



ANALYSIS

<p>Title 1. Short Title 2. Acquisition of land for administrative purposes</p>	<p>3. Certificate of title in respect of conservation areas 4. Agreed exchanges to proceed</p>
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1988, No. 237

An Act to amend the Conservation Act 1987

[21 December 1988

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Conservation Amendment Act (No. 2) 1988, and shall be read together with and deemed part of the Conservation Act 1987 (hereinafter referred to as the principal Act).

2. Acquisition of land for administrative purposes—
(1) Section 60 of the principal Act is hereby amended by omitting the words “the Minister may purchase land”, and substituting the words “the Director-General may acquire land or any interest in land”.

(2) The said section 60 is hereby further amended by adding, as subsection (2), the following subsection:

“(2) The Director-General may on behalf of Her Majesty the Queen, without complying with any provision of this Act (other than section 50 (2)) or any provision of the Land Act 1948, dispose of—

“(a) Any land acquired under subsection (1) of this section; or

“(b) Any interest in any such land; or

“(c) Any interest in land (being an interest acquired under subsection (1) of this section)—

if the land concerned is, at the time of disposal, neither a conservation area nor Crown land.”

3. Certificate of title in respect of conservation areas—
The principal Act is hereby amended by inserting, after section

60E (as inserted by section 3 of the Conservation Amendment Act 1988), the following section:

“60F. (1) The District Land Registrar for the land registration district in which is situated any land for the time being held under this Act for conservation purposes or for the purposes of the Department shall, on the written request of the Director-General,—

“(a) Issue a certificate or certificates of title under the Land Transfer Act 1952 (in the name of Her Majesty the Queen for conservation purposes or for the purposes of the Department) in respect of any of the land; and

“(b) Issue a duplicate to the Director-General.

“(2) For the purposes only of the Land Transfer Act 1952, a request under subsection (1) of this section is conclusive evidence that the land to which it relates is held under this Act for conservation purposes or, as the case requires, for the purposes of the Department.

“(3) If the survey of any land is inadequate for the issue of a certificate of title under subsection (1) of this section, the District Land Registrar may require the Director-General to deposit in the Land Registry Office concerned such other plan as the District Land Registrar, after consultation with the Chief Surveyor under the Survey Act 1987 for the land district in which the land is situated, thinks sufficient to define the land in relation to existing surveys made in accordance with the regulations to which section 167 of the Land Transfer Act 1952 refers.”

4. Agreed exchanges to proceed—(1) The principal Act is hereby amended by inserting, after section 64, the following section:

“64A. Where, immediately before the commencement of this Act, there was in existence an executed written agreement between the Crown and the owner of any private land for the exchange of any land that was then Crown land or State forest land and all or any part of the private land, the Director-General may, without complying with any provision of this Act (other than section 50 (2)), take all steps necessary to enable the transfer to the person of any part of the former Crown land or State forest land that is a conservation area.”

(2) Section 50 of the principal Act is hereby consequentially amended by adding, as subsection (2), the following subsection:

“(2) After disposing of or transferring any land or interest in land under section 60 (2) or section 64A of this Act, the Director-General shall give the appropriate Chief Surveyor written notice of the disposal or transfer.”

This Act is administered in the Department of Conservation.
