be subject to Part 1 of the Public Reserves, Domains, and National Parks Act 1928.
- (2) The lands over which the reservation for a site for a post office referred to in subsection (1) is cancelled are particularly described as follows:

Firstly, all that area in the Taranaki Land District, containing 32 perches and eight-tenths of a perch, more or less, being part of Section 108, Block IV, Paritutu Survey District.

Secondly, all that area in the Taranaki Land District, containing by admeasurement 1 rood 7 perches and two-tenths of a perch, more or less, being part of Section 2357, Borough of New Plymouth, and bounded as follows: on the north generally by other part of the said section, 170.6 and 57.6 links, and the Breakwater Road, 31 links; on the east by Section 2358, Borough of New Plymouth, 156.95 links; on the south by Section 2360, Borough of New Plymouth, 226.27 links; and on the west by Pioneer Street, 121.7 links, be all the aforesaid linkages a little more or less.

- (3) The land which is reserved for a site for a post office by subsection (1) is particularly described as follows:

All that area in the Taranaki Land District, containing 2 roods, more or less, being Section 850, Grey District, situated in Block IV, Paritutu Survey District.

15 Cancelling certain Warrants and Orders in Council constituting the Ngamotu Domain and reconstituting the said Domain

Whereas by Warrant dated 9 September 1920, and published in the *Gazette* of 16 September, Section 2365, Borough of New Plymouth, Taranaki Land District, containing 19 acres 3 roods 30 perches, more or less, was temporarily reserved for public recreation purposes:

And whereas by a Warrant dated 15 December 1920, and published in the *Gazette* of 22 December, the said land was permanently reserved for the aforesaid purpose:

And whereas by an Order in Council dated 21 February 1921, and published in the *Gazette* of 3 March 1921, the said land was declared to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, under the name of the Ngamotu Domain:

And whereas by a further Order in Council dated 21 April 1921, and published in the *Gazette* of 28 April, the New Plymouth Borough Council was appointed a Domain Board to

have control of the said domain, to which has since been added a further parcel of land which is also under the control of the Ngamotu Domain Board:

And whereas the description of the land referred to in the said Warrants and Orders in Council is incorrect, and it is desired to correct the erroneous description:

Be it therefore enacted as follows:

- (1) The reservation for public recreation purposes over the land described in subsection (3) is hereby cancelled, and the setting-apart of the said land under Part 2 of the Public Reserves and Domains Act 1908 as part of the Ngamotu Domain is also hereby cancelled.
- (2) The land described in subsection (4) is hereby declared to be permanently reserved for public recreation purposes, to be set apart under Part 2 of the Public Reserves, Domains, and National Parks Act 1928 as part of the Ngamotu Domain, and to be under the control of the New Plymouth Borough Council acting as the Ngamotu Domain Board.
- (3) The land to which subsection (1) relates is particularly described as follows:
All that area in the Taranaki Land District, containing 19 acres 3 roods 30 perches, more or less, being Section 2365, Borough of New Plymouth.
- (4) The land to which subsection (2) relates is particularly described as follows:
All that area in the Taranaki Land District, containing 19 acres 3 roods and 30 perches, more or less, being Section 858, Grey District, situated in Block IV, Paritutu Survey District.

16 Authorising the exchange of part of the Hamilton Domain for certain land vested in the Hamilton City Council

Whereas the land described in subsection (5) is vested in the Corporation of the City of Hamilton as an endowment in aid of the city funds:

And whereas the land described in subsection (6) is part of a public domain subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and is also subject to section 2 of the Hamilton Domains Act 1911:

And whereas, for the better administration of the said pieces of land, it is desirable that they and the control thereof should be exchanged in accordance with the provisions of this section:

Be it therefore enacted as follows:

- (1) The vesting as an endowment in aid of the City funds in the Corporation of the City of Hamilton of the land described in subsection (5) is hereby cancelled, and the land is hereby vested in His Majesty the King and declared to form part of the Hamilton Domain to be administered by the Hamilton Domain Board under Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and to be subject to section 2 of the Hamilton Domains Act 1911. The District Land Registrar of the Land Registration District of Auckland is hereby empowered and directed to cancel all existing titles to the said land and to issue a certificate of title in respect thereof in the name of His Majesty the King free of all encumbrances with the exception of a memorial that the said land is subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and to sections 2 and 3 of the Hamilton Domains Act 1911.
- (2) Schedule 1 of the Hamilton Domains Act 1911 is hereby extended by incorporating therein a reference to the land described in subsection (5) of this section, and that land may be dealt with accordingly in the manner prescribed by section 2 of that Act.
- (3) The reservation over the land described in subsection (6) for the purpose of public recreation is hereby cancelled, and the land is hereby vested in the Corporation of the City of Hamilton for an estate in fee simple as an endowment in aid of the City funds, and the District Land Registrar of the Land Registration District of Auckland is hereby empowered and directed to cancel all existing titles to the said land and to issue a certificate of title in respect thereof to the Corporation of the City of Hamilton, as an endowment in aid of the City funds.
- (4) Schedule 1 of the Hamilton Domains Act 1911 is hereby amended by omitting all reference to the land described in subsection (6).
- (5) The land to which subsection (1) relates is particularly described as follows:

All that piece or parcel of land in the Auckland Land District, City of Hamilton, containing 1 perch and one-tenth of a perch, more or less, being portion of Allotment 374, Town of Hamilton East: bounded towards the south-east by other part of the said Allotment 374, 30.53 links; towards the south by Knighton Road, 52.89 links; and towards the north-west by part of Allotment 373, Town of Hamilton East, 74.73 links: as the same is more particularly delineated on the plan marked L and S 1/178F, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue.

- (6) The land to which subsection (3) relates is particularly described as follows:

All that piece or parcel of land in the Auckland Land District, City of Hamilton, containing 9 perches and six-tenths of a perch, more or less, being portion of Allotments 372A and 373A, Town of Hamilton East: bounded towards the north by Knighton Road, 193.55 links; towards the south-east by part of Allotment 374, Town of Hamilton East, 181.95 links; and towards the south-west by Nelson Street, 65.96 links: as the same is more particularly delineated on the plan marked L and S 1/178F, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon coloured yellow.

17 C cancelling the reservation over certain education endowment land in Otago Land District, and setting it apart as permanent State forest

Whereas the land described in subsection (3) is reserved as an endowment for primary education:

And whereas the said land adjoins a State forest, and for the consolidation, protection, and better management of that forest it is desirable that the said land should be brought under the provisions of the Forests Act 1921–22, and be administered and dealt with in all respects as permanent State forest:

And whereas by notice under the hand of the Governor-General dated 29 August 1933, and published in the *Gazette* of 7 September 1933, the said land was brought under the provisions of the Mining Act 1926:

Be it therefore enacted as follows:

- (1) The reservation as an endowment for primary education over the land described in subsection (3) is hereby cancelled, and the said land is hereby set apart as a permanent State forest under and subject to the provisions of the Forests Act 1921–22.
- (2) Nothing in this section shall be deemed or construed to affect in any way the setting apart of the said land under the provisions of the Mining Act 1926.
- (3) The land to which this section relates is particularly described as follows:

All that area in the Otago Land District, Clutha County, containing by admeasurement 140 acres, more or less, being Section 3, Block III, Rankleburn Survey District, and being the whole of the land comprised and described in certificate of title, Volume 180, folio 127, Otago Registry.

18 Authorising the Cambridge Borough Council to sell a municipal reserve and reserving for municipal purposes certain land held by the Corporation of the Borough of Cambridge

Whereas by section 19 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1911 the reservation over the land described in subsection (3) of this section was changed from a reserve for gravel purposes to a reserve for municipal purposes, and the said land was vested in the Corporation of the Borough of Cambridge (in this section referred to as the **Corporation**) in trust for municipal purposes without power of sale:

And whereas the said land is suitable for housing purposes and it is desirable that it should be used therefor:

And whereas the Corporation has acquired the fee simple of another area described in subsection (4):

And whereas the Corporation desires to sell the said reserve and to retain the proceeds of the sale:

And whereas it is expedient that the Corporation should be authorised so to do, provided that the land referred to in subsection (4) is declared to be a municipal reserve held in trust for municipal purposes subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act, at any time after the gazetting of a resolution passed by the Corporation pursuant to section 5 of the Public Reserves, Domains, and National Parks Act 1928 declaring the land described in subsection (4) of this section to be a municipal reserve held in trust for municipal purposes, without power of sale, the Corporation may sell, at a price to be agreed upon, the municipal reserve described in subsection (3) of this section to His Majesty the King for the purposes of Part 1 of the Housing Act 1919, freed and discharged from the trusts, reservations, and restrictions now affecting the same.
- (2) The net proceeds from any such sale shall be retained by the Corporation and applied in accordance with the provisions of the Municipal Corporations Act 1933.
- (3) The municipal reserve which the Corporation is authorised to sell as aforesaid is particularly described as follows:

All that area in the Borough of Cambridge, containing by admeasurement 2 roods and 15 perches, more or less, being Allotment 594, Town of Cambridge East, and being all of the land comprised and described in certificate of title, Volume 187, folio 123, Auckland Registry.
- (4) The land now held in fee simple by the Corporation which may be declared to be held for a municipal reserve is particularly described as follows:

All those areas in the Borough of Cambridge, containing by admeasurement a total area of 6 acres and 20 perches, more or less, being Allotments 429, 429A, 430, 430A, 431, 431A, 432, 432A, 433, 433A, 434, 434A, and part of Allotment 587, Town of Cambridge East, and being the whole of the lands comprised and described in certificates of title, Volume 500, folio 80, and Volume 13, folio 293, Auckland Registry.

19 Cancellling the setting aside and the vesting of portion of an endowment for the Bluff Harbour Board, Southland Land District, and declaring the area to be Crown land set apart under the Small Farms Act 1932–33, and directing the application of certain compensation moneys

Whereas the land described in subsection (3) forms portion of an area set aside as an endowment for the Bluff Harbour Board (in this section referred to as the **Board**):

And whereas the said land, together with certain areas of adjoining Crown land, has been subdivided into holdings for the settlement of ex-servicemen:

And whereas, for the better disposal of the subdivision, it is desirable that the setting aside as an endowment for the Board and the vesting of the said land in the Board should be cancelled and that the said land should be declared subject to the Small Farms Act 1932–33:

And whereas the Board has consented to the cancellation of the setting aside of the said land and the vesting thereof in the Board as an endowment, on condition that certain compensation moneys hereinafter referred to are paid into the Board's general fund:

And whereas it is expedient that the said land be disposed of together with the adjoining areas of Crown land, and be made subject to the provisions of the Small Farms Act 1932–33:

Be it therefore enacted as follows:

- (1) The setting aside of the land described in subsection (3) as an endowment for the Bluff Harbour Board and the vesting of the said land in the Board is hereby cancelled and the said land is hereby declared to be Crown land set apart under and subject to the provisions of the Small Farms Act 1932–33, but otherwise freed and discharged from all trusts and reservations heretofore affecting it.
- (2) There shall be paid to the Board out of the Land for Settlements Account without further appropriation or authority than this section the sum of 500 pounds as compensation for the loss of the portion of the endowment and the revenue derived therefrom and that sum shall be paid to the Board and applied

by it in the improvement and maintenance of the Bluff Harbour.

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

All that area in the Southland Land District, containing by admeasurement 1 008 acres, more or less, being Run 154A, Block XXIII, Taringatura Survey District: as the same is more particularly delineated on the plan marked L and S 36/1754A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

20 Validating an agreement between His Majesty the King and the Wellington Harbour Board

Whereas His Majesty the King of the one part, and the Wellington Harbour Board (in this section referred to as the **Board**) of the other part, have entered into and executed a certain agreement dated 6 September 1948 whereby it has been agreed that the Board will not seek to enforce any right, title, or claim it may have to certain portions of the lands referred to in the agreement on condition that the Crown vests in the Board for harbour purposes other portions of those lands, and that the Board will, if called upon to do so, consent to an area of land more fully described in the said agreement being made a public street:

And whereas a copy of the said agreement is deposited in the Head Office, Department of Lands and Survey at Wellington under Wellington Deed Number 1639 (L and S 22/747/207):

And whereas it is expedient that the said agreement should be authorised and validated:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act the parties to the said agreement shall be deemed to have had all powers and authority necessary to enter into and execute the said agreement and the same is hereby confirmed and validated and declared binding in law in all respects and shall have full force and effect according to its tenor, and there is hereby vested in the Board for an estate in fee simple the land referred

to in clause 4 of the said agreement for the purposes therein set out.

21 Authorising the Auckland Hospital Board to sell certain endowment land

Whereas the land described in subsection (4) is vested in the Auckland Hospital Board (in this section referred to as the **Board**) for an estate in fee simple in trust as a site for a hospital and for or towards the maintenance and support of a hospital:

And whereas the said land is not required as a site for a hospital:

And whereas the Board has no power of sale in respect of the said land and it is expedient that the Board be empowered to sell the said land in the manner and subject to the conditions set out in this section:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act the Board may sell the said land, or any part or parts thereof, either together or by lot by public application and ballot at a fixed price or by public auction, public tender, or private contract or partly by one or partly by another or others of those methods and subject to such conditions as to title, time or mode of payment of purchase money, or otherwise, as the Board thinks fit, and with or without grants or reservations of rights of way or other rights and privileges of any description in relation to the land sold or any land remaining unsold.
- (2) All moneys received by the Board by way of purchase money shall be held by the Board upon and subject to the same trusts, conditions, and purposes as the said land is held by the Board, or expended by the Board in the purchase or towards the purchase of other freehold land to be held upon the like trusts and conditions.
- (3) The powers conferred by this section are in addition to all other powers and authorities vested in the Board by any other Act.
- (4) The land to which this section relates is particularly described as follows:

All that area in the North Auckland Land District, Borough of Northcote, containing together 4 acres 1 rood 17 perches and

three-tenths of a perch, more or less, being Lots 21 and 22, Deeds Plan T 32 (Auckland Registry), and being portions of Allotments 17 and 20, Parish of Takapuna, and being part of the land comprised and described in certificate of title, Volume 531, folio 10 (limited as to parcels), Auckland Registry.

22 Authorising the Dunedin City Council to transfer certain land in Otago Land District by way of gift to the Otago Education Board

Whereas by section 2 of the Dunedin City (Waipori Falls) Lands Vesting Act 1911 the lands described in subsection (3) of this section were vested in the Corporation of the Mayor, Councillors, and Citizens of the City of Dunedin (in this section referred to as the **Corporation**) in fee simple for the purposes of a plantation:

And whereas the Corporation is desirous of transferring the said lands to the Education Board of the District of Otago by way of gift as a site for a public school:

And whereas the Corporation has no statutory authority to alienate the said land, and it is desirable and expedient to make provision accordingly:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act the Corporation is hereby authorised and empowered to transfer the lands described in subsection (3) to the Education Board of the District of Otago without consideration as a site for a public school, freed and discharged from the trusts, reservations, and restrictions heretofore affecting the same.
- (2) The District Land Registrar for the Land Registration District of Otago is hereby authorised and directed to accept such documents for registration, deposit such plans, and 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 Otago Land District, containing by admeasurement 2 roods 9 perches and sixty-six hundredths of a perch,

more or less, being all the land on the plan numbered 6436 deposited in the Land Registry Office at Dunedin, and the land bordered green on the plan numbered W 176 deposited in the office of the Chief Surveyor at Dunedin, being part of Section 52, Block VIII, Waipori Survey District, and being part of the land comprised and described in certificate of title, Volume 204, folio 155, Otago Registry: as the same is more particularly delineated on the plan marked L and S 13/26, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.

Section 22(3): replaced, on 21 October 1949, by section 4 of the Reserves and Other Lands Disposal Act 1949 (1949 No 34).

23 Validating the sale of certain land in the Gisborne Land District

Whereas the land described in subsection (3) is vested in fee simple in The East Coast Rabbit Board (in this section referred to as the **Board**) constituted under the Rabbit Nuisance Act 1928:

And whereas the said land is not suitable for any purpose of the Board and the Board has sold it to Arnold Colquhoun de Lautour, of Wairoa, sheep farmer:

And whereas the Board has no power to sell land and it is desirable and expedient to validate and authorise the said sale:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act the sale by the Board of the land described in subsection (3) to the said Arnold Colquhoun de Lautour is hereby authorised and validated.
- (2) The District Land Registrar for the Land Registration District of Gisborne is hereby authorised and directed to accept such documents for registration, 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 particularly described as follows:

All that area in the Gisborne Land District, containing by admeasurement 12 acres 1 rood and 11 perches, more or less, be-

ing Tutaekuri 3B 2 Block, situated in Block XV, Taramarama Survey District, and being the whole of the land comprised and described in certificate of title, Volume 82, folio 51, Gisborne Registry.

24 C cancelling the reservation over certain education endowment lands in Hawke's Bay, Taranaki, Wellington, Nelson, and Otago Land Districts, and declaring them to be Crown land set apart under the Small Farms Act 1932–33

Whereas the lands described in subsection (2) are reserved as endowments for primary education and the land described in subsection (3) is reserved as an endowment for secondary education:

And whereas the said lands, together with certain areas of adjoining land in the ownership of the Crown, have been subdivided into holdings for the settlement of ex-servicemen:

And whereas for the better disposal of the said holdings it is desirable that the reservations for education endowment purposes should be cancelled and that the said lands should be declared subject to the Small Farms Act 1932–33 to enable the better disposal of the holdings in the various blocks concerned:

Be it therefore enacted as follows:

- (1) The reservation as endowments for primary education purposes over the lands described in subsection (2) and the reservation as an endowment for secondary education over the land described in subsection (3) are hereby cancelled and the said lands are hereby declared to be Crown land set apart under and subject to the provisions of the Small Farms Act 1932–33.
- (2) The lands, reserved as endowments for primary education, to which this section relates are particularly described as follows:
Firstly, all that area in the Taranaki Land District, containing by admeasurement 3 acres 1 rood 14 perches and eight-tenths of a perch, more or less, being Lot 1 on a plan deposited in the Land Registry Office at New Plymouth and numbered 6449, and being part of Section 2, Mokoia Town Belt, situated in Block XIV, Hawera Survey District.

Secondly, all that area in the Wellington Land District, Mauriceville County, containing by admeasurement 552 acres, more or less, being Section 97, Block III, Kopuaranga Survey District, and being part of the land comprised and described in certificate of title, Volume 409, folio 170, Wellington Registry.

Thirdly, all that area in the Wellington Land District, Pohangina County, containing by admeasurement 194 acres 2 roods and 27 perches, more or less, being Section 12, Block IV, Pohangina Survey District, and being the whole of the land comprised and described in certificate of title, Volume 87, folio 259, Wellington Registry.

Fourthly, all that area in the Nelson Land District, Murchison County, containing by admeasurement 45 acres, more or less, situated in Block I, Tutaki Survey District, being Section 72, Square 138, Matakitaki District, and being the whole of the land comprised and described in certificate of title, Volume 50, folio 56, Nelson Registry.

Fifthly, all that area in the Otago Land District, Lake County, containing by admeasurement 69 acres 1 rood and 5 perches, more or less, being Sections 2 and 3, Block V, Shotover Survey District, and being the whole of the land comprised and described in certificate of title, Volume 217, folio 206, Otago Registry.

Sixthly, all those areas in the Otago Land District, Waihemo County, containing by admeasurement—

- (a) 28 acres 3 roods and 35 perches, more or less, being parts of Section 39, Block VII, Moeraki Survey District, and being the whole of the land comprised and described in certificate of title, Volume 236, folio 281, Otago Registry; and
- (b) 131 acres 1 rood and 6 perches, more or less, being Section 59 and parts of Section 60, Block VII, Moeraki Survey District, and being the whole of the land comprised and described in certificate of title, Volume 236, folio 282, Otago Registry.

Seventhly, all that area in the Otago Land District, Clutha County, containing by admeasurement 208 acres 2 roods and 38 perches, more or less, being Section 12, Block II,

Rankleburn Survey District, and being the whole of the land comprised and described in certificate of title, Volume 181, folio 200, Otago Registry.

- (3) The land reserved as an endowment for secondary education, to which this section relates, is particularly described as follows:

All that area in the Hawke's Bay Land District, Waipawa County, containing by admeasurement 27 acres 2 roods and 13 perches, more or less, situated in Block XVI, Wakarara Survey District, being suburban Section 76, Town of Hampden, and being the whole of the land comprised and described in certificate of title, Volume 81, folio 231, Hawke's Bay Registry.

25 Authorising Piako County Council and Morrinsville Borough Council to acquire land for extension of Piako cemetery

Whereas the Piako County Council and the Morrinsville Borough Council have acquired and provided for common use as a cemetery certain land in the Piako County:

And whereas the Piako County Council and the Morrinsville Borough Council are desirous of extending the said cemetery by the acquisition of the land described in subsection (2) which land is situated in the Borough of Morrinsville:

And whereas it is expedient that the acquisition of the said land for the purposes of extending the said cemetery should be authorised:

Be it therefore enacted as follows:

- (1) Notwithstanding the provisions of section 50 or section 60 of the Cemeteries Act 1908, the Piako County Council and the Morrinsville Borough Council are hereby authorised, for the purpose of extending the Piako cemetery, to acquire and use for cemetery purposes the land described in subsection (2).
- (2) The land to which this section relates is particularly described as follows:

All that piece of land situated in the Borough of Morrinsville, containing 4 acres 2 roods 38 perches and one-tenth of a perch, more or less, being part of Lot 22 on Deposited Plan Num-

ber 2465, being portion of the Motumaoho Number 2 Block adjoining the western boundary of the Piako cemetery.

26 Authorising the issue of a lease in favour of the Boy Scouts Association (New Zealand Branch), Incorporated, over part of the Lowry Bay Scenic Reserve

[Repealed]

Section 26: repealed, on 6 December 1951, by section 4 of the Reserves and Other Lands Disposal Act 1951 (1951 No 76).

27 Cancelling the reservation over certain land in the Town of Geraldine, declaring the said land to be subject to Part 1 of the Housing Act 1919, and authorising a payment by the Crown to the Geraldine Borough Council

Whereas by a Warrant issued pursuant to sections 37 and 38 of the Land Act 1877, Amendment Act 1884, dated 12 December 1884, and published in the *Gazette* of 18 December, the land described in subsection (4) was reserved for an endowment in aid of the Town Board funds for the benefit of the Town of Geraldine:

And whereas the said land is now vested in the Corporation of the Borough of Geraldine:

And whereas the said land is no longer required for the purposes for which it is held, and the Geraldine Borough Council (in this section referred to as the **Council**) has agreed to the land being used by the Crown for housing purposes subject to the payment of a certain sum by way of compensation:

Be it therefore enacted as follows:

- (1) The land described in subsection (4) is hereby vested in His Majesty the King and set apart for housing purposes, subject to the provisions of Part 1 of the Housing Act 1919.
- (2) The payment to the Council of the sum of 140 pounds out of the Housing Account, established under the Housing Act 1919, for the land described in subsection (4) of this section is hereby authorised.
- (3) The said sum of 140 pounds shall be applied by the Council in and towards the establishment and improvement of a community centre in the Borough of Geraldine.

- (4) The land to which subsections (1) and (2) relate is particularly described as follows:

All that area in the Canterbury Land District, containing by admeasurement 1 acre, more or less, being Sections 291, 292, 299, and 300, Town of Geraldine, and being all of the land comprised in certificate of title, Volume 113, folio 107, Canterbury Registry: as the same is more particularly delineated on the plan marked L and S 30/228/91A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

28 Rescinding a certain contract of sale and vesting the fee simple of certain land in the Otago Land District in the Cromwell Development Company, Limited

Whereas the Cromwell Development Company, Limited, a company duly incorporated under the Companies Act 1933 (in this section referred to as the **company**), contracted to purchase certain lands (in this section referred to as the **contract lands**) from His Majesty the King by a contract of sale dated 21 June 1915 and made pursuant to the provisions of section 6 of the Water-supply Amendment Act 1913, but no title to the contract lands has been conferred on the company:

And whereas the said contract and section 6 of the Water-supply Amendment Act 1913 imposed certain conditions on the company and on the manner in which the contract lands might be alienated:

And whereas by section 59 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1925 the conditions governing the alienation of certain parts of the contract lands were varied:

And whereas certain of the contract lands have been disposed of in terms of the said contract and certificates of title have been issued to the purchasers thereof:

And whereas the company is no longer able to carry out the objects for which it was incorporated and is in course of being wound up and, to enable it to dispose freely of the balance of the contract lands, for which payment had already been made to His Majesty the King, it is desirable for the limitations im-

posed on the rights of disposal by the company to be determined:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law the contract for sale dated 21 June 1915 is hereby rescinded and annulled and declared to be void and of no effect in so far as it relates to the contract lands referred to in subsection (5).
- (2) Nothing contained in section 6 of the Water-supply Amendment Act 1913 or in section 59 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1925 shall hereafter apply to the contract lands described in subsection (5) of this section.
- (3) There is hereby vested in the company for an estate in fee simple, freed from all trusts, reservations, and restrictions heretofore affecting the same, the lands described in subsection (5).
- (4) The District Land Registrar for the Land Registration District of Otago is hereby empowered and directed to issue in the name of the company a certificate of title for the lands described in subsection (5).
- (5) The lands to which this section relates are particularly described as follows:

All that area in the Otago Land District, containing by admeasurement 1 161 acres 1 rood and 11 perches, more or less, being Sections 1 to 22 and Sections 24 to 36, Sarita Subdivision, Block I, Cromwell Survey District, Sections 133 to 137, Block I, Cromwell Survey District, Sections 2, 3, 4, and 5, Sunnyside Subdivision, Block III, Cromwell Survey District, and the following sections in the Town of Cromwell:

Sections 10 to 14, Block XI; Sections 2, 3, and 4, Block XVI; Sections 1 to 14, Block XXIII; Sections 1 to 14, Block XXIV; Sections 1 to 16, Block XXV; Sections 1 to 14, Block XXXI; Sections 1 to 14, Block XXXII; Sections 1 to 16, Block XXXIII; Sections 1 to 14, Block XL; Sections 1 to 14, Block XLI; Sections 1 to 16, Block XLII; Sections 1 to 14, Block XLVIII; Sections 1 to 14, Block XLIX; Sections 1 to 4 and 9 to 12, Block L; Sections 1 to 14, Block LVII; Sections 1 to 16, Block LVIII; Sections 1 to 14, Block LXIV; Sections 1

to 14, Block LXV; Sections 1 to 16, Block LXVI; Sections 1 to 14, Block LXIX; Sections 1 to 14, Block LXX; Sections 1 to 6 and 9 to 16, and part of Sections 7 and 8, Block LXXI; Sections 1 to 5 and 8 to 14, and parts of Sections 6 and 7, Block LXXII; Sections 8 to 12 and parts of Sections 1 to 7, 13, and 14, Block LXXIII; Sections 2 to 8, 16, and parts of Sections 1 and 9 to 15, Block LXXIV; Sections 2 to 14, Block LXXV; Sections 2 to 7 and 10 to 14, Block LXXVI; Sections 1 to 4 and 9 to 12, Block LXXVII; Sections 1 to 5 and 8 to 14, Block LXXVIII; Sections 1 to 16, Block LXXX; Sections 2, 4, and 10 to 14, Block LXXXI; Sections 1 and 4 to 14, Block LXXXII; Sections 1 to 4, 6 to 8, and 11 to 15, Block LXXXIII; Sections 1 and 9 to 14, Block LXXXIV; Sections 1 to 6 and 9 to 11, Block LXXXV; Sections 2, 5 to 7, and 14, Block LXXXVI, Town of Cromwell.

As the same are delineated on the plans deposited in the office of the Chief Surveyor at Dunedin, and being the balance of the land in Provisional Register Volume 17, folio 8, Otago Registry.

29 Validating the sales of certain reserves in the Manaia Town District and authorising the Manaia Town Board to sell other reserves vested in it

Whereas the lands described in subsections (5) and (6) were reserved as sites and endowments for municipal purposes and were vested in trust in the Manaia Town Board (in this section referred to as the **Board**) as endowments for town purposes:

And whereas the lands described in subsection (5) have been sold by the Board and transfers to various purchasers have been registered in the Land Registry Office at New Plymouth:

And whereas the lands described in subsection (6) have been sold by the Board but no transfers thereof have yet been registered:

And whereas doubts have arisen as to the authority of the Board to transfer and sell the said lands, and it is desirable to validate the sales already completed and in course of completion:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act the Board shall be deemed to have had authority to sell the lands described in subsection (5), and the sale of the said lands by the Board is hereby validated.
- (2) The Board is hereby authorised and empowered to sell by public auction or tender or public application and ballot at a fixed price or by private treaty the lands described in subsection (6).
- (3) The net proceeds from the sales of any lands described in subsection (5) or subsection (6) shall be applied by the Board for the purchase of other land to be held by it in trust as endowments for town purposes, and any moneys accruing by way of interest on sums so held in trust by the Board shall be used or expended by it for town purposes.
- (4) The District Land Registrar for the Land Registration District of Taranaki is hereby empowered and directed to accept such documents for registration, to make such entries in the register books, and generally to do all such things as may be necessary to give effect to the provisions of this section.
- (5) The lands to which subsection (1) relates are particularly described as follows:

All those areas of land in the Manaia Town District, containing by admeasurement 4 acres, more or less, being Section 21, Block VI, Sections 5 and 16, Block VII, Section 18, Block XI, Sections 6 and 22, Block XV, Sections 3 and 20, Block XVII, Section 19, Block XVIII, Sections 9 and 12, Block XX, Sections 5 and 16, Block XXII, Sections 7, 12, and 18, Block XXIII, all of the Township of Manaia.
- (6) The lands to which subsection (2) relates are particularly described as follows:

All those areas of land in the Manaia Town District, containing by admeasurement 3 roods, more or less, being Section 15, Block VI, Section 2, Block XI, and Section 14, Block XII, all of the Township of Manaia.

30 Cancellling the vesting of a reserve in the Opotiki County Council and changing the purpose of the reservation to a reserve as a site for public buildings of the General Government, also providing for the payment of certain money to the Opotiki County Council

Whereas by a Warrant dated 2 November 1915 and published in the *Gazette* of 4 November the land described in subsection (3) was permanently reserved for a site for Council offices of the Opotiki County Council:

And whereas by an Order in Council dated 26 March 1917, and published in the *Gazette* of 29 March, the said land was vested in trust in the Chairman, Councillors, and Inhabitants of the County of Opotiki for a site for Council offices of the Opotiki County Council (in this section referred to as the **Council**):

And whereas the land is now required as an addition to the adjoining post office site, and the Council has agreed to make it available provided a sum equivalent to its value is provided by the Crown for the purchase of another suitable area to be vested in the Council in trust as a site for Council offices:

And whereas it is desirable and expedient to make provision accordingly:

Be it therefore enacted as follows:

- (1) The vesting in trust in the Chairman, Councillors, and Inhabitants of the County of Opotiki of the land described in subsection (3) as a reserve for a site for Council offices of the Opotiki County Council is hereby cancelled and the purpose of the reservation over the said land is hereby changed to a reserve as a site for public buildings of the General Government.
- (2) The Minister of Works may without further appropriation than this section pay from the Public Works Fund to the Council the sum of 600 pounds in full compensation for the loss of the land described in subsection (3), but that sum shall be payable only for the purchase of other suitable land for a site for Council offices and for no other purpose, and any such land, on completion of the purchase thereof, shall vest in the Council in trust for such purposes, subject to Part 1 of the Public Reserves, Domains, and National Parks Act 1928.

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

All that area in the Gisborne Land District, Borough of Opotiki, containing by admeasurement 14 perches and fifty-four hundredths of a perch, more or less, being Lot 445 of Section 2, Town of Opotiki.

31 Authorising the transfer of certain land in the Parish of Whangape, Auckland Land District, to the Chairman, Councillors, and Inhabitants of the County of Raglan

Whereas the land described in subsection (3) is vested in Arthur Frederick Annandale, Frank Annandale, John Bregmen, Daniel Maloney, and William Archibald Harrison Murray, all of Glen Murray, farmers (in this section referred to as the **trustees**), and is held by those persons in trust as a site for a public hall for the use and benefit of the inhabitants of the district, pursuant to a declaration of trust dated 19 November 1903:

And whereas all of the above-mentioned trustees are not now living, but it is desirable and expedient that the survivor or survivors of them be authorised and empowered to transfer the said land to the Chairman, Councillors, and Inhabitants of the County of Raglan as a site for a war memorial community centre:

Be it therefore enacted as follows:

- (1) Notwithstanding anything contained in the above-mentioned deed of trust or in any Act or rule of law the trustees in respect of the land described in subsection (3) or the survivor or survivors of them are hereby authorised and empowered to transfer the said land to the Chairman, Councillors, and Inhabitants of the County of Raglan as a site for a war memorial community centre, but otherwise freed and discharged from the trusts, reservations, and restrictions heretofore affecting the said land.
- (2) The District Land Registrar of the Land Registration District of Auckland is hereby empowered and directed 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 particularly described as follows:

All that area in the Auckland Land District, Raglan County, containing by admeasurement 5 acres 3 roods and 12 perches, more or less, being Lot 2 on a plan deposited in the Land Registry Office at Auckland under Number 3130, being part of Allotment 27, Parish of Whangape, and being the whole of the land comprised and described in certificate of title, Volume 120, folio 234, Auckland Registry.

32 Authorising the issue of a certificate of title over the land known as Pukepuke in Block III, Sandy Survey District

Whereas the land described in subsection (3) is a reserve for the use of Maoris and is vested in His Majesty the King:

And whereas, pursuant to the provisions of the Rangitikei-Manawatu Crown Grants Act 1873 and the Maori Reserves Titles Grant Empowering Act 1886, the Governor was authorised to issue a grant in respect of the said land and other lands, but no grant has ever been issued for the said land:

And whereas in the year 1882 certain Maoris were found by a Royal Commissioner to be entitled to a certificate of title to the said land:

And whereas in the year 1933 the Maori Land Court made an order purporting to vest the freehold of the said land in certain other Maoris:

And whereas this order is erroneous, and it is desirable and expedient that a title should be issued to the Maoris now beneficially entitled to the said land:

Be it therefore enacted as follows:

- (1) The provisions of section 527 of the Maori Land Act 1931 shall be deemed to apply to the said land, and a certificate of title may be issued thereunder accordingly.
- (2) Any certificate of title issued under the last preceding subsection may be subject to such restrictions, reservations, conditions, or easements, relating to drainage rights, as the

Governor-General, on the recommendation of the Minister of Lands, may think fit.

- (3) The said freehold order made in the year 1933 is hereby annulled and declared to have been void.
- (4) The land to which this section relates is more particularly described as follows:

All that area in the Wellington Land District known as Pukepuke, also described as Section 378, Township of Carnarvon, Block III, Sandy Survey District, containing by admeasurement 390 acres, more or less.

33 Authorising the Corporation of the Borough of Lawrence to sell certain reserves vested in it

Whereas the lands described in subsection (4) are reserves for the purposes of a municipal estate for the Town of Lawrence and its inhabitants and are vested for those purposes in the Corporation of the Borough of Lawrence (in this section referred to as the **Corporation**):

And whereas the land described in subsection (5) is reserved for municipal purposes and is also vested in the Corporation in trust for the purposes of public utility for the said Borough and its inhabitants pursuant to the Lawrence Reserves Act 1877:

And whereas all of the said lands have been leased by the Corporation for various terms, but the leases granted do not contain any right of renewal or compensation for improvements:

And whereas the lands are no longer required for the purposes for which they are reserved and it is desirable that they should be sold to the existing lessees:

And whereas the Corporation has no power of sale, but is willing to dispose of the said lands to the said lessees subject to the condition that the net proceeds should be applied in the improvement of the Tuapeka Domain:

And whereas it is desirable and expedient that authority to sell should be conferred on the Corporation:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act 1928 or in any other Act, the Corporation is hereby authorised and empowered to

sell the lands described in subsection (4) and subsection (5) by public application and ballot at a fixed price or by public auction, public tender, or private contract, or partly by one or partly by another or others of those methods, and subject to such conditions as to title, time or mode of payment of purchase money, or otherwise, as the Corporation thinks fit, and with or without grants or reservations of rights of way or other rights and privileges of any description in relation to the lands sold or any land remaining unsold, and on completion of the sale the land shall vest in the purchasers freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.

- (2) All moneys received by the Corporation by way of purchase money shall, after deducting therefrom the expenses of sale, be paid by the Corporation into the General Fund of the Tuapeka Domain Board for the purpose of effecting improvements to the Tuapeka Domain, being the public domain more fully described in an Order in Council dated 2 June 1948 and published in the *Gazette* of 17 June.
- (3) The District Land Registrar for the Land Registration District of Otago is hereby empowered and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The reserves vested in the Corporation pursuant to the Lawrence Reserves Management Ordinance 1872 and to which this section relates are particularly described as follows:
Firstly, all that area in the Otago Land District, containing by admeasurement 1 rood, more or less, being Section 2, Block VI, Town of Lawrence, and being part of the land comprised and described in certificate of title, Volume 226, folio 46, Otago Registry.
Secondly, all that area in the Otago Land District, containing by admeasurement 1 rood, more or less, being Section 12, Block VII, Town of Lawrence, and being part of the land comprised and described in certificate of title, Volume 226, folio 46, Otago Registry.

Thirdly, all that area in the Otago Land District, containing by admeasurement 20 perches and four-tenths of a perch, more or less, being Allotment 1 on a plan of a subdivision deposited in the Land Registry Office at Dunedin under Number 4465, being part of Section 12, Block III, Town of Lawrence, and being part of the land comprised and described in certificate of title, Volume 272, folio 214, Otago Registry.

Fourthly, all that area in the Otago Land District, containing by admeasurement 1 rood, more or less, being Section 14, Block XI, Town of Lawrence, and being part of the land comprised and described in certificate of title, Volume 226, folio 46, Otago Registry.

Fifthly, all that area in the Otago Land District, containing by admeasurement 1 rood, more or less, being Section 12, Block VIII, Town of Lawrence, and being part of the land comprised and described in certificate of title, Volume 226, folio 46, Otago Registry.

Sixthly, all that area in the Otago Land District, containing by admeasurement 1 rood, more or less, being Section 2, Block VIII, Town of Lawrence, and being part of the land comprised and described in certificate of title, Volume 226, folio 46, Otago Registry.

- (5) The reserve vested in the Corporation of the Borough of Lawrence pursuant to the Lawrence Reserves Act 1877 and to which this section relates is particularly described as follows:
All that area in the Otago Land District, containing by admeasurement 1 rood, more or less, being Section 22, Block XLIV, Town of Lawrence, and being part of the land comprised and described in certificate of title, Volume 39, folio 206, Otago Registry.

34 Vesting certain land in the City of Wellington in the Crown and provisions incidental thereto

Whereas the land hereinafter described is a public reserve vested in the Mayor, Councillors, and Citizens of the City of Wellington (in this section referred to as the **Corporation**) in trust as a site for a public library and literary institute:

And whereas, in accordance with certain arrangements made between the Corporation and the Minister of Works (in this section referred to as the **Minister**), it is desirable that the said land should be set apart for the purposes of a Government work—namely, the promotion of health in accordance with the provisions of the Health Act 1920:

And whereas for the purpose of carrying out the said arrangements it is desirable to make provision as hereinafter appearing:

Be it therefore enacted as follows:

- (1) The reservation of the land hereinafter described as a site for a public library and literary institute and the vesting of the said land in the Corporation are hereby cancelled, and the said land is hereby vested in His Majesty the King for the purposes of the promotion of health in accordance with the provisions of the Health Act 1920.
- (2) The District Land Registrar for the Land Registration District of Wellington is hereby empowered and directed to make such entries in the register books and generally to do all such other things as may be necessary to give full effect to the provisions of the last preceding subsection.
- (3) The Corporation shall give to the Minister possession of the said land on a date to be agreed upon being not later than 1 June 1949. The Minister shall carry out in all respects the arrangements made with the Corporation for the vesting of the said land in His Majesty the King and, notwithstanding anything to the contrary in the Public Works Act 1928, or in any other Act or rule of law, the receipt of the Corporation for the moneys payable by the Minister for the said land shall be a full and effectual discharge to the Minister for all purposes, and the Corporation is hereby authorised to apply the said moneys in or towards the acquisition and improvement of other land for library and municipal purposes.
- (4) The land to which this section relates is particularly described as follows:

All that area in the City of Wellington, in the Wellington Land District, containing 1 rood 30 perches and seventy-nine hundredths of a perch, more or less, being part of Reserve 13 of

the Town of Wellington, and being part of the land comprised and described in certificate of title, Volume 492, folio 47, Wellington Registry: as the same is more particularly delineated on the plan marked L and S 13/151, deposited in the Head Office of the Department of Lands and Survey at Wellington, and thereon bordered yellow.

Section 34(4): replaced, on 21 October 1949, by section 6 of the Reserves and Other Lands Disposal Act 1949 (1949 No 34).

35 Revoking the reservation over a public utility reserve in the Borough of Oamaru and authorising the Oamaru Borough Council to subdivide and sell the said land

Whereas the land described in subsection (6) is a reserve for the purpose of public utility for the Town of Oamaru and its inhabitants and is vested in His Majesty the King:

And whereas the said land is not required for the purpose for which it is reserved, and the Oamaru Borough Council (in this section referred to as the **Council**) desires to subdivide it into building sections for the purposes of sale:

And whereas it is expedient that the Council should be authorised so to do on condition that a sum equivalent to the present value of the said land is credited to a special account and applied in the purchase of other lands for recreation purposes:

Be it therefore enacted as follows:

- (1) The reservation for public utility purposes over the land described in subsection (6) is hereby revoked, and the said land is hereby vested in the Corporation of the Borough of Oamaru subject to the provisions of this section and freed from the trusts, reservations, and restrictions heretofore affecting the same.
- (2) The Council shall pay to a special reserve account a sum equivalent to the value of the said land as determined by the Valuer-General by special valuation, and the moneys so paid shall be applied by the Council in the purchase of other land for recreation purposes, or for the improvement of existing recreation reserves, or for either or both of the said purposes as the Council may decide.
- (3) Notwithstanding anything to the contrary in any Act, the Council may without further authority than this section sub-

divide the land hereinafter described into building lots and may, for the purposes of better subdivision, proclaim, take, or set apart any portion of the said land for public streets. The Council is also hereby authorised to sell such lots of the subdivision by public auction or tender or public application and ballot at a fixed price, or by private contract, as the Council may, in its discretion, decide.

- (4) Any sale authorised by this section may be for cash or upon such terms as the Council may, in its discretion, decide.
- (5) The District Land Registrar for the Land Registration District of Otago is hereby empowered and directed to deposit such plans, make such entries in the register books, and to do all such 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 Otago Land District, situated in the Borough of Oamaru, containing by admeasurement 48 acres 2 roods and 20 perches, more or less, being part of Reserve A, Town of Oamaru, commencing at the most westerly corner bounded towards the north-east by Tamar Street, 5 610 links; towards the north-west by a public road, 1 300 links; again towards the north-east by Oamaru Harbour Board land, 2 322.2 links; towards the south-east by a road reserve, 970 links; towards the south-west by a road reserve, 6 870 links; and again to the south-west by a road reserve, 700 links, to the point of commencement: be all the aforesaid linkages more or less, and being the balance of the land comprised and described in certificate of title, Volume 4, folio 156 (Otago Registry).

Section 35(2): amended, on 21 October 1949, by section 30 of the Reserves and Other Lands Disposal Act 1949 (1949 No 34).

36 Exempting the sale by the Crown of certain land in Rangitaiki Parish, Whakatane County, from the provisions of section 129 of the Land Act 1924

Whereas the land described in subsection (2) is Crown land subject to the Land Act 1924:

And whereas the Crown has agreed to sell the said land to the Whakatane Paper Mills, Limited (in this section referred to as the **purchaser**):

And whereas the said sale would normally be subject to the provisions of section 129 of the Land Act 1924 and provision would be made for the reservation from sale of a strip of land not less than 66 feet in width along the mean high-water mark of the Whakatane River, to which the said land is adjacent:

And whereas other adjoining land owned by the purchaser is bounded by the mean high-water mark of the Whakatane River and the aforesaid reservation from sale would be a hardship on the purchaser as certain factory buildings and other improvements included in the purchase are situated within 1 chain of the said mean high-water mark:

And whereas it is equitable and desirable that the sale should be exempted from the provisions of the aforesaid section 129:

Be it therefore enacted as follows:

- (1) Nothing in section 129 of the Land Act 1924 shall apply to the sale to the purchaser of the land described in subsection (2) of this section.
- (2) The land to which this section relates is more particularly described as follows:

All that area in the Auckland Land District, County of Whakatane, containing 2 acres 3 roods 33 perches and nine-tenths of a perch, more or less, being part of Lot 1 on a plan deposited in the Land Registry Office at Auckland under Number 25604, and being part of that portion of Allotment 29 of the Parish of Rangitaiki, called Rangitaiki Parish Lot 29F Number 1, and being the whole of the land comprised and described in certificate of title, Volume 802, folio 139, Auckland Registry.

37 Authorising the payment of certain compensation moneys direct to the Otago Harbour Board and making provision for the application of such moneys

Whereas the land described in subsection (3) was formerly vested in the Otago Harbour Board (in this section referred

to as the **Board**) in trust for the improvement of the harbour of Dunedin:

And whereas by a Proclamation dated 21 October 1948, issued under the Public Works Act 1928 and published in the *Gazette* of 28 October, the said land was taken for a public work, and as from 1 November 1948 vested in His Majesty the King for that purpose:

And whereas the amount of compensation to be paid to the Board by the Minister of Works for the loss of the said land has not yet been settled, but it has been arranged between the Board and the said Minister that any sum so payable shall be paid directly to the Board and form part of the endowment fund of the Board:

And whereas it is desirable that the said arrangement should be validated:

Be it therefore enacted as follows:

- (1) Notwithstanding the provisions of section 92 of the Public Works Act 1928 or of any other enactment it shall be lawful for the Minister of Works to pay directly to the Board any compensation moneys that are payable to the Board for the taking for a public work of the land more particularly described in subsection (3) of this section.
- (2) The compensation moneys paid to the Board under the authority of the last preceding subsection shall be paid into and form part of the endowment fund of the Board created by a declaration of trust made by the Board and bearing date 19 November 1942 for the improvement of the harbour of Dunedin.
- (3) The land to which this section relates is particularly described as follows:

All that area of land in the Otago Land District, City of Dunedin, containing 3 roods 11 perches and six-hundredths of a perch, more or less, being Sections 30, 31, 32, 33, and 34 on a plan deposited in the Land Registry Office at Dunedin under Number 2769, Block LXXIV, Town of Dunedin, and being part of the land comprised and described in certificate of title, Volume 184, folio 214, Otago Registry: as the same is more particularly delineated on the plan marked PWD 127808, de-

posited in the Office of the Minister of Works, at Wellington,
and thereon coloured blue.

**38 Special provisions with respect to Sounds (Fiordland)
National Park**

[Repealed]

Section 38: repealed, on 1 April 1953, by section 65(1) of the National Parks
Act 1952 (1952 No 54).

Contents

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Notes

1 General

This is a reprint of the Reserves and Other Lands Disposal Act 1948. The reprint incorporates all the amendments to the Act as at 19 November 1981, 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)*

Reserves and Other Lands Disposal Act 1981 (1981 No 57): section 10(1)(b)

National Parks Act 1952 (1952 No 54): section 65(1)

Reserves and Other Lands Disposal Act 1951 (1951 No 76): section 4

Reserves and Other Lands Disposal Act 1949 (1949 No 34): sections 4, 6, 30
