

New Zealand.



ANALYSIS.

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1889, No. 27.

Title. AN ACT to provide for a Revaluation of certain Lands held on Deferred Payment and Perpetual Lease respectively.

[16th September, 1889.]

Preamble. WHEREAS prior and up to the passing of "The Land Act Amendment Act, 1887" (hereinafter called "the said Act"), persons purchased or otherwise acquired lands on deferred payments and on perpetual lease by public auction or public tender, in accordance with the provisions of Acts of the General Assembly theretofore in force, and it is alleged that in certain cases such persons contracted to pay or offered for such lands more than the value thereof, whether by way of rental or purchase-money: And whereas it is expedient that all such persons should be placed as nearly as may be in the same position as persons who have purchased or acquired lands of a like tenure subsequent to the passing of the said Act, and for that purpose to empower Land Boards to make a revaluation of the lands of persons who purchased or acquired lands as aforesaid prior to the passing of the said Act, as and in manner hereinafter provided:

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

Short Title. 1. The Short Title of this Act is "The Selectors' Lands Revaluation Act, 1889."

Interpretation. 2. In this Act,—
 "Allotment" means any land in the occupation of a selector as herein defined:
 "Land Board" or "Board" means the Land Board of the land district wherein any such allotment is situate:
 "Selector" means a selector of land on deferred payments, and includes a lessee of land on perpetual lease, a selector under the village-homestead special-settlement system, and also a lawful transferee of land held in either of these modes.

3. Any selector who entered into occupation of any allotment of land before the first day of January, in the year one thousand eight hundred and eighty-eight, may apply to the Land Board at any time before the first day of January, in the year one thousand eight hundred and ninety-one, to have a revaluation made of the allotment in his occupation.

Selector may apply before 1st January, 1891, to Land Board for revaluation.

4. The Board may hear any such application, and may make inquiry into each case, and for such purpose shall have all the powers conferred upon a Land Board by section seventy-two of "The Land Act, 1885;" and, if they see fit, may order a revaluation to be made of any allotment the subject of such inquiry, in such manner as they may think best, or may confirm the valuation appealed against, or may make such modifications in the terms thereof, or may reject any application, as they think fit.

Board to hear and hold inquiry into case.

The basis of revaluation shall be the value of the allotment, exclusive of improvements, at the time of revaluation.

5. Every decision upon any case heard by the Land Board under the foregoing provisions of this Act shall be submitted to the Minister, and if approved by him shall have the force of law, and there shall be no appeal from the decision of such Board or the Minister.

Decision of Board to be approved by Minister.

6. When a revaluation is made and approved by the Minister, the allotments so revalued shall be held by the respective selectors thereof at the values set forth in the said revaluation. Nothing in this section contained shall be held to annul or repeal any provisions of any Act under which the said lands are occupied, saving as in this section expressly mentioned.

Occupier to hold at the value assessed in revaluation.

7. The value in respect of any such revalued allotment shall relate back to the date of the license or lease thereof, subject to the following provisions:—

Values assessed by this Act to relate back to date of lease or license.

- (1.) Payments in respect of the occupation of any of the aforesaid allotments for the future, or in respect of any arrears due for such occupation in the past, shall be made on the value of such allotments as set forth in the revaluation.
- (2.) Every selector who has paid instalments in respect of the allotment in his occupation a greater amount than determined under this Act for such allotment shall receive credit for the excess in future payments for the said allotment.
- (3.) Every selector whose payments of instalments in respect of any allotment are equal to or greater than the value of such allotment as determined under this Act shall be entitled forthwith to a grant in fee thereof, but he shall in no case be entitled to any refund.
- (4.) Every selector who has paid in rent or interest for the allotment in his occupation a greater amount than may be determined under this Act in respect of such allotment, shall receive credit in future payments of rent or interest for the same allotment to the amount of such excess.