



ANALYSIS

Title
1. Short Title and commencement

2. Accretions occurring on foreshore or seabed vested in the Crown or local authority

1999, No. 69

**An Act to amend the Foreshore and Seabed Endowment
Revesting Act 1991** [8 June 1999]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Foreshore and Seabed Endowment Revesting Amendment Act 1999, and is part of the Foreshore and Seabed Endowment Revesting Act 1991 (“the principal Act”).

(2) This Act comes into force on the day after the date on which it receives the Royal assent.

2. Accretions occurring on foreshore or seabed vested in the Crown or local authority—The principal Act is amended by inserting, after section 9A, the following section:

“9B. (1) This section applies if—

“(a) Any works are executed on any foreshore or on the seabed, under the authority of any Act; and

“(b) In consequence of the works, any foreshore or seabed that—

“(i) Is immediately adjacent to the works; and

“(ii) Is vested in the Crown or in any local authority—

becomes raised in height, whether gradually or imperceptibly or otherwise, so as to be above

instead of below the line of high-water mark at mean spring tides; and

“(c) The raising of the foreshore or seabed referred to in paragraph (b) does not take place under the authority to execute the works.

“(2) Despite any enactment or rule of law to the contrary, the foreshore or seabed so raised continues to be vested in the Crown or the local authority (as the case may be).

“(3) Any raised foreshore or seabed that continues to be vested in the Crown under this section may be dealt with under this Act; and the provisions of the Land Act 1948 do not apply to that foreshore or seabed while it is vested in the Crown under this section.

“(4) Without limiting anything in subsection (3), the Minister may dispose of any raised foreshore or seabed referred to in that subsection under section 355 of the Resource Management Act 1991; and, in that case, that section 355 applies with any necessary modifications.

“(5) In this section, a reference to works that are authorised includes a reference to any land reclaimed from the foreshore or seabed under the authority of any Act.”

This Act is administered in the Department of Conservation.
