

**Reprint
as at 10 August 1966**



**Taranaki County Reserves Act
1966**

Local Act 1966 No 2
Date of assent 9 August 1966
Commencement see section 7

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

An Act to make provision for the application of money and rents arising from certain lands vested in the Taranaki County Council, and to validate the application of past money and rents therefrom and to prescribe the purposes for which the Corporation shall hold the lands described in the Schedule as an endowment and to repeal the Taranaki County Reserves Act 1877 and section 41 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1921–22

Preamble

Whereas under the Taranaki County Reserves Act 1877 (in this Act referred to as the **Act of 1877**) the land described in the Schedule thereto was vested in the Taranaki County Council in trust for the improvement of the Junction Road in the said county:

And whereas, consequent upon the implementation of clause 15 of the Schedule of the Special Powers and Contracts Act 1884 and under and by virtue of the provisions of section 41 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921–22 and due to exchanges upon the taking and closing of roads, the land now vested in the Chairman, Councillors, and Inhabitants of the County of Taranaki (in this Act referred to as the **Corporation**) subject to the provisions of the Act of 1877 is that defined in the Schedule of this Act (such land being also hereinafter referred to as the **Junction Road Reserves**):

And whereas section 3 of the Act of 1877 provided that the Corporation may lease the lands subject to the provisions of that Act by auction or tender for such period and on such conditions as it shall think fit not exceeding 42 years and apply the rents or profits arising therefrom to the improvements of the said road:

And whereas in the year 1920 a part of the area under the former jurisdiction of the Corporation was severed and as from 1 April 1920 constituted a new county under the name of the Inglewood County, and under an award subsequently made by the Controller and Auditor-General under section 15 of the Counties Act 1908 on 23 December 1921 the Corporation was directed to pay to the Inglewood County

Council annually 591/1 253 of the net revenue received from the Junction Road Reserves the Corporation being entitled to charge 5% for collection and administration, the said Reserves being still vested in the Corporation:

And whereas up till 31 March 1934 the rents accruing on the Junction Road Reserves were apportioned in accordance with the above-mentioned direction, the balance showing in the Corporation's Junction Road Reserve account having been shown as having been expended on the Junction Road:

And whereas from 1 April 1934 any balance in the Corporation's Junction Road Reserve account (after providing for the proportion payable to the Inglewood County Council and costs of collection as aforesaid and carrying forward in each year balances arising from late payments of rent) was transferred to the Mangorei Riding account to offset the Corporation's share of expenditure on the said Junction Road which had been designated a main highway under the control and management of the Corporation:

And whereas on or about 1 December 1936 the Junction Road between New Plymouth and Inglewood was designated a State highway under the control and management of the Main Highways Board and any balance (after making the apportionment and provision above referred to) in the Corporation's Junction Road Reserve account was transferred to its Mangorei Riding account and used for expenditure on roads within the Mangorei Riding:

And whereas on 31 March 1953, riding accounts having been abolished, the balance in the Mangorei Riding account was transferred to the Corporation's general account, and since that date balances in the Corporation's Junction Road Reserve account (after making the apportionment and provisions above referred to) have been transferred to the general account:

And whereas income from the Junction Road Reserves has from time to time been derived from leases of the said reserves under the provisions of the Public Bodies Leases Act 1908 containing provisions enabling the leases to be renewed for successive periods which, if considered part of the original terms of the leases would exceed the maximum period of 42 years prescribed for leases by section 3 of the Act of 1877:

And whereas doubts have arisen as to the validity of the aforesaid leases and also as to the validity of the appropriation by the Corporation as hereinbefore set forth of the income from the Junction Road Reserves and it is desirable to remove those doubts and validate the same and to repeal the Act of 1877, and section 41 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921–22, and to prescribe the purposes for which the Corporation shall hold the lands described in the Schedule and the application of the income therefrom.

1 Short Title

This Act may be cited as the Taranaki County Reserves Act 1966.

2 Vesting

The land described in the Schedule is hereby declared to be vested in the Corporation for an estate in fee simple as an endowment for county purposes subject to existing leases and subject to the provisions of sections 3 and 4. The District Land Registrar for the Land Registration District of Taranaki is hereby authorised and directed to make such entries in the register book and to do all such other things as may be necessary to give effect to the provisions of this Act.

3 Power to lease

The Corporation may lease the land described in the Schedule or any part thereof under the provisions of the Public Bodies Leases Act 1908.

4 Application of revenue from endowment

All money received by the Corporation in respect of the land described in the Schedule shall be placed to the credit of a separate account and, after payment thereof of the costs of promoting this Act and of investigating all matters preparatory and incidental thereto, including all disbursements and legal expenses whether incurred by the Corporation or the Inglewood County Council, shall be applied annually towards the following purposes:

- (a) in payment of 5% of the annual income to the Corporation to cover costs of collection and administration:
- (b) in payment of any costs and expenses incurred by the Corporation in the exercise of its powers as lessor for the protection of the said endowments other than in the normal course of administration:
- (c) the division of the balance into 1 253 parts and the payment to the Inglewood County Council of 591 such parts and the retention by the Corporation of 662 such parts; and
 - (i) the use by the Corporation and the Inglewood County Council of their respective proportions of the net income in satisfaction of their respective liability (if any) in connection with the maintenance and improvement of part of the Junction Road which may still be within the respective County boundaries:
 - (ii) the appropriation by the Corporation and Inglewood County Council of their respective surpluses in any year towards their share of any other road works in the respective counties.

5 Validation of application of income from reserves and validation of leases

- (1) The application by the Corporation of the income derived from the lands described in the Schedule as heretofore made is hereby validated and declared to have been lawfully made.
- (2) All deeds of lease, memoranda of lease and agreements to lease hitherto granted by the Corporation of any portion of the land described in the Schedule are hereby validated and are hereby declared to be and always to have been effective, valid, and binding in all respects between the Corporation and the respective lessees.

6 Repeals

The following enactments are hereby repealed:

- (a) the Taranaki County Reserves Act 1877:
- (b) section 41 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921–22.

7 Commencement

This Act shall be deemed to have come into force on 1 April 1966.

Schedule

Taranaki Land District—Inglewood County

Sections 65, 75, 96, and 153, Tarurutangi District situated in Blocks III and IV, Egmont Survey District: Area, 179 acres 3 roods 20.5 perches, more or less. All certificate of title, Volume 87, folio 65.

Section 103, Tarurutangi District situated in Block IV, Egmont Survey District: Area, 60 acres, more or less. Part certificate of title, Volume 92, folio 228.

Part Section 71 (DP 4557), Tarurutangi District situated in Block XI, Paritutu Survey District: Area, 59 acres 2 roods 15.3 perches, more or less. Balance of certificate of title, Volume 133, folio 152.

Sections 69 and 115 and part Section 110, Tarurutangi District situated in Block XI, Paritutu Survey District, and Block III, Egmont Survey District, and Section 1, Block XI, Paritutu Survey District: Area, 166 acres 2 roods 26.8 perches, more or less. Part certificate of title, Volume 133, folio 254.

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Section 130, Hua and Waiwakaiho Hundred situated in Block VI, Egmont Survey District: Area, 60 acres 3 roods 25 perches, more or less. All certificate of title, Volume 90, folio 292.

Part Section 38, Tarurutangi District situated in Block XI, Paritutu Survey District: Area, 58 acres 3 roods 29 perches. Part certificate of title, Volume 92, folio 228.

Sections 126 and 127, Hua and Waiwakaiho Hundred situated in Block VI, Egmont Survey District: Area, 126 acres 1 rood 8 perches, more or less. Balance certificate of title, Volume 92, folio 170.

Section 94 and part Section 138, Hua and Waiwakaiho Hundred situated in Blocks II and VII, Egmont Survey District: Area, 120 acres 3 roods 37.4 perches, more or less. Balance certificate of title, Volume 92, folio 229.

Section 152, Hua and Waiwakaiho Hundred situated in Block II, Egmont Survey District, and Section 81, Tarurutangi District situated in Block XI, Paritutu Survey District: Area, 116 acres and 37 perches, more or less. All certificate of title, Volume 93, folio 62.

Sections 100, 217, and 218, and part Section 102, Hua and Waiwakaiho Hundred situated in Block II, Egmont Survey District: Area, 121 acres 3 roods 32.03 perches, more or less. All certificate of title, Volume 93, folio 155.

Section 24, Tarurutangi District situated in Block VII, Paritutu Survey District: Area, 93 acres 3 roods 32 perches, more or less. Part certificate of title, Volume 133, folio 254.

Section 148, Hua and Waiwakaiho Hundred situated in Block VI, Egmont Survey District: Area, 61 acres 3 roods 30 perches, more or less. All certificate of title, Volume 151, folio 254.

Section 106, Hua and Waiwakaiho Hundred situated in Block VI, Egmont Survey District: Area, 60 acres, more or less. All certificate of title, Volume 154, folio 185.

Section 156, Hua and Waiwakaiho Hundred situated in Block VI, Egmont Survey District: Area, 59 acres, more or less. All certificate of title, Volume 156, folio 92.

All Taranaki Registry.

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Notes

1 *General*

This is a reprint of the Taranaki County Reserves Act 1966. The reprint incorporates all the amendments to the Act as at 10 August 1966, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
