



Coast Protection Act 1949

1949 CHAPTER 74

PART III

MANAGEMENT OF CROWN FORESHORE

37 Management of Crown foreshore transferred from Minister of Transport to Commissioners of Crown Lands

So much of the Crown foreshore as immediately before the appointed day was under the management of the Minister of Transport is, as from the appointed day, hereby transferred to the management of the Commissioners of Crown Lands.

38 Powers of management of Commissioners

- (1) The enactments relating to the Commissioners of Crown Lands shall apply to the management of foreshore the management whereof is transferred to them by the last foregoing section, and to the application of moneys received by those Commissioners in the management thereof, as those enactments apply to the management of foreshore which was under the management of those Commissioners immediately before the appointed day and to the application of moneys received in the management of such foreshore.
- (2) All property, rights and liabilities held or enjoyed by or incumbent on the Minister of Transport immediately before the appointed day in connection with the management of foreshore the management of which is transferred to the said Commissioners by the last foregoing section shall on the appointed day be transferred to the said Commissioners.
- (3) Anything commenced by or under the authority of the Minister of Transport before the appointed day, so far as it relates to the management of foreshore the management of which is transferred to the said Commissioners by the last foregoing section, may on and after the appointed day be carried on and completed by the said Commissioners.
- (4) In any instrument, contract or legal proceedings made or commenced before the appointed day the said Commissioners shall be substituted, in relation to the

Status: This is the original version (as it was originally enacted).

management of foreshore the management of which is transferred to them by the last foregoing section, for the Minister of Transport.

39 Repeals and amendments consequential on Part III

- (1) The provisions of the Crown Lands Act, 1866, and of the Crown Lands Act, 1906, specified in the Third Schedule to this Act shall cease to have effect on the appointed day.
- (2) Section twenty-two of the said Act of 1866 (which confers on persons interested in certain mines and quarries power, on giving notice, to make use of the foreshore in order to carry out certain operations) shall as from the appointed day be amended by the substitution—
 - (a) for the words " under the management of the Board of Trade," of the words " the management of which was transferred to the Commissioners of Crown Lands by the Coast Protection Act, 1949 " ;
 - (b) for the words " to the Board of Trade," of the words " to the Commissioners of Crown Lands."
- (3) Any notice given under the said section twenty-two before the appointed day shall thereafter have effect as if it had also been given to the Commissioners of Crown Lands.

40 Interpretation of Part III

- (1) In this Part of this Act:—

the expression " the appointed day " means such date as the Minister of Transport may by order appoint;

the expression " Crown foreshore " means so much of the bed and shore of the sea as belongs to His Majesty in right of the Crown, and includes any right or interest in Crown foreshore.
- (2) The power conferred by the last foregoing subsection to make an order shall be exercisable by statutory instrument.