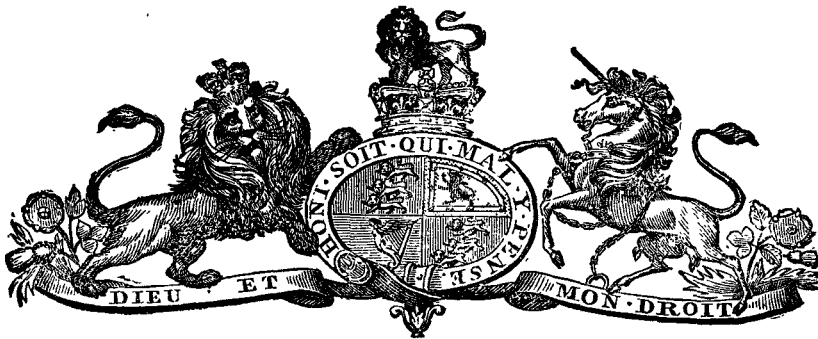


NEW ZEALAND.



TRICESIMO SEXTO

VICTORIÆ REGINÆ.

No. XIX.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
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AN ACT to provide for the Management of certain Public Domains in the Province of Canterbury.

[10th October, 1872.]

WHEREAS certain lands within the Province of Canterbury, more particularly described in the Schedule to this Act, are vested in the Superintendent of the said Province, in trust for the public uses of the said Province, under and subject to the provisions of "The Canterbury Association's Ordinance, Session IV., No. 6," and of "The Canterbury Association's Reserves Ordinance, Session V., No. 2," and more especially for the purposes of public domains gardens plantations and pleasure grounds: And whereas it is expedient that further powers should be obtained for the better management and administration of the said lands for the said purposes:

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

1. The Short Title of this Act shall be "The Canterbury Public Domains Act, 1872."

2. The Superintendent and Provincial Council of Canterbury may, by Ordinance to be passed in that behalf, declare that the lands named in the Schedule to this Act, and hereinafter referred to as the said Domains, or any of them, shall, from and after a date to be determined by such Ordinance, be held to be under the operation of this Act, and may from time to time, by Ordinance as aforesaid, declare

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that any lands which have been or may hereafter be vested in the said Superintendent, for the purposes of public domains gardens or recreation grounds, shall in like manner be subject to the provisions of this Act, and from and after the date fixed in any such Ordinance the lands specified therein shall be subject to the provisions of this Act.

Powers of administration.

3. In the management and administration of the said Domains, the Superintendent of Canterbury, with the advice and consent of his Executive Council, may exercise all or any of the powers mentioned in subsection one and in subsections numbered from three to eleven both inclusive of section five of "The Public Domains Act, 1860," and the said subsections shall be deemed to be incorporated in this Act; and in the construction thereof, for the purposes of this Act, the word "Governor" shall mean Superintendent with the advice of his Executive Council; and the words "Her Majesty" shall mean the Superintendent of Canterbury on behalf of the Province of Canterbury.

Application of moneys.

4. All sums of money which shall be received under or by virtue of this Act, and all rents issues and profits of the said Domains, may be applied, after the payment of costs and expenses of the transaction from which such money may have arisen, in managing administering and improving the said Domains, and generally towards carrying into execution the purposes and objects of this Act in respect of the said Domains.

By-laws may be made for certain purposes.

5. The Superintendent of the said Province, with the advice and consent of his Executive Council, may, and any person or persons to whom the powers conferred by this Act may with respect to the said Domains for the time being be delegated, make and enforce such by-laws orders and regulations as he, with such advice aforesaid, or they respectively, may think necessary for the management preservation and disposition of the said Domains or any part thereof, for the government of all persons carriages and vehicles using or frequenting the same, for regulating the time of their admission and exclusion, for the depasturing of cattle therein, for the preservation of plants and animals therein, for the exclusion of dogs or any other animals therefrom, and for their destruction if intruding therein, for the prevention of any nuisance, and generally for regulating the using of the said Domains: Provided that all by-laws made under this Act by any such delegate or delegates shall not come into force until approved by the Superintendent, with the advice of his Executive Council.

Such by-laws shall be reduced into writing, and shall be signed by the Superintendent if made by him, or if by any person or persons acting under delegation, then by such delegate or delegates; and such by-laws may from time to time, in like manner and by the like authority whereby the same may have been made, be repealed or altered and others made in lieu thereof.

The substance of such by-laws shall be painted on boards, or printed on paper and pasted on boards, and hung up or affixed and continued at one or more of the principal entrances into the said Domains, so as to give notice thereof to the public; and such boards shall from time to time be renewed as often as the by-laws thereon or any part thereof shall be obliterated or destroyed.

Such by-laws, when so published and affixed, shall be binding upon and be observed by all parties, and shall be sufficient to justify all parties acting under the same; and for proof of the making publication and affixing of such by-laws, it shall be sufficient to prove that a printed copy or painted board containing a copy of such by-laws was affixed and continued in manner by this Act directed; and in case of

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its being afterwards displaced or damaged, then that such paper or board was replaced as soon as conveniently might be.

Any person offending against any such by-laws shall forfeit for any such offence a sum not exceeding five pounds; and if the infraction or non-observance of any such by-law be attended with danger hinderance or annoyance to the public, it shall be lawful for any of the persons aforesaid, or for any Constable or Peace Officer, or for any person appointed for this purpose or employed in the said Domains, summarily to interfere to obviate or remove such danger hinderance or annoyance, and that without prejudice to any penalty incurred by the infraction of any such by-law.

6. Whoever shall do or attempt to do any of the following Offences. things upon or within the boundaries of the said Domains, or any of them, without the license of the said Superintendent, or of any person or persons to whom his powers may be delegated, as hereinafter provided, shall be liable to a penalty over and above the damage done not exceeding five pounds:—

Light a fire.

Wilfully break a fence, or any part of a fence.

Wilfully break or cut a tree or plant.

Wilfully dig or cut the sod.

Shoot at any bird or animal with gun or other instrument.

Wilfully take away destroy or injure any bird or animal being upon the said Domains, or any egg of any bird.

Take away any wood shrub plant or other thing.

7. All penalties and forfeitures under this Act for offending Recovery and application of penalties. against the provisions passed, or any by-law made hereafter, may be recovered in a summary manner before a Resident Magistrate or two or more Justices of the Peace.

8. The Superintendent of Canterbury, with the advice and consent of his Executive Council, may, by Proclamation under his hand, from time to time delegate all or any of the powers hereby conferred upon him, acting as aforesaid, to any person or persons for any period and subject to such stipulations conditions and limitations as may be specified in such Proclamation, and every such delegation may from time to time in like manner alter or revoke: Provided that such alterations or revocations shall not destroy or affect the validity of instruments executed or acts done during the subsistence of such delegation. Delegation of powers.

SCHEDULE.

Schedule.

1. The land commonly known and described in the Schedule B to "The Canterbury Association's Ordinance, Session IV., No. 6," as the Government Domain, No. 25, save and except such part of the same as has been duly conveyed to the Corporation of Christ's College, Canterbury.

2. The land commonly known as Hagley Park, being part of the land numbered 24, and described as the Town Reserves in the Schedule B to "The Canterbury Association's Ordinance, Session IV., No. 6." Bounded on the West and South by the road reserved along the boundary of the Town Reserves; on the North by the road reserved along the banks of the River Avon; on the East and South-east by the River Avon and the Lower Lincoln Road.

WELLINGTON, NEW ZEALAND:

Printed under the authority of the New Zealand Government, by GEORGE DIDSBURY, Government Printer.