

[AS REPORTED FROM THE LANDS COMMITTEE.]

House of Representatives, 8th November, 1910.

Hon. Mr. T. Mackenzie.

SCENERY PRESERVATION AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Section 2 of principal Act amended.</p> <p>4. Section 3 of principal Act amended.</p> <p>5. Section 10 of principal Act amended.</p> <p>6. Section 15 of principal Act amended.</p> <p>7. Certain rights may be granted to Natives.</p>	<p>8. Reservation may be revoked in certain cases.</p> <p>9. Leases or licenses for short terms may be granted.</p> <p>10. Certain reservations validated.</p> <p>11. Power to exchange Crown land for other land.</p> <p>12. Scenic reserves under the Land Act.</p>
--	---

A BILL INTITULED

AN ACT to amend the Scenery Preservation Act, 1908.

Title.

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

5

1. This Act may be cited as the Scenery Preservation Amendment Act, 1910, and shall form part of and be read together with the Scenery Preservation Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. In this Act and in the principal Act the terms "Native land" and "Native" have the same meanings as in the Native Land Act, 1909.

Interpretation.

3. Section two of the principal Act is hereby amended in manner following:—

Section 2 of principal Act amended.

(a.) By repealing the definition of "Crown land," and substituting the following definition:—

"Crown land" has the same meaning as in the Public Works Act, 1908":

(b.) By repealing the definition of "Private land," and substituting the following definition:—

"Private land" means any land other than Crown land, and includes Native land and any former Crown land reserved for any public purpose whatever, whether or not the land so reserved has been vested in any trustees or body corporate."

4. (1.) Subsection one of section three of the principal Act is hereby amended by inserting, after the words "The General Manager of the Tourist and Health Resorts Department," the words "The Under-Secretary of the Native Department."

Section 3 of principal Act amended.

(2.) The said section three is hereby further amended by adding thereto the following subsection :—

“(3.) The Surveyor-General shall be the Chairman of the Board, or in his absence from any meeting the members of the Board present shall elect one of their number to be Chairman thereof for that meeting. Three members of the Board shall form a quorum at any meeting of the Board.” 5

Section 10 of principal Act amended.

5. Section ten of the principal Act is hereby amended by adding thereto the following words: “and where any fence within the meaning of the Fencing Act, 1908, is erected by authority of the Minister on the common boundary of any reserve and the adjoining land, the occupier of the adjoining land shall be liable, notwithstanding anything to the contrary in that Act, for one-half of the cost of the erection and maintenance of the fence, and such half-cost may be recovered from him in any Court of competent jurisdiction by the Commissioner of Crown Lands for the district in which the land is situated.” 10 15

Section 15 of principal Act amended.

6. (1.) Section fifteen of the principal Act is hereby amended by inserting after paragraph (b) the following paragraph :—

“(bb.) Discharges any firearm thereon, or kills or takes any birds or any native or imported game thereon; or” 20

Certain rights may be granted to Natives.

7. (1.) The Governor may from time to time, by notice in the *Gazette*, grant to Natives the right to take or kill birds not for the time being specially protected, within any reserve which before the reservation or taking thereof was Native land, or, where any such reserve includes any ancestral burial-grounds of Natives, the right to bury deceased Natives therein. 25

(2.) All rights so granted may at any time thereafter be withdrawn or varied by the Governor by notice in the *Gazette*.

Reservation may be revoked in certain cases.

8. Where any reserve is by reason of the destruction of the forest thereon or through any other cause no longer suitable, in the opinion of the Governor, for scenic purposes, he may *replant* or by Proclamation revoke the said reservation, and thereafter the land may be disposed of as Crown land under the Land Act, 1908, and the net proceeds of such disposal shall be applied solely towards the purchase or acquisition of other lands as reserves under the principal Act. 30 35

Leases or licenses for short terms may be granted.

9. The Minister may grant leases of, or licenses to occupy, open or cleared portions of any reserve for periods not exceeding *five* years, on such terms and conditions and at such rentals as he thinks fit. The proceeds of all such leases or licenses shall be applied under the direction of the Minister towards the purposes of the principal Act. 40

Certain reservations validated.

10. All Native or other land taken under the Public Works Act, 1908, or the Public Works Act, 1905, or the Public Works Act, 1894, for the purposes of scenery-preservation prior to the passing of this Act shall be deemed to have been validly taken. 45

Power to exchange Crown land for other land.

11. (1.) It shall be lawful for the Governor whenever he deems it expedient for the purposes of scenery-preservation to grant in fee-simple any area of Crown land in exchange for the fee-simple of any other land which, in his opinion, is of approximately equal value, and on any such exchange to pay or receive by way of equality of 50

exchange any sum not exceeding ten per centum of the estimated value of the Crown land so granted.

(2.) Such exchange may be made under the provisions of section one hundred and forty-two of the Land Act, 1908, or sections three hundred and eighty to three hundred and eighty-six of the Native Land Act, 1909, as the case may be.

12. The Governor may by Proclamation declare that any land reserved under the Land Act, 1908, or any former Land Act, or under the Public Works Act, 1908, or any former Public Works Act, 10 for scenic purposes shall be a reserve under the principal Act.

Scenic reserves
under the Land
Act.