

New Zealand.



ANALYSIS.

Title.

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| <ol style="list-style-type: none"> 1. Short Title. 2. Section 2 of Amendment Act, 1926, amended. 3. Damage by fire from adjoining land. Repeal. | <ol style="list-style-type: none"> 4. Offences. Consequential repeals. 5. Time within which information may be laid. 6. Provision for declaration of private scenic reserves. |
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1933, No. 18.

AN ACT to amend the Scenery Preservation Act, 1908. Title.
[15th December, 1933.]

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 Scenery Preservation Amendment Act, 1933, and shall be read together with and deemed part of the Scenery Preservation Act, 1908 (hereinafter referred to as the principal Act). Short Title.
See Reprint of Statutes, Vol. VIII, p. 613

2. (1) Subsection two of section two of the Scenery Preservation Amendment Act, 1926, is hereby amended by omitting the words "or to opossums". Section 2 of Amendment Act, 1926, amended.

(2) The power conferred on the Minister by the said section two as amended by the last preceding subsection may be exercised in respect of opossums, anything to the contrary in the Animals Protection and Game Act, 1921-22, notwithstanding. See Reprint of Statutes, Vol. I, p. 188

Damage by
fire from
adjoining land.

3. (1) Every person who lights on any land (including a public highway) adjoining any reserve under the principal Act, or being the owner or occupier of such adjoining land permits to be lighted thereon, a fire which spreads into and destroys any bush on or seriously damages such reserve is liable to a fine not exceeding one hundred pounds, and shall in addition be liable to pay for all damage done.

Repeal.

(2) This section is in substitution for section fourteen of the principal Act and that section is hereby accordingly repealed.

Offences.

4. (1) Every person is liable to a fine not exceeding one hundred pounds and shall in addition be liable to pay for all damage done, and the full market value of any timber unlawfully cut or removed, who, at any time after any land becomes a reserve under the principal Act, or the gazetting of any notice under section twenty-two of the Public Works Act, 1928, describing any private land intended to be taken or acquired as a reserve,—

- (a) Lights a fire on any such land ; or
- (b) Without the written consent of the Minister cuts or removes any timber thereon, or unlawfully breaks, cuts, injures, or removes any or any part of any wood, tree, shrub, fern, plant, stone, mineral, or thing of any kind ; or
- (c) Without the authority of the Governor-General under section seven of the Scenery Preservation Amendment Act, 1910, or the consent of the Minister under section two of the Scenery Preservation Amendment Act, 1926, or the authority of the Minister of Internal Affairs under section thirty-one or section thirty-two of the Animals Protection and Game Act, 1921-22, as the case may be, has in his possession or under his control or discharges any firearm while on any such land, or kills or takes any birds or any native or imported game thereon ;
or
- (d) Allows any cattle, horses, or other animals to trespass upon any such land ; or
- (e) In any way interferes with any such land or damages the scenic or historic features thereof.

(2) This section is in substitution for section fifteen of the principal Act, and that section and section six

See Reprint
of Statutes,
Vol. VII, p. 632

See Reprint
of Statutes,
Vol. I, p. 192

Consequential
repeals.

of the Scenery Preservation Amendment Act, 1910, section three of the Scenery Preservation Amendment Act, 1915, and subsection three of section two of the Scenery Preservation Amendment Act, 1926, are hereby consequentially repealed.

5. Notwithstanding anything in the Justices of the Peace Act, 1927, or in any other Act to the contrary, any information in respect of any offence against this Act or the principal Act, or against any regulation made under the principal Act, may be laid at any time within four years after the last day of the year in which the offence was committed.

Time within which information may be laid.

6. (1) The owner of any private land may at any time apply to the Minister for such land to be declared to be a private reserve under this section.

Provision for declaration of private scenic reserves.

(2) The Minister, if satisfied that such land possesses scenic or historic interest and is sufficiently fenced, or is otherwise protected from damage by stock, may thereupon recommend the Governor-General to declare by Warrant under his hand such land to be a private reserve, and the Governor-General may make such declaration accordingly. Any such Warrant may in like manner at any time be revoked.

(3) While any such Warrant remains in force sections three, four, and five of this Act shall apply to the private reserve in all respects as if it were a reserve under the principal Act, notwithstanding that the land comprised therein may be sold or otherwise disposed of:

Provided that in its application to any such private reserve the said section four shall be read subject to any agreement between the owner of such reserve and the Minister preserving to such owner or his successors in title the right to do any act or thing forbidden by that section.