



ANALYSIS

- Title
1. Short Title
2. Recreation permit

3. Additional right to acquire fee simple in land subject to lease in perpetuity
4. Exchange of pastoral leases for renewable leases

1982, No. 183

An Act to amend the Land Act 1948

[17 December 1982]

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

1. Short Title—This Act may be cited as the Land Amendment Act 1982, and shall be read together with and deemed part of the Land Act 1948 (hereinafter referred to as the principal Act).

2. Recreation permit—(1) Section 66A of the principal Act (as inserted by section 2 of the Land Amendment Act 1975) is hereby amended—

- (a) By omitting from subsection (1) the words “occupation and use”, and substituting the words “use, or occupation and use,”;
- (b) By inserting in subsection (1), after the word “licence”, the words “or Crown land that is not subject to any lease or licence,”;
- (c) By omitting from subsection (2) the words “to any person other than the holder of a pastoral lease or pastoral occupation licence”, and substituting the words “in respect of any land comprised in a pastoral lease or pastoral occupation licence to any person other than the holder of that lease or licence”.

(2) The said section 66A is hereby further amended by inserting, after subsection (2), the following subsection:

“(2A) Before approving the issue of a recreation permit under this section over Crown land that is not subject to any lease or licence, the Board may require the applicant to advertise his application in some newspaper or newspapers circulating in the locality; and the Board may, in its absolute discretion, do any of the following things:

“(a) Grant a recreation permit in respect of the land concerned to that applicant:

“(b) Grant such a permit to some subsequent applicant:

“(c) Refuse to grant such a permit to any applicant.”

3. Additional right to acquire fee simple in land subject to lease in perpetuity—The principal Act is hereby amended by inserting, after section 124, the following section:

“124A. (1) Every lessee under a lease in perpetuity may, at any time during the currency of that lease, acquire the fee simple of the land comprised in that lease by paying to the Commissioner an amount equal to the rental value upon which the yearly rent for that land is calculated together with all rent accrued and accruing under that lease up to the date of payment; and upon the making of that payment, acquisition shall be deemed to have been completed, and that lessee shall be entitled to a certificate of title in respect of that land.

“(2) The right conferred by this section to acquire the fee simple of any land is in addition to any other right its lessee may have to purchase or acquire that fee simple.”

4. Exchange of pastoral leases for renewable leases—(1) Section 126A of the principal Act (as inserted by section 18 of the Land Amendment Act 1965) is hereby amended by substituting for subsection (5) (as repealed by section 4 (1) of the Land Amendment Act 1981) the following subsection:

“(5) The Board may, at its discretion, refund to any person who, on or after the 30th day of November 1979, paid the costs of any survey required for the grant of a renewable lease under this section, all or such part as it thinks fit of those costs.”

(2) Section 4 of the Land Amendment Act 1981 is hereby consequentially repealed.