



## ANALYSIS

Title  
1. Short Title

2. Walkways over private land  
3. Savings

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1994, No. 115

**An Act to amend the New Zealand Walkways Act 1990**

[25 November 1994

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

**1. Short Title**—This Act may be cited as the New Zealand Walkways Amendment Act 1994, and shall be read together with and deemed part of the New Zealand Walkways Act 1990 (hereinafter referred to as the principal Act).

**2. Walkways over private land**—Section 8 of the principal Act is hereby amended by repealing subsection (8), and substituting the following subsection:

“(8) Where, pursuant to this section, land is leased to the Crown or an easement is obtained over land,—

“(a) The land may be defined on a plan in accordance with regulations made under the Survey Act 1986 but, unless the Chief Surveyor otherwise directs, it shall be necessary to define only 1 side boundary of the walkway; or

“(b) The lease or easement shall be accompanied by a certificate given by the Surveyor-General, or the Chief Surveyor of the land district in which the land is situated, to the effect that the land is adequately described and properly defined—

“(i) For the nature of the walkway; and

“(ii) In relation to existing surveys made in accordance with regulations for the time being in force under the Survey Act 1986 for the purpose; and

“(iii) In accordance with standards agreed from time to time by the Director-General and either the Surveyor-General or the Chief Surveyor, as the case may be.”

**3. Savings**—(1) For the avoidance of doubt, but subject to subsection (2) of this section,—

- (a) Every contract or deed that was entered into under section 22 of the New Zealand Walkways Act 1975 and had effect immediately before the commencement of the principal Act is hereby declared to have effect as if it were a contract or deed entered into under section 8 of the principal Act, and is hereby declared always to have had that effect under the principal Act:
- (b) Every declaration that established a walkway over any public land under section 20 of the New Zealand Walkways Act 1975 and had effect immediately before the commencement of the principal Act is hereby declared to have effect as if it were a declaration made under section 6 of the principal Act, and is hereby declared always to have had that effect under the principal Act:
- (c) Every declaration that established a walkway over any private land under section 22 of the New Zealand Walkways Act 1975 and had effect immediately before the commencement of the principal Act is hereby declared to have effect as if it were a declaration made under section 8 of the principal Act, and is hereby declared always to have had that effect under the principal Act:
- (d) Every declaration that established a walkway over any private land under section 8 of the principal Act and was made in pursuance of a contract or deed referred to in paragraph (a) of this subsection is hereby declared to be and always to have been lawful.

(2) Nothing done or omitted to be done by any person before the commencement of this section on, adjacent to, or in respect of any walkway to which subsection (1) of this section applies shall constitute an offence against the principal Act.