

Hon. Mr. Corbett

NATIONAL PARKS

ANALYSIS

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A BILL INTITULED

Title. AN ACT to consolidate and amend the law relating to National Parks.

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

Short Title and commencement.

1. (1) This Act may be cited as the National Parks Act 1952.

(2) This Act shall come into force on the *first* day of *April*, nineteen hundred and *fifty-three*. 10

Interpretation.

Cf. 1922, No. 31, s. 2

Cf. 1924, No. 60, s. 2

Cf. 1928, No. 36, ss. 2, 70

2. In this Act, unless the context otherwise requires,—

“ Local authority ” means a County Council, a Borough Council, a Town Board, a Road Board, a Harbour Board, a Hospital Board, a River Board, a Drainage Board, an Electric Power Board, and such other public bodies or classes of public bodies as are from time to time declared by the Governor-General, by Order in Council, to be local authorities for the purposes of this Act: 15 20

“ Minister ” means the Minister of Lands:

“ National Parks Authority ” or “ Authority ” means the National Parks Authority established under this Act:

5 “ National Park Board ” or “ Board ” means a National Park Board established under this Act; and, when used in relation to any specified National Park, means the particular Board having the control and management of that Park:

10 “ Park ” means a National Park constituted under this Act:

15 “ Private land ” means any land which is for the time being held in fee simple by any person other than Her Majesty; and includes any Maori land.

3. (1) It is hereby declared that the provisions of this Act shall have effect for the purpose of preserving in perpetuity as National Parks, for the benefit and enjoyment of the public, areas of New Zealand that
20 contain scenery of such distinctive quality or natural features so beautiful or unique that their preservation is in the national interest.

(2) It is hereby further declared that, having regard to the general purposes specified in subsection *one* of
25 this section, National Parks shall be so administered and maintained under the provisions of this Act that—

- (a) They shall be preserved as far as possible in their natural state:
- 30 (b) Except where the Authority otherwise determines, the native flora and fauna of the Parks shall as far as possible be preserved and the introduced flora and fauna shall as far as possible be exterminated:
- 35 (c) Their value as soil, water, and forest conservation areas shall be maintained:
- (d) Subject to the provisions of this Act and to the imposition of such conditions and restrictions as may be necessary for the preservation of the native flora and fauna or for the welfare in
40 general of the Parks, the public shall have freedom of entry and access to the Parks, so that they may receive in full measure the inspiration, enjoyment, recreation, and other benefits that may be derived from mountains,
45 forests, sounds, lakes, and rivers.

Parks to be maintained in natural state, and public to have right of entry.

PART I

NATIONAL PARKS AUTHORITY

National Parks
Authority.

4. (1) For the purposes of this Act there is hereby established an Authority to be called the National Parks Authority, consisting of— 5

(a) The Director-General of Lands, who shall be the Chairman of the Authority: 5

(b) The Assistant Director General of Lands, who shall be the Deputy Chairman of the Authority: 10

(c) The Secretary for Internal Affairs: 10

(d) The Director of Forestry: 10

(e) The General Manager of the Department of Tourist and Health Resorts: 15

(f) One person to be appointed by the Minister on the recommendation of the Royal Society of New Zealand: 15

(g) One person to be appointed by the Minister on the recommendation of the executive of the Forest and Bird Protection Society of New Zealand, Incorporated: 20

(h) One person to be appointed by the Minister on the recommendation of the Dominion Executive of the Federated Mountain Clubs of New Zealand, Incorporated: 25

(i) One person to be appointed by the Minister to represent the National Park Boards constituted under this Act. 25

(2) Subject to the provisions of subsection *three* of this section, every appointed member of the Authority shall be appointed for a term of three years, but may be reappointed, or may at any time be removed from office by the Minister for disability, insolvency, neglect of duty, or misconduct, or may at any time resign his office by writing addressed to the Minister. 30

(3) If any appointed member of the Authority dies, is removed from office, resigns, or becomes ineligible to be a member of the Authority, the vacancy so created shall be filled in the manner in which the appointment to the vacant office was originally made. The person so appointed shall be appointed for the residue of the term for which his predecessor was appointed. 40

(4) Unless he sooner vacates his office as provided in subsection *three* of this section, every appointed member of the Authority shall continue in office until his successor comes into office, notwithstanding that the term for which
5 he was appointed may have expired.

(5) The powers of the Authority shall not be affected by any vacancy in the membership thereof.

5. (1) Meetings of the Authority may be summoned at any time by the Director-General of Lands or by the
10 Assistant Director-General of Lands on behalf of the Director-General.

Meetings of
Authority.

(2) The Director-General of Lands shall call a special meeting of the Authority whenever any three members by notice in writing require him to call a special meeting.

15 (3) At any meeting of the Authority five members shall form a quorum.

(4) In the absence from any meeting of any member being an officer of any Department of State he may authorize any other officer of that Department to attend
20 the meeting in his stead. While any person is attending any meeting under this subsection he shall be deemed for all purposes to be a member of the Authority.

(5) The fact that any person attends and acts as a member of the Authority at any such meeting shall be
25 conclusive evidence of his authority to do so.

(6) All questions before the Authority shall be decided by a majority of the valid votes recorded thereon.

(7) The Chairman shall preside at all meetings of the Authority at which he is present.

30 (8) In the absence of the Chairman from any such meeting, the Deputy Chairman, if present, shall preside. In the absence from any meeting of both the Chairman and the Deputy Chairman, the members present shall appoint one of their number to be Chairman of that
35 meeting.

(9) At every meeting of the Authority the Chairman of that meeting shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote.

Duties of
Authority.

6. Subject to the provisions of this Act, it shall be the duty of the Authority, in accordance with the principles laid down in this Act,—

- (a) To advocate and adopt schemes for the protection of National Parks and for their development on a national basis: 5
- (b) To recommend the enlargement of existing Parks and the setting apart of new ones:
- (c) To recommend to the Minister the manner in which moneys appropriated by Parliament for the administration, maintenance, and improvement of National Parks should be allocated: 10
- (d) To exercise in relation to National Parks and National Park Boards such powers and functions as are conferred on the Authority by this Act: 15
- (e) Generally to control in the national interest the administration of all National Parks in New Zealand.

Authority to
give effect to
Government
policy.

7. In the exercise of its powers and functions under this Act the Authority shall have regard to any representations that may be made by the Minister to give effect to any decision of the Government in relation thereto, conveyed to the Authority in writing by the Minister. 20 25

Authority may
delegate its
powers.

8. (1) The Authority may from time to time appoint one or more committees to exercise on behalf of the Authority such of the powers and functions of the Authority as may be delegated to it by the Authority. In the exercise of its powers every such committee shall be subject to the control of the Authority. 30

(2) A committee may consist entirely of members of the Authority or partly of members of the Authority and partly of other persons, or may consist entirely of persons who are not members of the Authority. 35

(3) The Authority may delegate any of its powers and functions to any committee appointed by it or to any officer or officers of the Department of Lands and Survey, either as to matters within its jurisdiction generally, or in any particular case or matter or any particular class of cases or matters. 40

(4) The officer or officers referred to in subsection *three* of this section may be an officer or officers referred to by name or the officer or officers who for the time being and from time to time hold specified positions in the
5 Department of Lands and Survey.

(5) Subject to any general or special directions given by the Authority, any committee or officer to whom any powers have been so delegated may exercise those powers in the same manner and with the same effect as if they
10 had been directly conferred on that committee or officer by this Act and not by delegation.

(6) Every committee or officer purporting to act under any delegation under this section shall, in the absence of proof to the contrary, be presumed to be
15 acting within the terms of the delegation.

(7) Any such delegation may at any time be revoked by the Authority, in whole or in part, but that revocation shall not affect in any way anything done under the delegated authority.

(8) No such delegation shall prevent the exercise by
20 the Authority itself of any of the powers and functions conferred on it by this Act.

PART II

NATIONAL PARKS AND NATIONAL PARK BOARDS

25

National Parks

9. (1) The Tongariro National Park constituted under the Tongariro National Park Act 1922, and comprising the areas of land described in the *First* Schedule to this Act, is hereby declared to be a National Park
30 under and subject to the provisions of this Act.

(2) The Egmont National Park constituted under the Egmont National Park Act 1924, and comprising the areas of land described in the *Second* Schedule to this Act, is hereby declared to be a National Park under and
35 subject to the provisions of this Act.

(3) The Abel Tasman National Park constituted pursuant to section seventy-one of the Public Reserves, Domains, and National Parks Act 1928, and comprising the areas of land described in the *Third* Schedule to
40 this Act, is hereby declared to be a National Park under and subject to the provisions of this Act.

Tongariro,
Egmont,
Abel Tasman,
Arthur Pass,
and Sounds
(Fiordland)
National Parks.

Cf. 1922,
No. 31, s. 3

Cf. 1924,
No. 60, s. 3

Cf. 1930,
No. 24, s. 8

Cf. 1942,
No. 13, s. 13

1922, No. 31
1924, No. 60

See Reprint
of Statutes,
Vol. VI, p. 1161

(4) The Arthur Pass National Park constituted pursuant to the said section seventy-one, and comprising the areas of land described in the *Fourth* Schedule to this Act, is hereby declared to be a National Park under and subject to the provisions of this Act. 5

(5) The Sounds (Fiordland) National Park (being a public reserve subject to Part I of the Public Reserves, Domains, and National Parks Act 1928), comprising the areas of land described in the *Fifth* Schedule to this Act, is hereby declared to be a National Park under and subject to the provisions of this Act. 10

Governor-General may declare land to be a National Park.

Cf. 1924, No. 60, s. 4

Cf. 1927, No. 46, s. 2

Cf. 1928, No. 36, s. 71

1948, No. 64
1949, No. 19

See Reprint of Statutes, Vol. VIII, p. 605

Ibid., Vol. VI, p. 1136

Ibid., p. 1148

Ibid., Vol. VIII, p. 613

10. (1) The Governor-General may from time to time, by Order in Council, declare that any land of the Crown described in the Order (being any Crown land subject to the Land Act 1948, or any State forest land subject to the Forests Act 1949, or any land subject to the Tourist and Health Resorts Control Act 1908, or any public reserve vested in Her Majesty subject to Part I of the Public Reserves, Domains, and National Parks Act 1928, or any public domain subject to Part II of the last-mentioned Act, or any land subject to the Scenery Preservation Act 1908, or any land acquired by the Crown for national park purposes) shall be a National Park subject to this Act, and may in like manner add any such land to any Park: 15 20 25

Provided that no land shall be declared to be, or to be part of, a National Park, except on the recommendation of the Authority to the Minister and also, in the case of State forest land, on the joint recommendation of the Minister of Lands and the Minister of Forests, and also, in the case of land subject to the Tourist and Health Resorts Control Act 1908, on the joint recommendation of the Minister of Lands and the Minister in Charge of Tourist and Health Resorts. 30

(2) For the purpose of providing more suitable boundaries, or for the purpose of effecting under section sixty-one of the Land Act 1948 or other lawful authority any exchange of land within the Park for other land more suitable for the purposes of the Park, the Governor-General may from time to time, by Order in Council on the recommendation of the Authority to the Minister, declare that any land forming part of the Park shall be excluded therefrom. 35 40

(3) Where any land is excluded from the Park as aforesaid any reservation theretofore affecting the same shall be deemed to be cancelled, and the land shall thereupon be deemed to be Crown land subject to the Land
5 Act 1948.

(4) Notwithstanding anything in the Tourist and Health Resorts Control Act 1908, the Governor-General may from time to time, by Order in Council made on the joint recommendation to the Minister of the Authority
10 and the Board, declare that any land described in the Order, being part of a National Park, shall be administered under the provisions of the Tourist and Health Resorts Control Act 1908, and, as from the date
15 of the Order in Council or from such other date as may be specified therein, the land shall be administered under that Act, but otherwise shall remain part of the Park.

See Reprint
of Statutes,
Vol. VIII,
p. 605

(5) The areas of land described in the *Sixth* and
20 *Seventh* Schedules to this Act (being parts of the Tongariro National Park and the Sounds (Fiordland) National Park) shall as from the commencement of this Act be administered under the provisions of the Tourist and Health Resorts Control Act 1908, but otherwise shall form part of the Tongariro National Park and the
25 Sounds (Fiordland) National Park, respectively.

(6) Any Order in Council made under subsection *four* of this section may at any time, on the recommendation of the Minister in Charge of Tourist and Health Resorts, be in like manner revoked as to the whole or part of the
30 land to which the Order in Council relates, and as from the date of that revocation the land or, as the case may be, that part of the land shall cease to be administered under the Tourist and Health Resorts Control Act 1908. This subsection shall have effect in relation to the land
35 referred to in subsection *five* of this section as if that subsection were an Order in Council made under the provisions of subsection *four* of this section.

(7) Any Order in Council made under subsection *four* of this section and the provisions of subsection *five* of
40 this section shall be and be deemed always to have been authority for the expenditure of moneys under the Tourist and Health Resorts Control Act 1908 on the land to which the Order or subsection relates.

11. (1) That portion of the Sounds (Fiordland)
45 National Park described in the *Eighth* Schedule to this Act (in this section referred to as the special area) is hereby set apart subject to the provisions of this section.

Special area
in Sounds
(Fiordland)
National Park.
Cf. 1948,
No. 72, s. 38

(2) The Governor-General may from time to time, by Order in Council on the joint recommendation to the Minister of the Authority and the Board, alter the boundaries of the special area by including therein or excluding therefrom any area of the Park that in his opinion should be so included or excluded. 5

(3) No person shall enter or remain in the special area except under the authority of and in accordance with the conditions of a permit issued under this section.

(4) Except as otherwise provided in this section, 10 every such permit shall be in writing signed by the Commissioner of Crown Lands, and may contain such conditions and restrictions as the Commissioner of Crown Lands thinks fit.

(5) Any permit issued under this section may be 15 issued to one or more persons, and may be at any time amended or revoked by the Commissioner of Crown Lands.

(6) The Commissioner of Crown Lands may from time to time, with the consent of the Authority, authorize 20 any person in the employment of the Crown to issue permits under this section, but any permit issued by any such person shall authorize the holder of the permit to remain in the special area, or in any portion thereof specified in the permit, only for a limited period to be 25 specified in the permit.

(7) Any permit issued by any person under the authority of subsection *six* of this section shall for the purposes of this section be deemed to be issued by the Commissioner of Crown Lands, and the provisions of 30 this section shall apply to every such permit.

(8) Any person who enters or remains in the special area except under the authority of a permit issued under this section, or who fails to comply in any respect with any condition or restriction contained in any such permit, 35 commits an offence, and shall be liable to a fine not exceeding one hundred pounds.

(9) Notwithstanding anything in the foregoing provisions of this section, or in the *Animals Protection and Game Act 1921-22*, or in the *Public Reserves, Domains, and National Parks Act 1928*, or in any other enactment, 40 any person who, without the written consent of the Authority, takes or destroys or wilfully injures or in any manner disturbs or interferes with any bird, or the nest or egg of any bird, in the special area, commits an 45 offence, and shall be liable to a fine not exceeding one

See Reprint
of Statutes,
Vol. I, p. 183
Ibid., Vol. VI,
p. 1186

hundred pounds or to imprisonment for a term not exceeding three months, or to both that fine and that imprisonment.

(10) Notwithstanding anything to the contrary in the 5 Justices of the Peace Act 1927, any information in respect of an offence under this section may be laid at any time within four years from the time when the matter of the information arose.

See Reprint
of Statutes,
Vol. II, p. 351

(11) The provisions of this section are in addition 10 to, and not in substitution for the other provisions of this Act or of any other Act providing for the protection of flora and fauna, or for the control, management, and protection of land forming part of any National Park.

12. (1) The Governor-General may from time to time, 15 by Order in Council made on the joint recommendation to the Minister of the Authority and the Board, set apart any part of a Park as a special area for the purposes of this Act, and may in like manner cancel any such setting apart or alter the boundaries of any such special 20 area by including therein or excluding therefrom any area of the Park that in his opinion should be so included or excluded.

Special areas
generally.

(2) Any Order in Council under subsection *one* of 25 this section may apply to the special area such provisions as the Governor-General thinks fit of any other enactment in force for the time being relating to the control and conservation of wildlife.

(3) Subject to the provisions of any such Order in 30 Council, where any area is set apart as a special area under subsection *one* of this section, the provisions of subsections *three* to *eleven* of section *eleven* of this Act shall, as far as they are applicable and with the necessary modifications, apply with respect to that special area.

13. (1) Where the Authority considers that any 35 private land or any right of way or other easement over private land or the interest of any lessee or licensee in any land should be acquired by the Crown for the purposes of a National Park or for the improvement or extension of an existing National Park,—

Acquisition
of land for
National
Parks.

Cf. 1944,
No. 34, s. 9
(1)-(3)

40 (a) The Minister may, in the name and on behalf of Her Majesty, treat and agree for the purchase or lease of the land or right of way or other easement or interest or the acceptance of the land or right of way or other easement or 45 interest as a gift, and for any such purpose enter into any contract he thinks fit; or

See Reprint
of Statutes,
Vol. VII, p. 622

(b) The land or right of way or other easement or interest may be taken or otherwise acquired under the Public Works Act 1928 as for a public work under that Act.

(2) All lands or interests in land acquired by way of purchase or gift or taken as aforesaid shall vest in Her Majesty for the purposes of this Act as a National Park or as part of or for the purposes of an existing National Park, as the case may require, and all lands acquired by the Minister by way of lease under this section shall during the term of the lease be subject to this Act.

(3) The purchase price of any land or any interest in land or the compensation moneys payable in respect of any land or interest in land acquired or taken as aforesaid shall be paid out of moneys appropriated by Parliament.

Provision
where domain
declared a
National Park.
Cf. 1928,
No. 36, s. 72

14. (1) Where any public domain under the control of a Domain Board is declared to be or becomes part of a National Park, the appointment of the Domain Board shall be deemed to be revoked, and its funds and other property and all its rights and liabilities shall become the funds, property, rights, and liabilities of the National Park Board.

(2) Where any public domain not under the control of a Domain Board is declared to be or becomes part of a National Park, any moneys held in respect of the domain shall, without further authority than this section, be paid to the National Park Board, and shall become part of its general funds.

National Park Boards

Parks to be
under control
of Boards.
Cf. 1922,
No. 31,
s. 5 (1) (2)
Cf. 1924,
No. 60,
s. 5 (1) (2)
Cf. 1928,
No. 36, s. 73

15. (1) Subject to the provisions of section *forty-one* of this Act, every National Park shall be controlled and managed by a Board constituted as hereinafter provided.

(2) The Board shall be a body corporate, under the name of "The [*Name*] National Park Board", with perpetual succession and a common seal, and shall be capable of acquiring, holding, and disposing of real and personal property and of doing and suffering all that bodies corporate may do and suffer.

16. The Tongariro National Park Board shall consist of—
- (a) The Commissioner of Crown Lands for the Wellington Land District:
- 5 (b) The paramount chief for the time being of the Ngatituwharetoa Tribe of the Maori Race, if that chief is a lineal descendant of Te Heuheu Tukino, the donor on behalf of his associated Chiefs of the Tribe of certain Maori land included in the area of the Park, or, if the
- 10 paramount chief for the time being of that Tribe is not a lineal descendant of Te Heuheu Tukino, a lineal descendant of Te Heuheu Tukino, to be appointed by the Minister on the recommendation of the Authority:
- 15 (c) Four persons to be appointed by the Minister on the recommendation of the Authority:
- (d) One person to be appointed by the Minister on the recommendation of the Dominion Executive of the Federated Mountain Clubs of New Zealand, Incorporated:
- 20 (e) One person to be appointed by the Minister on the recommendation of the Ski Council of the Federated Mountain Clubs of New Zealand, Incorporated.
- 25 17. The Egmont National Park Board shall consist of—
- (a) The Commissioner of Crown Lands for the Taranaki Land District:
- 30 (b) One person to be appointed by the North Egmont Local Committee:
- (c) One person to be appointed by the South Egmont Local Committee:
- 35 (d) One person to be appointed by the East Egmont Local Committee:
- (e) One person to be appointed by the West Egmont Local Committee:
- 40 (f) One person to be appointed by the Minister on the recommendation of the Dominion Executive of the Federated Mountain Clubs of New Zealand, Incorporated:

Tongariro
National Park
Board.

Cf. 1922,
No. 31,
s. 5 (3) (4)

Cf. 1948,
No. 33, s. 2 (1)

Egmont
National Park
Board.

Cf. 1924,
No. 60, s. 5 (3)

Cf. 1933,
No. 19, s. 2 (1)

(g) One person to be appointed by the Minister on the recommendation of the Taranaki Local Bodies Association:

(h) Two members to be appointed by the Minister on the recommendation of the Authority. 5

National Park Boards in other cases.
Cf. 1928, No. 36, s. 73 (1)

18. (1) The Minister may from time to time, by notice in the *Gazette*, appoint a Board having, subject to the provisions of this Act, the control and management of any National Park other than the Tongariro National Park or the Egmont National Park. 10

(2) Every such Board shall consist of--

(a) The Commissioner of Crown Lands for the Land District in which the Park or the greater part thereof is situated:

(b) Not more than eight other persons, to be appointed by the Minister on the recommendation of the Authority. 15

(3) In any case where, because of the nature of the Park the Authority considers it desirable that mountain climbers and skiers should have representation on the Board, the Authority shall ensure that of the persons recommended for appointment to the Board one shall be a person nominated jointly by the Dominion Executive of the Federated Mountain Clubs of New Zealand, Incorporated, and by the Ski Council of that body. 20

Term of office of members.
Cf. 1922, No. 31, s. 6
Cf. 1924, No. 60, s. 7
Cf. 1928, No. 36, s. 74
Cf. 1948, No. 33, s. 2 (2)

19. The following provisions shall apply with respect to every appointed member of the Board, except the members of the Egmont National Park Board appointed by a local committee under section *seventeen* hereof, namely:— 25

(a) Subject to the succeeding provisions of this section, he shall hold office for a term of three years, and may from time to time be reappointed: 30

(b) He shall vacate office on the happening of any of the following events:— 35

(i) If he becomes bankrupt; or

(ii) If he resigns by notice in writing addressed to the Secretary of the Board; or

(iii) If he is absent from three consecutive meetings of the Board without the leave of the Board; or 40

(iv) If he is absent from New Zealand for three consecutive months without the leave of the Board; or

(v) If he is convicted of any offence punishable by imprisonment for six months or more:

5 (c) If he dies or vacates his office pursuant to paragraph (b) of this subsection, the vacancy so created shall be filled in the manner in which the appointment to the vacant office was originally made. The person so appointed shall be appointed for the residue of the term for which his predecessor was appointed:

10 (d) Unless he sooner vacates his office as provided in paragraph (c) of this section, he shall continue in office until his successor comes into office, notwithstanding that the term for which he was appointed may have expired.

20 **20.** The following provisions shall apply with respect to every member of the Egmont National Park Board appointed by a local committee under section *seventeen* hereof, namely:—

Term of office of certain members of Egmont National Park Board.

25 (a) He shall be appointed by resolution of the local committee at a meeting thereof to be held in the month of March in every alternate year commencing in the year nineteen hundred and fifty-four, and shall take office on the first day of April thereafter:

Cf. 1924, No. 24, s. 6
Cf. 1933, No. 19, s. 3

30 (b) Subject to the provisions of paragraph (c) of this section, he shall hold office until his successor takes office, and shall be eligible for reappointment:

(c) He shall vacate office on the happening of any of the following events:—

35 (i) If he becomes bankrupt; or

(ii) If he resigns by notice in writing addressed to the Secretary of the Board; or

(iii) If he is absent from three consecutive meetings of the Board without the leave of the Board; or

40 (iv) If he is absent from New Zealand for three consecutive months without the leave of the board; or

- (v) If he is convicted of any offence punishable by imprisonment for six months or more:
- (d) Whenever a member dies or vacates his office pursuant to paragraph (c) of this section, the Board shall, within fourteen days thereafter, 5 notify the local committee by which he was appointed of the fact of the vacancy; and the committee shall, within one month after being so notified, by resolution appoint some fit person to be a member of the Board; and the 10 person so appointed shall hold office only for the residue of the term for which his predecessor was appointed:
- (e) In any case where the local committee fails for 15 any reason duly to appoint a member of the Board, the Board shall notify that fact to the Authority, and the Minister may thereupon either extend the time during which the appointment may be made by the local committee or may himself on the recommendation 20 of the Authority appoint some fit person to be a member of the Board; and the person so appointed shall hold office for the same term and subject to the same conditions as he would have held office if he had been 25 appointed by the local committee.

Chairman of
the Board.

Cf. 1922,
No. 31, s. 7
Cf. 1924,
No. 60, s. 8
Cf. 1928,
No. 36, s. 75

21. (1) The Commissioner of Crown Lands shall be the Chairman of the Board.

(2) The Chairman shall preside at all meetings of the Board at which he is present. 30

(3) In the absence from any meeting of the Board of the Commissioner of Crown Lands the members present shall choose one of their number to be the Chairman of that meeting.

Meetings.

Cf. 1922,
No. 31, ss. 8-10
Cf. 1924,
No. 60, ss. 9-11
Cf. 1928,
No. 36, ss. 76-78

22. (1) The first ordinary meeting of the Board shall 35 be held at such time and place as the Chairman appoints, and subsequent meetings shall be held at such times and places as the Board appoints.

(2) Meetings of the Board may be called at any time by the Chairman, and he shall call a special meeting 40 whenever any three members so request in writing.

(3) At all meetings of the Board, four members not disqualified from acting as such shall constitute a quorum.

(4) Every question before the Board shall be determined by a majority of the votes of the members present and voting thereon.

(5) The Chairman shall have a deliberative vote, and in the case of an equality of votes shall have a casting vote also.

10 (6) In the absence from any meeting of the Board of the Commissioner of Crown Lands, he may appoint an officer of the Department of Lands and Survey to attend the meeting in his stead. While any person attends a meeting of the Board under this subsection he shall be
15 deemed for all purposes to be a member of the Board.

(7) The fact that any person attends and acts as a member of the Board at any meeting of the Board shall be conclusive proof of his authority to do so.

20 (8) The powers of the Board shall not be affected by any vacancy in the membership thereof.

(9) The Board shall cause minutes of all its proceedings to be kept.

(10) Subject to the provisions of this Act, the Board may regulate its own procedure.

25 *Special Provisions With Respect to Egmont
National Park*

23. (1) For the better local control and management of the Egmont National Park there are hereby constituted four committees of management, as follows:—

- 30 (a) The North Egmont Local Committee:
(b) The South Egmont Local Committee:
(c) The East Egmont Local Committee:
(d) The West Egmont Local Committee.

Egmont local committees.

Cf. 1924, No. 60, s. 24

Cf. 1933, No. 19, s. 4

35 (2) The following provisions shall apply with respect to each such local committee (in this section and in the next two succeeding sections referred to as the committee), namely:—

- 40 (a) The committee shall consist of two members to be appointed in that behalf in the month of February in every alternate year commencing in the year nineteen hundred and fifty-four by each of the local authorities whose names are set opposite the name of the committee in the *Tenth* Schedule to this Act:

- (b) Subject to the provisions of paragraph (c) of this subsection, every member of the committee shall hold office until his successor takes office, and shall be eligible for reappointment:
- (c) A member may at any time resign his office by notice to the Board, or may be at any time removed from office by the Board for disability, insolvency, neglect of duty, or misconduct: 5
- (d) If any member of the committee dies, resigns, or is removed from office, the vacancy so created may be filled by the local authorities by which the appointment to the vacant office was originally made. The person so appointed shall be appointed for the residue of the term for which his predecessor was appointed: 10 15
- (e) Subject to the approval of the Board, the committee may make rules governing the conduct of its business and the expenditure of its funds: 15
Provided that no funds of the committee shall be expended otherwise than for the purpose of carrying out the objects of this Act: 20
- (f) In the month of March in each year the committee shall hold an annual meeting:
- (g) The powers exercisable by the committee shall be such of the powers of the Board, other than the powers to make by-laws, to issue licences, or to grant easements, as may, with the approval of the Authority, be delegated to the committee by the Board: 25 30
- (h) The committee shall exercise its powers within such portion of the Park as is specified in that behalf by the Board, and for that purpose the Board may divide the Park into not more than four divisions, and may assign a division to each committee: 30 35
- (i) In the exercise of its powers the committee shall be subject to the control of the Board.
- (3) The first meeting of each committee held after the commencement of this Act shall be convened by the Secretary of the Board. The meeting shall be held in the month of March in the year nineteen hundred and fifty-four, and shall be deemed to be the annual meeting of the committee for that year for the purposes of paragraph (f) of subsection *two* of this section. 40

24. (1) The Board may from time to time grant to any committee out of its general funds such sums as the Board thinks fit.

Funds of Egmont local committees.

Cf. 1933, No. 19, s. 6

(2) The funds of each committee shall consist of all moneys granted to it by the Board as aforesaid, and all other moneys received by the committee, not being moneys received on behalf of the Board.

25. There may be paid to the members of any committee out of the funds of the committee all moneys actually and reasonably expended by them in attending meetings of the committee or of any sub-committee thereof, or in transacting any business of the committee pursuant to a resolution of the committee.

Travelling expenses of members of Egmont local committees.

Cf. *ibid.*, s. 7

Functions and Powers of National Park Boards

26. The functions of the Board shall be to administer, manage, and control the Park in accordance with this Act and subject to the general policy and direction of the Authority in such a manner as to secure to the public the fullest proper use and enjoyment of the Park consistent with the preservation of its natural features and the protection and well being of its native flora and fauna.

Functions of Boards.

27. The Board may appoint a secretary and a treasurer, each of whom may, unless the Authority decides otherwise, be an officer of the Department of Lands and Survey, and also such park rangers and other officers and servants as may be deemed necessary, at such salary or other remuneration as it thinks fit, subject to the approval of the Authority, and may define their duties and functions.

Board may appoint officers.

Cf. 1922, No. 31, s. 11

Cf. 1924, No. 60, s. 11

Cf. 1928, No. 36, s. 79

28. (1) Every National Park Board may, in addition to any other powers vested in it by this Act, exercise in respect of the Park under its control all or any of the following powers, that is to say, it may—

Particular powers of Boards.

Cf. 1922, No. 31, s. 12

Cf. 1924, No. 60, s. 13

Cf. 1928, No. 36, s. 80

(a) With the prior consent of the Authority, from time to time set apart any part of the Park for any specified purpose of public amusement or recreation, and permit the use thereof upon such terms and conditions as it thinks fit, and revoke any such setting apart:

(b) Prohibit any persons from carrying on any trade, business, or occupation within the Park unless licensed by the Board, and fix fees to be paid in respect of those licences:

- (c) Appropriate and use any portion of the Park as sites for residences of the park rangers or other officers or servants of the Board:
- (d) With the prior consent of the Authority, appropriate any area of the Park and permit the use thereof by any park ranger or other officer or servant of the Board residing in the Park for the grazing of any horses or household animals required by him in the exercise of his official duties or otherwise: 5
10
Provided that no such area shall be so used unless it is first securely fenced so as to prevent any animal from wandering into any other portion of the Park:
- (e) Erect or authorize the erection of huts for the use of officers of any Department of State or other persons engaged under lawful authority in the destruction or eradication of introduced flora and fauna in the Park, or the protection of forests in or adjacent to the Park: 15
20
- (f) Erect or authorize the erection by any mountaineering, winter sports, or tramping club, or by any other association, society, or body approved by the Authority, of huts on the Park, on such terms as to plans, size, materials, situation, custody, use, and otherwise as the Board determines: 25
- (g) Erect or authorize any person or any body of persons (whether incorporated or not) to erect in the Park ski tows or other apparatus or works designed to facilitate tourist traffic or the enjoyment of ski-ing and other winter sports, on such terms and conditions in all respects as the Board determines: 30
- (h) Make, stop up, divert, widen, or alter any bridges, ways, or watercourses in, upon, through, across, or over any part of the Park, subject to the payment of compensation for damage thereby to adjacent lands: 35
40
Provided that any such power in relation to watercourses shall be exercised subject to the provisions of the Soil Conservation and Rivers Control Act 1941:

- 5 (i) With the prior consent of the Authority, appropriate any part of the Park for camping sites or for parking places for vehicles for the convenience of persons using or visiting the Park, and prohibit camping or the parking of vehicles on any part of the Park not so appropriated:
- 10 (j) Do any other thing that may be requisite for the proper and beneficial management, administration, and control of the Park or any part thereof.
- 15 (2) In the exercise of the powers conferred under paragraphs (c), (e), and (f) of subsection *one* of this section the Board may use or permit the use of stone, gravel, or similar substances found on the Park in the erection of and the provision of access to any buildings constructed under the authority of any of those paragraphs.
- 20 (3) The amount of any compensation payable under paragraph (h) of subsection *one* of this section shall be determined in the manner provided in the Public Works Act 1928, as in the case of land injuriously affected by a public work, and the provisions of that Act shall, as far as they are applicable and with the necessary modifications, apply accordingly.
- 25 (4) In the exercise of any of the powers conferred by this section the Board shall at all times have full regard to the desirability of preserving the natural features and scenic beauty of the Park.
- 30 29. Save with the prior consent of the Authority, the Board shall not cut or destroy or authorize any person to cut or destroy any native bush in the Park.
- 35 30. (1) With the prior consent of the Authority the Board may—
- (a) Establish or provide camping grounds, huts, hostels, accommodation houses, and other buildings, conveniences, and facilities in the Park:
- 40 (b) Let or lease any such camping grounds, huts, hostels, accommodation houses, and other buildings, conveniences, and facilities to such persons, at such rental, and on such terms and conditions as the Board, with the approval of the Authority, determines:

See Reprint
of Statutes,
Vol. VII, p. 622

Bush to be
preserved.
Cf. 1928,
No. 36, s. 80

Board may
provide
accommodation
for tourists.
Cf. 1922,
No. 31, s. 20
Cf. 1924,
No. 60, s. 21
Cf. 1928,
No. 36, ss. 88, 91

- (c) Itself control, carry on, or conduct any such camping grounds, huts, hostels, accommodation houses, and other buildings, conveniences, and facilities:
- (d) Assist in the establishment or provision by any other person or body of persons (whether incorporated or not) of camping grounds, huts, hostels, accommodation houses, and other buildings, conveniences, and facilities in the Park:
- (e) Establish and maintain recreation grounds within such parts of the Park as it from time to time decides:
- (f) Make such charges as it from time to time decides for the use of any such camping grounds, huts, other buildings, conveniences, facilities, or recreation grounds.

(2) For the purpose of facilitating the provision of any such camping grounds, huts, hostels, accommodation houses, or other buildings or conveniences by other persons or bodies of persons (whether incorporated or not), the Board on behalf of Her Majesty may, with the consent of the Authority and subject to such terms, conditions, and rental (nominal or otherwise) as the Authority approves, grant leases or licences of land within the Park as sites for any such camping grounds, huts, hostels, accommodation houses, or other buildings or conveniences.

Leasing areas
within Parks.
Cf. 1922,
No. 31, s. 18
Cf. 1924,
No. 60, s. 19
Cf. 1933,
No. 19, s. 5

31. (1) The provisions of this section shall apply in any case where any land forming part of a National Park is either farming land which in the public interest should continue to be farmed or is native grass land which can be utilized for grazing purposes without detriment either to the land itself or to the remainder of the Park, and in no other case whatsoever.

(2) In any such case as aforesaid the Board with the prior consent of the Authority may set apart that land or any part thereof as a leasing area within the Park.

(3) The Board on behalf of Her Majesty may with the prior consent of the Authority and on such terms and conditions as the Authority approves, grant licences for grazing purposes or leases of the whole or any part of any leasing area so set apart, and may, with the like consent and on such terms as the Authority approves, accept surrenders of any such licences or leases.

(4) Subject to the provisions of this section, the provisions of the Land Act 1948 as to the form, execution, issue, and registration of leases and licences of Crown land and the payment of fees in relation thereto shall, as far as they are applicable and with the necessary modifications, apply with respect to leases and licences granted under this section or under section *thirty* of this Act.

32. (1) The Board on behalf of Her Majesty may, with the prior consent of the Authority and on such conditions as the Authority approves, grant rights of way or other easements over any part of the Park, for any public purpose, or for the purpose of providing access to any area included in any lease or licence granted under the powers conferred by this Act, or for the utilization of water power for the generation and transmission of electric current for heating, lighting, or power purposes, or for the provision of high pressure water systems, or otherwise for the development or use of the Park or any part of the Park as a tourist or public resort, or for the purpose of providing or facilitating access or the supply of water to land not forming part of the Park if that access or water supply can be given or provided without adversely affecting the Park in any way.

1948, No. 64
Board may grant easements.
Cf. 1924, No. 60, s. 22
Cf. 1928, No. 36, s. 89

(2) The provisions of the Land Act 1948 as to the form, execution, issue, and registration of instruments granting rights of way or other easements over Crown land shall, as far as they are applicable and with the necessary modifications, apply with respect to instruments granting rights of way and other easements granted under this section.

33. (1) Nothing in this Act shall be deemed to confer on the Board or the Authority any jurisdiction or authority with respect to any public road that is within the boundaries of the Park.

Roads within the Park.
Cf. 1922, No. 31, s. 21, 22
Cf. 1924, No. 60, s. 25
Cf. 1928, No. 36, s. 90
Cf. 1933, No. 19, s. 13

(2) Except with the joint consent of the Board and the Authority, no roads or tracks may be made over or through the Park, and no gravel, shingle, stone, or other material in the Park may be removed for road construction purposes, whether within or outside the Park.

34. (1) The Board may, with the consent of the Authority, set apart any area of the Park as a wilderness area, and may with the like consent revoke any such setting apart.

Wilderness areas.

(2) While any area is set apart as a wilderness area,—

(a) It shall be kept and maintained in a state of nature:

(b) No buildings of any description or ski tows or other apparatus shall be erected or constructed thereon: 5

(c) No horses or other animals or vehicles of any description shall be allowed to be taken onto or used on the area: 10

(d) No roads, tracks, or trails shall be constructed on the area except such foot tracks for the use of persons entering the area on foot as the Board deems necessary or desirable.

Park Board
committees.
Cf. 1931,
No. 41, s. 20

35. (1) Any Board may from time to time appoint one or more committees to exercise within such portion of the Park as may be defined in that behalf by the Board such of the powers of the Board, other than the powers to make by-laws or to grant leases, licences, or easements, as may with the consent of the Authority be delegated from time to time by the Board. 20

(2) The Board may at any time revoke any such appointment.

(3) A committee may consist entirely of members of the Board, or partly of members of the Board and partly of other persons, or may consist entirely of persons who are not members of the Board. 25

(4) In the exercise of its powers the committee shall be subject to the control of the Board.

(5) Subject to the approval of the Board and to the provisions of Part III of this Act, a committee may make rules governing the conduct of its business and the expenditure of its funds: 30

Provided that no funds of a committee shall be expended otherwise than for the purpose of carrying out the objects of this Act. 35

Funds of
committees.

36. (1) The Board may from time to time grant to any committee appointed by it under section *thirty-five* of this Act such sums out of the general funds of the Board as the Board thinks fit. 40

(2) The funds of every such committee shall consist of all moneys granted to it by the Board as aforesaid and all other moneys received by the committee, not being moneys received on behalf of the Board.

37. There may be paid to the members of any committee appointed under section *thirty-five* of this Act, out of the funds of the committee or out of the funds of the Board, all moneys actually and reasonably expended by
 5 them in attending meetings of the committee or in transacting any business of the committee pursuant to a resolution of the committee.

Travelling expenses of members of committees.

38. (1) The Board may from time to time make
 by-laws for all or any of the following purposes:—

By-laws.

10 (a) The management, safety, and preservation of the Park, and the safety and preservation of the native flora and fauna therein:

Cf. 1922,
No. 31, s. 12

(b) The keeping of order in the Park:

Cf. 1924,
No. 60, s. 13

15 (c) Excluding the public from any specified part or parts of the Park:

Cf. 1928,
No. 36, s. 80

(d) Prescribing the conditions on which persons shall have access to or be excluded from the Park or any part thereof, and fixing charges for the admission of persons to any part of the Park set apart for any specified purpose of public
 20 amusement or recreation:

(e) Prescribing conditions for the use of camping sites, parking places, or picnic places in the Park, and fixing charges for the use of any such
 25 camping sites, parking places, or picnic places:

(f) Prescribing conditions on which persons may be permitted to enter or remain on any wilderness area within the Park.

(2) By-laws made by the Board shall not come into
 30 force until they have been approved by the Authority and have been gazetted.

39. The publication in the *Gazette* of any by-laws purporting to have been made by the Board under this Act and to have been approved by the Authority shall be
 35 conclusive evidence that the by-laws have been duly made and approved under this Act.

Proof of by-laws.

Cf. 1922,
No. 31, s. 13

Cf. 1924,
No. 60, s. 14

Cf. 1928,
No. 36, s. 81

40. Every person who commits a breach of any by-law made under this Act commits an offence, and shall
 be liable to a fine not exceeding ten pounds.

Penalty for breach of by-laws.

Cf. 1922,
No. 31, s. 14

Cf. 1924,
No. 60, s. 15

Cf. 1928,
No. 36, s. 82

Powers where
no Park Board.

41. The functions, powers, and duties conferred and imposed on National Park Boards under this Act shall, with respect to any National Park which is not for the time being under the control of a Board, be exercised by the Commissioner of Crown Lands for the Land District in which the Park, or the greater part thereof, is situated: 5

Provided that in any such case the power of a National Park Board to make by-laws shall be exercised by the Authority. 10

PART III

FINANCIAL PROVISIONS

General funds
of Boards.

Cf. 1922,
No. 31, s. 24

Cf. 1924,
No. 60, s. 28

Cf. 1928,
No. 36, s. 92

42. The general funds of the Board shall consist of—
(a) All moneys accruing in respect of the Park or received by way of penalties, fees, royalties, or otherwise under this Act, and the same shall be paid to the Board accordingly: 15

(b) All moneys from time to time allocated and paid to the Board out of moneys appropriated by Parliament for national park purposes: 20

(c) All moneys from time to time contributed to the Board by any local authority out of its general funds:

(d) All moneys from time to time received by the Board from rents derived from leases and licences or by way of gifts or legacies for the general purposes of the Board: 25

(e) All other moneys received by the Board in any manner and from any source as part of its general revenue. 30

Expenditure
of funds.

Cf. 1922,
No. 31, s. 23

Cf. 1924,
No. 60, s. 27

Cf. 1928,
No. 36, s. 92

43. (1) The expenses incurred by the Board in managing and improving the Park and generally in administering this Act shall be paid out of its general funds.

(2) All moneys received in respect of any National Park that is not for the time being under the control of a National Park Board shall be applied in managing, administering, and improving the Park or otherwise in carrying out in respect of the Park the objects of this Act. 35 40

44. The Board and each local committee or other committee of the Board may in every financial year expend for purposes not authorized by this Act or by any other Act or law for the time being in force any sum or sums not exceeding in the aggregate,—

(a) In the case of the Board, fifty pounds:

(b) In the case of each local or other committee, twenty-five pounds:

Provided that the aggregate of the amounts that may be so expended in any financial year by the Board and all the local or other committees of that Board shall not exceed one hundred and fifty pounds.

45. (1) The Authority and each Board are hereby declared to be statutory Boards within the meaning of the Fees and Travelling Allowances Act 1951.

(2) There shall be paid to the members of the Authority, out of moneys appropriated by Parliament, and to the members of the Board, out of the funds of the Board, remuneration by way of fees, salary, or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly.

46. (1) All moneys of the Board or of any local or other committee of the Board shall, within seven days after they have come into the hands of the proper officer of the Board or local or other committee, be paid to the credit of the Board or local or other committee at such bank as the Board or local or other committee, as the case may be, from time to time directs.

(2) The bank account of the Board and of each local or other committee of the Board shall be operated on by such persons and in such manner as the Board or committee, as the case may be, from time to time by resolution decides.

(3) Subject to the terms of any trust, any moneys of the Board or of any local or other committee of the Board which are not immediately required for expenditure by the Board or local or other committee may be invested in any manner in which trustees are for the time being authorized to invest trust funds.

47. (1) The Board and each local or other committee of the Board may, pursuant to a resolution in that behalf, establish an imprest account at such bank as the Board or committee, as the case may be, from time to time appoints.

Unauthorized expenditure.
Cf. 1933,
No. 19, s. 12
Cf. 1940,
No. 18, s. 47

Travelling expenses of members of Authority and Park Boards.
1951, No. 79

Banking and investment of moneys.
Cf. 1933,
No. 19, s. 10

Imprest accounts.

(2) Every imprest account may be held in the name or names of and be operated on by such person or persons as may be appointed in that behalf by the Board or committee, as the case may be.

(3) The Board or local or other committee, as the case may be, shall from time to time by resolution fix the maximum amount that may be held at any time in the imprest account, not exceeding one hundred pounds in any case where the imprest account may be operated on by one person acting alone, and not exceeding such amount as the Audit Office may approve in any other case.

(4) Moneys in the imprest account shall be available only for the payment of wages and of emergency expenditure. A statement of all payments made from the imprest account shall be submitted to the Board or local or other committee, as the case may be, for approval at its first ordinary meeting thereafter. The payment of moneys out of the imprest account for any purpose not hereby authorized shall be deemed to be the misappropriation of the funds of the Board or, as the case may be, of the local or other committee.

(5) The provisions of section *forty-six* of this Act shall be read subject to the provisions of this section.

Audit of accounts.
Cf. 1922, No. 31, s. 21
Cf. 1928, No. 36, s. 95
Cf. 1933, No. 19, s. 8
 See Reprint of Statutes, Vol. VII, p. 56

48. The Audit Office shall be the auditor of the Board and of every local or other committee of the Board, and shall have the same powers and duties in respect of moneys, stores, and accounts of the Board and of each local or other committee as if the Board and each local or other committee was a local authority within the meaning of section one hundred and twenty-four of the Public Revenues Act 1926.

Annual statement of accounts and report.
Cf. 1922, No. 31, s. 28
Cf. 1928, No. 38, s. 96
Cf. 1933, No. 19, s. 9

49. (1) Within twenty-eight days after the close of each financial year ending with the thirty-first day of March, the Board shall cause to be prepared and submitted to the Audit Office for audit a balance sheet and statement of accounts (including a receipts and payments account and an income and expenditure account) showing fully the financial position of the Board at the close of the year.

(2) Where there are local or other committees of the Board the balance sheet and statement of accounts shall be submitted to the Audit Office in an aggregate form, showing the financial position of the Board and of each

local or other committee at the close of the financial year, and the Board shall also submit a separate balance sheet and statement of accounts (including a receipts and payments account and an income and expenditure
5 account) in respect of the Board and of each local or other committee.

(3) The Board shall submit to the Authority a copy of the aforesaid balance sheet and statement of accounts when duly audited together with a report as to
10 the operations of the Board and of each local or other committee of the Board during the financial year.

50. (1) It shall be lawful for any member of the Board or of a local committee or other committee of the Board to hold any office or place of profit under or in the
15 gift of the Board or the local or other committee, as the case may be, where the payment made or to be made by the Board or the local or other committee in respect of that office or place of profit does not exceed twenty-five pounds in any financial year.

(2) Nothing in the Local Authorities (Members' Contracts) Act 1934 shall be deemed to apply with
20 respect to any contract to which this section applies.

(3) Subject to the provisions of this section, the Board and each local or other committee of the Board
25 shall be deemed to be a local authority for the purposes of the Local Authorities (Members' Contracts) Act 1934.

51. Any local authority may from time to time make contributions out of its general fund or account towards the cost of acquisition by the Crown of any land or
30 interest in land for national park purposes or the management, improvement, and maintenance of any National Park, or of any part thereof, notwithstanding that the Park may be situated outside the district of that local authority.

35

PART IV

MISCELLANEOUS

52. Any park ranger, any constable, and any person employed in the Park, may, without further warrant or
40 authority than this section, and any other person in the employment of the Crown authorized in writing in that behalf by the Authority, may summarily interfere to prevent any actual or attempted breach of this Act or of any regulation or by-law thereunder.

Contracts by members with Boards and committees.

Cf. 1933, No. 19, s. 11

Cf. 1938, No. 20, s. 52

1934, No. 17

Local authorities may make contributions for national park purposes.

Cf. 1922, No. 31, s. 24 (e)

Cf. 1924, No. 60, s. 28 (e)

Cf. 1928, No. 60, s. 93 (e)

Cf. 1944, No. 34, s. 9 (4)

Powers of park rangers, constables, &c.

Cf. 1922, No. 31, s. 17

Cf. 1924, No. 60, s. 18

Cf. 1928, No. 36, s. 52

Damage by fire.
Cf. 1938,
 No. 19, s. 26 (1)

53. (1) Every person commits an offence against this Act who, without being authorized by the Board,—

(a) Lights on any land (including a public road or highway) adjoining any National Park, or, being the owner or occupier of any such adjoining land, permits to be lighted thereon a fire which spreads into and destroys any bush or natural growth on or damages the Park in any way; or

(b) Being the lessee or licensee of any land in a National Park lights or permits to be lighted on that land a fire which destroys any bush or natural growth on or damages the Park in any way.

(2) Every person who commits an offence against this section shall be liable to a fine not exceeding one hundred pounds and in addition shall be liable to pay for all damage done and for the cost of extinguishing the fire. That damage or cost shall be assessed by a Stipendiary Magistrate, and shall be recoverable summarily in like manner as a fine.

Offences within the Park.
Cf. 1922,
 No. 31, s. 15
Cf. 1924,
 No. 60, s. 16
Cf. 1928,
 No. 36, s. 83
Cf. 1938,
 No. 19, s. 26 (2)

54. (1) Every person commits an offence against this Act who, within the boundaries of the Park, and without being authorized by the Board,—

(a) Lights any fire, except in a fireplace in any camping ground or picnic place established by the Board; or

(b) Causes or allows any cattle, sheep, horses, or other animals to trespass on the Park; or

(c) When required by notice from the Board to remove any animal from the Park, fails to do so within the period specified in the notice; or

(d) Liberates any animal or bird:

Provided that nothing contained in any authority by the Board to liberate any animal or bird in the Park shall be deemed to authorize any person to liberate any animal or bird in contravention of the provisions of any other enactment for the time being in force relating to the control and conservation of wildlife; or

- (e) Plants any tree, shrub, or plant of any kind, or sows or scatters the seed of any tree, shrub, or plant of any kind, or introduces any substance injurious to plant life; or
- 5 (f) Wilfully breaks or injures any fence, building, apparatus, or erection; or
- (g) Wilfully breaks, cuts, injures, or removes any or any part of any weed, tree, shrub, fern, plant, stone, mineral, furniture, utensil, tool, or thing
- 10 of any kind; or
- (h) Wilfully digs, cuts, or injures the sod; or
- (i) Is in possession of any firearm; or
- (j) Shoots at any bird or animal or any other object or thing with any weapon or other instrument;
- 15 or
- (k) Takes or destroys or wilfully injures or in any manner disturbs or interferes with any bird or animal or the nest or egg of any bird; or
- (l) Takes or removes from the Park any bark, flax,
- 20 mineral, gravel, or other substance or thing whatsoever; or
- (m) Deposits or throws any rubbish or any substance or article of a dangerous or offensive nature or likely to be of a dangerous or offensive nature, except in a place or receptacle approved or provided by the Board for the purpose; or
- 25 (n) Erects any building, sign, hoarding, or apparatus; or
- (o) In any way interferes with the Park or damages the scenic or historic features thereof.
- 30 (2) Every person commits an offence against this Act who uses, sells, or otherwise disposes of any wood, timber, bark, flax, mineral, gravel, or other substance or thing whatsoever knowing the same to have been removed
- 35 unlawfully from any National Park.
- (3) Every person who commits an offence against this section shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds or to both that imprisonment and that
- 40 fine.
- (4) Any person convicted of an offence under this section shall, in addition to any penalty for which he may be liable under this section, pay the full market value of any substance removed from, or for the damage done

to the Park, or to any forest, wood, timber, flax, or scrub growing or being thereon, and, in the case of an offence under paragraph (a) of subsection *one* of this section, for the cost of extinguishing the fire. That value or damage or cost shall be assessed by a Stipendiary Magistrate, and shall be recoverable in like manner as a fine. 5

(5) All cattle, sheep, horses, or other animals trespassing on the Park which are unbranded and have no reputed owner may be seized by any park ranger or by any person authorized in that behalf by the Board in writing, either generally or in any particular case, and shall thereupon be deemed to be forfeited to the Board, which may cause them to be destroyed, sold, or otherwise disposed of as it thinks fit. 10 15

(6) Where cattle, sheep, horses, or other animals which are branded or which have a reputed owner are found trespassing on the Park, the Board may issue once a week for two consecutive weeks in some newspaper circulating in the locality a notice calling on the owner or reputed owner to remove the animals from the Park and giving warning that if they are not removed within fourteen days from the date of the first of the notices they will be destroyed, sold, or otherwise disposed of. If any such animals are not removed within the time mentioned in the notice the Board may cause them to be destroyed, sold, or otherwise disposed of, and no liability shall attach to the Board or any person for any damage occasioned thereby. 20 25

(7) The proceeds of the sale or disposal of any animal sold or otherwise disposed of under either of the *last two preceding* subsections shall be the property of the Board. 30

(8) All buildings, signs, hoardings, or apparatus erected on the Park without the authority in writing of the Board shall be deemed, if affixed to the soil, to be forfeited to the Crown, and, if not affixed to the soil, to be forfeited to the Board. 35

(9) Any firearm found illegally in the possession of any person in the Park may be seized by any park ranger or constable or by any officer or servant of the Board, and shall be retained by the Board pending the trial of the person for the offence in respect of which it was seized. If proceedings are not taken within six months against the person from whom the firearm was seized it shall at 40

the expiration of that period be returned to him. Where proceedings are taken against the person from whom the firearm was seized, the firearm shall, when the proceedings are completed, be returned to that person, unless
 5 the Court, where it enters a conviction, directs that the firearm be forfeited to the Board, in which case the firearm shall be deemed to be forfeited to the Board accordingly, and shall be disposed of as the Board directs.

10 **55.** Notwithstanding anything in the Justices of the Peace Act 1927, any information in respect of any offence against this Act or any regulation under this Act (not being an offence against section *eleven* of this Act) may be laid at any time within two years from the time when the matter of the information arose.

Time within which information may be laid.
 See Reprint of Statutes, Vol. II, p. 351

15 **56.** (1) All proceedings in respect of offences against this Act shall be taken in a summary way on the information of—

Proceedings in respect of offences.
Cf. 1928, No. 36, s. 102

20 (a) The Secretary of the Board or some other person appointed in that behalf by the Board, in any case where the Park is under the control of a National Park Board:

25 (b) The Commissioner of Crown Lands or some other person appointed in that behalf by the Commissioner, in any case where the Park is not under the control of a National Park Board.

(2) Any appointment under subsection *one* of this section may be for the purpose of laying an information in respect of a particular offence, or may be a general
 30 appointment to lay informations in respect of offences generally.

35 (3) Any officer or servant of the Board or of the Department of Lands and Survey, although not the informant, may appear and conduct the prosecution in all proceedings for offences against this Act or any regulations or by-laws under this Act.

57. (1) In any case where under section *fifty-four* of this Act wilful intent must be shown, that intent shall be presumed until the contrary is shown.

40 (2) If within the Park or in its vicinity any person is found in possession of any wood, tree, shrub, fern, plant, bird, egg, nest, or animal, or any part of any such thing, and, upon being thereunto required by any park ranger or constable or by any person employed in the Park or

Evidence of offences.
Cf. 1922, No. 31, s. 16
Cf. 1924, No. 60, s. 17
Cf. 1928, No. 36, s. 84

See Reprint
of Statutes,
Vol. I, p. 183

by any ranger appointed under the *Animals Protection and Game Act 1921-22* or by any person in the employment of the Crown duly authorized by the Authority in writing in that behalf, fails or refuses to give a satisfactory account of the manner in which he became 5
possessed of the same, he shall be deemed to have wilfully removed or taken the same in breach of this Act unless he satisfies the Court to the contrary.

(3) In any proceedings for an offence against this Act or any regulations or by-laws under this Act the 10
averment that any lands in question form part of a National Park or of a special area or a wilderness area shall be sufficient without proof of that fact, unless the defendant proves to the contrary, and all plans and maps and copies certified as true under the hand of the 15
Commissioner of Crown Lands or the Chief Surveyor of the Land District in which the land is situated shall be sufficient evidence of their contents without production of the original records, and without the personal attendance of those officers or proof of their signatures. 20

Application
of fines.
Cf. 1928,
No. 36, s. 85
See Reprint
of Statutes,
Vol. II, p. 346

58. Subject to subsection two of section thirteen of the Finance Act 1927 (No. 2), all fines recovered under this Act on the information of the Secretary of a National Park Board or of any other person appointed in that behalf by the Board shall be paid into and form part of 25
the general funds of the Board :

Provided that any moneys awarded by a Court in respect of loss or damage or the cost of extinguishing any fire and recovered as a fine shall be so paid without any deduction being made. 30

Mining
operations in
National Parks.
Cf 1928,
No. 36, s. 101
See Reprint
of Statutes,
Vol. V, p. 943

59. (1) Nothing in this Act shall in any way restrict the operation of any of the provisions of the Mining Act 1926, with respect to dealings under that Act with land included in any National Park:

Provided that the term " public reserve " as defined 35
in the Mining Act 1926 shall be deemed to include a National Park under this Act.

(2) Notwithstanding anything to the contrary in this or any other Act, the Governor-General may from time to time, by Order in Council on the recommendation of the 40
Authority to the Minister, declare to be subject to the Coal Mines Act 1925 or to any specified provisions of that Act, as if it were Crown land within the meaning of that Act, any National Park or any specified part of any National Park which contains coal: 45

Ibid., p. 843

Provided that no coal mining rights over any such land so declared to be subject to the Coal Mines Act 1925 or to any provisions of that Act shall be granted by any Warden or Commissioner of Crown Lands save with
 5 the consent in writing of the Minister given on the recommendation of the Authority.

60. The District Land Registrar for the Land Registration District in which is situated any land forming part of any National Park shall, on completion of
 10 such surveys (if any) as may be necessary, and on being requested in writing so to do by the Commissioner of Crown Lands of the appropriate Land District, issue a certificate or certificates of title under the *Land Transfer Act 1915* in the name of Her Majesty the Queen in respect
 15 of any such land:

Provided that nothing in this section shall impose any obligation on any person to register any lease or licence granted under this Act.

61. (1) The reservation for national park purposes of
 20 that portion of the Arthur Pass National Park described in the *Ninth Schedule* hereto, being township land within the Park, is hereby cancelled, and the land is hereby declared to be Crown land within the meaning of the Land Act 1948.

(2) The holder of any lease with right of renewal current at the commencement of this Act of any part of the land referred to in subsection *one* of this section shall, notwithstanding anything contained in his lease or in any other Act as to the terms, conditions, and
 30 covenants to be included in the renewal lease, be granted a renewal lease in accordance with the provisions of subsection two of section sixty-seven of the Land Act 1948:

Provided that nothing in this section shall confer on
 35 the holder of any lease mentioned in this subsection the right of acquiring the fee simple.

(3) The lessee under any lease referred to in subsection *two* of this section may, at any time during the currency of the lease, surrender his lease and obtain in
 40 lieu thereof a lease, with or without right of renewal as the Land Settlement Board determines, under subsection two of section sixty-seven of the Land Act 1948, but without the right of acquiring the fee simple.

Certificates of title in respect of National Parks.

Cf. 1924, No. 60, s. 23

Cf. 1927, No. 46, s. 6

Cf. 1928, No. 36, s. 98

See Reprint of Statutes, Vol. VIII, p. 1162

Cancellation of reservation of portion of Arthur Pass National Park.

1948, No. 64

Cancelling
reservations
over Resolution
Island.

62. (1) All existing reservations over Resolution Island (which island is by subsection *five* of section *nine* of this Act included in the description of the lands comprising the Sounds (Fiordland) National Park) are hereby cancelled, and the island is hereby declared to be a reserve for national park purposes and to form part of the Sounds (Fiordland) National Park. 5

See Reprint
of Statutes,
Vol. VIII,
p. 608

(2) The Tourist and Health Resorts Control Act 1908 is hereby consequentially amended by omitting from the Second Schedule the words "Resolution Island". 10

See *Gazette*,
12 March 1908,
p. 849

(3) The Order in Council issued under the authority of the Tourist and Health Resorts Control Act 1906 on the third day of March, nineteen hundred and eight, and published in the *Gazette* of the twelfth day of March, nineteen hundred and eight, is hereby amended by omitting from the Schedule the words "Resolution Island" and all words describing that island. 15

Regulations.

Cf. 1922,
No. 31, s. 29

Cf. 1924,
No. 60, s. 32

Cf. 1928,
No. 36,
ss. 97, 100

63. (1) The Governor-General may from time to time, by Order in Council, make, either generally or with respect to any specified National Park, all such regulations as he deems necessary for the due administration of, and for giving full effect to, the provisions of this Act. 20

(2) All regulations made under this section shall be laid before Parliament within twenty-eight days after the making thereof if Parliament is then in session, or if not, shall be laid before Parliament within twenty-eight days after the commencement of the next ensuing session. 25

Consequential
amendments.
See Reprint
of Statutes,
Vol. VI, p. 1134

64. (1) The Public Reserves, Domains, and National Parks Act 1928 may hereafter be cited as the Public Reserves and Domains Act 1928. 30

(2) All references in any other Act to the Public Reserves, Domains, and National Parks Act 1928 shall be read hereafter as references to the Public Reserves and Domains Act 1928.

(3) The enactments specified in the *Eleventh* Schedule hereto are hereby amended in the manner indicated in that Schedule. 35

Repeals and
savings.

Ibid., Vol. VIII,
p. 568

65. (1) The enactments specified in the *Twelfth* Schedule to this Act are hereby repealed. 40

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the repeal of any provision by this Act shall not affect any document made or any thing whatsoever done under the provision so repealed or under any corresponding former provision, and every such document or thing, so far as it is subsisting or in force at the time of the repeal and 45

could have been made or done under this Act, shall continue and have effect as if it had been made or done under the corresponding provision of this Act and as if that provision had been in force when the document was
5 made or the thing was done.

(3) Notwithstanding the repeal of any such enactment as aforesaid, the following provisions of this subsection shall have effect with respect to the National Park Boards constituted under those enactments,
10 namely,—

(a) Every such Board shall be deemed to be the same Board under this Act, without change of corporate entity or otherwise; and all its funds and other property and its rights and liabilities shall be deemed to be the funds,
15 property, rights, and liabilities of the Board constituted under this Act:

(b) Subject to paragraph (c) of this subsection the appointed members of every such Board holding office immediately before the commencement of this Act shall, subject to the provisions of any such enactment as to the disqualification of members, continue in office until the date when the first appointed members of the Board
20 come into office under the provisions of this Act:

(c) The members of the Egmont National Park Board as constituted immediately before the commencement of this Act, being members appointed by the local committees of that Board in the month of March, nineteen hundred and fifty-two, or appointed before the commencement of this Act in place of any such member who has died or vacated his office, shall,
25 subject to the provisions of this Act as to the disqualification of members, continue in office for the term for which they were appointed, as if they had been appointed under this Act:

(d) Every local committee of the Egmont National Park Board as constituted immediately before the commencement of this Act shall be deemed to be the same local committee under this Act, and its members shall, subject to the provisions of this Act as to the disqualification of members, continue in office for the period
30 for which they were appointed as if they had
35 been appointed under this Act.
40
45

Schedules.

SCHEDULES

Section 9 (1)

FIRST SCHEDULE

TONGARIRO NATIONAL PARK

ALL that area in the Wellington Land District, containing 149,385 acres, more or less, bounded as follows: Commencing at the intersection of the southern side of the National Park-Taupo State Highway with the eastern side of the National Park-Wanganui State Highway; thence proceeding in an easterly and northerly direction generally along the southern and eastern sides of the National Park-Taupo State Highway to the southern boundary of Okahukura 8M 2c 1; thence easterly along the southern boundary of Okahukura 8M 2c 1 aforesaid, and the crossings of Ketetahi Road, to the southern boundary of Okahukura 8M 2c 2c; thence easterly along the southern boundaries of Okahukura 8M 2c 2c, 8M 2B 3B, 8M 2B 3A, and No. 1 to the south-eastern boundary of the last mentioned block; thence north-easterly along the south-eastern boundary of Okahukura No. 1 to the south-western boundary of Rangipo North 1c; thence south-easterly and north-easterly along the south-western and south-eastern boundaries of Rangipo North 1c to the right bank of the Tahuarangi Stream; thence along that right bank to the south-western boundary of Rangipo North 2c 1; thence south-easterly along that south-western boundary to the southernmost corner of Rangipo North 2c 1; thence along a right line to the westernmost corner of Rangipo North 3c; thence easterly along the southern boundary of Rangipo North 3c to the left bank of the Tongariro River; thence southerly along that left bank to the left bank of the Mangatawai Stream; thence westerly along that left bank to the western side of the Waiouru-Turangui State Highway; thence southerly along that western side to the left bank of the Oturere Stream; thence westerly generally along that left bank to a point in line with the western boundary of Rangipo North 5c; thence southerly to and along the western boundary of that block to the south-western corner of that block; thence easterly along the southern boundary of Rangipo North 5c for a distance of 105 chains; thence southerly along a right line passing through Waihohonu Trig. Station to the Waiouru-Turangui State Highway; thence southerly generally along that highway to the left bank of the Waihohonu Stream; thence westerly along that left bank to a point in line with the south-eastern boundary of Rangipo North 6a; thence south-westerly to and along that boundary to the Te Piripiri Stream; thence along a right line to the easternmost corner of Rangipo North 6b; thence south-westerly and north-westerly along the south-eastern and south-western boundaries of that block to a point on the circumference of a circle having a radius of 4 miles from Paretetaitonga (H) Trig. Station; thence south-westerly along the circumference of that circle to a point in line with the northern boundary of Rangiwaea 4r 19; thence easterly to the north-western corner of that block; thence south-westerly along the north-western boundaries of Rangiwaea

*FIRST SCHEDULE—continued**TONGARIRO NATIONAL PARK—continued*

4F 19 and 4F 15B for a distance of 220 chains; thence by a right line on a bearing of $302^{\circ} 46' 32''$ to and across the Mangaehuehu Stream; thence southerly along the right bank of that stream to a point on a bearing of 112° and 14206.8 links from the north-eastern corner of Rangataua North 2B 2B; thence by a right line to the north-eastern corner of Rangataua North 2B 2B aforesaid; thence north-westerly along the north-eastern boundary of Rangataua North 2B 2B to the left bank of the Mangawhero River; thence northerly generally along that left bank to a point due east of the junction of the left bank of the Mangaiti Stream with the right bank of the Mangawhero River; thence due west to the left bank of the Mangaiti Stream; thence northerly generally along that left bank to a point bearing $67^{\circ} 31'$ from Trig. Station G; thence by a right line to Trig. Station G; thence north-easterly along the south-eastern boundaries of Urewera 1c 4, 1B, and 1A to a point on the circumference of a circle having a radius of 4 miles from Parotetaitonga (II) Trig. Station; thence north-westerly along the circumference of that circle to the right bank of the Mangaturuturu Stream; thence westerly generally along that right bank to a point due south of Hauhungatahi Trig. Station; thence due north to a point due south and distant 10797 links from Hauhungatahi Trig. Station; thence north-westerly bearing $292^{\circ} 49' 16''$ distance 22287 links to a point on the eastern side of the North Island Main Trunk Railway; thence northerly along that side to the eastern side of the National Park—Wanganui State Highway; thence northerly along that eastern side to the southern boundary of Waimarino 4A 5; thence easterly along that southern boundary and northerly along the eastern boundaries of Waimarino 4A 5 and 4A 1 to the northern boundary of Waimarino 4A 1; thence westerly along that northern boundary to the eastern side of the National Park—Wanganui State Highway; thence northerly along that eastern side to the point of commencement; including the beds and waters of all internal streams, rivers, lakes, lagoons, and pools; save and excepting Ketetahi Maori Reserve, and all legal roads.

Also all that area in the Wellington Land District containing by admeasurement 889 acres 2 roods 32 perches, more or less, bounded as follows: Commencing at the northernmost corner of Section 11, Block I, Karioi Survey District; thence proceeding in an easterly direction along the northern boundary of Section 11 aforesaid, to the eastern boundary of that section; thence southerly along the eastern boundaries of Sections 11 and 10, Block I, Karioi Survey District, to the northern boundary of Section 24, Block I, Karioi Survey District; thence westerly and southerly along the northern and western boundaries of Section 24 aforesaid to a public road; thence southerly by that road and along the western boundaries of Sections 18, 20, and 22, Block I, and Section 81, Block V, Karioi Survey District, to a public road; thence across that public road to the westernmost corner of Section 80, Block V, Karioi Survey District; thence easterly along the southern boundary of Section 80 aforesaid to the

FIRST SCHEDULE—continued

TONGARIRO NATIONAL PARK—continued

western boundary of Section 76, Block V, Karioi Survey District; thence southerly along that western boundary and the western boundary of part Section 2, Block V, Karioi Survey District, and again by the western boundary of Section 76 aforesaid to the northern side of the North Island Main Trunk Railway; thence westerly along the northern side of that railway to the Urewera Road; thence northerly along the eastern side of the Urewera Road to and across a public road, and again along the eastern side of Urewera Road to a point in line with the northern boundary of Section 19, Ohakune Village Settlement; thence to and along the northern boundaries of Sections 19 and 18, Ohakune Village Settlement, and that boundary produced to the left bank of the Mangawhero River; thence northerly generally along that left bank to a point in line with the northern boundary of Section 11, Block I, Karioi Survey District; thence by a right line to the point of commencement; including the beds and waters of all internal streams, rivers, lakes, lagoons, and pools; save and excepting all legal roads and the Road Reserve along the left bank of the Mangawhero River.

Also all that area in the Wellington Land District containing 55 acres 1 rood, more or less, being Section 15, Block I, Karioi Survey District.

Also all that area in the Wellington Land District, containing 1 acre, more or less, being Section 14, Block IX, Town of Waimarino.

As the same are more particularly delineated on the plan numbered L. and S. 4/426/2B, deposited in the Head Office, Department of Lands and Survey at Wellington, under number 3082, and thereon edged red.

Section 9 (2)

SECOND SCHEDULE

EGMONT NATIONAL PARK

ALL those areas in the Taranaki Land District, partly in the Counties of Egmont, Taranaki, Inglewood, Stratford, and Eltham, containing together 79,498 acres 1 rood 20 perches, more or less, and being more particularly described as follows:—

All that area containing 72,244 acres, more or less, situated in Blocks V, VI, VII, IX, X, XI, XIII, XIV, XV, Egmont Survey District, Blocks XI, XV, Cape Survey District, Block IV, Opunake Survey District, and Blocks I, II, III, V, VI, VII, Kaupokonui Survey District, and being the land comprised within a circle having a radius of six miles with the centre on the summit of Mt. Egmont, and including all internal rivers, lakes, and streams: save and except therefrom the access roads one chain wide to the North Egmont Hostel, the Stratford Mountain House, and the Dawson Falls Hostel as constituted a legal road by *New Zealand Gazette* No. 50 of 26 July 1945, page 942, also save and except that portion of Section 134, Omata District, which intersects the northern boundary of the aforementioned radius line.

*SECOND SCHEDULE—continued**EGMONT NATIONAL PARK—continued*

Also all that area containing 1,543 acres, more or less, comprising :—

- Section 15, Block VII, Cape Survey District.
- Section 14, Block XI, Cape Survey District.
- Section 1, Block V, Egmont Survey District.
- Section 2, Block V, Egmont Survey District.
- Section 18, Block V, Egmont Survey District.
- Section 19, Block V, Egmont Survey District.
- Section 54, Block IV, Kaupokonui Survey District.
- Section 55, Block IV, Kaupokonui Survey District.
- Section 63, Block IV, Kaupokonui Survey District.

Also all that area containing 211 acres 1 rood 20 perches, more or less, being part Section 3, Block XV, Cape Survey District, as defined on a plan lodged in the office of the Chief Surveyor at New Plymouth under number S.O. 8272.

Also all that area containing 5,500 acres, more or less, comprising Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, and 11 and part Subdivision 2 of Section 170, Oakura District, and parts Sections 169 and 170, Oakura District, all being situated in Blocks III and VII, Cape Survey District.

As the same are more particularly delineated on the plan marked L. and S. 4/426/2c, deposited in the Head Office, Department of Lands and Survey at Wellington, under number 3083, and thereon bordered red.

THIRD SCHEDULE

Section 9 (3)

ABEL TASMAN NATIONAL PARK

ALL those areas in the Nelson Land District, partly in the Waimea County and partly in the Takaka County, containing together 40,472 acres 2 roods 27 perches, more or less, and being more particularly described as follows :—

All that area in Blocks III, IV, V, VI, VII, VIII, IX, X, XI, and XII, Totaranui Survey District, Blocks III, IV, V, and VI, Kaiteriteri Survey District, Block IV, Takaka Survey District, and Block XI, Waitapu Survey District, containing by admeasurement 40,249 acres 1 rood 33 perches, more or less, and bounded generally as follows: Commencing at the south-western corner of Section 23, Block XI, Waitapu Survey District; thence towards the north and north-west by the aforesaid Section 23 and Section 1, Block V, Totaranui Survey District; thence by the abutment of a public road, a crossing of the Wainui River; again by the abutment of a public road and by that road along the east bank of the Wainui River; again by the abutment of that road, a crossing of the Wainui River, the abutment of a public road, by Sections 13 and 11, Block III, Totaranui Survey District, a crossing of the Wainui River, and by the right bank of that river to the southern boundary of Section 1 of the said Block

*THIRD SCHEDULE—continued**ABEL TASMAN NATIONAL PARK—continued*

III; thence by the aforesaid Section 1, Sections 9 and 2, Block III, Sections 12, 8, 7, 6, Square 12, Sections 14 and 3, Block IV, and Section 5, Block II, Totaranui Survey District to the mean high-water mark of Tasman Bay; thence towards the north-east generally by that mean high-water mark and a public road along that mean high-water mark to the north-western boundary of Section 25, Block IV; thence towards the south-east by the said Section 25 and Section 28, Block IV, Totaranui Survey District; thence again towards the north generally by the aforesaid Section 25 to the aforesaid mean high-water mark; thence towards the east generally by that mean high-water mark to the north-eastern corner of Section 5, M.R., Block VI, Totaranui Survey District; thence towards the south-east generally by the said Section 5, M.R., and by the north-eastern, north-western and south-western boundaries of Section 9 of the aforesaid Block VI to the mean high-water mark of Awaroa Inlet; thence by that mean high-water mark to a point opposite the eastern boundary of Section 11, of the said Block VI, and by that boundary and Sections 1, 15, 14, and 13, Square 10, Sections 11 and 10, Block VI, Totaranui Survey District, to and across the Awaroa River and by the right bank of that River to the south-western corner of Section 16, Square 10; thence by the said Section 16 and Sections 4, 10, and 5, Square 10, to the mean high-water mark of Awaroa Inlet; again by that mean high-water mark to the north-western corner of Section 7, Square 10; thence by the said Section 7, part of Section 12, Sections 21 and 20, all of Square 10, and the northern, western, and southern boundaries of Section 6, Block X, Totaranui Survey District, and by the last-mentioned boundary produced to the mean high-water mark of Tasman Bay and by that mean high-water mark to the northern corner of Section 27, Square 10, and by the said Section 27 and again by the aforesaid mean high-water mark to the public road along the northern boundary of Section 5, Block X, Totaranui Survey District, and by that road and the western boundary of the said Section 5, the northern and western boundaries of part of Section 1, Block III, Kaiteriteri Survey District, and by the last-mentioned boundary produced to the mean high-water mark of Torrent Bay and by that mean high-water mark to the north-western corner of Section 2, Square 10, by the western boundary of the said Section 2 to the northern boundary of Section 7, Block VI, Kaiteriteri Survey District; thence by the northern, western, southern, and eastern boundaries of Section 7 aforesaid, the eastern boundary of Section 2, Square 10 aforesaid, and by Section 5, Block III, Kaiteriteri Survey District, to the mean high-water mark of Tasman Bay, and by that mean high-water mark to the road on the northern boundary of Section 11, Block VI, Kaiteriteri Survey District, and by that road and the southern boundary of Section 12 of the said Block VI to the mean high-water mark of Tasman Bay; thence by that mean

THIRD SCHEDULE—*continued*ABEL TASMAN NATIONAL PARK—*continued*

high-water mark to the northern boundary of Section 16, Block VI aforesaid; thence by that boundary and the public road forming the western, north-western, and south-western boundaries of the said Section 16 and Sections 17, 18, and 19, all of Block VI, Kaiteriteri Survey District, to the mean high-water mark of Tasman Bay, and again by that mean high-water mark to a point in line with the eastern boundary of Section 1, Square 9; thence by that boundary to its north-eastern corner; thence towards the south generally by the said Section 1, Sections 117 M.R., and 118 M.R., District of Motueka, Section 1, Block V, Kaiteriteri Survey District, Sections 25 and 24, Square 9, Sections 2 and 3 of the said Block V; thence by the right bank of the northern branch of the Marahau River, by Section 91, Square 9, Sections 6 and 8, Block V, aforesaid, and by Section 4, Block IV, Kaiteriteri Survey District; thence towards the west generally by Section 3 of the aforesaid Block IV, Sections 14 and 3, Block VIII, Takaka Survey District, Section 10, Block IV, Kaiteriteri Survey District, and by Sections 16 and 14 and by the road forming the eastern boundaries of Sections 26, 25, 24, and 20, all of Block IV, Takaka Survey District, and Sections 14 and 18, Block XI, Waitapu Survey District, to the point of commencement.

Excluding therefrom Section 8, Cemetery Reserve, Block VI, Totaranui Survey District, and all public roads, but including the beds and waters of all internal lakes, rivers, and streams.

Also the whole of Adele Island, situated in Block VI, Kaiteriteri Survey District, containing by admeasurement 215 acres 2 roods, more or less.

Also the eastern and western portions of Fisherman's Island, situated in Block VI, Kaiteriteri Survey District, containing together 7 acres 2 roods 34 perches, more or less, and described as follows :—

Firstly: All that area containing by admeasurement 6 acres and 30 perches, more or less, and bounded generally as follows: Commencing at the northernmost corner of Section J, M.R., Square 9, towards the north-west, north-east, and south-west by the mean high-water mark of Tasman Bay and again towards the south-west by the aforesaid Section J, M.R., to the point of commencement.

Secondly: All that area containing by admeasurement 1 acre 2 roods 4 perches, more or less, and bounded generally as follows: Commencing at the south-western corner of Section J, M.R., Square 9, towards the south-east, south-west, and north-west by the mean high-water mark of Tasman Bay and towards the north-east by the aforesaid Section J, M.R., to the point of commencement.

As the same are more particularly delineated on plan marked L. and S. 4/426/2d, deposited in the Head Office, Department of Lands and Survey, at Wellington, under number 3084, and thereon bordered red.

FOURTH SCHEDULE

ARTHUR PASS NATIONAL PARK

ALL that area in the Canterbury and Westland Land Districts, Tawera and Westland Counties, containing 238,800 acres, more or less, situated in Davie, Bealey, Harper, Hawdon, and Minchin Survey Districts of the Canterbury Land District, and Otira, Taramakau, and Arthurs Pass Survey Districts of the Westland Land District, and bounded as follows: Commencing at a point on the northern boundary of Reserve 1065 at the right bank of the Otira River, Block VII, Otira Survey District, Westland Land District; thence proceeding in an easterly direction along the northern boundary of the said Reserve 1065 and its production to the left bank of the Taramakau River and continuing easterly along the left bank of that river to its headwaters at Harper Pass on the main divide between Canterbury and Westland Land Districts; thence in a south-westerly direction along the said main divide to the summit of the watershed between the Poulter River and the east branch of that river, the said watershed being the eastern boundary of National Park Reserve 3535; thence generally in a southerly direction along the said watershed and the boundary of National Park Reserve 3535 crossing the Poulter River to the eastern boundary of Pastoral Run 175; thence northerly, westerly, and southerly along the said run boundary to and generally south-westerly along the boundary of the aforesaid National Park Reserve 3535 to the southern boundary of State Forest Reserve 3283; thence generally westerly along the southern boundary of that reserve, across the Hawdon River and continuing generally in a westerly direction along the southern boundary of State Forest Reserve 3284, to and along the Midland Railway and along the left bank of the Waimakariri River to its junction with the Bealey River; thence across that river to the southernmost point of Reserve 422; thence northerly along the right bank of the said Bealey River, being the eastern boundary of the said Reserve 422, to and along the northern and western boundaries of the said Reserve 422, to and westerly along the left bank of the Waimakariri River, being the boundary between Reserves 378 and 403, to the western boundary of the said Reserve 403; thence southerly across the Waimakariri River, following the western boundary of the said Reserve 403 to and easterly along the right bank of the Waimakariri River, being the southern boundary of Reserve 403, to a point in line with the western boundary of Reserve 2461, Block XIV, Bealey Survey District; thence to and along that boundary and its production to and along the track and the spur which runs through Trigonometrical Station P to the summit of Black Range; thence generally westerly along the summit of that range to Mount Greenlaw; thence generally northerly and westerly along the watershed through Mount Speight and Mount Harper to Mount Murchison; thence generally northerly along the summit of the Shaler Range to and along the Main Divide to the western boundary of Reserve 1065 (Westland Land District) being the Barron Range; thence north-easterly, south-westerly, and again north-easterly generally along the boundary of the said

*FOURTH SCHEDULE continued*ARTHUR PASS NATIONAL PARK *continued*

Reserve 1065 to the point of commencement, save and except from the above described area all roads and railway land and freehold land (being town sections 16 to 19 inclusive, Arthur Pass Township, and being part of Reserve 386, situated in Block VI, Bealey Survey District, and Rural Section 8487, situated in Block XIV, Bealey Survey District), and the Arthur Pass Township areas described in the *Ninth* Schedule to this Act; and including the beds and waters of all internal rivers, lakes, and streams.

As the same is more particularly delineated on the plan marked L. and S. 4/426/2E, deposited in the Head Office, Department of Lands and Survey, at Wellington, under number 3085, and thereon bordered red.

FIFTH SCHEDULE

Section 9 (5)

SOUNDS (FIORDLAND) NATIONAL PARK

ALL that area of land in the Southland Land District, Fiord, Wallace, and Lake Counties, containing by estimation 2,603,117 acres, more or less, and bounded as follows: Commencing at Stripe Point about one mile and a half south of John O'Groats River; thence easterly and southerly along the summit of the watershed between John O'Groats River and Thurso River, to Pembroke Peak; thence south-easterly generally along the summit of the watershed between the rivers flowing into Milford Sound and the Hollyford River, to Mount Madeline; thence due east along a right line to the western boundary of Run 471; thence southerly and easterly along the western and southern boundaries of Run 471 to the left bank of the Hollyford River; thence southerly generally along the left banks of the Hollyford River and Pass Creek, to the southern boundary of Caples Survey District; thence due east along the said boundary to the bush edge; thence southerly and westerly along the bush edge to the northern boundary of Run 418; thence northerly and southerly generally along the eastern and western boundaries of Run 418 and the western boundary of Run 431 to the westernmost corner of the said Run 431; thence southerly generally along the bush edge to a point due west of Winton Peak; thence due west along a right line to the eastern boundary of Run 394; thence north-easterly and south-westerly along the south-eastern and north-western boundaries of the said Run 394 to the right bank of the Eglinton River; thence south-westerly generally along the right bank of the Eglinton River to Lake Te Anau; thence southerly generally along the eastern shore of Lake Te Anau, the right bank of the Waiau River, and the eastern shore of Lake Manapouri to and across the Waiau River to the northernmost corner of Section 1, Block I, Titiroa Survey District; thence along the western, southern, and eastern boundaries of the said Section 1 to the right bank of the Waiau River; thence easterly along the right bank of the Waiau River to the western boundary of Run 427; thence southerly generally along the western boundary of Run 427, the right bank of the Waiau River, the western boundary of Run 463, the right bank of the Waiau River, and again the western boundary of Run 463, to Trig. Station D, Block VI, Monowai Survey District; thence north-westerly

FIFTH SCHEDULE—continued

SOUNDS (FIORDLAND) NATIONAL PARK—continued

along a right line to Eldrig Peak; thence again north westerly along a right line to Mount Burns; thence south-westerly along a right line to White Peak; thence easterly generally along the summit of the Kaherekoau Mountains, through Ardeer Peak and Knoll Peak, to a point due north of Trig. B, Goldie's Hill, Block XII, Hauroko Survey District; thence due south along a right line in the direction of the said Trig. B, Goldie's Hill, to the southern side of the Lillburn-Hauroko Road; thence westerly along the southern side of the said road to its intersection with a right line running due north and south at a distance of 70 chains west of the said Trig. B, Goldie's Hill; thence due south along the said right line to the northern boundary of Rowallan Survey District; thence due west along the said boundary to the eastern shore of Lake Hauroko; thence south-westerly along the said shore to and across the Wairaurahiri River; thence northerly along the western shore of Lake Hauroko, to the northern boundary of Waitutu Survey District; thence due west along the said boundary and the northern boundaries of Hakapoua Survey District and Preservation Survey District to the south-eastern shore of Preservation Inlet, at Sandy Point; thence south-westerly along the said shore to Puysegur Point; thence northerly generally along the Tasman Sea to Stripe Point, the place of commencement; including in the above described area Cumbrac Island and Lion Island in Lake Te Anau, Mary Island in Lake Hauroko, and the beds and waters of all internal lakes, rivers, and streams, but excluding from the above described area the following islands, viz., Lec, Entrance, Arran, Bute, Doubtful, Erin's Centre, and Dome Islets, situated in Lake Te Anau; the islands Pomona, Rona, Isolde, Holmwood, Mahara, Bunerana, Koinga, and Ineh Keith, situated in Lake Manapouri; the islands Lloyd, Anxiety, Secretary, Bauza, Elizabeth, Towing, Breaksea, Gilbert, Entry, Anchor, Petrel, Parrot, Pigeon, Seal, Nomau's, Indian, Long, Cooper, Front, Shag, Chalky, Passage, Great, Coal, Steep-to, and the islands adjacent thereto, situated in or adjacent to the West Coast Sounds; also excluding that portion of the Lumsden-Te Anau-Milford Sound Main Highway within the Park, and 190 acres at Pickersgill Harbour, Dusky Sound, described in *Gazette* 1919, page 1023.

As the same is more particularly delineated on the plan marked L. and S. 4/426/2r, deposited in the Head Office, Department of Lands and Survey, at Wellington, under number 3086, and thereon bordered red.

Also all that area in the Southland Land District containing by admeasurement 47,500 acres, more or less, being the island known as Resolution Island, situated on the south-west coast of the South Island.

As the same is more particularly delineated on the plan marked L. and S. 4/426/2r, deposited in the Head Office, Department of Lands and Survey, at Wellington, under number 3086, and thereon bordered blue.

SIXTH SCHEDULE

Section 10 (5)

PORTIONS OF TONGARIRO NATIONAL PARK ADMINISTERED UNDER
THE TOURIST AND HEALTH RESORTS CONTROL ACT 1908

ALL that area in the Wellington Land District containing by admeasurement 57 acres 3 roods 30 perches, more or less, known as the hostel site, Tongariro National Park, being part Okahukura Number 8 Block, situated in Block III, Ruapehu Survey District, and being the whole of the area numbered 1 on plan 18700, deposited in the Wellington District Office, Department of Lands and Survey, and thereon bordered red.

Also all that area in the Wellington Land District, containing by admeasurement 1 acre 3 roods 17 perches, more or less, known as the Whakapapa Huts site, Tongariro National Park, being part Okahukura Number 8 Block, situated in Block III, Ruapehu Survey District, and being the whole of the area numbered 2 on plan 18700, deposited in the Wellington District Office, Department of Lands and Survey, and thereon bordered red.

Also all that area in the Wellington Land District, containing by admeasurement 84 acres 1 rood 38 perches, more or less, being portion of the Tongariro National Park, and being part Okahukura Number 8 Block, situated in Block III, Ruapehu Survey District, being the whole of the area numbered 6 on plan 18819, deposited in the Wellington District Office, Department of Lands and Survey, and thereon bordered red.

Also all that area in the Wellington Land District, containing by admeasurement 3 roods 38 perches, more or less, being portion of the Tongariro National Park, and being part Okahukura Number 8 Block, situated in Block III, Ruapehu Survey District, being the whole of the area numbered 7 on plan 18880, deposited in the Wellington District Office, Department of Lands and Survey, and thereon bordered red.

Also all that area in the Wellington Land District, containing by admeasurement 3 perches, more or less, being portion of the Tongariro National Park, and being part Okahukura Number 8 Block, situated in Block III, Ruapehu Survey District, being the whole of the area numbered 8 on plan 18880, deposited in the Wellington District Office, Department of Lands and Survey, and thereon bordered red.

SEVENTH SCHEDULE

Section 10 (5)

PORTION OF SOUNDS (FIORDLAND) NATIONAL PARK ADMINISTERED
UNDER THE TOURIST AND HEALTH RESORTS CONTROL ACT 1908

ALL that area in the Southland Land District, Lake County, containing by admeasurement 6 acres, more or less (being the Milford Sound Hostel site), being section 1, Block 1, Milford Sound Survey District, and being all the land comprised and described in certificate of title, Volume 32, folio 97, Southland Registry.

Section 11 (1)

EIGHTH SCHEDULE

SPECIAL AREA—SOUNDS (FIORDLAND) NATIONAL PARK

ALL that area in the Southland Land District containing by estimation an area of 438,000 acres, more or less, being portion of the Sounds (Fiordland) National Park, bounded by a line commencing at the mouth of Freeman Burn flowing into the North Arm of Lake Manapouri; thence proceeding northerly along a right line to Mount Baird Trig. Station and a right line to Mount Irene Trig. Station; thence north-easterly along a right line to Mount Mackenzie Trig. Station; thence south-easterly along a right line to Castlemount Trig. Station and a right line to the mouth of Worsley Stream at the northern end of Lake Te Anau; thence southerly generally along the western side of Lake Te Anau to and along the right bank of the Waiau River to its outlet at Lake Manapouri; thence westerly generally along the northern side of Lake Manapouri to the mouth of Freeman Burn, the point of commencement; as the same is delineated on the plan marked L. and S. 4/426/2F, deposited in the Head Office, Department of Lands and Survey, at Wellington, under number 3086, and thereon edged green.

Section 61 (1)

NINTH SCHEDULE

TOWNSHIP LAND EXCLUDED FROM THE ARTHUR PASS,
NATIONAL PARK

ALL those areas in the Canterbury Land District, Tawera County, containing together 19 acres 1 rood 20·3 perches, more or less, and being more particularly described as follows:—

All that area situated in Block VI, Bealey Survey District, containing by admeasurement 7 acres 20·3 perches, more or less, being Town Sections 1 to 12, 14, 15, 20, 20A, 21 to 26, and 28 to 38 inclusive, Arthur Pass Township, and being part of Reserve 386; more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under number 6143.

Also all that area, situated in Block X, Bealey Survey District, containing by admeasurement 1 acre 1 rood 34·5 perches, more or less, being Town Section 55B, Arthur Pass Township, and being part of Reserve 386; more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under number 5999L.

Also all that area, situated in Block X, Bealey Survey District, containing by admeasurement 1 acre 1 rood 07·2 perches, more or less, being Town Sections 39 to 46 inclusive, Arthur Pass Township Extension No. 1, and being part of Reserve 386; more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under number 6165.

Also all that area, situated in Block VI, Bealey Survey District, containing by admeasurement 3 roods 24·6 perches, more or less, being Town Sections 47 to 52 inclusive, Arthur Pass Township Extension No. 2, and being part of Reserve 386; more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under number 6166.

NINTH SCHEDULE—continued

TOWNSHIP LAND EXCLUDED FROM THE ARTHUR PASS
NATIONAL PARK—continued

Also all that area, situated in Block VI, Bealey Survey District, containing by admeasurement 3 roods 03·4 perches, more or less, being Town Sections 53 to 57 inclusive, Arthur Pass Township Extension No. 3, and being part of Reserve 386; more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under number 6303.

Also all that area, situated in Block VI, Bealey Survey District, containing by admeasurement 1 acre 04·5 perches, more or less, being Town Sections 1A to 8A inclusive, Arthur Pass Township Extension No. 4, and being part of Reserves 386 and 3285; more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under number 6304.

Also all that area, situated in Block VI, Bealey Survey District, containing by admeasurement 6 acres 3 roods 05·8 perches, more or less, being Town Sections 53A, 54A, 55A, 56A, 57A, 58 to 76, 83 to 108 inclusive, Arthur Pass Township Extension No. 5, being part of Reserves 386 and 3285; more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under number 6305.

As the same are more particularly delineated on the plan marked D, and S. 4/426/2A, deposited in the Head Office, Department of Lands and Survey, at Wellington, under number 3075, and thereon bordered red.

TENTH SCHEDULE

Section 22 (2)

LOCAL AUTHORITIES AUTHORIZED TO APPOINT MEMBERS OF EGMONT
NATIONAL PARK LOCAL COMMITTEES

Local Committee.	Appointing Local Authorities.
North Egmont	{ Clifton County Council. Inglewood Borough Council. Inglewood County Council. New Plymouth City Council.
South Egmont	{ Taranaki County Council. Waitara County Council. Eltham Borough Council. Eltham County Council. Hawera Borough Council. Hawera County Council. Kaponga Town Board. Mania Town Board. Waimate West County Council.
East Egmont	{ Stratford Borough Council. Stratford County Council. Whangamomona County Council.
West Egmont	{ Egmont County Council. Opunake Borough Council.

Section 64 (3)

ELEVENTH SCHEDULE
CONSEQUENTIAL AMENDMENTS

Title of Act.	Number of Section Affected.	Nature of Amendment.
1928, No. 36— The Public Reserves, Domains, and National Parks Act 1928 (Reprint of Statutes, Vol. VI, p. 1134)	Section 98 ..	By omitting the words "or any national park subject to Part III of this Act"; by omitting the words "domain or park", and substituting the words "or domain".
	Section 100 ..	By omitting the words "II, and III", and substituting the words "and II"; by omitting the words "public domains, and national parks", and substituting the words "and public domains".
	Section 101 ..	By omitting from the proviso to subsection (1) the words "and a national park subject to Part III"; by omitting from subsection (2) the words "or any national park subject to Part III".
	Section 102 ..	By repealing paragraph (c) of subsection (1), and substituting the following paragraph:— " (c) The Secretary of a Domain Board, or some other person appointed in that behalf by the Board, in the case of a public domain under the control of the Board."
1938, No. 20— The Statutes Amendment Act 1938..	Section 52 ..	By omitting from subsection (1) the words "or a National Park Board".
1948, No. 39— The Public Works Amendment Act 1948	Section 37 ..	By omitting from subsection (6) the words "domain or national park within the meaning of the Public Reserves, Domains, and National Parks Act 1928", and substituting the words "or domain within the meaning of the Public Reserves and Domains Act 1928, or of a National Park within the meaning of the National Parks Act 1952".

TWELFTH SCHEDULE

Section 65 (1)

ENACTMENTS REPEALED

- 1922, No. 31—
The Tongariro National Park Act 1922.
- 1924, No. 60—
The Egmont National Park Act 1924.
- 1925, No. 46—
The Reserves and Other Lands Disposal and Public Bodies
Empowering Act 1925: Sections 30 and 40.
- 1927, No. 9—
The Egmont National Park Amendment Act 1927.
- 1927, No. 46—
The Tongariro National Park Amendment Act 1927.
- 1928, No. 36—
The Public Reserves, Domains, and National Parks Act 1928:
Part III. (Reprint of Statutes, Vol. VI, p. 1161.)
- 1930, No. 24—
The Reserves and Other Lands Disposal Act 1930: Section 8.
- 1931, No. 41—
The Reserves and Other Lands Disposal Act 1931: Sections
19 and 20.
- 1932, No. 11—
The Finance Act 1932: Section 58.
- 1933, No. 19—
The Egmont National Park Amendment Act 1933.
- 1938, No. 19—
The Reserves and Other Lands Disposal Act 1938: Section 26.
- 1940, No. 18—
The Statutes Amendment Act 1940: Sections 47 and 52.
- 1941, No. 21—
The Reserves and Other Lands Disposal Act 1941: Section 30.
- 1941, No. 26—
The Statutes Amendment Act 1941: Section 74.
- 1942, No. 13—
The Reserves and Other Lands Disposal Act 1942: Section
13.
- 1943, No. 20—
The Statutes Amendment Act 1943: Section 25.
- 1944, No. 34—
The Land Laws Amendment Act 1944: Section 9.
- 1947, No. 54—
The Reserves and Other Lands Disposal Act 1947: Section 6.
- 1948, No. 33—
The Tongariro National Park Amendment Act 1948.
- 1948, No. 72—
The Reserves and Other Lands Disposal Act 1948:
Section 38.

