

NEW ZEALAND.

ANNO VICESIMO SEXTO

VICTORIÆ REGINÆ.

No. 17.

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An Act for facilitating the issue of Crown Grants.

[Reserved for the signification of Her Majesty's pleasure thereon 15th September 1862.]

WHEREAS it is expedient to provide for the local preparation and issue of Crown Grants in the various Provinces of New Zealand.

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

I. The Short Title of this Act shall be "The Crown Grants Act (No. 1) 1862."

II. It shall be lawful for the Governor in Council from time to time to issue for and within the respective Provinces of New Zealand Commissions under the Public Seal of the Colony of New Zealand thereby authorising the persons hereinafter mentioned and who are in this Act termed "The Commissioners" to issue Crown Grants of such parts of the Waste Lands of the Crown in New Zealand as shall be or shall have been lawfully granted and disposed of within such Provinces respectively and such Commissions may be from time to time revoked by the Governor by Order in Council.

III. The Governor may in and by any such Commission order and direct that the powers thereby conferred on the Commissioners

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shall be exercised subject to restrictions and their business conducted according to regulations to be from time to time made and prescribed in and by any Order in Council which restrictions and regulations may be made and prescribed in and by any such Order in Council accordingly and shall be published in the *Government Gazette* of the Colony and also of the Province to which the same shall relate.

Number of Commissioners. Quorum.

IV. The total number of Commissioners in the Commission of any Province shall be three of whom two shall form a quorum.

Governor may appoint Seals.

V. The Governor may by Order in Council appoint Seals to be used by the Commissioners for the Sealing of Crown Grants within the respective Provinces which Seals shall have the same force and effect as regards such Grants as the Public Seal of the Colony.

Custody of Seal.

VI. Every such Seal shall be kept in the custody of such person or persons and shall be used in such manner as the Governor shall from time to time by any Order in Council direct and appoint and not otherwise.

Commissioners may issue Grants.

VII. The Commissioners for each Province shall subject to the provisions of this Act make and issue under their Public Seal Crown Grants of such parts of the Waste Lands of the Crown within such Province as shall be or shall have been lawfully granted and disposed of and may affix the Seal appointed in that behalf to such Grants and all Grants made issued and sealed in virtue of and in accordance with the provisions of this Act shall be of the same force and effect as if the same had been issued by the Governor under the Public Seal of the Colony Provided that no Grant made sealed or issued by any Commissioners under this Act shall be vitiated by reason of any informality in the preparation making signing sealing or issuing thereof.

Governor nevertheless may issue Crown Grants.

VIII. Nothing herein contained shall prejudice the right of the Governor to make and issue Grants of such Waste or Crown Lands under the Public Seal of the Colony in like manner as if this Act had not been passed.

Form of Grants.

IX. Every Crown Grant made sealed and issued under the authority of this Act shall be prepared by and under the authority of the Commissioner of Crown Lands for each Province who shall be answerable for the accuracy thereof and every such Grant shall be in the form or as near as may be in the form in the Schedule annexed hereto.

Certificates to be endorsed.

X. No Crown Grant shall be sealed or issued unless and until there shall have been endorsed thereon the following Certificates that is to say a Certificate under the hand of the Commissioner of Crown Lands of the Province certifying to the accuracy of the Grant a Certificate under the hand of the Chief Surveyor of the Province certifying to the accuracy of the plan and description in the Grant and a Certificate under the hand of the Receiver of Land Revenue of the payment of all purchase moneys fees and payments payable in respect of such Grant.

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XI. The endorsement by a Receiver of Land Revenue upon any Grant of the date of payment of the purchase money thereof shall have the same force and effect for the purposes of the "Conveyancing Ordinance Amendment Act 1860" as if such endorsement were made and signed by the Secretary for Crown Lands.

Mode of preparing and certifying Grants.

XII. All Grants issued under this Act shall be forwarded by the Commissioners to the Registrar or District Registrar of Land for the Province or District in which the land is situated acting under the provisions of "The Land Registry Act 1860" for the purpose of registering the Title under the said Act and it shall be the duty of the Registrar or District Registrar to register the title of the Grantee named in such Grant as the proprietor of the land thereby granted.

Registry of Title.

XIII. Nothing in this Act contained shall interfere with the "Loan Act 1856" or the "Waste Lands Act, 1858."

Saving clause

XIV. This Act shall come into force in each Province of the Colony respectively on such day as the Governor may fix by Proclamation in the *Government Gazette* of the Colony and also in the Gazette of the Province to which the same shall relate Provided always that it shall not come into operation in any Province of the Colony until the "Land Registry Act 1860" shall have been brought into operation within such Province.

Commencement of Act.

XV. Any purchaser of Waste Lands may by writing under his hand delivered to the Commissioner of Crown Lands require a Crown Grant to be issued under the hand of the Governor and the seal of the Colony and in every such case such Crown Grant shall be issued accordingly in like manner as if this Act had not been passed.

Purchasers may require Crown Grants from the Governor.

XVI. This Act shall be reserved for Her Majesty's Assent and shall not come into force until Her Majesty's Assent shall have been proclaimed within the Colony.

Subject to Royal Assent.

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**SCHEDULE.**

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen &c. &c. &c.

To all to whom these presents shall come Greeting

KNOW YE that for good considerations Us thereunto moving We for Us Our Heirs and Successors do hereby grant unto (*insert name and designation &c. of Grantee*) Heirs and Assigns all that Parcel of Land situate in Our Colony of New Zealand containing (*insert particulars*) as the same is delineated in the Plan on the margin hereof with all the rights and appurtenances thereto belonging.

In Witness whereof the undersigned Commissioners appointed under "The Crown Grants Act 1862" have hereunto set their hands and affixed the Seal of their Commission this            day of            in the year of our Lord 186

(Seal.)

(Signatures.)