

**Version
as at 28 October 2021**



Maori Purposes Act 1931

Public Act 1931 No 32
Date of assent 11 November 1931
Commencement see section 1

Act name: amended, on 27 November 1947, pursuant to section 9(1)(b) of the Maori Purposes Act 1947 (1947 No 59).

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The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

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This Act is administered by Te Puni Kōkiri.

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An Act to consolidate various amendments of the laws relating to Maori lands, to adjust certain claims and disputes, to bestow powers upon certain Boards and authorities, to confer jurisdiction upon the Maori Land Court and the Maori Appellate Court, and for other purposes

Title: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Title: amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

1 Short Title and commencement

This Act may be cited as the Maori Purposes Act 1931 and shall come into operation on 1 January 1932, save that section 115 shall come into operation on the passing thereof.

Section 1: amended, on 27 November 1947, pursuant to section 9(1)(b) of the Maori Purposes Act 1947 (1947 No 59).

2 Interpretation

In this Act the expression **the principal Act** means the Maori Land Act 1931.

Section 2: amended, on 27 November 1947, pursuant to section 4(1) of the Maori Purposes Act 1947 (1947 No 59).

3 Definition

Words and expressions used in this Act shall, unless the contrary intention appears, have the same meaning as in the principal Act.

Part 1
Provisions affecting Maori reserves
[Repealed]

Part 1: repealed, on 1 January 1956, pursuant to section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

4 Maori Trustee may lease lands vested in him under West Coast Settlement Reserves Act 1892

[Repealed]

Section 4: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

5 Provisions for prospecting and mining for mineral oils on West Coast Settlement Reserves

[Repealed]

Section 5: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

6 Special provisions as to mortgages and other encumbrances of leases of West Coast Settlement Reserves

[Repealed]

Section 6: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

7 Enabling the Maori Trustee to lease certain lands for religious or educational purposes at nominal rental

[Repealed]

Section 7: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

8 Maori Trustee may subdivide Maori reserves and lay off roads

[Repealed]

Section 8: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

9 Permitting payment to Maori of capital funds arising from taking or disposition of Maori reserves

[Repealed]

Section 9: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

10 Assessment of ground rent of Maori reserves

[Repealed]

Section 10: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

11 Maori Trustee declared a leasing authority with respect to Auckland and other Maori reserves

[Repealed]

Section 11: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

12 Granting power to the Maori Trustee to lease the Paepaetahi Block to Maori beneficial owners

[Repealed]

Section 12: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

13 Poukawa Reserve to be administered under the West Coast Settlement Reserves Act 1892

[Repealed]

Section 13: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

14 Reserve 4074 to be administered by Maori Trustee*[Repealed]*

Section 14: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

15 Section 9, Square 12, Block III, Totaranui Survey District, to be administered by Maori Trustee*[Repealed]*

Section 15: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

16 Port Chalmers (Koputai) Reserve to be administered by Maori Trustee*[Repealed]*

Section 16: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

Part 2

Scenic reserves

17 Providing for administration of Okataina Scenic Reserve

- (1) The Governor-General may from time to time, by notice in the *Gazette*, vest the control of the reserves mentioned in section 20 of the Maori Land Amendment and Maori Land Claims Adjustment Act 1921–22 in a Board of Control constituted by him for the purpose, consisting of not less than 6 persons, of whom 5 shall be members of Ngati-Tarawhai, Subtribe of the Arawa Tribe. The Governor-General may by Order in Council make regulations prescribing the practice and procedure of the Board of Control.
- (2) Notwithstanding the cession to His Majesty of any lands affected by this section, the former Maori owners thereof shall have at all times free right of access to any ancestral burial grounds that may be included therein, and shall also have the right to bury deceased Maori in any such burial grounds.
- (3) Regulations under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 1921–22 No 62 s 20; 1928 No 49 s 38

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 17(1): amended, on 27 November 1947, pursuant to section 9(1)(d) of the Maori Purposes Act 1947 (1947 No 59).

Section 17(2): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 17(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

18 Provisions relating to cession by Maori owners of certain lands near Lakes Rotoiti and Rotoehu, to be held by His Majesty in trust for scenic purposes

- (1) For the administration of the reserves ceded to His Majesty pursuant to section 33 of the Maori Land Amendment and Maori Land Claims Adjustment Act 1919 the Governor-General may, acting under the authority of section 13 of the Scenery Preservation Act 1908, appoint a special Board of Control, consisting of not less than 6 persons, of whom 5 shall be members of the Ngatipikiao Tribe.
- (2) Notwithstanding the cession to His Majesty, the former Maori owners thereof shall have at all times free right of access to any ancestral burial grounds that may be included therein, and shall also have the right to bury deceased Maori in any such burial grounds.

Compare: 1919 No 43 s 33

Section 18 heading: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 18(1): amended, on 27 November 1947, pursuant to section 9(1)(d) of the Maori Purposes Act 1947 (1947 No 59).

Section 18(2): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

19 Provision relating to cession of portion of Waione Block for scenic purposes

The administration of the reserves ceded to His Majesty pursuant to section 32 of the Native Land Amendment and Native Land Claims Adjustment Act 1922 shall be controlled by the Board of Control provided for by the last preceding section.

Compare: 1922 No 48 s 32

20 Provision relating to part of Rotoiti Native Township ceded to Crown for scenic purposes

The administration of the reserves ceded to His Majesty pursuant to section 31 of the Native Land Amendment and Native Land Claims Adjustment Act 1922 shall be controlled and administered by the Board of Control provided for by section 18.

Compare: 1922 No 48 s 31; 1926 No 64 s 20; 1929 No 19 s 34

21 Authorising Board of Control for Rotokakahi Lake

The administration of Rotokakahi Lake (or Green Lake), situate in the Waiariki Maori Land Court District, together with the islands therein, including the Punaruku Island, shall be controlled by a Board of Control constituted by the Governor-General, consisting of not less than 6 persons, of whom 5 shall be members of the Tuhourangi and Ngatitumatawera Subtribes of the Arawa Tribe.

Compare: 1923 No 32 s 14; 1930 No 29 s 27

Section 21: amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

22 Crown may accept gift of Urenui Pa

- (1) Notwithstanding anything to the contrary in the principal Act, the Crown may acquire and accept by way of gift from the owners the Maori land situate in the Taranaki Land District, containing 7 acres, more or less, and being Subdivision 2B 1 of Section 2 of Block III of the Waitara Survey District, and known as the Urenui Pa, upon the conditions set forth in an agreement signed by the Maori owners and dated 17 January 1929.
- (2) Whenever the Governor-General is satisfied that the majority of the Maori owners of the said land have assented to such gift, and that the said conditions will be observed and performed, he may proclaim that the land has become Crown land, and thereupon the land shall be deemed to be Crown land. Any such Proclamation shall be conclusive as to its own validity.
- (3) Upon becoming so proclaimed the said land shall be deemed to be a scenic and historic reserve within the meaning of the Scenery Preservation Act 1908 and shall be dealt with accordingly.

Compare: 1929 No 19 s 55

Section 22(1): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 22(2): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Part 3

Maori townships

[Repealed]

Part 3: repealed, on 1 January 1956, pursuant to section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

23 Authorising Maori township sections to be let without further competition
[Repealed]

Section 23: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

24 Maori township sections may be transferred to beneficial owner

[Repealed]

Section 24: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

25 Making provision for exchange of existing deferred-payment licences to occupy lands in Native townships for deferred payment licences under section 6 of the Land Laws Amendment Act 1926

[Repealed]

Section 25: repealed, on 22 December 1933, by section 5(4) of the Maori Purposes Act 1933 (1933 No 50).

26 Authorising Crown leases of Maori township lands

[Repealed]

Section 26: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

Part 4

East Coast Maori Trust lands

Part 4 heading: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

27 Provision for appointment of East Coast Commissioner

- (1) For the purpose of administering and controlling the lands referred to in the East Coast Native Trust Lands Act 1902 and those described in section 7 of the Native Land Amendment and Native Land Claims Adjustment Act 1917 the Governor-General may from time to time appoint a Commissioner, who shall be known as the East Coast Commissioner and shall hold office during the pleasure of the Governor-General.
- (2) During his term of office the Commissioner shall be deemed to have vested in him all property now or hereafter vested by law in the East Coast Commissioner, subject to all trusts, encumbrances, or conditions affecting the same.
- (3) The Commissioner so appointed and any officer acting under him may, notwithstanding the provisions of section 59 of the Public Service Act 1912, be an officer in the public service, and all salaries and expenses incurred shall be a charge on the lands vested in the Commissioner, and be paid out of the proceeds thereof.
- (4)
 - (a) In the case of absence or inability to act or of a vacancy in the office of the Commissioner, the Governor-General may appoint some person as the deputy of the Commissioner during his absence or inability or until a successor is appointed, and the deputy so appointed shall, while the War-

rant remains unrevoked, have all the powers and functions of the Commissioner.

- (b) The fact of any person acting as deputy under an unrevoked Warrant shall be conclusive proof of his authority to act, and no Warrant shall be questioned on the ground that the occasion for it has not arisen or had ceased, nor shall the authority or act of the Commissioner be questioned in any proceedings on the ground that a deputy was in office at the time when that authority was exercised or that act was done.
- (5) The person holding office as East Coast Commissioner at the commencement of this Act shall be deemed to have been appointed under this Act.

Compare: 1893 No 4 (P); 1902 No 5 s 3; 1902 No 56 s 18; 1906 No 51 s 22; 1907 No 76 s 11; 1917 No 25 s 7; 1918 No 13 s 6

Section 27(3): amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

28 Status of Commissioner

The Commissioner may enter into contracts and execute deeds and may sue and be sued in the name of the East Coast Commissioner, but the Commissioner shall not be personally liable in damages for any act done or omitted by him in good faith or in intended pursuance of the authority of this Act.

Compare: 1907 No 76 s 11

29 Powers of Commissioner

The Commissioner may from time to time, and subject to the provisions of this Part, exercise the following powers:

- (a) sell and dispose of or lease any lands or property vested in him upon such terms and subject to such conditions as he thinks fit. The power of sale shall not be exercisable without the consent of the Governor-General in Council:
- (b) with the consent of the Minister of Maori Affairs acquire any land or any interest therein:
- (c) raise money upon the security of the lands or other property vested in him and expend the same for the purpose of improving, subdividing, selling, or letting the same, and for the purpose of paying off any liabilities:
- (d) farm lands, fell and dispose of timber, make and dedicate roads, construct bridges and drains, and generally manage and improve any lands vested in him.

Compare: 1902 No 5 s 9; 1907 No 76 s 11

Section 29(b): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

30 Mortgagee not bound to inquire as to propriety of mortgaging

No person lending money upon the security of lands vested in the Commissioner, or lands of which the Commissioner is the registered proprietor, shall be concerned to inquire as to the necessity for the loan or as to the application by the Commissioner of such money, and every such security executed by the Commissioner shall be as valid and effectual for the protection of the mortgagee and his assigns as if the Commissioner had been entitled in his own right to the lands comprised in such security. In any such security a power of sale may be granted.

Compare: 1907 No 76 s 11

31 Priority of mortgages given by Commissioner

Any memorandum or deed of mortgage given or executed by the Commissioner upon the security of the lands vested in him or any part of such lands shall, upon registration, be deemed to have priority over all mortgages, securities, claims, and trusts (if any) affecting the same, except those already registered at the time of the registration of any such memorandum or deed of mortgage as aforesaid.

Compare: 1912 No 24 (L) s 2

32 Jurisdiction of Maori Land Court

In respect of land vested in the Commissioner, the court may, on the application of the Commissioner, settle the lists of the Maori beneficiaries of that land, may determine their relative interests, may appoint successors to any deceased beneficiary and trustees for any beneficiary under disability, and generally may exercise jurisdiction with regard to such land so far as the equitable estate of the beneficiaries is concerned.

Compare: 1907 No 76 s 11

Section 32 heading: amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

Section 32: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

33 Commissioner may create Maori villages

The Commissioner, with the approval of the Minister of Maori Affairs, may set apart any land vested in him as a Maori village and may lease allotments in such village upon such terms and conditions as the court directs.

Compare: 1907 No 76 s 11

Section 33 heading: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 33: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 33: amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

34 Commissioner to keep 1 banking account

All moneys received by the Commissioner from all or any of the estates vested in him shall be paid into 1 banking account in the name of the East Coast Commissioner, unless in any particular case it shall appear to the Commissioner or the court expedient to keep a separate banking account for the funds of any special trust.

Compare: 1911 No 35 s 14

35 Provisions of principal Act against alienation of trust funds to apply

The provisions of sections 549 and 550 of the principal Act shall apply to every trust estate vested in the Commissioner and to all moneys and the income thereof held by the Commissioner on behalf of Maori, and no beneficiary under any trust shall be capable of making a charge or other disposition (except by will) of the interest of such beneficiary in such trust estate or in the rents, profits, or income thereof, or in any moneys raised upon the security thereof.

Compare: 1911 No 35 s 14

Section 35: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

36 Commissioner may execute mortgages for general and special liabilities

The Commissioner shall have full power and discretion to raise moneys for any purposes of the whole or any part of the trust estates vested in him and to mortgage or charge all such trust estates together, or any 1 or more of such trust estates, for the purpose of securing moneys advanced or to be advanced to the Commissioner for the purposes of the general trust or for the purposes of any special trust, whether such special trust relates or not to the lands mortgaged or charged. In the Commissioner's accounts each separate trust estate shall be charged only with such part of such moneys so raised as have been or are intended to be applied for the benefit of such estate in addition to a due proportion of the general charges of administration.

Compare: 1911 No 35 s 14

37 Commissioner may alienate trust lands for school site

Subject to the approval in writing of the Minister of Maori Affairs, the Commissioner may from time to time, with or without consideration, alienate to His Majesty the King as a site for a school any part of the lands vested in him, freed and discharged from any trust in favour of the beneficiaries and without the necessity of procuring the consent of such beneficiaries.

Compare: 1925 No 40 s 25

Section 37: amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

38 Commissioner may revest certain lands in beneficiaries

The court may at any time, if it thinks fit, in respect of any particular trust estate not comprised in any mortgage or charge executed by the Commissioner, and not further required by any scheme of adjustment to provide moneys for the relief of any other estate, and with the consent of the Commissioner in any other case, order that such estate shall be transferred to the beneficiaries ascertained by the court to be entitled thereto, and upon such order taking effect the Commissioner shall be discharged of his trust in respect of such estate; but no such order shall take effect until the Minister of Maori Affairs has signified in writing his approval thereof.

Compare: 1911 No 35 s 14

Section 38: amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

39 Beneficial owners may alienate to other beneficial owners

- (1) Notwithstanding anything to the contrary in this Part or in the principal Act contained, any beneficial owner may transfer any share or interest held by him in any such lands to any other Maori beneficial owner of an interest in the same lands.
- (2) Every such transfer, having endorsed thereon the written approval of the Commissioner, shall without the necessity of confirmation by a Maori Land Board be effectual to vest in the transferee the beneficial interest of the transferor expressed to be thereby vested, subject to the legal estate of the Commissioner, and shall be acted upon accordingly by the Commissioner.
- (3) The Commissioner shall not approve, except as herein recited, of any such transfer until he is satisfied—
 - (a) that the price paid thereunder is the fair and reasonable value of the interest transferred:
 - (b) that the purchase money has been actually paid or secured:
 - (c) that the transferor has sufficient lands left for his support or maintenance or is not in the opinion of the Commissioner so far as regards his support and maintenance prejudiced by the transfer.
- (4) The Commissioner may approve of any transfer of a beneficial interest, whether with or without consideration, if he is satisfied that it is in the interests of the transferor or his family that such transfer should be approved.
- (5) A beneficial owner may, with the consent of the Minister of Maori Affairs, alienate to the Commissioner all or any part of his interest in the trust lands. In such case the transfer shall, without the necessity of confirmation by the Maori Land Board, pass the interest to the Commissioner to be held in trust for the remaining owners of the land affected in similar shares to which they theretofore were beneficially entitled.

Compare: 1915 No 63 s 9

Section 39(1): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 39(5): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

40 Annual balance sheet to be prepared

- (1) The Commissioner shall cause to be made up to 30 June in each year a balance sheet and statement of accounts setting forth all receipts and payments and income and expenditure of the Commissioner, and specifying all properties sold, leased, or otherwise dealt with, as well as a report of the transactions of the Commissioner.
- (2) Such balance sheet and statement shall be laid before Parliament as early as possible after the commencement of the session, and shall stand referred to the Maori Affairs Committee of the House of Representatives.

Compare: 1902 No 5 s 13; 1928 No 49 s 42

Section 40(2): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

41 Accounts to be subject to control of court

- (1) The Commissioner shall, once in each year, submit to the court accounts setting forth all moneys received and expended by him and the manner in which he has credited or debited or proposes to credit or debit each trust estate in respect thereof, and shall also supply copies thereof to such representative beneficiaries as the court may direct. The court shall, after giving the beneficiaries an opportunity to be heard if they desire to do so, consider such accounts, and may either confirm such accounts or require alterations to be made therein. Upon such confirmation the accounts, with such alterations as may have been made therein, shall become binding upon and finally and conclusively determine and ascertain the rights of all parties interested in the matter of such accounts. The court or the Minister of Maori Affairs may, if either think fit, require a special audit of any such accounts before the final confirmation. The general expenses of the administration of the trust shall be distributed over the several trust estates as the Commissioner determines, subject to confirmation by the court.
- (2) Notwithstanding that the court may have confirmed the said accounts, it may, in its discretion, for good cause reopen and review and readjust as between the beneficiaries or groups of beneficiaries the accounts theretofore confirmed.
- (3) The court may, in its discretion, direct the Commissioner to write off and discharge in respect of the accounts of the properties under his control any sums charged or paid for simple or compound interest, or any part thereof, or any other amount which the court is satisfied should be written off; or to alter, amend, or adjust such accounts which, in the opinion of the court, should be so dealt with.
- (4) The court may, for the purpose of adjusting the accounts between the respective groups of beneficiaries, direct the Commissioner to write off and discharge any

liability against any land comprised in the estate which, in the opinion of the court, should be so written off or discharged.

Compare: 1911 No 35 s 14; 1927 No 67 s 49

Section 41(1): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

42 Court may give leave to sell certain lands of trust estate

- (1) If the court is satisfied that it is in the interests of the trust estate so to do, it may by order give leave to the Commissioner to sell at the best price obtainable any land forming part of the estate which may be non-revenue producing and unlikely to be a profitable source of income to the trust estate.
- (2) Notwithstanding the provision of this section, the Commissioner shall not proceed to sell, except to the Crown, any of the lands vested in him as such Commissioner, without first obtaining the approval in writing of the Minister of Maori Affairs to the sale of such land.
- (3) Nothing in Part 19 of the principal Act shall prevent the Crown from acquiring from the Commissioner any land subject to an order for leave to sell under this section, and the consideration for any sale and purchase may be at such price as the Commissioner and the Maori Land Purchase Board agree upon.

Compare: 1927 No 67 s 49

Section 42(2): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

Section 42(3): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

43 Commissioner protected whilst acting under court order

The Commissioner shall be deemed to have full power and authority to act in accordance with every order of the court made under this Part, and the Commissioner in so acting shall be deemed to have discharged his duty as a trustee, except in the case of fraud or wilful concealment or misrepresentation by the Commissioner in obtaining such order.

Compare: 1927 No 67 s 49

44 Commissioner may contribute to patriotic, educational, or charitable purposes

The Commissioner may, out of the accumulated funds or out of any moneys whatsoever due or payable to the beneficial owners of any land vested in and administered by him, retain and pay for patriotic or educational or charitable purposes such amount and to such fund or such person or body as the Commissioner shall deem fit. Before any amount is so paid, the approval of the Minister of Maori Affairs to the proposed payment shall be obtained.

Compare: 1919 No 43 s 8

Section 44: amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

45 Repeals

The Mangatu No 1 Empowering Act 1893, the East Coast Native Trust Lands Act 1902, and the East Coast Native Trust Lands Amendment Act 1912 are hereby repealed.

**Part 5
Administrative boards and bodies***Maori Purposes Fund**[Repealed]*

Heading: repealed, on 5 April 1935, pursuant to section 16(1) of the Maori Purposes Fund Act 1934–35 (1934–35 No 45).

46 Provisions affecting Maori Purposes Fund Control Board*[Repealed]*

Section 46: repealed, on 5 April 1935, by section 16(1) of the Maori Purposes Fund Act 1934–35 (1934–35 No 45).

*Maori ethnological research**[Repealed]*

Heading: repealed, on 5 April 1935, pursuant to section 16(1) of the Maori Purposes Fund Act 1934–35 (1934–35 No 45).

47 Provisions affecting Maori Ethnological Research Board*[Repealed]*

Section 47: repealed, on 5 April 1935, by section 16(1) of the Maori Purposes Fund Act 1934–35 (1934–35 No 45).

*Maori arts and crafts**[Repealed]*

Heading: repealed, on 5 April 1935, pursuant to section 16(1) of the Maori Purposes Fund Act 1934–35 (1934–35 No 45).

48 Provisions affecting Maori arts and crafts*[Repealed]*

Section 48: repealed, on 5 April 1935, by section 16(1) of the Maori Purposes Fund Act 1934–35 (1934–35 No 45).

Confiscated lands

[Repealed]

Heading: repealed, on 1 January 1956, pursuant to section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

49 Authorising settlement of Maori grievances regarding confiscated land

[Repealed]

Section 49: repealed, on 1 January 1956, by section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

Rewi Maniapoto Memorial Trust

50 Vesting Lot 112, Kihikihi, in a corporate body for special purposes

- (1) For the purpose of administering and managing the land hereinafter mentioned there shall be constituted a corporate body with perpetual succession and a common seal having the same powers and functions as a body corporate constituted under Part 17 of the principal Act, to be called the Rewi Maniapoto Memorial Committee, and in respect of which the following provisions shall apply:
 - (a) the court shall, by order, appoint a committee of management consisting of not less than 5 and not more than 7 members as the court may determine, being persons of the Ngati-Maniapoto Tribe, and all the powers and functions of the body corporate hereby constituted shall be exercised on its behalf by a majority of the members for the time being in office of a committee of management so appointed, and no act of the committee of management shall be questioned or invalidated on the ground of any vacancy in the membership thereof:
 - (b) the court may at any time, whether on application made or on its own motion and for any reason which it thinks sufficient, remove from office any member of the committee of management:
 - (c) if any member of the committee of management dies, or resigns, or is removed from office the court may appoint another person in his place:
 - (d) all the provisions of Part 17 of the principal Act as to the execution of instruments by a committee of management, and as to the confirmation and effect of instruments executed by the members of a committee of management, shall apply to instruments executed by the committee of management appointed under this section:
 - (e) the court may from time to time, by order, make bylaws (consistent with this section) prescribing the practice and procedure of the committee of management. Subject to this section and any bylaws so made, the committee may regulate its own proceedings.
- (2) The land known as Lot 112 of the Town of Kihikihi, being the land referred to and described in section 15 of the Native Land Claims Adjustment Act 1911, is

hereby vested in the corporate body known as the Rewi Maniapoto Memorial Committee, and the District Land Registrar is hereby directed to issue a certificate of title under the Land Transfer Act 1915 for the said land in the name of the said corporate body.

- (3) The corporate body shall hold the said land in trust primarily for the purpose of protecting, improving, maintaining and repairing, and replacing, if necessary, the memorial erected thereon to the memory of Rewi Maniapoto (deceased), and for such other purpose for the benefit of the said Ngati-Maniapoto Tribe as the court shall from time to time determine.
- (4) Any committee of management already appointed shall be deemed to have been appointed under this Act.

Compare: 1929 No 19 s 53

Arawa District Trust Board

[Repealed]

Heading: repealed, on 1 January 1956, pursuant to section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

51 Provisions affecting Arawa District Trust Board

[Repealed]

Section 51: repealed, on 1 January 1956, by section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

52 Authorising loans by Arawa District Trust Board to members

[Repealed]

Section 52: repealed, on 1 January 1956, by section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

53 Authorising Arawa District Trust Board to act as Maori Council

[Repealed]

Section 53: repealed, on 1 April 1946, by section 50(1) of the Maori Social and Economic Advancement Act 1945 (1945 No 43).

Tuwharetoa Trust Board

[Repealed]

Heading: repealed, on 1 January 1956, pursuant to section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

54 Payment of annual sum to Tuwharetoa Trust Board authorised

[Repealed]

Section 54: repealed, on 1 January 1956, by section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

55 Tuwharetoa Trust Board constituted

[Repealed]

Section 55: repealed, on 1 January 1956, by section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

56 Authorising loans by Tuwharetoa Trust Board to members

[Repealed]

Section 56: repealed, on 1 January 1956, by section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

Ringatu Church Trust

57 Wainui or Section 313, Parish of Waimana, to be administered by trustees for the Ringatu Church

With regard to the land known as Wainui or Section 313, Parish of Waimana, in the Bay of Plenty, containing 600 acres or thereabouts, vested in trustees in trust for the Ringatu Church pursuant to section 31 of the Maori Land Amendment and Maori Land Claims Adjustment Act 1921–22, the following provisions shall apply:

- (a) the court may at any time, whether on application made or on its own motion, and for any reason which it thinks sufficient, remove any trustee from office:
- (b) if any trustee dies, or resigns, or is removed from office, the court may appoint any other person in his place:
- (c) the trustees shall, in respect of the said land, have and exercise all the powers of a committee of management under Part 17 of the principal Act, and the trust property shall vest in the trustees for the time being without any transfer or assurance.

Compare: 1921–22 No 62 s 31

Section 57: amended, on 27 November 1947, pursuant to section 9(1)(d) of the Maori Purposes Act 1947 (1947 No 59).

Rotorua Township reserves

[Repealed]

Heading: repealed, on 1 January 1956, pursuant to section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

58 Administration of reserves in Rotorua Township vested in Waiariki Maori Land Board

[Repealed]

Section 58: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

*Whakarua Park***59 Providing for the administration of Whakarua Park**

- (1) The Board of Trustees incorporated by the court under the provisions of section 41 of the Native Land Amendment and Native Land Claims Adjustment Act 1928 under the name of the Whakarua Park Board (hereinafter referred to as the **Board**) shall be a body corporate and shall have perpetual succession and a common seal, and may acquire and hold real and personal property of whatsoever nature, sue and be sued in all proceedings criminal or civil, and do and suffer all that corporate bodies may do and suffer.
- (2) All property, real or personal, held by the Board shall be deemed to be vested in the Board upon and subject to all trusts, powers, and equities affecting the same.
- (3)
 - (a) The Board shall have the same power of alienating land vested in it as is conferred upon a Maori owning Maori land in severalty.
 - (b) Every such alienation shall require confirmation by a Maori Land Board in the same cases and in the same manner as if it was an alienation by a Maori owning land in severalty.
 - (c) Every instrument of alienation shall be under the seal of the Board, attested by not less than 3 of the trustees for the time being constituting the Board.
 - (d) *[Repealed]*
- (4)
 - (a) The court may from time to time, on the application of any person claiming to be interested, by order appoint a new trustee or trustees, either in substitution for or in addition to any existing trustees, and whether there is any existing trustee or not at the time of the making of the order.
 - (b) All the powers and functions of the Board shall be exercised on its behalf by a majority of the trustees for the time being.
 - (c) A contract made by the trustees on behalf of the Board, other than an alienation of land, need not be under seal, but may be made in the same manner as the like contract made between individuals.
 - (d) All acts or deeds done or made by any person acting bona fide as such trustee shall be valid notwithstanding any defect that may afterwards be found in his appointment, and the signature of any person purporting to act as such trustee shall be prima facie evidence of his being such trustee.
- (5) All land vested in the Board shall be held upon such trusts as the court shall from time to time by order determine.

- (6) All land vested in the Board shall when so vested be and be deemed to be Maori land within the meaning of the principal Act.
- (7) All land vested in the Board shall be exempt from the provisions of the Local Government (Rating) Act 2002 and shall not be liable to be rated thereunder.
- (8) The Board may from time to time delegate any of its powers and functions (except the power to alienate land and the power of delegation contained in this subsection) to 1 or more committees consisting of such persons, whether trustees or not, as the Board may from time to time appoint.

Compare: 1928 No 49 s 41

Section 59(3)(a): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 59(3)(b): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 59(3)(d): repealed, on 11 November 1964, by section 14(b) of the Maori Purposes Act 1964 (1964 No 46).

Section 59(6): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 59(7): amended, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

Section 59(8): inserted, on 27 November 1947, by section 52 of the Maori Purposes Act 1947 (1947 No 59).

Hinerupe Trust (Te Araroa)

60 Court may vest part of Te Araroa Native Township in trustees

- (1) The court is hereby authorised and empowered, upon the application of any person claiming to be interested if the court is satisfied that the owners consent thereto, to make an order vesting the lands known as Tapuaeteano D1, Tapuaeteano D2, Tapuaeteano D3, Tapuaeteano D4, and Tapuaeteano E2, forming part of the Te Araroa Native Township, situate in the Tairāwhiti Māori Land Court District, or any of them, and herein referred to as the **said land**, in such persons as the court shall decide, not exceeding 7 in number, to be called the Hinerupe Trustees (hereinafter referred to as the **said trustees**), upon trust for the use, benefit, and occupation of members of the Whānau-a-Tūwhakairiora Tribe.
- (2) Upon the making of an order as aforesaid, so much of the said land as is comprised therein shall cease to be a part of the Te Araroa Native Township, and shall be freed and discharged from all right, title, and interest of the Tairāwhiti District Māori Land Board or of the present beneficial owners of the said land.
- (3) Every person having any estate or interest in the said land, and who is deprived thereof or is injuriously affected by the making of an order as aforesaid, shall be entitled to compensation, provided a claim is made therefor either at the time of the making of the said order or within 1 month after the making thereof.

- (4) The court shall have full power, authority, and jurisdiction to ascertain and determine what amount of compensation should be paid in respect of the matters mentioned in subsection (3), and the person entitled to be paid such compensation, and to make an order or orders awarding the compensation to the persons entitled thereto. Any sums so awarded for compensation shall be paid by the said Maori Land Board out of the funds held by the said Board on behalf of the beneficiaries of Te Araroa Native Township in the manner and to the persons directed by the court.
- (5)
- (a) The court may from time to time, by order, appoint a new trustee or new trustees, either in substitution for or in addition to any existing trustees, and whether there is any existing trustee or not at the time of the making of the order.
 - (b) Any person so appointed shall have the same powers as if appointed by the original order.
 - (c) The court may at any time make an order cancelling or varying an order appointing a trustee.
 - (d) The powers of the trustees may be exercised by the majority of the continuing or surviving trustees for the time being:
provided such powers shall not be exercisable if and whenever less than 3 trustees remain to perform the trust.

Compare: 1927 No 67 s 45

Section 60(1): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

Wi Pere Trust

[Repealed]

Heading: repealed, on 16 September 1938, pursuant to section 15(17) of the Maori Purposes Act 1938 (1938 No 23).

61 Wi Pere Trust lands management

[Repealed]

Section 61: repealed, on 16 September 1938, by section 15(17) of the Maori Purposes Act 1938 (1938 No 23).

Kaiti Maori Pa

[Repealed]

Heading: repealed, on 25 October 1956, pursuant to section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

62 Provision for controlling trust fund arising out of Sections 35 to 39, Kaiti

[Repealed]

Section 62: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

Administration of Otaki lands

63 Provision for recovering Maori rates due to Otaki Borough

- (1) All land vested in the Ikaroa District Maori Land Board under the provisions of section 32 of the Native Land Amendment and Native Land Claims Adjustment Act 1928 (hereinafter referred to as the **said section 32**) shall be held by it in trust for the owners beneficially entitled thereto.
- (2) The vesting of any such land in the Board shall not affect any valid lease, mortgage, charge, or encumbrance to which the land was subject at the date of that vesting, or the right of any person to enforce a valid contract made with respect to the land before it became so vested, or to obtain confirmation of any alienation under an instrument of alienation theretofore executed.
- (3) Any Order in Council purporting to be made under the said section 32 shall be conclusive proof that all the conditions precedent to the making thereof have been duly fulfilled, and no such order shall be questioned on any ground.
- (4) An Order in Council made under the said section 32 may at any time be amended, varied, or revoked. Upon the revocation (either wholly or in part) of an Order in Council made under the said section 32 the land affected by such revocation shall cease to be subject to this section and shall revert in the former owners as if it had never become subject to this section, save that such reversion shall not affect any valid transfer, lease, mortgage, charge, or encumbrance to which the land is then subject.
- (5) All land held by the Board under this section may be sold, leased, exchanged, or mortgaged by the Board, and the proceeds of any alienation by the Board shall be applied in the first place to payment of the expenses of administration, including a reasonable commission to the Board and all other liabilities to the Board and all rates and other outgoings due or accruing, and any balance shall be paid to the owners of the land. The Board may elect to administer any part of the land under section 523 of the principal Act, and in such case the provisions of that section shall extend and apply to such land and its management and use.
- (6) The land shall remain charged in favour of the Board with the payment of the sum paid by the Board, together with interest at the rate of 5 pounds per cen-

tum per annum, and the provisions of the principal Act as to the creation and enforcement of charges shall apply to all lands affected by this section. The court may by order direct the amount to be so charged in respect of each parcel of land.

- (7) The Board shall not be liable for any rates in respect of any parcel of the land held by it under the provisions of this section in excess of the revenue actually received by the Board from that land during the period in which those rates became due, but the net revenue received by the Board after payment of the current year's rates received during the next succeeding period may be applied towards payment of such rates. If the rates are not paid within 2 years from the time they are assessed, they must be treated as irrecoverable and must be written off.
- (8) With regard to future rates levied upon Maori land within the Otaki Borough which is not vested in the Board the local authority may apply to the court to vest the land affected in the said Board, and the said land shall on the making of such order be deemed to be subject to the provisions of this section as fully and effectually as if it had been vested in the Board by Order in Council under the said section 32. The court may by order at any time revest in the Maori owners the land so vested by court order in the Board.

Compare: 1928 No 49 s 32

Section 63 heading: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 63(7): amended, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

Section 63(8): amended, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

Section 63(8): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Mataikona Blocks

[Repealed]

Heading: repealed, on 25 October 1956, pursuant to section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

64 Maori Trustee to administer Mataikona Blocks

[Repealed]

Section 64: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

Ngaitahu claim

[Repealed]

Heading: repealed, on 1 November 1946, pursuant to section 28(1) of the Ngaitahu Trust Board Act 1946 (1946 No 33).

65 Setting up Board in connection with Ngaitahu claim

[Repealed]

Section 65: repealed, on 1 November 1946, by section 28(1) of the Ngaitahu Trust Board Act 1946 (1946 No 33).

Kaiapoi Reserve Board

66 Old Native Pa at Kaiapoi to be a reserve under control of Kaiapoi Reserve Board

- (1) The land known as the old Native Pa at Kaiapoi, containing 11 acres or thereabouts, and situate in the Rangiora Survey District and called Reserve 873A, is hereby declared to be held by His Majesty the King as a reserve for the benefit of the Maori to whom the same was promised or their descendants.
- (2) The land and water known as the Waikuku Lagoon, containing 24 acres or thereabouts, situated in Block VIII, Rangiora Survey District, and being the balance or southern portion of Reserve 1873, is hereby declared to be held by His Majesty the King as a reserve for the same purposes and persons as is prescribed in subsection (1).
- (3) The control and management of the said reserves shall vest in a Board of Managers called the Kaiapoi Reserve Board (hereinafter referred to as the **said Board**), consisting of—
 - (a) the Stipendiary Magistrate for the time being exercising jurisdiction at Kaiapoi, or if there be no such appointment, then the senior Stipendiary Magistrate at Christchurch or such other Stipendiary Magistrate as he shall appoint. The Stipendiary Magistrate so acting shall be the Chairman of the said Board:
 - (b) the members of Parliament for the time being for the Southern Maori Electoral District and for the Kaiapoi Electoral District, or such other districts as shall replace them and have the said reserves within their boundaries:
 - (c) 3 other persons to be appointed by the Minister of Maori Affairs.
- (4) For any cause which may seem to be sufficient the Minister of Maori Affairs may, in writing under his hand, remove from office any member appointed under paragraph (c) of the last preceding subsection. Any vacancy caused by the death, resignation, or removal of any such member may be filled by the Minister of Maori Affairs.

- (5) The said Board, with the approval of the Governor-General in Council, may from time to time make bylaws for—
- (a) the management, preservation, and disposition of the said reserves or any part thereof:
 - (b) the governing and control of all persons, horses, carriages, and vehicles using or frequenting the same:
 - (c) the fixing of an entrance fee for admission thereto:
 - (d) regulating the time of admission and exclusion:
 - (e) the depasturing of cattle thereon:
 - (f) the exclusion of dogs or other animals therefrom, and their destruction if intruding thereon:
 - (g) the prevention of any nuisance:
 - (h) the grant or regulating of fishing privileges:
 - (i) generally regulating the use of the said reserves.
- (6) Any person offending against any such bylaw shall be liable on conviction to a penalty not exceeding 5 pounds.
- (7) All such penalties may be recovered in accordance with Part 3 of the Summary Proceedings Act 1957, and shall be paid to the said Board and be applied as other moneys are hereinafter directed to be applied.
- (8) The Board is hereby empowered to lease any portion of the said reserves for such period not exceeding 21 years and subject to such rents or conditions and in such manner or form as it may think fit.
- (9) Any instrument requiring to be executed by the Board may be executed in the name of the Board by 3 members of the Board (one of whom shall be the Chairman); and any lease may be registered and may be dealt with in the same manner as if it were a lease of Crown lands granted by a Land Board, but the provisions of the Land Act 1924 shall not otherwise apply to any such lease.
- (10) All sums of money received under or by virtue of this section shall be applied in managing, administering, and improving the said reserves, and generally towards carrying into execution the purposes and objects of this section, and for any other purpose which the Minister of Maori Affairs may approve, although it may not be strictly applicable to such reserves or to the persons intended to benefit thereunder.
- (11) The Board may, if it thinks it necessary or advisable, apply to the court to ascertain and determine who are the persons entitled to the benefit of the said reserves, and the court shall be deemed to have jurisdiction to determine such matters and make orders accordingly. In such case it shall not be compulsory for the court to define the relative shares in which the beneficiaries are so

entitled, but the court may in the same or any subsequent order determine such relative shares.

Compare: 1924 No 45 s 21

Section 66(1): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 66(3)(c): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

Section 66(4): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

Section 66(7): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 66(10): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

Part 6

Miscellaneous powers and jurisdiction

(a) Affecting Tuwharetoa Tribe

67 Authorising the Aotea Maori Land Board to pay to the Tuwharetoa Co-operative Dairy Company (Limited) instalments due to owners of the Puketapu Block who signed deed of consent

[Repealed]

Section 67: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

68 Governor-General may make regulations authorising Ngati-Tuwharetoa to take trout or other fish in Lake Roto-Aira

[Repealed]

Section 68: repealed, on 16 September 1938, by section 22(5) of the Maori Purposes Act 1938 (1938 No 23).

69 Exempting Ngati-Tuwharetoa Tribe from paying heavy traffic fees on the Tokaanu–Waimarino Road

Whereas under the Tongariro National Park Act 1894 the Crown accepted the donation of an area of about 6 508 acres of land by the late Te Heuheu Tukino, Chief of the Ngati-Tuwharetoa Tribe, for the purposes of a National Park:

And whereas lands including the aforesaid area were set apart as a reserve under the Tongariro National Park Act 1922 and the control thereof was placed under the Tongariro National Park Board:

And whereas such Board may lease portions of such lands and issue licences and otherwise derive revenue from such lands:

And whereas the Ngati-Tuwharetoa Tribe is being called on by the Crown to pay fees in respect of its 2-ton motor lorry used for the purpose of transporting for such tribe the necessaries of life over the Tokaanu–Waimarino Road:

And whereas it is expedient that payment of such fees should be remitted:

Be it therefore enacted as follows:

No heavy traffic fees shall be payable to the Crown in respect of one only 2-ton motor lorry used on the Tokaanu–Waimarino Road by or for the purposes of the Ngati-Tuwharetoa Tribe or any member of such tribe, or any association or company composed principally of members of such tribe.

Compare: 1924 No 45 s 36

70 Enabling disposal of land set apart for discharged Maori soldiers

[Repealed]

Section 70: repealed, on 23 November 1973, by section 23(3) of the Maori Purposes Act (No 2) 1973 (1973 No 106).

71 Validating payment of rent of Owhaoko D 7 Block to Maori

[Repealed]

Section 71: repealed, on 23 November 1973, by section 23(3) of the Maori Purposes Act (No 2) 1973 (1973 No 106).

(b) Matters affecting Tokerau District

[Repealed]

Heading: repealed, on 25 October 1956, pursuant to section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

72 Authorising inquiry as to alienation of part of Kaihu 2B 3 Block

[Repealed]

Section 72: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

73 Enabling Kaihu 1A 1 school site to be revested in Natives

[Repealed]

Section 73: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

74 Empowering adjustment of title of, and charges on, Motatau No 2 Block

[Repealed]

Section 74: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

75 Revesting Taiharuru school site in Natives

[Repealed]

Section 75: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

(c) Matters affecting Waikato-Maniapoto District

76 Enabling adjustment of rates levied by the Mangapu Drainage Board

- (1) The sum of 1,210 pounds paid under the provision of section 26 of the Native Land Amendment and Native Land Claims Adjustment Act 1928 to the Mangapu Drainage Board with respect to drainage operations within the drainage district controlled by that Board shall be a charge upon all Maori lands within the said drainage district, and in default of land being awarded as hereinafter mentioned the court may make an order in favour of His Majesty charging all or any of the Maori lands upon which rates were or are levied by the Mangapu Drainage Board with the payment of such proportionate part of the above-mentioned sum as the court shall think just and equitable, together with interest at 5 pounds per centum per annum from date of the advance until repayment, and may vest the land so charged in the Maori Land Board of the district, which shall have similar powers of disposal of the land and the application of the proceeds as are vested in or conferred on the Māori Trustee by section 109 of the Rating Act 1925.
- (2) The court in preparing or giving effect to consolidation schemes in the Waikato-Maniapoto Maori Land Court District shall in pursuance of its power in that behalf award or appropriate land to the Crown to the value of and in satisfaction or partial satisfaction of the payment mentioned in subsection (1).

Compare: 1928 No 49 s 26

Section 76(1): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 76(1): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

Section 76(2): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

77 Authorising trustees of Waitangirua Block to distribute trust funds

[Repealed]

Section 77: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

78 Permitting variation of leases of Native land in Waikato-Maniapoto District

[Repealed]

Section 78: repealed, on 22 December 1933, by section 25 of the Maori Purposes Act 1933 (1933 No 50).

79 Applying Part 18 of principal Act to Allotment 6, Section 2, Raglan*[Repealed]*

Section 79: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

80 Authorising titles to issue for certain Crown lands to Maori*[Repealed]*

Section 80: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

81 Authorising court to inquire as to burial place on Waipapa Block and make vesting order*[Repealed]*

Section 81: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

*(d) Matters affecting Waiariki District***82 Sections 125 and 128 of Public Works Act 1928 (relating to roads), not to apply to sale or subdivision of land situate within Ohinemutu Pa**

Sections 125 and 128 of the Public Works Act 1928 (relating to roads), shall not apply to the sale or subdivision of any portion of the land situate within what is generally known as the Ohinemutu Pa or Village, bounded as follows: towards the east by Lake Rotorua; towards the north by the Utuhina Stream; towards the west and south-west by the main Tauranga–Rotorua road, commencing where the said road crosses the Utuhina Stream, and continuing past the Lake House to where the road passes down to the public wharf at Rotorua; and thence on the south by the last-mentioned road to Lake Rotorua.

Compare: 1921–22 No 62 s 21

83 Reserves for Maori may be set apart in Urewera lands*[Repealed]*

Section 83: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

84 Authorising court to confer easement in respect of Matata water supply

Whereas by section 74 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922 it is enacted that the Governor-General may confer certain powers upon the Whakatane County Council (hereinafter referred to as the **said Council**) with respect to the supply of water for domestic purposes for the Town of Matata and the district adjoining (hereinafter referred to as the **said water supply**):

And whereas it is desirable to give the said Council powers to obtain pipeline easement and other rights and appurtenances over Maori land through which the pipeline connected with the said water supply passes:

Be it therefore enacted as follows:

- (1) The court is hereby authorised and empowered to grant to the said Council by order an easement in perpetuity or for a limited term for the use, occupation, and enjoyment of any Maori land whereon or whereunder any pipeline connected with or appertaining to the said water supply shall be, together with the right to enter upon such land or through or over any adjoining land for the purpose of altering, renewing, repairing, or cleansing such pipeline, subject to such terms and conditions as the court may think fit to impose.
- (2) Any order made granting rights as aforesaid may be registered against the land which it affects, and it shall not be necessary in the case of land subject to the Land Transfer Act 1915 to produce any certificate of title for the purpose of such registration.
- (3) If the said Council ceases for a period of 2 years to use any land in respect of which an order granting rights as aforesaid has been made, such land shall (subject, however, to any special conditions contained in the order made in respect thereof) upon the expiration of such period of 2 years revert to the then owner of the land over which the same was originally ordered, but the said Council shall not be liable to the owner or any other person for so ceasing to use the land. Upon proof to his satisfaction that the right has so reverted to the owner the District Land Registrar may enter upon the Register a memorandum thereof, and such right shall thereupon be deemed to have been determined.
- (4) The Council or any person interested may at any time apply to the court for the surrender of any right granted hereunder, and the court may order that the land therein mentioned shall cease to be subject to the right or easement, and any such order may be registered accordingly.

Compare: 1924 No 45 s 30

Section 84: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 84(1): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

85 Restricting alienation of lease of the Whakapoungakau No 15B Block

[Repealed]

Section 85: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

86 Enabling court to exercise jurisdiction with regard to Ohinemutu and Whakarewarewa villages

[Repealed]

Section 86: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

87 Enabling the ownership of Utuhina No 3D Block to be adjusted

[Repealed]

Section 87: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

88 Provision with regard to Arawa Lakes

- (1) The Governor-General may reserve any portion of the bed of any of the lakes referred to in section 27 of the Native Land Amendment and Native Land Claims Adjustment Act 1922 or any Crown lands on the border thereof for the use of the Maori, and may vest the management and control thereof in trustees.

- (2) *[Repealed]*

Compare: 1922 No 48 s 27

Section 88(1): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 88(2): repealed, on 26 September 2006, by section 96(1) of Te Arawa Lakes Settlement Act 2006 (2006 No 43).

(e) Matters affecting Tairāwhiti District

89 Permitting appeals respecting Marangairoa 1D Block

[Repealed]

Section 89: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

90 Allotting rents of Ahirau 1 and 2 Blocks for religious purposes

The Tairāwhiti District Maori Land Board is hereby authorised to pay to such person as the Minister of Maori Affairs may, in writing, from time to time direct out of the rents and other revenues received by the said Board in respect of the land situate in the Tairāwhiti Maori Land District, and known as Ahirau Nos 1 and 2 Blocks, such annual sum as the Minister may direct, either for a particular year or for any longer period, to be allocated for the support of the Waiapu Maori Pastorate (Church of England) or such other religious purpose as the Minister shall think expedient, and the Minister may at his discretion at any time and from time to time cancel the authority for any payment directed to be made by him. The receipt of the person named as the payee in any direction to the said Board shall, to the amount of any such payment, be a sufficient discharge to the said Board and to any lessee, and neither the Board nor a lessee shall be bound to inquire as to the application of the money paid under any such direction.

Compare: 1929 No 19 s 36

Section 90: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 90: amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

91 Setting aside rents of Tapuaeroa 2A 2 Block for religious purposes

- (1) There shall be set aside out of the rents to accrue from the lease to Duncan MacMillan of the land known as the Tapuaeroa 2A 2 Block, situate in the County of Waipatu, such annual sum as the Minister of Maori Affairs may from time to time direct, either for a particular year or any longer period, to be allocated for the support of the Hikurangi Maori Pastorate (Church of England), or such other religious purpose as the Minister of Maori Affairs may from time to time direct, and the Tairāwhiti District Maori Land Board is hereby authorised to pay to the treasurer of the Diocese of Waipatu out of any rents received for and on behalf of the owners of Tapuaeroa 2A 2 Block the sum so set aside to be applied for the purposes of the Hikurangi Maori Pastorate Fund. The receipt of the treasurer shall be a full discharge to the Board and to the lessee, and neither the Board nor the lessee shall be bound to inquire as to the application of the said sum or any part thereof.
- (2) The Minister may, in writing, direct that the provisions of this section shall apply to the rents to accrue from any subsequent lease of the said land for such term, such amount, and on such conditions as the Minister may think expedient, and thereupon the provisions of this section shall apply accordingly.
- (3) The Minister may at any time, and from time to time, in writing under his hand, direct that no further payment of the whole or any part of the annual sum so directed to be paid shall thereafter be paid to the said treasurer, and thereupon from the date specified by the Minister the right to claim such moneys shall cease and determine to the extent of or up to the sum stated in writing by the Minister.

Compare: 1929 No 19 s 40

Section 91(1): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 91(1): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

92 Relative interests in Anaura, Kaiaua No 1, and Kopuatarakihi No 1 Blocks may be redefined

[Repealed]

Section 92: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

93 Authorising court to exercise jurisdiction as to Patutahi Block

[Repealed]

Section 93: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

94 Report respecting Patutahi Block may be given effect to*[Repealed]*

Section 94: repealed, on 1 December 1950, by section 58(5) of the Maori Purposes Act 1950 (1950 No 98).

95 Governor-General may prohibit alienation of Maori land bordering on Lake Waikaremoana

- (1) The Governor-General may, on the recommendation of the Tairāwhiti District Maori Land Board, make an Order in Council prohibiting all alienations of the lands hereinafter referred to or any of them. Any such Order in Council may be at any time varied or revoked.
- (2) All the provisions of sections 443 and 444 of the principal Act (relating to prohibition of alienation during negotiations for purchase by the Crown) shall apply during the currency of any such Order in Council to all Maori land affected by the order.
- (3) The lands affected by this section are the parcels of land situated in the Waikaremoana West Survey District, and known respectively as (1) Marau, (2) Te Puna, (3) Tikitiki, (4) Takanga, (5) Hopuaruahine East, (6) Hopuaruahine West, (7) Te Apiti, (8) Mokau, (9) Whakaari, (10) Taumataua, (11) Te Maara-o-te-Atua, (12) Waipai, (13) Timi Taihoa Reserve, and (14) Patekaha Island.
- (4) An Order in Council under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 95 heading: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 95(2): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 95(4): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

96 Tairāwhiti Maori Land Board to administer Waikaremoana debentures*[Repealed]*

Section 96: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

97 Authorising court to exercise jurisdiction respecting Marau Block

[Repealed]

Section 97: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

98 Authorising appeal respecting will of Heni Parekuta Ahuroa (deceased)

[Repealed]

Section 98: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

(f) Matters affecting Aotea District

99 Enabling Chief Judge to exercise jurisdiction respecting Katere Pa

[Repealed]

Section 99: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

100 Adjusting compensation for Waipuku-Patea Reserve

[Repealed]

Section 100: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

101 Survey charging order in respect of Reureu No 1 Block may issue

[Repealed]

Section 101: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

102 Validating inclusion of land in Bulls rifle range

[Repealed]

Section 102: repealed, on 22 December 1933, by section 26 of the Maori Purposes Act 1933 (1933 No 50).

103 Providing for reservation and administration of Manukorihi Pa, Waitara

Whereas the Maori owners of the land known as the Manukorihi A 1 Block, described in certificate of title, Volume 99, folio 93, of the Taranaki Registry, are desirous of making a gift thereof or of some part thereof for use in connection with the Manukorihi Native Pa:

Be it therefore enacted as follows:

(1) *[Repealed]*

(2) The land known as Manukorihi A 2 Block, which was set apart and reserved as a Native reservation by the Governor-General by Order in Council dated 20 September 1926, published in the *Gazette* of 23 September 1926, page 2795, hereinafter referred to as **Manukorihi Pa**, together with any portion of the Manukorihi A 1 Block hereinbefore referred to which has been or may be

set aside as a Maori reservation, shall be deemed to be 1 Maori reservation and to be for a meeting place for the common use of the members of the Atiawa Maori Tribe, including the beneficial owners of the said land. Any person or body corporate in which the said Manukorihi Pa is vested shall hold and administer the same accordingly, and the land comprised in the said Manukorihi Pa and any further land therein included shall be deemed to be free and exempt from payment of rates to any local authority.

- (3) It shall be in the power of the person or body corporate in whom the administration of the said Manukorihi Pa is vested to acquire by purchase, lease, or gift any land being any part of the Manukorihi A 1 Block or being land adjoining or adjacent to the said Manukorihi Pa, and when so acquired such lands shall be deemed to become a Maori reservation under the principal Act and form part of the said Manukorihi Pa.

- (4) *[Repealed]*

Compare: 1930 No 29 s 26

Section 103: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 103(1): repealed, on 15 March 1938, by section 6(2)(a) of the Maori Purposes Act 1937 (1937 No 34).

Section 103(2): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 103(3): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 103(3): amended, on 15 March 1938, by section 6(2)(b) of the Maori Purposes Act 1937 (1937 No 34).

Section 103(4): repealed, on 15 March 1938, by section 6(2)(a) of the Maori Purposes Act 1937 (1937 No 34).

104 Vesting part of Maori Reserve R, New Plymouth, in the New Plymouth Borough Council

[Repealed]

Section 104: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

105 Providing for administration of Parihaka Native Settlement

Whereas pursuant to section 6 of the West Coast Settlement Reserves Amendment Act 1915 the court, by an order made on 9 June 1916, purported to vest portions of the land described in the said section—namely, the parcels containing in the aggregate 451 acres and 4 perches, more or less, and designated by the court as Parihaka Numbers 9, 10, 11A, and 51 (hereinafter referred to as the **said land**)—in 10 persons upon certain trusts:

And whereas doubts have arisen as to the validity of such order, and it is desirable to confer upon the court the jurisdiction herein appearing:

Be it therefore enacted as follows:

- (1) Upon the commencement of this Act the said land shall cease to be subject to the West Coast Settlement Reserves Act 1892 and shall revert in the beneficial owners thereof.
- (2)
 - (a) The order made on 9 June 1916 is hereby cancelled, and the court is directed to ascertain and determine the names and relative interests of the persons entitled as owners of the said land and to make an order accordingly. Such order shall take effect as a partition order as from 9 June 1916, subject, however, to any order that may have been made under the next succeeding subsection.
 - (b) In exercising jurisdiction under this subsection the court shall not be bound by any Crown grant or former title to the said land, nor by any previous finding of the court, and may take into consideration the necessity of affording protection to those who have been occupying or residing upon any part of the land, and may, if it thinks it expedient, admit any such persons into the title under such conditions as it thinks fit.
- (3)
 - (a) The court may, notwithstanding that an order has not been made under the last preceding subsection, and without the necessity of the consent prescribed by Part 17 of the principal Act, make in respect of the owners of the said land an order of incorporation under the said Part 17.
 - (b) Notwithstanding anything to the contrary in the said Part 17, the Committee of Management of the said land may consist of any number of persons not exceeding 10.
- (4) The court shall have jurisdiction to inquire and determine whether any stock now or heretofore depasturing upon the said land or any stock or personal property used or employed in connection with the said land or any money in the hands of any bank, company, or person ought in its opinion to be vested in the body corporate constituted under this section, and to make 1 or more orders vesting the same or any part thereof accordingly; and every order shall take effect according to its tenor. The court may, pending the settlement of any dispute regarding any moneys, direct that the moneys concerned be paid to the Maori Land Board, whose receipt shall be a sufficient discharge therefor in the same manner as if the money had been paid to the persons entitled thereto.
- (5) The parcels of land known as Parihaka 9, Parihaka 10, together with such part not exceeding 50 acres of Parihaka 11A as the court may by its order determine, shall be hereafter exempt from rating under the Local Government (Rating) Act 2002.

Section 105(5): amended, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

*(g) Matters affecting Ikaroa District***106 Funds from disposal of part of Town Section 306, Napier, to be used for Maori purposes***[Repealed]*

Section 106: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

107 Exempting Maori agricultural college from rates

The land containing 10 acres in extent, being part of that comprised and described in certificate of title, Volume 54, folio 248, of the Hawke's Bay Registry, and being part of Lot 1, on Deposited Plan Number 2142 of the Ngatarawa Number 4 Block, situate in the Hawke's Bay Registration District, and the buildings erected thereon and used for the purpose of a Maori agricultural college, shall not be rateable under the Local Government (Rating) Act 2002 and are exempt from rates thereon while used for the purpose of the said agricultural college.

Compare: 1930 No 29 s 32

Section 107: amended, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

108 Authorising recommendation regarding Aorangi Block to be carried out*[Repealed]*

Section 108: repealed, on 1 December 1950, by section 62(8) of the Maori Purposes Act 1950 (1950 No 98).

*(h) Matters affecting South Island District***109 Enabling court to exercise jurisdiction regarding beneficiaries of Titi Islands***[Repealed]*

Section 109: repealed, on 16 December 1983, by section 6(9) of the Maori Purposes Act 1983 (1983 No 146).

110 South Island landless Maori lands enabling

Whereas under the South Island Landless Natives Act 1906 (since repealed), and under section 88 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1916, authority was given to provide land for landless Maori as therein mentioned:

And whereas various areas of Crown land in pursuance of the powers in that behalf have been or may be permanently reserved for the purpose:

Be it therefore enacted as follows:

- (1) Where the names of persons deemed to be beneficial owners of any land so reserved as aforesaid, or any part thereof, have been published in the *Gazette* or

Kahiti and titles therefor have not already been issued, the District Land Registrar of the appropriate land registration district is authorised, on the request of the Minister of Maori Affairs or any person interested, to issue a certificate of title vesting any part of such land in fee simple in the persons named in such *Gazette* or *Kahiti* for an estate in fee simple as tenants in common in the relative interests set out, which relative interests shall be expressed in shares in lieu of acres. Such title shall antevest as from the date of the land being permanently reserved for the purpose.

- (2) Where the names of the persons deemed to be entitled have not been published as aforesaid and the Governor-General is satisfied that the beneficial owners have been ascertained after due inquiry, the Governor-General may, by Warrant under his hand, direct the District Land Registrar to issue a certificate of title for any such land to which they may be found entitled to the persons so deemed to be entitled, and the District Land Registrar is authorised to issue certificates of title accordingly, vesting the land in the persons entitled as tenants in common in the relative interests set out. Such title may be antevested to any date named in the Governor-General's Warrant.
- (3) All titles issued under the preceding subsections shall have a memorial endorsed thereon that they are issued under and subject to the provisions of this section. Such titles may issue although persons named therein may be deceased, and the interest of any person so deceased shall enure for the benefit of any successor appointed by the court.
- (4) All land permanently reserved and allocated in favour of landless Maori under the enactments in this section first recited (whether titles are issued under this section or otherwise) shall be deemed to be Maori land within the meaning of the principal Act.
- (5) The said land, or any interest therein, may be acquired by and alienated to the Crown as fully and freely and in the same manner as if it was ordinary Maori land or land within the meaning of the principal Act and any statutory provision to the contrary is declared not to affect such lands.
- (6) If and whenever the said land or any portion thereof is not the subject of an alienation or is not in the occupation of any of the beneficial owners, the Governor-General may, by Order in Council published in the *Gazette*, resume such land or any part thereof, and thereupon the said land shall again become Crown land freed and discharged from any right or claim thereto by the beneficial owner. The former beneficial owners thereof shall be entitled to compensation as if the land had been taken for a public work, and all the provisions of the Public Works Act 1928 as to payment and assessment of compensation shall apply accordingly.
- (7) Where the court is satisfied that any beneficial owner cannot be found and that it is in the interests of the owner or in the public interest that the land should be alienated, it may make an order appointing the Māori Trustee to execute as agent and in the name of the owner any instrument of alienation, which instru-

ment may be confirmed, and shall thereupon have the same force and effect, and may be registered in the same manner, as if executed by the owner. All proceeds of any such alienation shall be paid to the Māori Trustee, who shall hold the same in trust for the person beneficially entitled thereto. The death of the owner, either before or after the granting of such court order, shall not invalidate any alienation entered into in good faith.

- (8) All land referred to in this section shall be deemed to be subject to the operation of section 30 of the Mining Act 1926.
- (9) Where any land permanently reserved pursuant to the enactments referred to in the recital to this section has not been allocated, that land may be dealt with as if it were ordinary Crown land subject to the Land Act 1948.

Compare: 1923 No 32 s 17

Section 110 heading: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 110: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 110(1): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

Section 110(4): amended, on 28 October 1960, by section 18(1) of the Maori Purposes Act 1960 (1960 No 120).

Section 110(4): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 110(5): amended, on 22 October 1959, by section 30(3) of the Maori Purposes Act 1959 (1959 No 90).

Section 110(5): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 110(7): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

Section 110(9): inserted, on 20 October 1966, by section 15 of the Maori Purposes Act 1966 (1966 No 106).

111 Mahakipawa Maori burial ground set aside as a cemetery may be used by Maori

- (1) With regard to all that parcel of land in Block IX, Linkwater Survey District, being Section 39, adjoining Sections 11 and 27 of that survey district, and known as the Mahakipawa Native Cemetery, declared to be a cemetery within the meaning of the Cemeteries Act 1908, it shall be the duty of the trustees appointed in respect of such cemetery to protect, as far as possible, the graves of any Maori buried in such cemetery.
- (2) The Maori shall have full right of ingress and regress in and upon such cemetery for the purpose of burying their dead, subject to the supervision of the trustees, and no fees shall be chargeable for the burial of any Maori in such cemetery, or for the land required therefor.

Compare: 1929 No 19 s 61

Section 111 heading: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 111(1): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 111(2): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

112 Authorising rehearing regarding Cobden Reserve

[Repealed]

Section 112: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

Part 7 General

113 Power of appointment includes power of removal

Words used in this Act authorising the appointment of any person by the Governor-General or by the Minister of Maori Affairs shall include the power to remove or suspend him, or reappoint or reinstate him, or appoint another person in his stead, in the discretion of the authority in whom the power of appointment is vested, and in like manner to appoint another in place of any deceased, absent, or otherwise incapacitated holder of such appointment.

Section 113: amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

114 Authorising Maori Trustee to expend fund in respect of land administered by him

[Repealed]

Section 114: repealed, on 1 April 1954, by section 53(1) of the Maori Trustee Act 1953 (1953 No 95).

115 Power to adjust rent under Maori leases

[Repealed]

Section 115: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

116 Assignments to certain Boards permitted

[Repealed]

Section 116: repealed, on 1 January 1956, by section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

117 Provision for control of Maori burial grounds

[Repealed]

Section 117: repealed, on 1 April 1954, by section 473(1) of the Maori Affairs Act 1953 (1953 No 94).

*Repeals***118 Repeals**

- (1) The Acts referred to in the Schedule are hereby repealed to the extent indicated, and in any case in which the extent of the repeal is not specified the whole of the Act is hereby repealed.
- (2) Notwithstanding the repeal of any such Act or portion thereof, every power and act which may be necessary to complete, carry out, or compel the performance or exercise of any statutory power or authority granted by the repealed enactment and in force at the time of its repeal shall, in so far as they are not inconsistent with this Act, continue and be in force for the purpose of continuing and perfecting any act, matter, or thing thereunder, or for the purpose of holding any inquiry or the investigation, issue, or registration of any title thereunder.
- (3) When the Governor-General is authorised under any Act hereby repealed to make, grant, or issue his Warrant for the issue of a certificate of title in favour of any person, he may act in pursuance of that authority in the same manner as if this Act had not been passed.
- (4) Where any provision in any Act other than the Acts mentioned in the Schedule has heretofore been amended or modified by any of those Acts, and such amendment or modification is subsisting at the passing of this Act, the repeal shall not operate to repeal any such amendment or modification, but the same shall continue to have effect as if this Act had not been passed.

Schedule

Enactments repealed

Horowhenua Block Act 1896 (1896 No 18 (L))

Horowhenua Block Act Amendment Act 1906 (1906 No 1 (L))

Kaiapoi Reserve Act 1910 (1910 No 10 (L))

Kaiapoi Reserve Act 1912 (1912 No 25 (L))

Maori Land Amendment and Maori Land Claims Adjustment Act 1915 (1915 No 63)

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

Maori Land Amendment and Maori Land Claims Adjustment Act 1919 (1919 No 43)

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

Maori Land Amendment and Maori Land Claims Adjustment Act 1921–22 (1921–22 No 62)

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

Maori Land Amendment and Maori Land Claims Adjustment Act 1923 (1923 No 32)

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

Maori Land Amendment and Maori Land Claims Adjustment Act 1924 (1924 No 45)

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

Maori Land Amendment and Maori Land Claims Adjustment Act 1926 (1926 No 64)

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

Maori Land Amendment and Maori Land Claims Adjustment Act 1929 (1929 No 19)

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

Maori Land Amendment and Maori Land Claims Adjustment Act 1930 (1930 No 29)

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

Maori Land Claims Adjustment and Laws Amendment Act 1906 (1906 No 51)

Maori Land Claims Adjustment and Laws Amendment Act 1907 (1907 No 76)

Maori Land Laws Amendment Act 1903 (1903 No 92)

Maori Land Laws Amendment Act 1908 (1908 No 253)

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

Native and Maori Land Laws Amendment Act 1902 (1902 No 56)

Native Land Amendment and Native Land Claims Adjustment Act 1916 (1916 No 12)

Native Land Amendment and Native Land Claims Adjustment Act 1917 (1917 No 25)

Native Land Amendment and Native Land Claims Adjustment Act 1918 (1918 No 13)

Native Land Amendment and Native Land Claims Adjustment Act 1920 (1920 No 63)

Native Land Amendment and Native Land Claims Adjustment Act 1922 (1922 No 48)

Native Land Amendment and Native Land Claims Adjustment Act 1925 (1925 No 40)

Native Land Amendment and Native Land Claims Adjustment Act 1927 (1927 No 67)

Native Land Amendment and Native Land Claims Adjustment Act 1928 (1928 No 49)

Native Land Claims Adjustment Act 1910 (1910 No 82)

Native Land Claims Adjustment Act 1911 (1911 No 35)

Native Land Claims Adjustment Act 1913 (1913 No 71)

Ngatimaru Landless Natives Act 1907 (1907 No 69)

Otago Heads Native Reserve Road Act 1908 (1908 No 35 (L))

Purangi Landless Natives Act 1907 (1907 No 70)

Waipuka Block Road Revesting Act 1908 (1908 No 19 (L))

Schedule: amended, on 27 November 1947, pursuant to section 9(1)(d) of the Maori Purposes Act 1947 (1947 No 59).

Notes

1 *General*

This is a consolidation of the Maori Purposes Act 1931 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Secondary Legislation Act 2021 (2021 No 7): section 3

Public Service Act 2020 (2020 No 40): section 135

Criminal Procedure Act 2011 (2011 No 81): section 413

Te Arawa Lakes Settlement Act 2006 (2006 No 43): section 96(1)

Local Government (Rating) Act 2002 (2002 No 6): section 137(1)

Maori Purposes Act 1983 (1983 No 146): section 6(9)

Maori Purposes Act (No 2) 1973 (1973 No 106): section 23(3)

Maori Purposes Act 1966 (1966 No 106): section 15

Maori Purposes Act 1964 (1964 No 46): section 14(b)

Maori Purposes Act 1960 (1960 No 120): section 18(1)

Maori Purposes Act 1959 (1959 No 90): section 30(3)

Maori Purposes Act 1956 (1956 No 43): section 6(1)

Maori Reserved Land Act 1955 (1955 No 38): section 93(1)

Maori Trust Boards Act 1955 (1955 No 37): section 57(1)

Maori Trustee Act 1953 (1953 No 95): section 53(1)

Maori Affairs Act 1953 (1953 No 94): section 473(1)

Maori Purposes Act 1950 (1950 No 98): sections 58(5), 62(8)

Maori Purposes Act 1947 (1947 No 59): sections 2, 3(2), 4(1), 9(1)(b), (d), (2)(a), 52

Ngaitahu Trust Board Act 1946 (1946 No 33): section 28(1)

Maori Social and Economic Advancement Act 1945 (1945 No 43): section 50(1)

Maori Purposes Act 1938 (1938 No 23): sections 15(17), 22(5)

Maori Purposes Act 1937 (1937 No 34): section 6(2)

Maori Purposes Fund Act 1934–35 (1934–35 No 45): section 16(1)

Maori Purposes Act 1933 (1933 No 50): sections 5(4), 25, 26