

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Wednesday, 16 November 1983

RESERVES AMENDMENT BILL

Hon. Mr ELWORTHY, in Committee, to move the following amendments:

Clause 3: To omit from the proposed section 16 (2A) (f), at lines 21 to 24 on page 3, the words "or any corresponding former enactment (being Part XXVIII of the Municipal Corporations Act 1933, Part XXV of the Municipal Corporations Act 1954, or Part II of the Counties Act 1961)".

To add at line 35 on page 3 the following subclause:

(3) Section 16 of the principal Act (as so enacted) is hereby amended by inserting in subsection (11) (b), after the words "pursuant to", the words "Part XXVIII of the Municipal Corporations Act 1933,".

EXPLANATORY NOTE

The amendments to clause 3 relate to the classification of reserves created under local government legislation and held by local authorities.

Clause 3 as substituted by the Lands and Agriculture Committee requires local authorities to classify reserves created under the Local Government Act 1974 and corresponding former enactments. In the case of reserves created under 2 of those enactments no action would be necessary because of section 16 (11) of the Reserves Act, and it is considered that reserves created under the third enactment, which preceded the others, should be on the same basis.

The effect of the proposed amendment is that, in the case of reserves created under local government legislation, local authorities will only be obliged to take action to classify reserves created under the Local Government Act 1974, and not those created under corresponding former enactments.