

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 1 December 1992

RESERVES AND OTHER LANDS DISPOSAL BILL

Proposed Amendments

Hon. W. ROB STOREY, in Committee, to move the following amendments:

Clause 6: To insert in line 19 on page 5, before the words "Be it therefore enacted", the words "And whereas, since the 1st day of April 1987 certain licences have been issued under the said section 7 without lawful authority and it is desirable to validate them and the fees, rentals, and other money collected under them:".

To add the following subclauses:

(6) Notwithstanding anything in section 7 of the Reserves and Other Lands Disposal Act 1982,—

- (a) Every licence that purported to be issued under that section during the period commencing on the 1st day of April 1987 and ending with the commencement of the Reserves and Other Lands Disposal Act 1992, being a licence issued by or on behalf of the Minister of Lands or the Minister of Conservation or the Director-General of Conservation, is hereby declared to be and always to have been lawful:
- (b) Every amendment, variation, cancellation, or renewal of a licence that purported to be issued under that section by or on behalf of either of those Ministers or that Director-General, being an amendment, variation, cancellation, or renewal effected during the period specified in paragraph (a) of this subsection and being a licence issued at any time before the commencement of the Reserves and Other Lands Disposal Act 1992, is hereby declared to be and always to have been lawful:
- (c) All fees, rentals, and other amounts collected during the period specified in paragraph (a) of this subsection, and collected in respect of any licence referred to in that paragraph, are hereby declared to be and always to have been lawfully payable and lawfully collected.

(7) The holder of a licence referred to in subsection (6) (a) of this section shall not be liable to pay any fee, rental, or other amount—

- (a) Charged in respect of that licence and the period specified in the said subsection (6) (a); but
- (b) Not paid before the commencement of the Reserves and Other Lands Disposal Act 1992.

EXPLANATORY NOTE

The amendments set out in this Supplementary Order Paper validate foreshore licences issued under section 7 of the Reserves and Other Lands Disposal Act 1982 since 1 April 1987 and also validate the amendments, variations, cancellation, and amendments made in respect of such licences since that date.

The licences concerned should have been issued by or on behalf of the Minister of Lands. However, many were issued by or on behalf of the Minister of Conservation or the Director-General of Conservation.

The amendments also validate the setting and collection of licence fees, rentals, and other money in respect of the licences concerned and provide that outstanding amounts cannot be recovered.