

*Waste Lands.*

## No. XXII.

## WASTE LANDS.

AN ACT to empower the Superintendents and Provincial Councils to enact Laws for regulating the Sale Letting Disposal and Occupation of the Waste Lands of the Crown. [16th August, 1856.]

[Disallowed, *Gazette*, 4th June, 1858.]

Preamble reciting New Zealand Constitution Act and "Provincial Waste Lands Act, 1854."

WHEREAS under and by virtue of an Act of the Imperial Parliament passed in the Session holden in the fifteen and sixteenth years of the reign of Her Majesty Queen Victoria, intituled "*An Act to grant a Representative Constitution to the Colony of New Zealand*," and of an Act of the General Assembly of New Zealand, intituled "*The Provincial Waste Lands Act, 1854*," the General Assembly of New Zealand is enabled to authorize and empower the Superintendent of any Province, with the advice and consent of the Provincial Council thereof, to make laws for regulating the sale letting disposal and occupation of the waste lands of the Crown in such Province, either absolutely or upon such terms and conditions and subject to such restrictions and limitations as may be prescribed by any Act or Acts to be passed by the said General Assembly in that behalf: And whereas it is expedient that the Superintendent of any Province, with the advice and consent of the Provincial Council thereof, shall have the power to make laws as aforesaid:

BE IT ENACTED by the General Assembly of New Zealand as follows:—

Superintendents and Provincial Councils empowered to make laws for regulating sale &c. of the waste lands of the Crown.

1. Subject to the provisions in the said recited Act of the Imperial Parliament contained, it shall be lawful for the Superintendent of each of the Provinces of New Zealand, with the advice and consent of the Provincial Council thereof, at any time and from time to time to make laws for regulating the sale letting disposal and occupation of the waste lands of the Crown within such Province, and also to amend alter or repeal any Laws Ordinances or Regulations now in force for any such purposes within the same: Provided always that every Bill for such purpose shall be reserved for the signification of the Governor's pleasure thereon.

Superintendent may remove persons employed in the administration of the waste lands of the Crown and appoint others.

2. It shall be lawful for each of the Superintendents of the said Provinces respectively to remove any person now employed in the administration of the waste lands of the Crown in such Province, and provisionally, until other provisions be made by law in that behalf, to appoint any other person or persons with full powers to perform and exercise all the powers duties and functions which may be performed or exercised by any person so removed.

Persons specially appointed by Superintendent may perform functions now vested in Commissioner of Crown Lands.

3. Where, by any Law or Ordinance, or any regulations in force within any Province, any act matter or thing is authorized or required to be done or performed by or in relation to a Commissioner of Crown Lands, every such act matter or thing shall, until other provision be made by law in that behalf, be valid and effectual if done or performed by or in relation to a person specially appointed in that behalf by the Superintendent of such Province, by warrant under his hand.

Governor authorized to fulfil contracts &c.

4. It shall be lawful for the Governor at any time to fulfil and perform any contract promise or engagement heretofore made, under the authority of law, by or on behalf of Her Majesty with respect to any lands situate in any of the said Provinces, and nothing contained in this Act, or in any law made in pursuance hereof, shall prejudice any such contract promise or engagement, or any subsisting rights

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*Public Offices.*

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rights or claims in respect of land or land orders land scrip or government scrip.

5. It shall moreover be lawful for the Governor at any time and from time to time to except from sale, and either reserve to Her Majesty, her heirs and successors, or to dispose of in such other manner as for the public interest may seem best, such of the said waste lands in any of the said Provinces as may be required for the purposes of military defence, or for the construction of trunk lines of road, or as sites for public buildings for the use of the General Government; and all such exceptions shall be deemed to have been made whenever the Governor by writing under his hand shall have notified to the Superintendent of the Province in which any land so excepted is situate, that the same is required for any of the purposes aforesaid, and such notification shall have been published in the New Zealand Government *Gazette*: Provided always that no lands hereafter acquired from the aboriginal inhabitants shall be open for sale or disposal until the Governor shall have notified, by Proclamation in the New Zealand Government *Gazette*, that the Native title shall have been extinguished over such lands.

Governor empowered to make reserves.

6. The term "Governor" shall mean the person for the time being lawfully administering the Government of New Zealand.

Interpretation of the word "Governor."

7. This Act may be cited for all purposes as "*The Waste Lands Act, 1856.*"

Short Title.

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