

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,
14th September, 1891.

Hon. Mr. Seddon.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

LIGHT FROM CROWN LAND RESTRICTION.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. After passing of Act no right to light to be</p> | <p>derived from Crown land. Saving of right already conferred.</p> <p>4. Right-of-way not to be created by user only.</p> <p>5. Power to the Crown to grant licenses for use of light from Crown land.</p> |
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A BILL INTITULED

AN ACT to restrict the Operation of the Law of *Prescription* respecting Access [and Use of Light to Buildings ~~derived from Lands of the Crown.~~ Title.

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

1. The Short Title of this Act is “The ~~Light from Crown Land Restriction~~ *Prescription Law Amendment Act, 1891.*” Short Title.

10 2. ~~In this Act~~ “Crown land,” *in this Act*, means land held by or on behalf of Her Majesty, her heirs and successors, and includes lands vested in the New Zealand Railway Commissioners. Interpretation.

New paragraph.

“Private land” means all land other than Native land which is not Crown land as herein defined.

15 3. After the passing of this Act, and notwithstanding any law or statute now in force, no person having any estate or interest in any building or erection of any kind shall have any claim or right to access and use of light to such building or erection which is derived from or over Crown land, *or from or over private land*: After passing of Act, no right to light to be derived from Crown land.

20 Provided that nothing herein shall be deemed to disturb or interfere with any consent or license which has been heretofore given by or on behalf of Her Majesty, *or by the owner of any private land respectively*, for such access and use of light from or over any such land. Saving of right already conferred.

New clause.

25 4. No dedication or grant of a right-of-way over any land whatever shall be presumed or allowed to be asserted or established,— Right-of-way not to be created by user only.

30 (1.) As against the Crown, or as against any person or body holding land in trust for any public purpose by reason only of user, whether such user commenced before or after the passing of this Act or any Act at any time heretofore in force; or

(2.) As against the owner of any private land by reason only of user commenced after the passing of this Act. And nothing in this subsection shall affect any right accrued at any time previous to such passing.

Power to the Crown to grant licenses for use of light from Crown land.

4. 5. After the passing of this Act, the Governor, on behalf of Her Majesty, and any other body or person in whom any Crown land within the meaning of this Act may be vested, *and the owner of any private land respectively*, may, by deed or writing, grant to any person a license for access and use of light derived from or over ~~any Crown land~~ *or for the use of a right-of-way over such lands respectively* for a period not exceeding *twenty-one* years, on such terms and conditions as may be thought expedient. 5 10