



ANALYSIS

<p>Title</p> <p>1. Short Title</p> <p>2. Disposal of kindergarten sites</p>	<p>3. Provisions of Land Act 1948 as to renewals of leases to apply to leases of land transferred to or vested in the Crown</p>
---	---

1960, No. 57

An Act to amend the Education Lands Act 1949

[25 October 1960]

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

1. Short Title—This Act may be cited as the Education Lands Amendment Act 1960, and shall be read together with and deemed part of the Education Lands Act 1949 (hereinafter referred to as the principal Act).

2. Disposal of kindergarten sites—Section 5 of the principal Act is hereby amended by adding the following subsection:

“(8) Notwithstanding anything to the contrary in this or any other Act or in the rules of the governing body of the kindergarten or in any rule of law, no site for a kindergarten or building erected thereon, purchased from or with the assistance of any grant in aid made from money appropriated by Parliament, shall be disposed of, whether by way of sale or exchange or lease or otherwise, without the consent of the Minister given subject to such conditions as he thinks fit.”

3. Provisions of Land Act 1948 as to renewals of leases to apply to leases of land transferred to or vested in the Crown—

(1) The principal Act is hereby further amended by repealing section 16, and substituting the following section:

“16. (1) Where any land that is transferred to or vested in Her Majesty under this Act is subject to a lease which is current at the date of transfer or vesting, and the lessee thereunder has a perpetual right of renewal,—

“(a) The lease shall be deemed to be a lease within the meaning of subsection (1) of section 122 of the Land Act 1948; and

“(b) Notwithstanding anything in any other Act or in any deed or other instrument, the holder of the lease shall be entitled to a renewal lease, which shall be a renewable lease under the Land Act 1948, and the renewal rent shall be determined in accordance with the provisions of section 125 and Part VIII of that Act, and not otherwise; and

“(c) The lessee shall be entitled under section 126 of the Land Act 1948 to exchange the lease for a renewable lease under that Act.

“(2) For the purposes of subsection (1) of this section, a lease granted in accordance with the provisions of paragraph (f) or paragraph (g) of section 5 of the Public Bodies' Leases Act 1908 shall be deemed to confer on the lessee a perpetual right of renewal.”

(2) Section 2 of the Education Lands Amendment Act 1950 is hereby consequentially repealed.
