

CHAPTER 62:03

PUBLIC LANDS (PRIVATE ROADS) ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
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1929 Ed.  
c. 173  
1953 Ed.  
c. 177

**An Act to enable Persons to construct and maintain Roads for Mining, Woodcutting, and other purposes on Public Lands, and to impose and recover, subject to certain conditions, Tolls for the use by other Persons of such Roads.**

8 of 1893

[13TH MAY, 1893]

1. This Act may be cited as the Public Lands (Private Roads) Act. Short title.
2. In this Act, "road" includes any track available for traffic by means of foot-passengers and beasts of burden only. Interpretation.

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Grant of permission to construct and maintain private road on public lands.

**3.** (1) The Minister may grant permission to anyone to maintain and construct on public lands any road necessary or useful for mining, woodcutting, or other purposes.

(2) If the road passes over any public land in the lawful occupation of another, the permission shall be granted with the consent of that other person, or subject to any terms as regards the making of compensation to him or otherwise prescribed by the Minister.

Conditions of grant of permission.

**4.** The Minister may annex to the grant of any permission under this Act any terms and conditions he thinks proper, including the right to cut timber on public lands for the purposes of constructing and maintaining the road to which the permission relates, and may from time to time annex additional terms and conditions and modify or revoke any of the terms and conditions.

Power to charge tolls for use of road.

**5.** (1) The Minister, by the grant or by any other instrument, may authorise the grantee of any permission under this Act to levy any tolls the Minister may fix in respect of the use of the road to which the permission relates by beasts of burden or vehicles.

(2) Subject to any general or particular direction of the Minister to the contrary, any road constructed and maintained under this Act may be used without payment of tolls by foot-passengers, but the powers given by this section shall be exercised subject to any regulations made under this Act.

Trespass on road.

**6.** Subject to this Act and any regulations made hereunder, the grantee of a permission under this Act shall be deemed to be the owner of the land occupied by the road to which the permission relates for the purposes of any enactment for the time being in force relating to wilful trespass on lands.

Licence of occupancy for land required for road.

**7.** In the event of any application being made by the grantee of permission under this Act for a licence of occupancy for public lands required by the grantee in connection with the use of the road to which the permission relates, the Minister may direct that the licence applied for shall not be subject to public competition.

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- 8.** (1) With the consent of the grantee of a permission under this Act, or in the event of default in compliance with any terms and conditions annexed to the grant, the Minister may revoke the permission. Revocation of permission and resumption.
- (2) The Minister may direct possession to be resumed, for the benefit of the State, of the land occupied by the road to which the permission relates, and may if he thinks fit thereafter direct that the road shall be maintained and used, with the necessary modifications, in accordance with this Act.
- 9.** Notification shall be made in the *Gazette* of a permission granted under this Act and of any terms and conditions annexed thereto, and also of any table of tolls fixed under this Act. Notification of permission and its terms.
- 10.** The Minister, out of any moneys provided by Parliament for that purpose, may cause any road to be constructed and maintained for any of the purposes mentioned in this Act, and may give any directions he thinks fit for the application to that road of all or any of the provisions of this Act; and the directions shall have the same force and effect as if they had been embodied in an Act. Application of Act to road made by Government.
- 11.** Subject to negative resolution of the National Assembly, the Minister may make regulations for the better carrying out of all or any of the provisions of this Act. Regulations.
- 12.** Any road constructed before the commencement of this Act and coming within the scope of the provisions hereof may, by the direction of the Minister, be regarded and dealt with as far as possible in the same manner in all respects as if it had been constructed in accordance with a permission granted under this Act. Existing roads.
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