

**Reprint
as at 1 November 2010**



**Auckland War Memorial Museum
Site Empowering Act 2003**

Local Act 2003 No 3
Date of assent 8 September 2003
Commencement see section 2

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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.

5

Schedule
Land comprising Auckland War Memorial Museum site

- 1 Title**
This Act is the Auckland War Memorial Museum Site Empowering Act 2003.

Part 1
Preliminary provisions

- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Purposes of Act**
The purposes of this Act are—
- (a) to repeal the Auckland Institute and Museum Site Empowering Act 1918; and
 - (b) to empower the leasing of land in the Domain to the Board and to extend the area of the Domain subject to the lease; and
 - (c) to set out the correct legal description of the land that is subject to the lease, including the extension to that area of land; and
 - (d) to validate the lease for the period of its currency to the commencement of this Act.
- 4 Interpretation**
In this Act,—
- Board** means the Auckland Museum Trust Board continued under section 3 of the Auckland War Memorial Museum Act 1996
- Corporation** has the meaning set out in section 2 of the Auckland Institute and Museum Site Empowering Act 1918

Council means the Auckland City Council and includes the Auckland Council established by section 6(1) of the Local Government (Auckland Council) Act 2009

Domain has the meaning set out in section 2 of the Auckland Domain Act 1987

lease means the lease granted by the Corporation to the Board dated 31 March 1920

Museum has the meaning set out in section 2 of the Auckland War Memorial Museum Act 1996.

Section 4: amended, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Part 2

Power to lease land in Domain

5 Power to lease land in Domain

- (1) Despite section 7(3) of the Auckland Domain Act 1987, the Council has the power to grant a lease to the Board in respect of the area of land described in the Schedule.
- (2) The land described in the Schedule must be used—
 - (a) exclusively as a site for the Museum; and
 - (b) on the terms and conditions, including terms as to public access to the Museum site through the Domain, that the Council considers appropriate and in the public interest; and
 - (c) at an annual rent of not more than \$2 per year.
- (3) To avoid doubt,—
 - (a) section 5 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1915 does not apply, and is deemed never to have applied, to the land described in the Schedule; and
 - (b) section 5 of the Auckland Domain Act 1987 applies in respect of the land described in the Schedule.

Part 3
**Validation, repeal, and consequential
amendment**

6 Validation of lease

The lease is deemed to be, and to have always been, as valid and effectual as if all the land that is subject to the lease had been that land described in the Schedule.

**7 Repeal of Auckland Institute and Museum Site
Empowering Act 1918**

The Auckland Institute and Museum Site Empowering Act 1918 is repealed.

8 Consequential amendment

Amendment(s) incorporated in the Act(s).
