

A BILL INTITULED

**An Act to enable Provincial Legislatures  
to pass Laws authorising the compulsory  
taking of Land for Works of a  
Public Nature.**

Title.

**W**HEREAS the public interests require that land belonging to private individuals should from time to time be taken compulsorily for Works and Undertakings of a Public Nature And Whereas Acts or Ordinances have heretofore been passed by Provincial Legislatures authorising the taking of land for such purposes And Whereas doubts have been raised as to the validity of such laws and it is expedient to declare the same valid and to remove doubts as to the power of Provincial Legislatures to pass such laws for the future:

Preamble.

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

I. The Short Title of this Act shall be "The Provincial Compulsory Land Taking Act 1864."

Short Title.

II. Every Act and Ordinance heretofore passed by any Provincial Legislature in the Colony authorising the Compulsory taking of land for any work or undertaking of a public nature is hereby declared to be valid and to have been valid from the passing thereof.

Laws heretofore passed by Provincial Legislatures authorising the taking of land for works of a public nature declared valid.

III. It shall be lawful for the Superintendent and Provincial Council of every Province now or hereafter to be established in New Zealand from time to time to make or ordain any Law or Ordinance authorising the compulsory purchase of any land for any work or undertaking of a public nature Provided always that no land shall be taken compulsorily under any Act or Ordinance of any Provincial Legislature except in conformity with the provisions of an Act of the General Assembly of New Zealand intituled "The Land Clauses Consolidation Act, 1863."

Such Laws may be passed hereafter.

IV. Standing Rules and Orders shall be prepared and adopted by every Provincial Legislature regulating the proceedings on Bills authorising the taking of land compulsorily but the same shall have no force or effect until they have been approved of by the Governor in Council and have been published in the *New Zealand Government Gazette*.

Standing Rules to be made by Provincial Councils and approved by the Governor in Council.

V. No Bill authorising the taking of land compulsorily shall be introduced into any Provincial Council except in conformity with such Rules and Orders and every such Bill shall be reserved for the signification of the Governor's pleasure thereon.

No bill to be assented to unless such rules complied with.

VI. Nothing in this Act contained shall render it lawful for the Superintendent and Provincial Council of any Province to make or ordain any Law authorising the compulsory purchase of any land whereof the Native Title has not been extinguished.

Not to apply to Native Lands.