

New Zealand.



ANALYSIS.

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| <p style="text-align: center;">Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Appointment of Commission. 3. Commission to report as to lands to be reserved. 4. Reserves may be proclaimed. | <ol style="list-style-type: none"> 5. Land may be taken under Public Works Act. 6. Costs of administration. 7. Providing funds. 8. Control of reserves. 9. Offences. 10. Statement of land acquired to be submitted to Parliament. |
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1903, No. 54.

Title. AN ACT to provide for the Acquisition of Lands of Scenic or Historical Interest, or on which there are Thermal Springs.

[20th November, 1903.]

BE IT 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 Scenery Preservation Act, 1903.”

Appointment of Commission. 2. The Governor may from time to time appoint such suitable persons, not exceeding five, as he thinks fit to be a Commission under this Act.

Commission to report as to lands to be reserved. 3. Such Commission may, if it deems necessary, inspect any lands possessing scenic or historic interest or on which there are thermal springs, and shall make inquiries respecting the same and report to the Governor, and shall from time to time recommend what lands, whether Crown, private, or Native lands, in their opinion should be permanently reserved as scenic, thermal, or historic reserves.

Reserves may be proclaimed. 4. (1.) The Governor may from time to time by Proclamation declare that any lands so recommended to be reserved shall be a reserve under this Act, and thereupon such lands shall be inalienable unless by special Act of Parliament passed in that behalf, and no person shall cut or remove timber or in any way interfere with such lands or damage the scenic features thereof; and such lands may be fenced, preserved, and conserved intact as and for an inalienable patrimony of the people of New Zealand.

(2.) Every such Proclamation shall be publicly notified, and a copy thereof, together with a schedule of the lands thereby reserved, shall be laid before Parliament within twenty days after the commencement of the next ensuing session.

(3.) Every person who after the public notification of any such Proclamation cuts or removes timber, or in any way interferes with any land mentioned in the Proclamation, or damages the scenic features thereof, is liable to a fine not exceeding one hundred pounds.

5. (1.) Any land required to be taken for the purposes of this Act may be taken as for a public work under "The Public Works Act, 1894."

Land may be taken under Public Works Act.

(2.) Where any such land is Native land within the meaning of the last-mentioned Act the land shall be taken and compensation therefor ascertained in the manner prescribed by sections eighty-eight to ninety of that Act, except that the compensation payable to the Native owners shall be paid to the Public Trustee, who shall invest the same, and shall pay the income from such investment, as and when it arises, to the persons entitled thereto.

6. All expenses of or incidental to conserving, preserving, and maintaining wholly or in part the timber, plants, bush, landmarks, palisades, mounds, trenches, or other marks in, on, or around the historic spots and within such reserves, and any compensation for lands taken under this Act, shall be paid out of the Consolidated Fund; and for these purposes the Consolidated Fund is hereby appropriated to the extent on the whole of one hundred thousand pounds, and not exceeding in any financial year ending the thirty-first day of March the sum of twenty-five thousand pounds:

Costs of administration.

Provided that to the extent to which the full sum of twenty-five thousand pounds is not expended in any one financial year to the same extent the sums expended in any subsequent financial year may exceed twenty-five thousand pounds.

7. (1.) In order to provide funds for the purposes of this Act the Colonial Treasurer is hereby empowered from time to time to raise by the creation or issue of inscribed stock under "The New Zealand Consolidated Stock Act, 1877," or of debentures or other Government securities, as he thinks fit, such sums of money not exceeding in the whole the sum of one hundred thousand pounds.

Providing funds.

(2.) The provisions of "The Aid to Public Works and Land Settlement Act, 1902," relating to the raising of the loan authorised under that Act, and the creation and issue of the securities therefor, shall, *mutatis mutandis*, apply to the raising of the loan authorised by this section, and to the creation and issue of the securities therefor.

8. The Governor may from time to time, by notice in the *Gazette*, vest the control of any land reserved under this Act in any local authority or in any special Board constituted by him for that purpose, and in either case upon such trusts and with such powers and subject to such conditions as may be declared by such notice.

Control of reserves.

9. Every person who fells any bush or without the consent of the Governor, or of some person authorised by the Governor to give such consent, or of the authority in whom the control of the reserve is vested (the proof whereof shall rest on such first-mentioned person), lights a fire on any land reserved under this Act, or who, being the owner or occupier of any land adjoining such reserve, lights or permits to be lighted upon his land a fire which spreads into and

Offences.

destroys any bush on or seriously damages such reserve, is liable to a fine not exceeding one hundred pounds, and shall in addition be liable to pay for all damage done.

Statement of land
acquired to be
submitted to
Parliament.

10. Within twenty-one days after the opening of each session a statement shall be submitted to both Houses of Parliament showing the land acquired and the reserves made under this Act, together with a statement of accounts showing the amounts expended and the purposes to which the moneys so expended have been applied.

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