

Hon. Mr. Ward.

PREScription LAW (LIGHT) AMENDMENT.

ANALYSIS.

Title.	derived from Crown land or private land.
1. Short Title.	Saving of right already conferred.
2. Interpretation.	4. Power to grant licenses for use of light from Crown land or private land.
3. After passing of Act no right to light to be	5. Repeal.

A BILL INTITULED

AN Act to restrict the Operation of the Law of Prescription respecting Access and Use of Light *and Air* to Buildings. Title.

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 Prescription Law (Light) Amendment~~ *Light and Air Act, 1894.*" Short Title.

*Struck out.*

10 2. "Crown land" 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.

"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 or private 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.

25 4. 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 such lands for a period not exceeding *twenty-one* years, on such terms and conditions as may be thought expedient. Power to grant licenses for use of light from Crown land or private land.

*New clauses.*

Access or use of  
light or air.

2. Except as herein provided, after the passing of this Act no tenement shall become servient to any other in respect of the access of either light or air, and no person shall have or acquire by prescription, grant, or otherwise any claim or right to the access of light or air to any land or building from or over the land of any other person: 5

Provided that nothing in this Act contained shall prejudice or affect any easement or right to access or use of either light or air, now existing or acquired by prescription or otherwise prior to the passing of this Act: 10

Provided further that a grant of the right of access of light or air made at any time after the passing of this Act may be enforced if—

(a.) Such grant be made by deed duly executed;

(b.) Such grant shall provide that the benefit thereof shall enure 15  
for a term not exceeding twenty-one years, and no longer.

Application.

3. This Act shall apply to all lands in the colony, including lands held by or on behalf of Her Majesty, her heirs and successors.

Law relating to  
pollution of air not  
affected.

4. Nothing in this Act shall be deemed to repeal or affect any law or statute relating to the pollution of air. 20

Repeal.

5. Section three of the Imperial Act passed in the *second and third and fourth* years of King William the Fourth, chapter seventy-one, intituled "The Prescription Act, 1832," shall cease to have operation within New Zealand on and after the passing of this Act.