

Hon. Mr. McKenzie.

EDUCATIONAL ENDOWMENTS AND RESERVES
MANAGEMENT AND EXCHANGE.

ANALYSIS.

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A BILL INTITULED

AN ACT to regulate the future Management of Lands set apart for Educational Endowments and Reserves, and to authorise Exchanges of such Lands. Title.

5 BE IT 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 is "The Educational Endowments and Reserves Management and Exchange Act, 1891." Short Title.

10 2. In this Act, if not inconsistent with the context,— Interpretation.
"Endowment" and "Reserve" respectively mean and include any land, or any portion thereof, set apart under any Act of the General Assembly, or which may hereafter be set apart by way of endowment for any university or high school, or any school established under "The Education Act, 1877," or for the purposes of primary, or secondary, or university education, whether or not the fee-simple of such land respectively is or may remain vested in Her Majesty, or is or may be vested in trustees as hereinafter defined, or is or may be under the control of such trustees:

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25 "Trustees" means and includes all persons and authorities, whether incorporate or not, and all public bodies, corporate bodies, and local authorities in whom any endowment or reserve is vested, or who have the control thereof; and in respect of reserves vested in Her Majesty means the Governor:

“Land Board” or “Board” means the LandBoard constituted under “The Land Act, 1891,” having jurisdiction in the land district wherein any particular lands referred to are situate.

Land Act incorporated.

3. “The Land Act, 1891” (herein referred to as “the said Act”), 5
is hereby incorporated with this Act.

Governor may declare any endowment or reserve subject to Act.

4. The Governor in Council may from time to time make, alter, amend, or revoke Proclamations declaring that any land now or hereafter set apart as an endowment or reserve, as herein defined, shall be subject to the provisions of the said Act, and whether the 10
same be vested in any corporate body or person whomsoever :

Provided always that any land coming within the definition of an endowment or reserve under this Act, and which has hitherto been brought under the operations of “The Land Act, 1885,” or any similar Act previously in force, shall be subject to the provisions of “The 15
Land Act, 1891,” without requiring the issue of any Proclamation in that behalf.

Endowment or reserve may be dealt with under Land Act.

5. Upon any such Proclamation being issued the land comprised therein may be disposed of by the Board, in any manner they think fit under the said Act, other than by sale, upon the same terms 20
and conditions in all respects as if such lands were Crown rural lands.

Every lease of any endowment or reserve, where the land is vested in any corporate body or person, shall be executed by the Commissioner on behalf of the Board in the name of the body or person in whom the land dealt with by the lease is vested. 25

Provision as to existing leases.]

6. In case any endowment or reserve has been leased prior to the passing of this Act, then, on the expiration of such lease, the land comprised therein may be dealt with under the provisions of the said Act relating to renewals of leases as if such expired lease had been originally a lease under the said Act. 30

Provision for timber-felling, &c.

7. At the request of the persons in whom any endowment or reserve may be vested the Land Board may exercise the functions conferred upon them by Part VII. of the said Act for the issue of licenses for cutting, felling, or removing timber from such land, subject that the fee to be paid for any such license shall be adequate to 35
the value of the timber to be removed from the said land.

All regulations affecting the cutting or removing of timber on forest lands shall apply to the cutting or removing of timber on the aforesaid land, and all moneys received by the Receiver of Land Revenue for timber on such land shall be paid over to the persons 40
in whom the said land is vested, to be applied by them in the manner as may be provided with respect to the proceeds of the sale of endowments or reserves.

Rents to be paid to persons entitled.

8. All rents received by the Receiver of Land Revenue under leases issued under this Act shall, on receipt thereof, be paid over by 45
the said Receiver to the body or person by law for the time being entitled to receive the same.

Endowment or reserve may be exchanged for land of equal value to be appropriated to like purpose.

9. The Governor may, in the name and on behalf of Her Majesty, exchange with any person or body politic or corporate the whole or any portion of any endowment or reserve for any other land 50
which the Governor shall deem of equal value therewith, and more suitable for the purposes of the endowment or reserve; and the

Governor and any such person or body politic or corporate may do or cause to be done all such acts and things, and make, sign, or execute all such instruments as may be necessary to effectuate any such exchange.

5 All land obtained in exchange by Her Majesty or by any person or body politic or corporate as aforesaid shall be held by Her Majesty or by such person or body politic or corporate respectively for the same objects and purposes and upon the same trusts (if any) as the land given in exchange by Her Majesty or by such person or body
10 politic or corporate was held.

Whenever the estate in any endowment or reserve is vested in any local body, or the control and management thereof is vested in any local authority, no such exchange shall be made or carried into effect without the written consent of the local authority representing
15 such local body, or in whom such control and management is vested, for that purpose first had and obtained.

10. Sections *two hundred and forty-three to two hundred and forty-eight* of the said Act are hereby repealed as to any endowment or reserve which is subject to this Act, without prejudice, however,
29 to any existing lease thereunder or to the rights of any lessee.

Provisions of Land Act partially repealed. Saving.