

NASSELLA TUSSOCK AMENDMENT BILL

EXPLANATORY NOTE

Clause 2 authorizes County Councils in proper cases to remit advances and interest thereon, where the advances are made to owners of land to enable them to take steps to eradicate or control nassella tussock.

Clause 3 increases the membership of the two Nassella Tussock Boards by adding in each case an officer of the Department of Lands and Survey, to be appointed by the Minister.

Clause 4 provides that, in cases where undue hardship would be imposed if an owner of land were required to take the steps necessary to eradicate or control nassella tussock on the land, the Board may enter into an agreement with the owner whereby the Board may sow or plant or maintain trees, shrubs, plants, or grasses on the land or may spray or take other steps to eradicate or control the nassella tussock. Such an agreement may be entered into only in cases where the Minister consents, and subject to such conditions as he may impose. The cost of carrying out any such agreement, so far as it is not recoverable from the owner of the land, is to be met by the Crown out of money appropriated by Parliament for the purpose.

Hon. Mr Holyoake

NASSELLA TUSSOCK AMENDMENT

ANALYSIS

Title.	
1. Short Title.	3. Members of Boards.
2. Power of Council to remit advances.	4. Crown may meet expense in certain cases.

A BILL INTITULED

AN ACT to amend the Nassella Tussock Act 1946.

Title.

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

1. This Act may be cited as the Nassella Tussock Amendment Act 1953, and shall be read together with and deemed part of the Nassella Tussock Act 1946 (hereinafter referred to as the principal Act).

Short Title.

1946, No. 2

2. Section twelve of the principal Act is hereby amended by adding the following subsection:

Power of Council to remit advances.

“(4) Where an advance has been made to an owner under this section, the Council may, on application made to it in that behalf and notwithstanding anything to the contrary in subsection two or subsection three of this section, remit the whole or any part of that advance and the interest thereon if the Council is satisfied that in the circumstances it would be equitable to do so.”

3. Section twenty-two of the principal Act is hereby amended as follows:

Members of Boards.

(a) By omitting from subsection one the word “fourteen”, and substituting the word “fifteen”:

(b) By omitting from subsection two the word "twelve", and substituting the word "thirteen":

(c) By inserting in subsection three, after paragraph (c), the following paragraph: 5

"(cc) One shall be an officer of the Department of Lands and Survey, to be appointed by the Minister:"

Crown may
meet expense
in certain cases.
1948, No. 30

4. The principal Act is hereby amended by inserting, after section sixty-five A, as inserted by section five of the Nassella Tussock Amendment Act 1948, the following section: 10

"65B. (1) Where in the opinion of the Board it is desirable that steps should be taken for the purpose of controlling or eradicating nassella tussock on any land, but undue hardship would be imposed on the owner by requiring him to comply with any notice served on him under section eight of this Act in respect of that land, the Board may, with the written consent of the Minister, and subject to such conditions as he may impose, enter into an agreement with the owner whereby the Board may sow or plant or maintain trees, shrubs, plants, or grasses on the land, or may spray or do any other act or thing to eradicate nassella tussock from that land or control it on that land; and may erect and maintain fences to protect any such trees, shrubs, plants, or grasses: 15 20 25

"Provided that no trees shall be planted under any such agreement without the written consent of the Minister of Forests or otherwise than in accordance with such conditions, if any, as he thinks fit to impose in granting his consent. 30

"(2) The cost of any work carried out by the Board under this section and not payable or recoverable from the owner of the land in terms of the agreement entered into between the Board and the owner shall be paid out of moneys appropriated by Parliament for the purposes of this section and shall not form part of the annual estimate of expenditure of the Board under section thirty-five of this Act." 35 40