

Version
as at 28 October 2021



Maori Education Foundation (Abolition) Act 1993

Public Act 1993 No 53
Date of assent 25 June 1993
Commencement 25 June 1993

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An Act to provide for the abolition of the Maori Education Foundation, and the recognition of trustees incorporated as a Board under Part 2 of the Charitable Trusts Act 1957 to continue its functions

Be it enacted by the Parliament of New Zealand as follows:

Note

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.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Education.

1 Short Title

This Act may be cited as the Maori Education Foundation (Abolition) Act 1993.

2 Interpretation

In this Act, unless the context otherwise requires,—

appointed day means the day appointed by the order made under section 3(1)

Foundation means the body corporate constituted by section 4(1) of the Foundation Act

the Foundation Act means the Maori Education Foundation Act 1961

successor board means the trust board recognised by the order made under section 3(1).

3 Recognition of successor to Foundation

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Education,—

(a) recognise as the successor to the Foundation any trustees incorporated as a board under Part 2 of the Charitable Trusts Act 1957; and

(b) appoint a day for the purposes of sections 4 to 7.

(2) The Minister of Education shall not recommend the making of an order under subsection (1) unless satisfied that the successor board's general purpose is, or includes,—

(a) promoting and encouraging the better education of Maori; and

(b) providing financial assistance for that purpose.

(3) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 1961 No 46 s 5

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

4 Assets and liabilities of Foundation to become assets and liabilities of trust board

(1) On the appointed day, the assets and liabilities that the Foundation had immediately before that day shall become assets and liabilities of the successor board.

- (2) The successor board shall hold in trust for the purposes of the successor board all property that, immediately before becoming an asset of the successor board under subsection (1), the Foundation held in trust for the purposes of the Foundation.
- (3) Subject to subsection (2), all property that, immediately before becoming an asset of the successor board under subsection (1), was held by the Foundation in trust for any purpose shall be held by the successor board in trust for the same purpose.

5 Abolition of Foundation

- (1) The Foundation is hereby abolished with effect on the appointed day.
- (2) The Board of the Foundation, constituted by section 8(1) of the Foundation Act, is hereby consequentially abolished, with effect on the appointed day.
- (3) Both—
 - (a) the executive committee (if any) of the Foundation; and
 - (b) every special committee of the Foundation,—established under section 12(1) of the Foundation Act, are hereby consequentially abolished, with effect on the appointed day.
- (4) On and after the appointed day, every reference in any enactment other than this Act to the Foundation shall be read as a reference to the successor board; and, with any necessary modifications, that enactment shall have effect accordingly.

6 Gifts to successor board

- (1) Notwithstanding anything to the contrary in Te Ture Whenua Maori Act 1993 or any other enactment, on or after the appointed day, any Maori (within the meaning of section 4 of that Act) may—
 - (a) give to the successor board any Maori freehold land (within the meaning of section 4 of that Act), or any interest (including an equitable interest) in any such land; or
 - (b) otherwise dispose of any such land or interest in land to the successor board.
- (2) Section 164 of Te Ture Whenua Maori Act 1993 shall, with any necessary modifications, apply to every gift and disposition under subsection (1).
- (3) Unless expressly prohibited by any enactment or instrument of trust from doing so, any person or body, whether incorporated or unincorporated, including a Maori incorporation (within the meaning of section 4 of Te Ture Whenua Maori Act 1993), may make donations or gifts of money to the successor board.

Compare: 1961 No 46 ss 16, 20(4)

7 Repeals

The following enactments are hereby repealed, with effect on the appointed day:

- (a) the Maori Education Foundation Act 1961:
- (b) the Maori Education Foundation Amendment Act 1962:
- (c) the Maori Education Foundation Amendment Act 1963:
- (d) the Maori Education Foundation Amendment Act 1965:
- (e) the Maori Education Foundation Amendment Act 1970:
- (f) the Maori Education Foundation Amendment Act 1975:
- (g) the Maori Education Foundation Amendment Act 1977:
- (h) the Maori Education Foundation Amendment Act 1992.

Notes

1 *General*

This is a consolidation of the Maori Education Foundation (Abolition) Act 1993 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