

New Zealand.



ANALYSIS.

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1894, No. 10.

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

[27th July, 1894.]

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 and Air Act, 1894."

Short Title.

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:

Access or use of light or air.

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:

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 inure for a term not exceeding twenty-one years, and no longer.

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. Application.

4. Nothing in this Act shall be deemed to repeal or affect any law or statute relating to the pollution of air. Law relating to pollution of air not affected.

5. Section three of the Imperial Act passed in the second and third 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. Repeal.