



## ANALYSIS

Title		2. Interpretation
1. Short Title		3. Walkways over public land

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1977, No. 166

**An Act to amend the New Zealand Walkways Act 1975**

[23 December 1977]

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 New Zealand Walkways Amendment Act 1977, and shall be read together with and deemed part of the New Zealand Walkways Act 1975 (hereinafter referred to as the principal Act).

**2. Interpretation**—Section 2 of the principal Act is hereby amended—

- (a) By inserting in the definition of the term “administering authority”, after the word “State,”, the words “local authority,”:
- (b) By inserting in the definition of the term “private land”, after the words “Any land”, the words “(other than unformed legal road)”.

**3. Walkways over public land**—The principal Act is hereby further amended by repealing section 20, and substituting the following section:

“20. (1) If the Commission, after consultation with the administering authority of any public land, considers that all or part of any public land should be made available for use by the public as a walkway for recreational purposes, it may recommend to the Minister that all or part of the public land be declared a walkway.

“(2) On receiving a recommendation under subsection (1) of this section, the Minister may, with the written consent of the administering authority of the land to which the recommendation relates, by notice in the *Gazette* declare that land to be a walkway, and by the same or a subsequent notice shall assign a distinctive name to the walkway.

“(3) In every case where the land to which the recommendation relates includes unformed legal road, the prior consent of the local authority and every owner of land having a legal frontage or access thereto shall be obtained.

“(4) Where any consent under subsection (3) of this section is obtained subject to conditions as to use of unformed legal road, the Minister shall specify in the notice the conditions under which it may be used.

“(5) A copy of every notice under this section declaring land to be a walkway shall, if it relates to land subject to the Land Transfer Act 1952, be lodged with the District Land Registrar who shall without fee enter the particulars of the notice on every certificate of title, provisional register, or other registered instrument of title which is affected by the notice.

“(6) In this section, unless the context otherwise requires, ‘owner’, in relation to any land, includes any person who is in occupation of the land under any lease, sublease, or licence, or any renewal thereof, granted by the owner of the fee simple, or the lessee, of the land (other than a weekly or monthly tenancy agreement); and also includes a tenant for life of the land and a beneficial owner of the land.”

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This Act is administered in the Department of Lands and Survey.

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