

Version
as at 28 October 2021



Maori Purposes Act 1937

Public Act	1937 No 34
Date of assent	15 March 1938
Commencement	15 March 1938

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

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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 Te Puni Kōkiri.

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[Repealed]

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[Repealed]

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Schedule

Petitions to be referred to the Maori Land Court, or a Judge or Commissioner thereof

[Repealed]

An Act to amend the laws relating to Maori and Maori land, to adjust certain claims and disputes in relation to Maori land, to confer jurisdiction upon the Maori Land Court and the Maori Appellate Court, and for other purposes

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

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

1 Short Title

This Act may be cited as the Maori Purposes Act 1937.

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

2 Provisions of Maori Land Act 1931 to apply to this Act

Words and expressions used in this Act shall, unless the contrary intention appears, have the same meaning as in the Maori Land Act 1931 (hereinafter referred to as the **principal Act**), and the provisions of the principal Act, so far as applicable, shall extend and apply to the cases provided for by this Act in as full and ample a manner as if this Act had been incorporated with and formed part of the principal Act.

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

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

Part 1
Amendment of laws

3 Disposition of timber, flax, etc, upon Maori land

[Repealed]

Section 3: repealed, on 1 April 1954, by section 473(1) of the Maori Affairs Act 1953 (1953 No 94).

4 State Loan Departments not bound to assign unconfirmed mortgages

[Repealed]

Section 4: repealed, on 1 April 1954, by section 473(1) of the Maori Affairs Act 1953 (1953 No 94).

5 Maori reservations

[Repealed]

Section 5: repealed, on 1 April 1954, by section 473(1) of the Maori Affairs Act 1953 (1953 No 94).

6 Special provisions as to Manukorihi Pa, Waitara

(1) The provisions of the last preceding section shall apply to the Manukorihi Pa, constituted as a Maori reservation under section 103 of the Maori Purposes Act 1931.

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

Section 6(1): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 6(1): amended, on 27 November 1947, pursuant to section 9(1)(b) of the Maori Purposes Act 1947 (1947 No 59).

7 As to moneys collected and disbursed by Registrars on behalf of Māori Trustee

[Repealed]

Section 7: repealed, on 30 September 1952, by section 12 of the Maori Land Amendment Act 1952 (1952 No 9).

8 Land in Maori townships may be revested in owners

[Repealed]

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

Part 2
Miscellaneous powers

Waikato-Maniapoto District

9 Lands affected by will of Tuwhakaririka Poutama may be developed by Board of Maori Affairs

Notwithstanding any restraint upon or restriction against sale, encumbrance, or leasing contained in the will of Tuwhakaririka Poutama, deceased, late of Te Kuiti, in the Provincial District of Auckland, probate of which was granted by the Maori Land Court on 23 October 1935, no gift or devise of any land, or interest therein, under the said will shall be defeated or in any way prejudicially affected by reason of any such land, or any part or parts thereof, being declared to be subject to Part 1 of the Maori Land Amendment Act 1936 (hereinafter in this section referred to as the **said Part 1**), or by reason of its being developed under the provisions of the said Part 1 out of funds provided for the purpose, and whether any such land is declared to be subject to the said Part 1 or is developed thereunder with the consent or agreement of the donees or devisees or otherwise. Any charge imposed on any such land pursuant to the said Part 1 may be enforced in manner provided by the said Part 1.

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

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

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

Tairāwhiti District

10 Authorising reconsideration of part of Northern Waiapu Consolidation Scheme

[Repealed]

Section 10: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

11 Enabling portions of Hinewhaki West (or No 2) Block to be set aside as a Maori reservation

Whereas the beneficial owners of the lands situate in the Tairāwhiti Māori Land Court District, containing in the aggregate 3 acres 2 roods and 9 perches, more or less, and known as Hinewhaki West (or Number 2), Sections 29, 30, and 31 (hereinafter in this section referred to as the **said lands**), are desirous that the said lands should be set apart as a Māori reservation:

Be it therefore enacted as follows:

- (1) Upon the recommendation of the court, the Governor-General may, by Order in Council, set apart and reserve the said lands or any of them or any part or parts thereof for the common use of the persons comprising the Wairoa section of the Ngātikahungunu Māori Tribe as a meeting place, building site, recreation ground, sports ground, or in any other manner that may be for their use and benefit.
- (2) Any lands so set apart and reserved shall be known as the Taihoa Marae or by such other name as the court may, from time to time, prescribe, and shall be deemed to be a Māori reservation within the meaning of section 5, and the provisions of that section shall, so far as applicable and with the necessary modifications, extend and apply thereto.
- (3) The trustees appointed to administer the said Māori reservation shall have a seal in a form to be approved by the Minister of Māori Affairs. The seal shall not be affixed to any instrument except by the authority of a resolution passed by the trustees assembled together in a meeting, and in the presence of 2 trustees for the time being in office, who shall also sign the instrument.
- (4) Any instrument in writing requiring to be executed by the trustees may be signed and sealed as aforesaid, and any instrument purporting to have been executed in accordance with the provisions of this section shall, in the absence of proof to the contrary, for all purposes be deemed to have been duly executed.
- (5) For the purposes of this section there is hereby established a fund to be called the Taihoa Marae Fund (hereinafter in this section referred to as the **fund**), which shall be kept by the Tairāwhiti District Māori Land Board. The Board may, from time to time, expend the moneys in the fund for the payment of any purchase money or compensation for other land acquired by the trustees, for the improvement of the Māori reservation, for the erection, replacement, repair, upkeep, and insurance of buildings and appurtenances upon the reservation, for the fencing, preparation, improvement, maintenance, and care of sports grounds, for the expenses of any gathering or ceremony taking place in connection with the said reservation, for the acquisition of any furniture, tools, sports or game requisites, or other chattels, and generally for any purpose in connection with or incidental to the said reservation as the Board may think proper. The expenditure of moneys upon or in respect of the said lands or any part

thereof in respect of improvements, buildings, or otherwise before the passing of this Act shall be deemed to be expenditure duly authorised under this section.

- (6) Any Maori Land Board, the East Coast Commissioner, the Māori Trustee, or any local authority, corporate body, company, or person (including trustees) may contribute to the fund for the purpose of furthering the objects thereof, and any payment or contribution so made shall be deemed to be a payment lawfully made, anything in any Act to the contrary notwithstanding.
- (7) The assembled owners of any parcel of Maori land or the committee of any land vested in the East Coast Commissioner may pass a resolution that such sum as may be specified shall be paid to the fund out of any rents or other moneys which are due or accruing due or may become due in the future, either in 1 sum or by instalments. Any resolution heretofore passed for the purpose set forth in this section shall enure for the purposes of this section as if it had originated thereunder, and shall be deemed to have so originated.
- (8) It shall be lawful for a Maori Land Board, the Māori Trustee, or the East Coast Commissioner to make advances out of their respective accounts of the whole or any part of the amounts directed by any resolution passed under the last preceding subsection, or by any order of the court setting aside any rents or other moneys for the purpose, to be paid in anticipation of rents or other moneys to become due or payable, and to charge the moneys so advanced against the land affected. In the case of a Maori Land Board, the Board is hereby authorised to execute, in respect of any such advance, a memorandum of charge in accordance with the provisions of section 109 of the principal Act.
- (9) *Amendment(s) incorporated in the Act(s).*
- (10) An order under subsection (1) is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

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

This note is not part of the Act.

Section 11 heading: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 11: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 11: amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

Section 11(2): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 11(3): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 11(3): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

Section 11(5): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 11(6): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

Section 11(7): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 11(8): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

Section 11(10): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

South Island District

[Repealed]

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

12 Authorising court to vest part of Tukurau No 1 Block in Matura Borough Council

[Repealed]

Section 12: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

Reserves

[Repealed]

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

13 Palmerston North Reserves validation

[Repealed]

Section 13: repealed, on 12 October 1946, by section 15(1) of the Maori Purposes Act 1946 (1946 No 37).

14 Extending time for making valuations for renewals of leases under the West Coast Settlement Reserves Act 1892

[Repealed]

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

*General**[Repealed]*

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

15 Authorising Māori Trustee to contribute towards cost of memorial to Sir Maui Pomare*[Repealed]*

Section 15: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

16 Chief Judge may refer petitions in Schedule to Maori Land Court for report*[Repealed]*

Section 16: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

Schedule**Petitions to be referred to the Maori Land Court, or a Judge or Commissioner thereof***[Repealed]*

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

Notes

1 *General*

This is a consolidation of the Maori Purposes Act 1937 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

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

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

3 *Editorial and format changes*

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

4 *Amendments incorporated in this consolidation*

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

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

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

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

Maori Land Amendment Act 1952 (1952 No 9): section 12

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

Maori Purposes Act 1946 (1946 No 37): section 15(1)