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as at 12 April 2022

Maraeroa A and B Blocks Claims Settlement Act 2012

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Commencement	see section 2

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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 Māori Development—Te Puni Kōkiri.

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Preamble

Background

(1) The Treaty of Waitangi was signed in 1840. The terms of the Treaty of Waitangi in English and Māori are set out in Schedule 1 of the Treaty of Waitangi Act 1975:

(2) Recitals (3) to (27) of this Preamble present, in summary form, the background to the Maraeroa A and B blocks historical claim and the historical account that are set out in the deed of settlement:

Maraeroa A and B blocks

(3) The Maraeroa A and B blocks were part of the Maraeroa block, a subdivision of the Taupōnuiatia West block, which was part of Te Rohe Pōtae district:

(4) The people of the Maraeroa A and B blocks comprise hapū affiliating to Ngāti Rereahu, Ngāti Maniapoto, Ngāti Tūwharetoa, Raukawa, and others. Maraeroa is the location of significant wāhi tapu for some of these iwi. The land upon which the people of the Maraeroa A and B blocks settled and exercised kaitiakitanga was an area regarded as a kono kai (food basket) that provided a wide range of foods and resources for all of the iwi of the surrounding district. The area was shared with many iwi, who were able to come and go harvesting food:

(5) The people of the Maraeroa A and B blocks held their land under customary tenure and it was occupied by whānau and hapū in a system of overlapping use rights. Along with other Māori within Te Rohe Pōtae, the people of the Maraeroa A and B blocks had only limited involvement with the Crown until the second half of the nineteenth century:

Te Rohe Pōtae

(6) From 1862, Māori land was subject to native land legislation, which established the Native Land Court to determine the owners of Māori land "according to Native Custom" and to convert customary title into title derived from the Crown:

(7) In 1883, as part of their efforts to control land alienation, Māori with claims to the Maraeroa A and B blocks were among Te Rohe Pōtae Māori who petitioned the Government to replace the Native Land Court with a system of land administration to give Māori more control. The Government refused to abolish the Native Land Court but passed the Native Committees Act 1883, providing elected Māori committees with the opportunity to make recommendations to the Native Land Court on matters of customary title:

(8) Māori from Te Rohe Pōtae district favoured leasing their land. However, the Crown favoured purchasing over leasing and the Native Land Alienation Restriction Act 1884 (and later legislation) gave the Crown a monopoly right of purchasing land in Te Rohe Pōtae. The Crown's sole right to acquire land in

Te Rohe Pōtae area, including the Maraeroa A and B blocks, appears to have been in place until 1909 except for a brief period in 1888 and 1889:

Complex title investigations

(9) Maraeroa was within Taupōnuiatia, the first of the large Te Rohe Pōtae blocks to come before the Native Land Court. The application for the Taupōnuiatia block was made in October 1885 by Ngāti Tūwharetoa. In February 1887, the court made an initial title determination for Maraeroa, which was finalised in September 1887 as part of the wider Taupōnuiatia title determination. The court awarded Maraeroa, estimated to be 41 245 acres, to hapū who claimed through the tupuna Tia and Tūwharetoa:

(10) The court's decision in 1887 caused disaffection amongst some hapū. Applications for a rehearing were declined by the court and some Māori petitioned Parliament for a rehearing. A key issue for these Māori was the location of the boundary between the Maraeroa and Pouakani blocks. On 9 July 1889, the Government appointed the Taupōnuiatia Royal Commission to inquire into, among other matters, the boundary between the Maraeroa and Pouakani blocks. The commission completed its report on 17 August 1889 and its findings were embodied in the Native Land Court Acts Amendment Act 1889, which, in returning Maraeroa to Māori customary land, determined a new location for the eastern boundary of Maraeroa:

(11) The court re-investigated the Maraeroa block in August 1891 and subsequently ordered the subdivision of Maraeroa into 7 blocks that were to be awarded to different combinations of claimants from different hapū. These blocks were the Maraeroa A, A1, B, B1, C (Pukemako), Ketemaringi, and Hurakia blocks. Maraeroa A and A1 were approximately 19 900 acres and Maraeroa B and B1 approximately 13 000 acres. Since none of the Maraeroa subdivisions had been surveyed at the time of the award and the court did not specify the area of all the subdivisions, the lengthy ownership lists for Maraeroa took several years to finalise. During the 1890s, at the request of Māori, the list of the owners of the Maraeroa A and B blocks was amended several times with new names added and others removed:

Discrepancies in surveys and survey costs

(12) When the court began investigating title for Maraeroa in 1886, surveys of the block were still incomplete and only sketch plans were available. The external boundary of Maraeroa was subsequently completed whilst the court was hearing evidence relating to the Taupōnuiatia West blocks. The absence of proper surveys produced discrepancies between the areas for Maraeroa as recorded in various sketch plans and final surveys. Sketch plans of the internal boundaries of Maraeroa in 1891 and 1894, and surveys of blocks adjacent to Maraeroa in 1892 and 1895, resulted in several adjustments between the estimated areas:

(13) Some of the descendants of the original owners of the Maraeroa A and B blocks today consider that the boundary markers at Taporaroa and Ngā Turi

o Hinetū, as fixed after the 1891 court hearing, are located north-west of where they finally were surveyed, which would significantly increase the area of Maraeroa. Some of the people of the Maraeroa A and B blocks consider that the headwaters of the Waipā commence at Taporaroa. Surveys, however, excluded the headwaters from the Maraeroa block. Additionally, since the early twentieth century, the boundary marker for Ngā Turi o Hinetū has been mislabelled as Te Arero Pā:

(14) In 1996, the Māori Land Court reconsidered the boundary between Maraeroa and Poukani. It confirmed the boundary established by the Native Land Court Acts Amendment Act 1889, which added 4 200 acres to the historical boundary of Pouakani block. This decision is a source of grievance for some descendants of the original owners of the Maraeroa A and B blocks:

(15) Survey costs became a financial burden for some owners. Owners were liable for the 1886 survey and for the costs of surveys required for the 1891 rehearing and its subdivisions, and as boundaries were revised following Crown purchasing or when owners sought to have their interests partitioned out. Owners of Maraeroa also incurred costs associated with participation in the Taupōnuiatia Royal Commission and in legal matters preceding the commission:

Crown purchasing

(16) The Crown began land purchase negotiations for Maraeroa in the early 1890s once the court had determined title for Maraeroa. The Crown completed its acquisition of the entire Maraeroa A1 and B1 blocks in 1895, parts of A2 and B2 in 1901, and parts of A3 and B3 in 1908. Approximately 90% of the Maraeroa A and B blocks was permanently alienated between 1895 and 1908:

(17) The interests the Crown purchased included the shares of over 20 minors with interests in Maraeroa A2 and an unknown number of shares of minors with interests in B2:

(18) In 1901, the court partitioned out 7 311 acres of Maraeroa B2 for the Crown as well as awarding the Crown a further 856 acres to cover unpaid survey liens owed by the non-sellers. By 1908, the Crown had purchased 33 125 acres in the Maraeroa A and B blocks; however, a survey carried out in 1908 reduced this area to 28 802 acres after adjustments were made once the boundary between those blocks and Maraeroa C block had been surveyed:

Alienation of remainder of Maraeroa A and B blocks

(19) The Native Land Act 1909 introduced further reform of Māori land tenure. In particular, decisions over Māori land alienation were to be made at publicly notified meetings of owners and confirmed by regional land boards. The Act also removed most restrictions on the alienation of Māori land that were created by the Native Land Court:

(20) Between 1916 and 1958, the remaining Māori-owned areas of the Maraeroa A and B blocks were alienated, largely to private timber companies. The permanent alienations of these lands were approved at meetings of assembled

owners, though some owners later complained that they were not aware of these meetings, and some who did attend meetings voted against the sales. Owners holding a majority of shares in the land could approve alienations:

(21) Only 7.2 hectares from the Maraeroa A and B blocks remain in Māori ownership today. This land, sited in the Maraeroa B2 block, had been alienated to the Crown, but was returned to 7 owners in 1947 in exchange for 6 acres of the Maraeroa C block that the State Forest Service sought as an accessway to Crown land in Maraeroa C:

Minimal benefit from timber

(22) The Maraeroa A and B blocks contained valuable indigenous timber, which from the late 1890s the Crown and private entrepreneurs expressed interest in milling. The price the Crown paid for Maraeroa A and B land in the 1890s was unlikely to have accounted for the value of the timber on the land. Milling commenced on some of the Maraeroa A and B blocks in the 1920s when land was leased and later sold to private parties:

(23) Between the 1920s and the late 1950s, some owners of the Maraeroa subdivisions expressed concerns about the valuation of timber on their lands prior to the land being sold to private timber companies. On one block, the State Forest Service claimed that timber was significantly undervalued when owners agreed to sell the land to private parties. The valuer was not specifically asked to value the timber and did not include it in his valuation:

(24) Some of the land purchased by the Crown within the Maraeroa A and B blocks became part of the Pureora Forest, which produced significant amounts of timber in the second part of the twentieth century. In 1960, almost half (27 325 cubic metres) of the 63 118 cubic metres of indigenous timber milled in New Zealand came from the Pureora indigenous forest. In 1977, 46 000 cubic metres of indigenous timber was removed from the Pureora area:

(25) By the late 1970s, the Crown began exploring options for Pureora Forest because logging its indigenous trees was not sustainable beyond the following decade. The Crown decided to halt the logging of indigenous forest at Pureora in 1978 and created the Pureora State Forest Park. According to the descendants of the original owners of the Maraeroa A and B blocks, the decision to halt the logging created significant unemployment in the area, made some small local towns unviable, and forced families to leave the district in search of work:

(26) The Crown and private parties also established exotic timber forestry in the Pureora Forest. The first exotic trees were planted in 1949 and the exotic forests at Pureora continue to be milled at the commencement date:

(27) The descendants of the original owners of the Maraeroa A and B blocks consider that they received comparatively minimal benefit from the sale of the forests, the milling of indigenous timber, and the development of exotic forests on their former land, and as a result lost significant economic opportunities when they lost ownership of this land:

The Parliament of New Zealand therefore enacts as follows:

1 Title

This Act is the Maraeroa A and B Blocks Claims Settlement Act 2012.

2 Commencement

This Act comes into force on the date on which it receives the Royal assent.

Part 1
Preliminary matters and settlement of historical claims

Subpart 1—Purpose of Act

3 Purpose

The purpose of this Act is—

(a) to give effect to the deed of settlement, which is a deed that settles the historical claims that relate to the Maraeroa A and B blocks, dated 12 March 2011 and signed by—

(i) the Honourable Christopher Finlayson, the Minister for Treaty of Waitangi Negotiations, the Honourable Simon William English, the Minister of Finance, and the Honourable Tariana Turia, Member of Parliament Te Tai Hauauru, on behalf of the Crown; and

(ii) the following signatories:

(A) Brian Stanley:

(B) Phillip Ngawhira Crown:

(C) Wayne Glen Hoani Katu:

(D) Deborah Taongahuia Alison Joan Maxwell:

(E) Tutahanga Eric Kakenga Tepu:

(F) Edward Periwiritua Emery Moana:

(G) Thomas Tame Tuwhangai; and

(b) to record the acknowledgements and apology offered to the descendants of the original owners of the Maraeroa A and B blocks by the Crown in the deed of settlement.

4 Act binds the Crown

This Act binds the Crown.

5 Outline

(1) This section is a guide to the overall scheme and effect of this Act, but does not affect the interpretation or application of the other provisions of this Act or of the deed of settlement.

(2) This Part—

(a) sets out the purpose of this Act, records the acknowledgements and apology given by the Crown to the descendants of the original owners of the Maraeroa A and B blocks in the deed of settlement, and specifies that the Act binds the Crown; and

(b) defines terms used in this Act, including key terms such as settling group and historical claims; and

(c) provides that the settlement of the historical claims is final; and

(d) provides for—

(i) the effect of the settlement on the jurisdiction of a court, tribunal, or other judicial body in respect of the historical claims; and

(ii) a consequential amendment to the Treaty of Waitangi Act 1975; and

(iii) the effect of the settlement on certain memorials; and

(iv) the exclusion of the limit on the duration of a trust, the timing of actions or matters provided for in this Act, and access to the deed of settlement.

(3) Part 2 provides for cultural redress, including—

(a) cultural redress for which vesting of land is not required; and

(b) the properties that are vested in the Maraeroa A and B Blocks Incorporation as cultural redress properties and provisions relevant to the vesting of those properties.

(4) Part 3 provides for the transfer of the licensed land to the Maraeroa A and B Blocks Incorporation and the payment of rentals to the Settlement Trust.

(5) Part 4 provides for access to protected sites.

(6) Part 5 includes provisions concerning the Māori Land Court's jurisdiction in relation to the Settlement Trust and concerning the sale, gift, or lease of the protected land.

(7) The schedules—

(a) describe the statutory areas (*see* Schedule 1):

(b) describe the overlay site (*see* Schedule 2):

(c) describe the cultural redress properties (*see* Schedule 3).

Section 5(2)(d)(iv): amended, on 30 January 2021, by section 161 of the Trusts Act 2019 (2019 No 38).

The Crown's acknowledgements and apology

6 Acknowledgements and apology

(1) Sections 7 and 8 record the acknowledgements of, and the apology offered to descendants of the original owners of Maraeroa A and B blocks by, the Crown in the deed of settlement.

(2) The acknowledgements and apology are to be read in conjunction with the account of the historical relations between the settling group and the Crown, recorded in part 2 of the deed of settlement and summarised in the Preamble of this Act.

7 The Crown's acknowledgements

(1) The Crown acknowledges that—

(a) in 1862 native land legislation was imposed on Māori landowners without consulting them; and

(b) the native land laws facilitated Crown and private purchasing of Māori land; and

(c) in 1887 the Native Land Court awarded Maraeroa to 149 individuals and that this decision was overturned, and when the block's title was reheard in 1891 it was awarded to just over 450 individuals; and

(d) some of the descendants of the original owners of the Maraeroa A and B blocks today consider that the boundary markers at Taporaroa and Ngā Turi o Hinetū, as fixed after the 1891 Native Land Court hearing, do not align with their traditional understanding of their locations and significantly decreased the size of Maraeroa.

(2) The Crown acknowledges that—

(a) the operation and impact of the native land laws, in particular the awarding of the Maraeroa A and B blocks to individuals, and enabling individuals to deal with that land without reference to iwi or hapū, made those lands more susceptible to partition, fragmentation, and alienation. This undermined traditional tribal structures of the iwi who resided on the Maraeroa A and B blocks that were based on collective tribal and hapū custodianship of the land; and

(b) its failure to protect those collective tribal structures had a prejudicial effect on the owners of the Maraeroa A and B blocks and this was a breach of the Treaty of Waitangi and its principles.

(3) The Crown acknowledges that—

(a) from 1884 to 1908 the Crown had a monopoly over purchasing from the Maraeroa A and B blocks; and

(b) between 1895 and 1908 the Crown purchased the individual interests of most of the owners of the Maraeroa A and B blocks, totalling 90% of the 2 blocks, including the shares of over 20 minors; and

(c) the surveys of Maraeroa became a charge upon the land, and some owners of the Maraeroa A and B blocks who did not wish to sell their lands had areas of land taken for payment for survey liens; and

(d) surveys of the internal boundaries of the Maraeroa A and B blocks were not carried out in a timely manner, which would have limited the owners' ability to use the land.

(4) The Crown acknowledges that—

(a) the Maraeroa A and B blocks contained significant areas of indigenous forest; and

(b) the prices paid by the Crown for the Maraeroa A and B blocks did not appear to include the value of the indigenous timber on the land; and

(c) the Crown and private parties benefited from the milling of the indigenous forests on the Maraeroa A and B blocks during the twentieth century; and

(d) the milling of indigenous forest removed the habitat of indigenous species.

(5) The Crown acknowledges that the alienation of the Maraeroa A and B blocks—

(a) separated the descendants of the original owners of the Maraeroa A and B blocks from their wāhi tapu; and

(b) undermined their cultural connection to the land; and

(c) deprived them of the ability to access ngā wāhi kohinga kai, cultural resources, and materials for construction (such as raupo for building whare).

8 The Crown's apology

(1) The Crown profoundly regrets and unreservedly apologises to the descendants of the original owners of the Maraeroa A and B blocks for the impact of the native land laws, which led to the alienation of the majority of the Maraeroa A and B blocks. The loss of these lands undermined the social and traditional tribal structures of the people of the Maraeroa A and B blocks, their autonomy and ability to exercise customary rights and responsibilities, and their access to ngā wāhi kohinga kai, customary resources, and wāhi tapu.

(2) The Crown seeks to atone for these wrongs and to begin the process of healing. The Crown hopes that this apology will mark the beginning of a new relationship with the descendants of the original owners of the Maraeroa A and B blocks that is based on mutual trust and co-operation.

Subpart 2—Interpretation

9 Interpretation of Act generally

It is the intention of Parliament that the provisions of this Act are interpreted in a manner that best furthers the agreements expressed in the deed of settlement.

10 Interpretation

In this Act, unless the context otherwise requires,—

affected person has the meaning given in section 2AA(2) of the Resource Management Act 1991

attachments means the attachments to the deed of settlement

authorised person has the meaning given in section 64(5), 69(5), or 77(4), as the case may be

business day means a day of the week other than—

(a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and

(b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and

(c) a day in the period starting on 25 December in any year and ending with 15 January in the following year; and

(d) the days observed as the anniversaries of the provinces of Auckland and Wellington

Commissioner of Crown Lands has the meaning given in section 2 of the Land Act 1948

consent authority has the meaning given in section 2(1) of the Resource Management Act 1991

conservation area has the meaning given in section 2(1) of the Conservation Act 1987

conservation document means a conservation management plan, a conservation management strategy, a freshwater fisheries management plan, or a national park management plan

conservation management plan has the meaning given in section 2(1) of the Conservation Act 1987

conservation management strategy has the meaning given in section 2(1) of the Conservation Act 1987

Crown has the meaning given in section 2(1) of the Public Finance Act 1989

Crown forest land has the meaning given in section 2(1) of the Crown Forest Assets Act 1989

Crown forestry assets has the meaning given in section 2(1) of the Crown Forest Assets Act 1989

Crown forestry licence—

(a) has the meaning given in section 2(1) of the Crown Forest Assets Act 1989; and

(b) in relation to the licensed land, means the licence described in the third column of the table in part 4 of the property redress schedule

Crown forestry rental trust means the forestry rental trust referred to in section 34 of the Crown Forest Assets Act 1989

Crown forestry rental trust deed means the trust deed made on 30 April 1990 establishing the Crown forestry rental trust under section 34 of the Crown Forest Assets Act 1989

cultural redress property has the meaning given in section 56 and described in Schedule 3

date of the deed of settlement means 12 March 2011

deed of settlement—

(a) means the deed of settlement referred to in section 3; and

(b) includes—

(i) the schedules and attachments; and

(ii) any amendments to the deed, or to its schedules and attachments

Director-General means the Director-General of Conservation

documents schedule means the documents schedule of the deed of settlement

effective date means the date that is 6 months after the settlement date

encumbrance means a lease, tenancy, licence, licence to occupy, easement, covenant, or other right or obligation affecting a property

forestry right means a forestry right registered under the Forestry Rights Registration Act 1983

forestry right holder means the holder of the forestry right and includes the successors and assignees of the forestry right holder

freshwater fisheries management plan has the meaning given in section 2(1) of the Conservation Act 1987

Heritage New Zealand Pouhere Taonga means the Crown entity established by section 9 of the Heritage New Zealand Pouhere Taonga Act 2014

historical claims has the meaning given in section 12

licensed land—

(a) means the land described as licensed land in part 4 of the property redress schedule; but

(b) excludes—

(i) all trees growing, standing, or lying on the land; and

(ii) all improvements that have been—

(A) acquired by a purchaser of the trees on that land; or

(B) made, after the acquisition of the trees, by the purchaser or the licensee

licensee means the registered holder for the time being of the Crown forestry licence

licensor means the licensor for the time being of the Crown forestry licence

LINZ means Land Information New Zealand

Maraeroa A and B Blocks Incorporation means the body corporate established by section 5 of the Maraeroa A and B Blocks Incorporation Act 2012

member of the settling group means every individual referred to in section 11(1)

national park management plan has the same meaning as management plan in section 2 of the National Parks Act 1980

overlay site has the meaning given in section 37

property redress schedule means the property redress schedule of the deed of settlement

protected site has the meaning given in section 74

protection principles has the meaning given in section 37

Registrar-General means the Registrar-General of Land appointed under section 4 of the Land Transfer Act 1952

relevant consent authority, in relation to a statutory area, means the consent authority of a region or district that contains, or is adjacent to, the statutory area

representative entity means—

(a) the trustees of the Maraeroa A and B Trust; and

(b) the Maraeroa A and B Blocks Incorporation; and

(c) any person (including any trust or trustee) acting for, or on behalf of,—

(i) the collective group referred to in section 11(1); or

(ii) 1 or more members of the settling group; or

(iii) 1 or more members of the whānau, hapū, or groups of individuals referred to in section 11(1)

resource consent has the meaning given in section 2(1) of the Resource Management Act 1991

RFR deed means the deed provided by the Crown to the Maraeroa A and B Blocks Incorporation on the terms and conditions set out in part 6 of the documents schedule of the deed of settlement

RFR property means the property described in the table in Schedule 3 of the RFR deed or, in the case of Pureora Village, any part of that property

settlement date means the date that is 20 business days after the date on which this Act comes into force

settlement property means—

(a) each cultural redress property; and

(b) the licensed land; and

(c) any RFR property

Settlement Trust means the Maraeroa A and B Trust established by the trust deed of the Settlement Trust

settling group has the meaning given in section 11

statement of values has the meaning given in section 37

statements of association has the meaning given in section 22

statutory acknowledgement means the acknowledgement made by the Crown in section 23 in respect of each statutory area, on the terms set out in subpart 1 of Part 2

statutory area means an area described in Schedule 1, the general location of which is indicated on the SO plan referred to in relation to that area in that schedule (but which does not establish the precise boundaries of the statutory area)

trust deed of the Settlement Trust means the deed of trust dated 29 July 2011 as amended from time to time in accordance with that deed of trust and, for the avoidance of doubt, includes any schedules of that deed of trust as amended from time to time

trustees means the trustees from time to time of the Settlement Trust

unlicensed land means the land described as Waimiha Kei Runga in Schedule 3.

Section 10 **business day**: replaced, on 1 January 2014, by section 8 of the Holidays (Full Recognition of Waitangi Day and ANZAC Day) Amendment Act 2013 (2013 No 19).

Section 10 **business day** paragraph (a): replaced, on 12 April 2022, by wehenga 7 o Te Ture mō te Hararei Tūmatanui o te Kāhui o Matariki 2022/section 7 of the Te Kāhui o Matariki Public Holiday Act 2022 (2022 No 14).

Section 10 **Heritage New Zealand Pouhere Taonga**: inserted, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 10 **Historic Places Trust**: repealed, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

11 Meaning of settling group

(1) In this Act, **settling group** means the persons collectively and individually who descend from 1 or more of the original owners of the Maraeroa A and B blocks.

(2) For the purposes of subsection (1),—

(a) a person is **descended** from another person if the first person is descended from the other person by any 1 or more of the following:

(i) birth:

(ii) legal adoption:

(iii) Māori customary adoption in accordance with the settling group's tikanga (customary values and practices):

(b) **original owners of the Maraeroa A and B blocks** means the persons determined by the Native Land Court before 1908 to be owners of the Maraeroa A and B blocks, including—

(i) the persons awarded ownership of the Maraeroa block under judgments of the Native Land Court made on 26 March 1886 (as shown in the records of the court in the Taupō minute book, volume 5, folios 82 to 83) and 24 September 1887 (as shown in the Taupō minute book, volume 9, folio 277) and identified in an order of the Native Land Court made on 17 February 1887 (as shown in the records of the court in the Taupō minute book, volume 7, folio 60 and volume 9, folios 148 to 152); and

(ii) the persons awarded ownership of the Maraeroa A and B blocks and its partitions under a judgment of the Native Land Court made on 22 September 1891 (as shown in the records of the court in the Taupō minute book, volume 28, folios 113 to 117) and identified in an order of the Native Land Court made on 12 December 1891 (as shown in the records of the court in the Taupō minute book, volume 28, folios 164, 165, and 169 to 176) and in subsequent amendments to that order.

12 Meaning of historical claims

(1) In this Act, **historical claims that relate to the Maraeroa A and B blocks** means every claim, to the extent that any such claim relates to the Maraeroa A and B blocks (whether or not that claim has arisen or been considered, researched, registered, notified, or made by or on the settlement date), that the settling group, or any representative acting for or on behalf of the settling group or any of its members (including the trustees), had at, or at any time before, the settlement date, or may have at any time after the settlement date, and that—

(a) is, or is founded on, a right arising—

(i) from the Treaty of Waitangi or its principles; or

(ii) under legislation; or

(iii) at common law, including aboriginal title or customary law; or

(iv) from fiduciary duty; or

(v) otherwise; and

(b) arises from, or relates to, acts or omissions before 21 September 1992—

(i) by, or on behalf of, the Crown; or

(ii) by or under legislation.

(2) In this Act, **historical claims that relate to the Maraeroa A and B blocks** includes every claim to the Waitangi Tribunal to which subsection (1) applies that relates to claims within the legal boundaries of the Maraeroa A and B blocks, including the following claims (but only to the extent that these claims relate to the Maraeroa A and B blocks):

(a) Wai 329—Te Rohe Pōtae lands claim:

(b) Wai 575—Ngāti Tūwharetoa comprehensive claim:

(c) Wai 630—Ngāti Rereahu Rohe claim:

(d) Wai 729—Rangitoto Tuhua Rohe claim:

(e) Wai 1137—Te Rohe Pōtae claim:

(f) Wai 1138—Waipā River claim:

(g) Wai 1230—Ngāti Huru claim:

(h) Wai 1309—Ngāti Te Ihingarangi claim:

(i) Wai 1435—Mahuta Hapū land and resource claim:

(j) Wai 1599—Ngāti Rereahu claim:

(k) Wai 1640—Ngāti Whakatere ki te Tonga claim:

(l) Wai 1704—Ngāti Rereahu claim:

(m) Wai 1894—Ngāti Rereahu claim.

(3) However, **historical claims that relate to the Maraeroa A and B blocks** does not include the following claims:

(a) a claim that the settling group or a representative acting for or on behalf of its members (including the trustees) may have that is, or is founded on, a right arising in relation to land other than the Maraeroa A and B blocks; or

(b) Wai 389 and Wai 443.

(4) To avoid doubt, subsection (1) is not limited by subsection (2).

13 Governance framework

(1) The settling group's post-settlement governance framework comprises—

(a) the Settlement Trust; and

(b) the Maraeroa A and B Blocks Incorporation.

(2) The settling group may change the post-settlement governance framework by—

(a) making changes to the trust deed of the Settlement Trust in accordance with that trust deed; or

(b) making changes to the constitution of the Maraeroa A and B Blocks Incorporation as set out in attachment 8 of the documents schedule.

Subpart 3—Settlement of historical claims

Historical claims settled and jurisdiction of courts, etc, removed

14 Settlement of historical claims final

(1) The historical claims that relate to the Maraeroa A and B blocks are settled.

(2) The settlement of the historical claims is final, and, on and from the settlement date, the Crown is released and discharged from all obligations and liabilities in respect of those claims.

(3) Subsections (1) and (2) do not limit the acknowledgements expressed in, or the provisions of, the deed of settlement.

(4) Despite any other enactment or rule of law, on and from the settlement date, no court, tribunal, or other judicial body has jurisdiction (including, without limitation, the jurisdiction to inquire or further inquire into, or to make a finding or recommendation) in respect of—

(a) the historical claims; or

(b) the deed of settlement; or

(c) this Act; or

(d) the redress provided under the deed of settlement or this Act.

(5) Subsection (4) does not exclude the jurisdiction of a court, tribunal, or other judicial body to interpret or implement the deed of settlement or this Act.

Amendment to Treaty of Waitangi Act 1975

15 Amendment to Treaty of Waitangi Act 1975

(1) This section amends the Treaty of Waitangi Act 1975.

(2) Schedule 3 is amended by inserting the following item in its appropriate alphabetical order: "Maraeroa A and B Blocks Claims Settlement Act 2012, section 14(4) and (5)."

Protections no longer apply

16 Certain enactments cease to apply

(1) Nothing in the enactments listed in subsection (2) applies—

(a) to a settlement property; or

(b) for the benefit of the settling group or a representative entity.

(2) The enactments are—

(a) Part 3 of the Crown Forest Assets Act 1989:

(b) sections 568 to 570 of the Education and Training Act 2020:

(c) Part 3 of the New Zealand Railways Corporation Restructuring Act 1990:

(d) sections 27A to 27C of the State-Owned Enterprises Act 1986:

(e) sections 8A to 8HJ of the Treaty of Waitangi Act 1975.

Section 16(2)(b): replaced, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

17 Removal of memorials from settlement properties

(1) The chief executive of LINZ must issue to the Registrar-General a certificate that identifies (by reference to the relevant legal description, certificate of title, or computer register) each allotment that is—

(a) all, or part, of a settlement property; and

(b) contained in a certificate of title or computer register that has a memorial entered under any enactment referred to in section 16(2).

(2) The chief executive of LINZ must issue the certificate as soon as is reasonably practicable after the settlement date.

(3) Each certificate must state that it is issued under this section.

(4) As soon as is reasonably practicable after receiving the certificate, the Registrar-General must—

(a) register the certificate against each certificate of title or computer register identified in the certificate; and

(b) cancel, in respect of each allotment identified in the certificate, each memorial that is entered (in accordance with any enactment referred to in section 16(2)) on a certificate of title or computer register identified in the certificate.

Subpart 4—Miscellaneous matters

18 Limit on duration of trusts does not apply

(1) No rule of law or provisions of an Act limiting the duration of a trust, including section 16 of the Trusts Act 2019,—

(a) prescribe or restrict the period during which—

(i) the Settlement Trust may exist in law; or

(ii) the trustees, in their capacity as trustees, may hold or deal with property (including income derived from property); or

(b) apply to a document entered into to give effect to the deed of settlement if the application of that rule or the provisions of that Act would other-

wise make the document, or a right conferred by the document, invalid or ineffective.

(2) However, if the Settlement Trust is, or becomes, a charitable trust, the trust may continue indefinitely under section 16(6)(a) of the Trusts Act 2019.

Section 18 heading: replaced, on 30 January 2021, by section 161 of the Trusts Act 2019 (2019 No 38).

Section 18(1): amended, on 30 January 2021, by section 161 of the Trusts Act 2019 (2019 No 38).

Section 18(2): amended, on 30 January 2021, by section 161 of the Trusts Act 2019 (2019 No 38).

19 Timing of actions or matters

(1) Actions or matters occurring under this Act occur or take effect on and from the settlement date.

(2) However, if a provision of this Act requires an action or matter to occur or take effect on a date other than the settlement date, that action or matter occurs or takes effect on and from that other date.

20 Access to deed of settlement

The chief executive of the Ministry of Justice must make copies of the deed of settlement available—

(a) for inspection free of charge, and for purchase at a reasonable price, at the head office of the Ministry of Justice in Wellington between 9 am and 5 pm on any business day; and

(b) free of charge on an Internet site maintained by or on behalf of the Ministry of Justice.

Part 2
Cultural redress

The Crown not excluded from providing other redress

21 The Crown may provide redress to other persons

(1) The provision of the specified cultural redress does not prevent the Crown from doing anything that is consistent with that cultural redress, including—

(a) providing the same or similar redress to a person other than the trustees of the Maraeroa A and B Trust; or

(b) disposing of land.

(2) However, subsection (1) is not an acknowledgement by the Crown or the trustees of the Maraeroa A and B Trust that any other iwi or group has interests in relation to land or an area to which any of the specified cultural redress relates.

(3) In this section, **specified cultural redress** means each of the following, as provided for in this Part:

(a) the statutory acknowledgements; and

(b) the overlay classification.

Subpart 1—Statutory acknowledgements

22 Interpretation

In this subpart, unless the context otherwise requires,—

river or stream—

(a) means—

(i) a continuously or intermittently flowing body of fresh water, including a modified watercourse; and

(ii) the bed of that river or stream; but

(b) does not include—

(i) a part of the bed of the river or stream that is not owned by the Crown; or

(ii) land that the waters of the river or stream do not cover at its fullest flow without overlapping its banks; or

(iii) an artificial watercourse; or

(iv) a tributary flowing into the river or stream

statements of association means the statements—

(a) made by the descendants of the original owners of the Maraeroa A and B blocks of their particular cultural, spiritual, historical, and traditional association with each statutory area; and

(b) that, at the settlement date, are in the form set out in part 3 of the documents schedule.

23 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association.

24 Purposes of statutory acknowledgement

(1) The only purposes of a statutory acknowledgement are to—

(a) require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 25 to 27; and

(b) require relevant consent authorities to provide summaries of resource consent applications or, as the case requires, copies of notices of applications, to the trustees in accordance with section 29; and

(c) enable the trustees and any member of the settling group to cite a statutory acknowledgement as evidence of their association with the relevant statutory area, as provided for in section 30.

(2) This section does not limit sections 33 to 35.

Section 24(1)(a): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

25 Relevant consent authorities to have regard to statutory acknowledgement

(1) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in respect of an application for a resource consent for an activity within, adjacent to, or that directly affects a statutory area.

(2) Subsection (1) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

26 Environment Court to have regard to statutory acknowledgement

(1) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees have an interest greater than that of the general public in respect of proceedings relating to an application for a resource consent for an activity within, adjacent to, or that directly affects a statutory area.

(2) Subsection (1) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

27 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

(1) If, on or after the effective date, an application is made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area,—

(a) Heritage New Zealand Pouhere Taonga, in exercising its powers under section 48, 56, or 62 of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and

(b) the Environment Court, in determining under section 59(1) or 64(1) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

(2) In this section, **archaeological site** has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

Section 27: replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

28 Recording statutory acknowledgement on statutory plans

(1) On and from the effective date, a relevant consent authority must attach information recording a statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.

(2) The information attached to a statutory plan must include the relevant provisions of this Act in full, the descriptions of the statutory areas, and the statements of association.

(3) The attachment of information to a statutory plan under this section is for the purpose of public information only, and the information is not—

(a) part of the statutory plan, unless adopted by the relevant consent authority; or

(b) subject to the provisions of Schedule 1 of the Resource Management Act 1991, unless adopted as part of the statutory plan.

29 Provision of information about resource consent applications to trustees

(1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide to the trustees the following for each resource consent application for an activity within, adjacent to, or that directly affects a statutory area:

(a) a summary of the application, if the application is received by the consent authority; or

(b) a copy of the notice served under section 145(10) of the Resource Management Act 1991, if the application is served on the consent authority.

(2) The information provided under subsection (1)(a) must be—

(a) the same as would be given to an affected person under section 95B of the Resource Management Act 1991, or as may be agreed between the trustees and the relevant consent authority; and

(b) provided—

(i) as soon as is reasonably practicable after an application is received by the relevant consent authority; and

(ii) before the relevant consent authority decides under section 95 of that Act whether to notify the application.

(3) A copy of the notice given under subsection (1)(b) must be provided not later than 10 business days after the day on which the consent authority receives the notice.

(4) The trustees may, by notice in writing to a relevant consent authority,—

(a) waive their rights to be notified under this section; and

(b) state the scope of that waiver and the period it applies for.

(5) This section does not affect the obligation of a relevant consent authority to decide,—

(a) under section 95 of the Resource Management Act 1991, whether to notify an application:

(b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

30 Use of statutory acknowledgement

The trustees and any member of the settling group may, as evidence of their association with a statutory area, cite the statutory acknowledgement that relates to that area in submissions or proceedings concerning activities within, adjacent to, or that directly affect the statutory area and that are made to or before—

(a) the relevant consent authorities; or

(b) the Environment Court; or

(c) Heritage New Zealand Pouhere Taonga; or

(d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.

Section 30(c): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

31 Content of statement of association not binding

(1) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—

(a) the bodies and the court referred to in section 30; or

(b) parties to proceedings before those bodies or that court; or

(c) any other person who is entitled to participate in those proceedings.

(2) Despite subsection (1), the statutory acknowledgement may be taken into account by the bodies, court, and persons specified in that subsection.

32 Other association with statutory area

To avoid doubt,—

(a) neither the trustees nor members of the settling group are precluded from stating that they have an association with a statutory area that is not described in the statutory acknowledgement; and

(b) the content and existence of the statutory acknowledgement do not limit any statement made.

33 Exercise of powers and performance of duties and functions

(1) A statutory acknowledgement does not affect, and may not be taken into account by, a person exercising a power or performing a function or duty under legislation or a bylaw.

(2) No person, in considering a matter or making a decision or recommendation under legislation or a bylaw, may give greater or lesser weight to the association of the settling group with a statutory area (as described in a statement of association) than that person would give if there were no statutory acknowledgement for the statutory area.

(3) Subsections (1) and (2) apply except as expressly provided in this subpart.

(4) Subsection (2) does not affect the operation of subsection (1).

34 Rights not affected

Except as expressly provided in this subpart, a statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

35 Limitation of rights

Except as expressly provided in this subpart, a statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, a statutory area.

36 Amendment to Resource Management Act 1991

(1) This section amends the Resource Management Act 1991.

(2) Schedule 11 is amended by inserting the following item in its appropriate alphabetical order: "Maraeroa A and B Blocks Claims Settlement Act 2012".

Subpart 2—Overlay classification and geographic names

Overlay classification

37 Interpretation

In this subpart, unless the context otherwise requires,—

Conservation Board means a board established under section 6L of the Conservation Act 1987

New Zealand Conservation Authority means the authority established under section 6A of the Conservation Act 1987

overlay classification means the application of sections 38 to 51 to the overlay site

overlay site—

(a) means the site that is declared under section 38 to be subject to the overlay classification; but

(b) does not include an area that is declared under section 49(1) to be no longer subject to the overlay classification

protection principles, for the overlay site, means the principles set out for the site in part 2 of the documents schedule at the settlement date, including the amendments made to the principles under section 40(3)

statement of values, for the overlay site, means the statement made by the descendants of the original owners of the Maraeroa A and B blocks—

(a) of the values the descendants have relating to their traditional, cultural, spiritual, and historical association with the overlay site; and

(b) that is in the form set out in part 1 of the documents schedule at the settlement date

values, for the overlay site, means the values stated by the descendants of the original owners of the Maraeroa A and B blocks in their statement of values.

38 Declaration and acknowledgement of overlay classification

(1) The site described in Schedule 2 is declared to be subject to the overlay classification.

(2) The Crown acknowledges the statement of values by the descendants of the original owners of the Maraeroa A and B blocks in relation to the overlay site.

39 Purposes of overlay classification

(1) The purposes of the overlay classification are—

(a) to require the New Zealand Conservation Authority and relevant Conservation Boards to have particular regard to the statement of values, the protection principles, and the views of the trustees, as provided for in section 41; and

(b) to require the New Zealand Conservation Authority to give the trustees an opportunity to make submissions, as provided for in section 41(3); and

(c) to require or enable the taking of action under sections 42 to 47.

(2) This section does not limit sections 50 and 51.

40 Agreement on protection principles

(1) The trustees and the Crown may agree on and publicise protection principles that are directed at the Minister of Conservation—

(a) avoiding harm to the values of the descendants of the original owners of the Maraeroa A and B blocks in relation to the overlay site; or

(b) avoiding the diminishing of the values of the descendants of the original owners of the Maraeroa A and B blocks in relation to the overlay site.

(2) The protection principles set out in part 2 of the documents schedule at the settlement date are to be treated as having been agreed by the trustees and the Crown under subsection (1).

(3) The protection principles may be amended—

(a) by agreement in writing between the trustees and the Crown; or

(b) by the Minister of Conservation, after consulting the trustees, to give effect to a deed of settlement with another claimant group with an interest in the overlay site.

41 Obligations on New Zealand Conservation Authority and Conservation Boards

(1) When the New Zealand Conservation Authority or a Conservation Board considers a general policy or a conservation document, in relation to the overlay site, the Authority or Board must have particular regard to the statement of values and the protection principles for the site.

(2) Before approving a general policy or a conservation document, in relation to the overlay site, the New Zealand Conservation Authority or a Conservation Board must—

(a) consult the trustees; and

(b) have particular regard to their views as to the effect of the policy or the conservation document on the statement of values and the protection principles for the site.

(3) If the trustees advise the New Zealand Conservation Authority in writing that they have significant concerns about a draft conservation management strategy in relation to the overlay site, the New Zealand Conservation Authority must, before approving the conservation management strategy, give the trustees an opportunity to make submissions to it in relation to those significant concerns.

42 Actions by Director-General

(1) The Director-General must take action in relation to the protection principles, including the actions set out in paragraph 2 of part 2 of the documents schedule.

(2) The Director-General retains complete discretion to determine the method and extent of the action to be taken under subsection (1).

(3) The Director-General must notify the trustees in writing of the intended action under subsection (1).

(4) If requested in writing by the trustees, the Director-General must not take the action in respect of the protection principles to which the request relates.

43 Amendment of conservation document

(1) The Director-General may initiate an amendment of a conservation document to incorporate objectives for the protection principles that relate to the overlay site (including a recommendation to make regulations or bylaws).

(2) The Director-General must consult relevant Conservation Boards before initiating an amendment under subsection (1).

(3) An amendment initiated under subsection (1) is an amendment for the purposes of section 17I(1) to (3) of the Conservation Act 1987 or section 46(1) to (4) of the National Parks Act 1980.

44 Notification in *Gazette*

(1) The Minister of Conservation must notify in the *Gazette*—

(a) the application of the overlay classification to the overlay site as soon as practicable after the settlement date; and

(b) the protection principles applying to the overlay site as soon as practicable after the settlement date; and

(c) any amendment under section 40(3) as soon as practicable after it is agreed between the trustees and the Crown or is made by the Minister of Conservation following consultation with the trustees.

(2) The Director-General may notify in the *Gazette* any action (including the actions set out in paragraph 2 relating to the protection principles in part 2 of the documents schedule) taken or intended to be taken under section 42 or 43.

45 Regulations

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Conservation, make regulations for the following purposes:

(a) to provide for the implementation of objectives included in a conservation document under section 43(1):

(b) to regulate or prohibit activities or conduct by members of the public in relation to the overlay site:

(c) to create offences for breaches of regulations made under paragraph (b):

(d) to provide for the imposition of fines not exceeding $5,000 for offences referred to in paragraph (c) and, for a continuing offence, an additional amount not exceeding $50 for every day during which the offence continues.

(2) Regulations under this section are 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 *Gazette*	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 45(2): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

46 Bylaws

(1) The Minister of Conservation may make bylaws for any of the following purposes:

(a) to provide for the implementation of objectives included in a conservation document under section 43(1):

(b) to regulate or prohibit activities or conduct by members of the public in relation to the overlay site:

(c) to create offences for breaches of bylaws made under paragraph (b):

(d) to provide for the imposition of fines not exceeding $1,000 for offences referred to in paragraph (c) and, for a continuing offence, an additional amount not exceeding $50 for every day during which the offence continues.

(2) Bylaws under this section are 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 *Gazette*	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 46(2): replaced, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

47 Noting of overlay classification

(1) The application of the overlay classification to the overlay site must be noted in conservation documents affecting the site.

(2) The noting of the overlay classification under subsection (1) is—

(a) for the purpose of public notice only; and

(b) not an amendment to a strategy or plan for the purposes of section 17I of the Conservation Act 1987 or section 46 of the National Parks Act 1980.

48 Classification of overlay site

(1) This section applies if the overlay classification applies to any land in—

(a) a national park under the National Parks Act 1980; or

(b) a conservation area under the Conservation Act 1987; or

(c) a reserve under the Reserves Act 1977.

(2) The overlay classification does not affect—

(a) the purpose of the national park, conservation area, or reserve; or

(b) the classification of the land as a national park, conservation area, or reserve.

49 Termination of overlay classification

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Conservation, declare that all or part of the overlay site is no longer subject to the overlay classification.

(2) The Minister of Conservation must not make a recommendation for the purposes of subsection (1) unless—

(a) the trustees and the Minister of Conservation have agreed in writing that the overlay classification is no longer appropriate for the area concerned; or

(b) the area concerned is disposed of by the Crown; or

(c) the responsibility for managing the area concerned is transferred to a different Minister of the Crown or the Commissioner of Crown Lands.

(3) Subsection (4) applies if—

(a) subsection (2)(c) applies; or

(b) there is a change in the statutory management regime that applies to all or part of the overlay site.

(4) The Crown must take reasonable steps to ensure that the trustees continue to have input into the management of the site or the area concerned through negotiation between the trustees and—

(a) the Minister responsible for the new statutory management regime; or

(b) the Commissioner of Crown Lands; or

(c) another responsible official.

(5) The parties to the deed of settlement acknowledge and confirm that a declaration that all or part of the site is no longer subject to the overlay classification does not affect the significance of the site to the settling group.

(6) The Minister of Conservation must ensure that an order under this section is published in the *Gazette*.

Section 49(6): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

50 Exercise of powers, and performance of duties and functions

(1) Section 38 does not affect, and must not be taken into account by, any person exercising a power, or performing a duty or function, under legislation or a bylaw.

(2) A person, in considering a matter or making a decision or recommendation under legislation or a bylaw, must not give greater or lesser weight to the values, or the statement of values, that relate to the overlay site than the person would give if the site were not subject to the overlay classification.

(3) Subsection (2) does not limit subsection (1).

(4) This section applies subject to the other provisions of this subpart.

51 Rights not affected

(1) Section 38 does not—

(a) affect the lawful rights or interests of a person who is not a party to the deed of settlement; or

(b) have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, an overlay site.

(2) This section applies subject to the other provisions of this subpart.

Geographic names

52 Interpretation

In sections 53 to 55,—

new official geographic name—

(a) means the name to which the existing geographic name is altered under section 53(1); and

(b) includes any alteration to a new official geographic name under section 55

New Zealand Geographic Board means the Board continued by section 7 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

53 New official geographic names

(1) The existing official geographic names in the first column of the table set out in part 3 of the attachments at the settlement date are altered to the new official geographic names set out opposite them in the second column of that table.

(2) The alterations made by subsection (1) are to be treated as having been made by the New Zealand Geographic Board in accordance with the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

54 Publication of new official geographic names

(1) The New Zealand Geographic Board must, as soon as practicable after the settlement date, comply with section 21(2) and (3) of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 (which relate to the publication of determinations of the Board) as if the alteration under section 53 were a determination under section 21(1) of that Act.

(2) Geographic names altered under section 53 or 55 take effect on the date of the *Gazette* notice published under subsection (1).

55 Alteration of new official geographic names

(1) The New Zealand Geographic Board may, with the consent of the trustees, alter—

(a) any new official geographic name; or

(b) any of its related information.

(2) Sections 53 and 54 apply, with any necessary modifications, to an alteration made under subsection (1).

(3) The power conferred by subsection (1) to alter a new geographic name or any of its related information replaces any power to do so under the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

Subpart 3—Cultural redress requiring vesting of land

56 Interpretation

In this Act, **cultural redress property** means each of the following named sites, and each site comprises the land described by that name in Schedule 3:

Sites that vest in fee simple

(a) Nga Herenga:

(b) Koromiko:

Sites that vest in fee simple subject to conservation covenant

(c) Kotukunui:

(d) Pikiariki:

(e) Waimiha Kei Runga:

(f) Whareana.

Sites vesting in fee simple

57 Nga Herenga

(1) Nga Herenga ceases to be part of the Pureora Conservation Park.

(2) Nga Herenga ceases to be a conservation area under the Conservation Act 1987.

(3) The fee simple estate in Nga Herenga vests in the Maraeroa A and B Blocks Incorporation.

58 Koromiko

(1) Koromiko ceases to be part of the Pureora Conservation Park.

(2) Koromiko ceases to be a conservation area under the Conservation Act 1987.

(3) The fee simple estate in Koromiko vests in the Maraeroa A and B Blocks Incorporation.

(4) The Maraeroa A and B Blocks Incorporation must provide to the Crown a registrable right of way easement in gross over the area shown as "A" on SO 442898 in favour of the Minister of Conservation, in the form set out in part 4.1 of the documents schedule.

(5) Subsections (1) to (3) apply subject to subsection (4).

Sites vesting in fee simple subject to conservation covenant

59 Kotukunui

(1) Kotukunui ceases to be part of the Pureora Conservation Park.

(2) Kotukunui ceases to be a conservation area under the Conservation Act 1987.

(3) The fee simple estate in Kotukunui vests in the Maraeroa A and B Blocks Incorporation.

(4) The Maraeroa A and B Blocks Incorporation must provide to the Crown—

(a) a registrable covenant in relation to the part of Kotukunui shown as "Y" on SO 442898 for the preservation of the reserve values of that land, in the form set out in part 4.2 of the documents schedule; and

(b) a registrable right of way easement in gross over the areas shown as "C" and "D" on SO 442898 in favour of the Minister of Conservation, in the form set out in part 4.3 of the documents schedule; and

(c) a registrable easement in gross for a right to convey electricity, telecommunications, and computer media over the area shown as "D" on SO 442898 in favour of the Minister of Conservation, in the form set out in part 4.4A of the documents schedule.

(5) Subsections (1) to (3) apply subject to subsection (4).

(6) The covenant provided under subsection (4)(a) is to be treated as a conservation covenant for the purposes of section 77 of the Reserves Act 1977.

60 Pikiariki

(1) Pikiariki ceases to be part of the Pureora Conservation Park.

(2) Pikiariki ceases to be a conservation area under the Conservation Act 1987.

(3) The fee simple estate in Pikiariki vests in the Maraeroa A and B Blocks Incorporation.

(4) The Maraeroa A and B Blocks Incorporation must provide to the Crown a registrable covenant in relation to those parts of Pikiariki shown as "X", "Y", and "Z" on SO 441383 for the preservation of the reserve values of that land, in the form set out in part 4.4 of the documents schedule.

(5) Subsections (1) to (3) apply subject to subsection (4).

(6) The covenant provided under subsection (4) is to be treated as a conservation covenant for the purposes of section 77 of the Reserves Act 1977.

61 Waimiha Kei Runga

(1) Waimiha Kei Runga ceases to be Crown forest land and any Crown forestry assets associated with that land cease to be Crown forestry assets.

(2) The fee simple estate in Waimiha Kei Runga vests in the Maraeroa A and B Blocks Incorporation.

(3) The Maraeroa A and B Blocks Incorporation must provide to the Crown—

(a) a registrable covenant in relation to those parts of Waimiha Kei Runga shown as "CA", "CB", "CC", "CD", "CE", "CF", "CG", "CH", "CI", "CJ", "CK", "CL", "CM", and "CN"on SO 442816 for the preservation of the reserve values of that land, in the form set out in part 4.12 of the documents schedule; and

(b) a registrable right of way easement in gross over the area shown as "RK" on SO 442816 in favour of the Minister of Conservation, in the form set out in part 4.6 of the documents schedule; and

(c) a registrable right of way easement in gross over the areas shown as "RE", "RF", "RG", "RH", "RI", and "RJ" on SO 442816 in favour of the Minister of Conservation, in the form set out in part 4.7 of the documents schedule; and

(d) a registrable right of way easement in gross over the areas shown as "BA", "BB", "BC", "BD", "BE", "BF", "RB", "RF", and "RI" on SO 442816 in favour of the Minister of Conservation, in the form set out in part 4.7A of the documents schedule; and

(e) a registrable right of way easement in gross over the areas shown as "G" on SO 311007 and "RA", "RB", and "RD" on SO 442816 in favour of the Minister of Conservation, in the form set out in part 4.8 of the documents schedule.

(4) Subsections (1) and (2) apply subject to subsection (3).

(5) The Minister of Conservation must provide to the Maraeroa A and B Blocks Incorporation a registrable right of way easement over the areas shown as "RC" on SO 442816, "A", "AA", "AB", "AC", "AD", "C", and "D" on SO 441383, "B", "BA", and "BB" on SO 442898, and "E" and "F" on SO 311007 in favour of Waimiha Kei Runga, in the form set out in part 4.11 of the documents schedule.

(6) The covenant provided under subsection (3)(a) is to be treated as a conservation covenant for the purposes of section 77 of the Reserves Act 1977.

62 Whareana

(1) Whareana ceases to be part of the Pureora Conservation Park.

(2) Whareana ceases to be a conservation area under the Conservation Act 1987.

(3) The fee simple estate in Whareana vests in the Maraeroa A and B Blocks Incorporation.

(4) The Maraeroa A and B Blocks Incorporation must provide to the Crown—

(a) a registrable covenant in relation to that part of Whareana shown as "Z" on SO 442898 for the preservation of the reserve values of that land, in the form set out in part 4.5 of the documents schedule; and

(b) a registrable easement in gross for a right to convey electricity, telecommunications, and computer media over the areas shown as "E" and "F" on SO 442898 in favour of the Minister of Conservation, in the form set out in part 4.5A of the documents schedule.

(5) Subsections (1) to (3) are subject to subsection (4).

(6) The covenant provided under subsection (4)(a) is to be treated as a conservation covenant for the purposes of section 77 of the Reserves Act 1977.

Provisions of general application to vesting of cultural redress properties

63 Properties vest subject to, or together with, encumbrances

Each cultural redress property vests under this subpart subject to, or together with, any encumbrances listed in relation to the property in the third column of Schedule 3.

64 Registration of ownership

(1) This section applies to the fee simple estate in a cultural redress property vested in the Maraeroa A and B Blocks Incorporation under this subpart.

(2) The Registrar-General must, in accordance with a written application received from an authorised person,—

(a) create a computer freehold register for the fee simple estate in a cultural redress property in the name of the Maraeroa A and B Blocks Incorporation; and

(b) enter on the register any encumbrances that are registered, notified, or notifiable and that are described in the application; and

(c) immediately after registration of any registrable encumbrances required as part of the vesting of the property, record on the register that the land is subject to section 83.

(3) Subsection (2) is subject to the completion of any survey necessary to create a computer freehold register.

(4) A computer freehold register must be created under this section as soon as is reasonably practicable after the settlement date, but no later than—

(a) 24 months after the settlement date; or

(b) any later date that may be agreed in writing by the Maraeroa A and B Blocks Incorporation and the Crown.

(5) In this section, **authorised person** means a person authorised by—

(a) the Director-General of the Ministry of Agriculture and Forestry, in the case of Waimiha Kei Runga; and

(b) the Director-General, in all other cases.

65 Application of Part 4A of Conservation Act 1987

(1) The vesting of the fee simple estate in a cultural redress property under this subpart is a disposition for the purposes of Part 4A of the Conservation Act 1987, but sections 24(2A), 24A, and 24AA of that Act do not apply to the disposition.

(2) The Registrar-General must record on the computer freehold register for a cultural redress property that the land is subject to Part 4A of the Conservation Act 1987.

(3) Recording under subsection (2) that the land is subject to Part 4A of the Conservation Act 1987 is to be treated as having been made in compliance with section 24D(1) of that Act.

66 Application of other enactments

(1) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to—

(a) the vesting of the fee simple estate in a cultural redress property under this subpart; or

(b) a matter incidental to, or required for the purpose of, that vesting.

(2) The vesting of the fee simple estate in a cultural redress property under this subpart does not—

(a) limit section 10 or 11 of the Crown Minerals Act 1991; or

(b) affect other rights to subsurface minerals.

(3) The permission of a council under section 348 of the Local Government Act 1974 is not required for laying out, forming, granting, or reserving a private road, private way, or right of way that may be required to fulfil the terms of the settlement deed in relation to a cultural redress property.

(4) The Minister of Conservation may grant the easement referred to in section 61(5).

(5) The easement granted under subsection (4)—

(a) is registrable under section 17ZA(2) of the Conservation Act 1987 as if it were a deed to which that provision applied; and

(b) is enforceable in accordance with its terms despite Part 3B of that Act; and

(c) is to be treated as having been granted in accordance with Part 3B of that Act.

67 Application of New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 to certain sites

(1) If a site vested under this Part, immediately before the vesting, comprised the whole of a reserve or conservation area and an official geographic name was assigned under the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 to the site,—

(a) that official geographic name is discontinued; and

(b) the Board must ensure that, as soon as is reasonably practicable, the official geographic name is removed from the Gazetteer.

(2) However, if a site vested under this Part comprises only part of a reserve or conservation area to which an official geographic name has been assigned,—

(a) subsection (1)(a) applies only to the part of the site that is vested under this Part; and

(b) the Board must amend the Gazetteer so that the official geographic name applies only to the part of the reserve or conservation area that is not vested under this Part.

(3) In this section,—

Board means the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa continued by section 7 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008

Gazetteer and **official geographic name** have the meanings given by section 4 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

Part 3
Commercial redress

68 The Crown may transfer property

(1) To give effect to the deed of settlement, the Crown (acting by and through the chief executive of LINZ) is authorised to do 1 or both of the following:

(a) transfer the fee simple estate in the licensed land to the Maraeroa A and B Blocks Incorporation:

(b) sign a transfer instrument or other document, or do anything else necessary to effect the transfer.

(2) In exercising the powers under subsection (1), the Crown is not required to comply with any other enactment that would regulate or apply to a transfer of the licensed land.

(3) Subsection (2) is subject to section 70(3)(a) and (b)(i) and (ii).

69 Registrar-General to create computer freehold register

(1) The Registrar-General must, in accordance with a written application by an authorised person,—

(a) create a computer freehold register in the name of the Crown for the fee simple estate in the licensed land to be transferred to the Maraeroa A and B Blocks Incorporation; and

(b) record on the computer freehold register any encumbrances that are registered, notified, or notifiable and that are described in the written application; but

(c) omit any statement as to the purpose for which the Crown holds the property.

(2) Subsection (1) is subject to the completion of any survey necessary to create a computer freehold register.

(3) The authorised person may grant a covenant for the later creation of a computer freehold register for the licensed land that is to be transferred to the Maraeroa A and B Blocks Incorporation.

(4) Despite the Land Transfer Act 1952,—

(a) the authorised person may request the Registrar-General to register a covenant (as provided for in subsection (3)) under the Land Transfer Act 1952 by creating a computer freehold register; and

(b) the Registrar-General must register the covenant in accordance with paragraph (a).

(5) In this section, **authorised person** means a person authorised by the chief executive of LINZ.

70 Application of other enactments

(1) This section applies to the transfer to the Maraeroa A and B Blocks Incorporation of the licensed land.

(2) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to—

(a) the transfer of the licensed land; or

(b) a matter incidental to, or required for the purpose of, that transfer.

(3) The transfer of the licensed land—

(a) is a disposition for the purposes of Part 4A of the Conservation Act 1987, but sections 24(2A), 24A, and 24AA of that Act do not apply to the disposition; and

(b) does not—

(i) limit section 10 or 11 of the Crown Minerals Act 1991; or

(ii) affect other rights to subsurface minerals; or

(iii) require the permission of a council under section 348 of the Local Government Act 1974 for laying out, forming, granting, or reserving a private road, private way, or right of way that may otherwise be required to fulfil the terms of the deed of settlement.

71 Licensed land ceases to be Crown forest land

(1) The licensed land ceases to be Crown forest land on the registration of the transfer of the fee simple estate in the land to the Maraeroa A and B Blocks Incorporation.

(2) However, although the licensed land does not cease to be Crown forest land until the transfer of the fee simple estate in the land to the Maraeroa A and B Blocks Incorporation is registered, neither the Crown nor any court or tribunal may do any thing, or omit to do any thing, if that act or omission would, between the settlement date and the date of registration, be consistent with the Crown Forest Assets Act 1989, but inconsistent with this Part or part 6 of the deed of settlement.

72 Trustees are confirmed beneficiaries

(1) Despite sections 68 to 71 or subsection (4), the trustees of the Settlement Trust are, in relation to the licensed land, the confirmed beneficiaries under clause 11.1 of the Crown forestry rental trust deed.

(2) The effect of subsection (1) is that—

(a) the trustees of the Settlement Trust are entitled to the rental proceeds payable since the commencement of the Crown forestry licence; and

(b) all the provisions of the Crown forestry rental trust deed apply on the basis that the trustees of the Settlement Trust are the confirmed beneficiaries.

(3) The Crown must give notice under section 17(4)(b) of the Crown Forest Assets Act 1989 in respect of the Crown forestry licence, even though the Waitangi Tribunal has not made a recommendation under section 8HB(1)(a) of the Treaty of Waitangi Act 1975 for the return of the licensed land.

(4) Notice given by the Crown under subsection (3) has effect as if—

(a) the Waitangi Tribunal had made a recommendation under section 8HB(1)(a) of the Treaty of Waitangi Act 1975 for the return of the licensed land; and

(b) the recommendation had become final on the settlement date.

(5) The Maraeroa A and B Blocks Incorporation is the licensor under the Crown forestry licence as if the licensed land had been returned to Māori ownership—

(a) on the settlement date; and

(b) under section 36 of the Crown Forest Assets Act 1989.

(6) However, section 36(1)(b) of the Crown Forest Assets Act 1989 does not apply to the licensed land.

73 Effect of transfer of licensed land

(1) Section 72 applies whether or not—

(a) the transfer of the fee simple estate in the licensed land has been registered; or

(b) the processes described in clause 17.4 of the Crown forestry licence have been completed.

(2) To the extent that the Crown has not completed the processes referred to in subsection (1)(b) before the settlement date, it must continue those processes—

(a) after the settlement date; and

(b) until the processes are completed.

(3) For the period from the settlement date until the completion of the processes referred to in subsections (1) and (2), the licence fee payable under the Crown forestry licence in respect of the land is the amount calculated in the manner described in paragraph 5.23 of part 5 of the property redress schedule.

(4) With effect from the settlement date, the references to the prospective proprietors in clause 17.4 of the Crown forestry licence must, in relation to the settlement licensed land, be read as if they were references to the Maraeroa A and B Blocks Incorporation.

Part 4
Access to protected sites

74 Meaning of protected site

In this Part, **protected site** means any area of land situated in the licensed land or the unlicensed land that—

(a) is wāhi tapu or a wāhi tapu area within the meaning of section 6 of the Heritage New Zealand Pouhere Taonga Act 2014; and

(b) is, at any time, entered on the New Zealand Heritage List/Rārangi Kōrero (as defined in section 6 of that Act).

Section 74(a): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 74(b): replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

75 Right of access to protected sites

(1) The owner of the land on which a protected site is situated and any person holding an interest in, or a right of occupancy to, that land must allow access across the land to each protected site to Māori for whom the protected site is of special spiritual, cultural, or historical significance.

(2) The right of access may be exercised by vehicle or by foot over any reasonably convenient routes specified by the owner.

(3) The right of access is subject to the following conditions:

(a) a person intending to exercise the right of access must give the owner reasonable notice in writing of his or her intention to exercise that right; and

(b) the right of access may be exercised only at reasonable times and during daylight hours; and

(c) a person exercising the right of access must observe any reasonable conditions imposed by the owner relating to the time, location, or manner of access as are reasonably required—

(i) for the safety of people; or

(ii) for the protection of land, improvements, flora and fauna, plant and equipment, or livestock; or

(iii) for operational reasons.

76 Right of access subject to Crown forestry licence

(1) The right of access conferred by section 75 is subject to, and does not override, the terms of—

(a) any Crown forestry licence; and

(b) any registered forestry right over the unlicensed land—

(i) granted before the settlement date; or

(ii) granted on or after the settlement date under a right of renewal contained in a registered forestry right granted before the settlement date.

(2) However, subsection (1) does not apply where the licensee or forestry right holder has agreed to an exercise of the right of access.

(3) An amendment to a Crown forestry licence or registered forestry right will be of no effect to the extent that it purports to—

(a) delay the date from which a person who has a right of access under section 75 may exercise that right; or

(b) otherwise adversely affect the right of access.

77 Notation on computer freehold register

(1) The Registrar-General must, in accordance with a written application by an authorised person, record on the computer freehold register for the licensed land or the unlicensed land that the land is, or may at any future time be, subject to section 75.

(2) An application must be made as soon as is reasonably practicable after the settlement date.

(3) However, if a computer freehold register has not been created by the settlement date, an application must be made as soon as is reasonably practicable after the register has been created.

(4) In this section, **authorised person** means a person authorised by—

(a) the Director-General of the Ministry of Agriculture and Forestry, for the unlicensed land:

(b) the chief executive of LINZ, for the licensed land.

Part 5
Provisions relating to jurisdiction of Māori Land Court and protected land

78 Interpretation

In this Part, unless the context otherwise requires,—

court means the Māori Land Court

descendant means an individual referred to in section 11

governance entity means the Settlement Trust and the Maraeroa A and B Blocks Incorporation, or either of them; and includes the trustees

long-term lease means a lease—

(a) for a term of more than 52 years; or

(b) for a term that would be more than 52 years if 1 or more rights of renewal were exercised

protected land means—

(a) land vested in or transferred to the Maraeroa A and B Blocks Incorporation under or in accordance with the deed of settlement; and

(b) land subject to an order of the Māori Land Court under section 256(2) of Te Ture Whenua Maori Act 1993.

Subpart 1—Māori Land Court jurisdiction

79 Settlement Trust subject to jurisdiction of Māori Land Court

(1) The Māori Land Court has and may exercise, in relation to the Settlement Trust, all the same powers and authorities that the High Court (whether by statute or by any rule of law or by virtue of its inherent jurisdiction) has in respect of trusts generally.

(2) Nothing in subsection (1) limits or affects the jurisdiction of the High Court.

80 Enforcement of obligations

(1) The court may at any time, on application by a descendant, require any trustee of the Settlement Trust to file in the court a written report, and to appear

before the court for questioning on the report, or on any matter relating to the administration of the Settlement Trust or the performance of his or her duties as a trustee.

(2) The court may at any time, in respect of any trustee of the Settlement Trust, enforce the obligations of his or her trust (whether by way of injunction or otherwise).

Subpart 2—Sale, gift, or long-term lease of protected land

81 Capacity to sell, gift, or give long-term lease of protected land

(1) Subject to section 83, the governance entity has the capacity to sell, gift, or lease by way of long-term lease the whole or any part of the protected land.

(2) Subsection (1) is subject to the other sections in this Part.

(3) To avoid doubt, the trustees of the Settlement Trust and the Maraeroa A and B Blocks Incorporation have the capacity to dispose of any land other than protected land in a manner they see fit.

82 Right of first refusal for sale or gift

The governance entity, when seeking to sell or gift protected land, must give the first right of refusal to prospective purchasers or donees who are descendants, ahead of those who are not descendants.

83 Sale, gift, or long-term lease of protected land by governance entity

(1) The governance entity must not sell, gift, or lease by way of a long-term lease the whole or any part of the protected land unless the sale, gift, or long-term lease, as the case may be, has been approved by the descendants.

(2) For the purposes of subsection (1), a sale, gift, or long-term lease of protected land is **approved by the descendants** if a resolution to sell, gift, or enter into a long-term lease of protected land, as the case may be, is passed in accordance with the requirements of the trust deed of the Settlement Trust.

84 Lodgement of instruments

(1) Any instrument lodged to give effect to a sale, gift, or long-term lease must include a certificate given by the solicitor for the transferor or grantor certifying that the requirements of section 83 have been complied with.

(2) Any instrument lodged to give effect to a sale or gift to a transferee that is not the Maraeroa A and B Blocks Incorporation or the trustees of the Settlement Trust must include a request to the Registrar-General to remove the notation entered under section 64(2)(c).

(3) On receiving a request to do so, the Registrar-General must remove the notation referred to in subsection (2).

Subpart 3—Provisions relating to protected land

85 Application of other enactments

(1) Except as provided in this Act, nothing in Te Ture Whenua Maori Act 1993 applies to the protected land.

(2) The protected land is deemed to be Māori freehold land for the purposes of the following (each of which applies to the protected land):

(a) section 7 of the Forestry Encouragement Act 1962:

(b) sections 102 and 108 of the Local Government Act 2002:

(c) Part 4 of the Local Government (Rating) Act 2002:

(d) section 13B of the Maori Trustee Act 1953:

(e) section 30A of the Soil Conservation and Rivers Control Act 1941:

(f) sections 18(1)(a) to (d), 19, 20, 26, 137, 138, 140, 141, 142, 342, 344, and 346 of Te Ture Whenua Maori Act 1993:

(g) section 27 of the Walking Access Act 2008.

86 Māori Land Court's jurisdiction

The Māori Land Court has and may exercise in respect of the protected land any jurisdiction conferred by this Act or under the provisions of any other Act referred to in section 85, but this jurisdiction may be exercised only on the application by or on behalf of a shareholder, the trustees of the Settlement Trust, a descendant, or another party with an interest in the matter.

Schedule 1
Statutory areas

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Statutory area	Location
Taporaroa Pa	As shown on OTS-120-19
Commencement of Waipa River	As shown on OTS-120-08
Tikiwhenua	As shown on OTS-120-09
Tomotomo Ariki	As shown on OTS-120-10
Waimiha Stream	As shown on OTS-120-22
Waimoanaiti	As shown on OTS-120-11
Ongarue River	As shown on OTS-120-13
Karamarama Stream	As shown on OTS-120-14
Weraroa	As shown on OTS-120-15
Tahorakarewarewa	As shown on OTS-120-16
Mangaparuhou Stream	As shown on OTS-120-17
Kahaho Stream	As shown on OTS-120-26

Schedule 2
Overlay site

s 38

Overlay site	Location	Description
Pureora o Kahu	As shown on OTS-120-18	*South Auckland Land District—Waitomo, Taupo and Ruapehu Districts* Part Maraeroa A2, Part Pouakani B9A, Part Section 1 Block IV and Part Section 1 Block VIII Hurakia Survey District.

Schedule 3
Cultural redress properties

ss 56, 63

Site	Legal description	Encumbrances
Nga Herenga	*South Auckland Land District—Waitomo District* 1.1098 hectares, more or less, being Section 2 SO 441383. Part Computer Interest Register SAPR185/49.	
Koromiko	*South Auckland Land District—Waitomo District* 22.6445 hectares, more or less, being Section 2 SO 442898. Part *Gazette* 1978 page 2463.	Subject to the right of way easement in gross referred to in section 58(4).
Kotukunui	*South Auckland Land District—Waitomo District* 35.4552 hectares, more or less, being Section 3 SO 442898. Part *Gazette* 1978 page 2463.	Subject to the conservation covenant referred to in section 59(4)(a). Subject to the right of way easement in gross referred to in section 59(4)(b). Subject to the easement in gross for a right to convey electricity, telecommunications, and computer media referred to in section 59(4)(c).
Pikiariki	*South Auckland Land District—Waitomo District* 130.6281 hectares, more or less, being Section 1 SO 441383. Part Computer Interest Register SAPR185/49.	Subject to the conservation covenant referred to in section 60(4).
Waimiha Kei Runga	*South Auckland Land District—Waitomo and Taupo Districts* 1566.8160 hectares, more or less, being Section 1 SO 442816. Part Computer Freehold Register 532173.	Subject to an unregistered licence to occupy the HF radio site in favour of the Director-General of Conservation dated 3 November 2009. Subject to a right of way over part marked V and W on DP 310734 created by Deed of Easement 6869282.7 and held in Computer Interest Register 293507. Subject to the forestry right registered under the Forestry Rights Registration Act 1983.

Site	Legal description	Encumbrances
		Subject to the conservation covenant referred to in section 61(3)(a). Subject to the right of way easement in gross referred to in section 61(3)(b). Subject to the right of way easement in gross referred to in section 61(3)(c). Subject to the right of way easement in gross referred to in section 61(3)(d). Subject to the right of way easement in gross referred to in section 61(3)(e). Together with the right of way easement referred to in section 61(5).
Whareana	*South Auckland Land District—Waitomo District* 31.8715 hectares, more or less, being Section 1 SO 442898. Part *Gazette* 1978 page 2463.	Subject to the conservation covenant referred to in section 62(4)(a). Subject to the easement in gross for a right to convey electricity, telecommunications, and computer media referred to in section 62(4)(b).

Notes

1 General

This is a consolidation of the Maraeroa A and B Blocks Claims Settlement Act 2012 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

Te Ture mō te Hararei Tūmatanui o te Kāhui o Matariki 2022/Te Kāhui o Matariki Public Holiday Act 2022 (2022 No 14): wehenga 7/section 7

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

Education and Training Act 2020 (2020 No 38): section 668

Trusts Act 2019 (2019 No 38): section 161

Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26): section 107

Holidays (Full Recognition of Waitangi Day and ANZAC Day) Amendment Act 2013 (2013 No 19): section 8

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