



ANALYSIS

Title	2. Delegation of Minister's powers
1. Short Title	3. Validation of leases

1959, No. 72

An Act to amend the Land Subdivision in Counties Act 1946
[22 October 1959]

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 Subdivision in Counties Amendment Act 1959, and shall be read together with and deemed part of the Land Subdivision in Counties Act 1946 (hereinafter referred to as the principal Act).

2. Delegation of Minister's powers—The principal Act is hereby amended by repealing section eighteen, and substituting the following section:

“18. (1) The Minister may from time to time, by writing under his hand, delegate to the Director-General of Lands (hereinafter in this section referred to as the Director-General) or the Surveyor-General any of the powers conferred on the Minister under this Act.

“(2) In any case where the Minister has delegated any powers to the Director-General or the Surveyor-General as aforesaid, the Director-General or the Surveyor-General, as the case may be, may, with the approval in writing of the Minister, delegate such of those powers as the Minister thinks fit to any Commissioner of Crown Lands, Chief Surveyor, or any other officer or officers of the Department of Lands and

Survey, whether by name or as the holder of any specified position or positions in that Department.

“(3) Every delegation under this section shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Minister, the Director-General, or the Surveyor-General.

“(4) Any delegation under this section may be made subject to such restrictions and conditions as the Minister or, as the case may be, the Director-General or the Surveyor-General, thinks fit, and may be either general or in relation to any particular case.

“(5) Unless and until any delegation under this section is revoked, it shall continue in force according to its tenor. In the event of the Minister, the Director-General, or the Surveyor-General by whom any such delegation has been made ceasing to hold office, it shall continue to have effect as if made by the person for the time being holding office as Minister, Director-General, or Surveyor-General, as the case may be, and in the event of the Director-General, the Surveyor-General, any Commissioner of Crown Lands, or Chief Surveyor to whom any delegation has been made ceasing to hold office, or any other officer of the Department to whom any delegation has been made as the holder of a specified office in the Department ceasing to hold that office, it shall continue to have effect as if made to the person for the time being holding any such office.

“(6) The fact that the Director-General, Surveyor-General, or any Commissioner of Crown Lands, Chief Surveyor, or other officer of the Department exercises any power conferred on the Minister under this Act shall, in the absence of proof to the contrary, be sufficient evidence of his authority so to do.”

3. Validation of leases—The provisions of section two of the Land Subdivision in Counties Amendment Act 1958 shall apply and be deemed always to have applied with respect to every lease granted before the passing of that Act, as if that section had been in force when the lease was granted:

Provided that nothing in that section shall affect the rights of the parties under any judgment given in any Court before the passing of this Act, or under any judgment given on appeal from any such judgment, whether the appeal is commenced before or after the passing of this Act.
