



## Public Works Act 1928

1928

**Citation:** 19 Geo. V, No 21  
**Date of Assent:** 6 October, 1928  
**Commencement:** Date of Assent

**Repeal:** Repealed 1981, No 35  
**Amendments:** 1935, No 35.

1948, No 39: See separate record.

1955, No 59: s4 – amends s104 relating to compensation for Maori owners.

1962, No 41: s6 – repeals and replaces ss104, 105 and 106.

Compensation with respect of Maori land. Where land is taken for any Public work, the provisions of s32 and Part III shall apply as if the land were European land.

1965, No 26.

1967, No 31: s2 repeals and replaces the s2 definition of Maori. s3 amends s103 – Power to take Maori land for Public work.

1970, No 145.

1976, No 165: Inserts new Part IIIB – Alternative compensation.

1977, No 169.

**Type of Legislation:** Public

**Subject:** Public Works

Maori Land Court: Structures & Jurisdiction

Survey Issues

Reserved Land

Public/Native/Maori Trustee

**Relevant Sections:** s2: Native land defined as land held by Natives under their customs and usages.

s10: ss22 - 23 do not apply to the taking of Native land for Public Work.

s15: Power to take any area of land (including Native land) required for forest plantation purposes, recreation grounds, agricultural show grounds etc. Proviso that no Native land to be taken without the consent of the Native Minister.

s30: Taking land for road.

s32: Minister or local authority may enter into agreements to take land required for Public works. In this case compensation to be paid may be agreed upon or determined under Part III of this Act.

*Relevant Sections and Commentary continued over page*



**Public Works Act 1928** *continued*

*ss42 - 101: Compensation*

*s42:* All persons having any interest in any lands taken under this Act for Public Works shall be entitled to full compensation.

*s48(2):* Compensation for lands taken out of any Native reserve may be made by the Native Trustee.

*ss102 - 106: Native Lands*

*s102:* Notwithstanding any law in force, any Native land may be taken for public work.

*s104:* Compensation for taking of Native land to be ascertained by the NLCt in all cases.

*s107:* Powers of entry on land for survey purposes.

*ss251 - 259:* Defence works.

**Commentary:** The Debates indicate this Act is a Consolidation.

**Cross Reference:** –