

**Reprint
as at 1 August 1991**



Maori Purposes Act 1949

Public Act 1949 No 46
Date of assent 21 October 1949
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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This Act is administered by Te Puni Kōkiri.

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An Act to amend the law relating to Maoris and Maori land, to confer jurisdiction upon the Maori Land Court, and for other purposes

1 Short Title

This Act may be cited as the Maori Purposes Act 1949.

Part 1
**Relief of Maori servicemen and
discharged servicemen**

[Repealed]

Part 1: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

2 Application of this Part

[Repealed]

Section 2: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

3 Application for review of liabilities

[Repealed]

Section 3: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

4 Review by Board

[Repealed]

Section 4: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

5 Appeal against Board's decision

[Repealed]

Section 5: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

6 Determination of value by Land Valuation Tribunal

[Repealed]

Section 6: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

7 Adjustment of rent

[Repealed]

Section 7: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

8 Adjustment of mortgages, etc

[Repealed]

Section 8: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

9 Board's determination to be final if no appeal filed

[Repealed]

Section 9: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

10 No second review

[Repealed]

Section 10: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

11 Adjustments to be endorsed on certificate of title, etc

[Repealed]

Section 11: repealed, on 1 August 1991, by section 2(1) of the Rehabilitation Act Repeal Act 1991 (1991 No 80).

Part 2

**Extension of Maori Social and Economic
Advancement Act 1945**

[Repealed]

Part 2: repealed, on 1 January 1963, by section 44 of the Maori Community Development Act 1962 (1962 No 133).

**12 This Part to be read with Maori Social and Economic
Advancement Act 1945**

[Repealed]

Section 12: repealed, on 1 January 1963, by section 44 of the Maori Community Development Act 1962 (1962 No 133).

**13 Riotous behaviour by Maoris deemed a breach of Tribal
Executive bylaws**

[Repealed]

Section 13: repealed, on 1 January 1963, by section 44 of the Maori Community Development Act 1962 (1962 No 133).

14 Profession of supernatural powers by Maoris deemed a breach of Tribal Executive bylaws

[Repealed]

Section 14: repealed, on 1 January 1963, by section 44 of the Maori Community Development Act 1962 (1962 No 133).

15 Extension of powers of Maori Wardens in respect of the prevention of drunkenness

[Repealed]

Section 15: repealed, on 1 January 1963, by section 44 of the Maori Community Development Act 1962 (1962 No 133).

**Part 3
Amendment of laws**

16 Provisions of Maori Land Act 1931 to apply to Parts 3 and 4

Words and expressions used in Part 3 or Part 4 shall, unless the contrary intention appears, have the same meaning as in the Maori Land Act 1931 (in those Parts referred to as the **principal Act**), and the provisions of the principal Act, as far as they are applicable, shall extend and apply to the cases hereinafter provided for by this Act in as full and ample a manner as if Parts 3 and 4 of this Act had been incorporated with and formed part of the principal Act.

17 Amending section 25 of West Coast Settlement Reserves Amendment Act 1948

[Repealed]

Section 17: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

18 Copy of Order, Proclamation, or notice need not be certified under hand of Under-Secretary if copy of *Gazette* deposited

[Repealed]

Section 18: repealed, on 1 April 1954, by section 473(1) of the Maori Affairs Act 1953 (1953 No 94).

19 Widower of intestate Maori may receive share of estate

[Repealed]

Section 19: repealed, on 1 April 1954, by section 473(1) of the Maori Affairs Act 1953 (1953 No 94).

20 Instruments of alienation executed by Maori Land Boards not to require confirmation

[Repealed]

Section 20: repealed, on 1 April 1954, by section 473(1) of the Maori Affairs Act 1953 (1953 No 94).

21 Powers and functions of committees appointed under section 8 of Board of Maori Affairs Act 1934–35

[Repealed]

Section 21: repealed, on 1 April 1954, by section 473(1) of the Maori Affairs Act 1953 (1953 No 94).

Part 4

Miscellaneous powers

Tokerau District

[Repealed]

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

22 Maori Trustee authorised to expend moneys towards cost of Auckland Maori Community Centre

[Repealed]

Section 22: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

23 Validating order of the court concerning Motatau Number 2 Block

[Repealed]

Section 23: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

Waikato-Maniapoto District
[Repealed]

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

**24 Authorising extension of term of timber cutting
licence granted to Ellis and Burnand, Ltd., by
Waikato-Maniapoto District Maori Land Board**
[Repealed]

Section 24: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

Waiariki District
[Repealed]

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

**25 Court authorised to hear and determine application for
probate of will of Mou te Hapuku, deceased**
[Repealed]

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

26 Establishment of Whakatohea Trust Board
[Repealed]

Section 26: repealed, on 1 January 1956, by section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

**27 Maori Trustee authorised to contribute to cost of guest
house in Rotorua**
[Repealed]

Section 27: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

Tairāwhiti District

28 Constitution of East Coast Maori Trust Council
(1) There is hereby constituted a council to be called the East Coast Maori Trust Council (in this section referred to as the **Council**), consisting of representatives of the Block Commit-

tees constituted under section 18 of the Maori Purposes Act 1935. Each such Committee shall appoint 1 member to the Council.

- (2) The Council shall be a corporate body with perpetual succession and a common seal.
- (3) Each representative appointed under this section shall be a member of the Block Committee by which he is appointed and shall hold office as a member of the Council only during the currency of his term of office as a member of that Block Committee.
- (4) Any member of the Council may at any time be removed from office by the Block Committee by which he was appointed, for inefficiency, disability, insolvency, neglect of duty, or misconduct, proved to the satisfaction of that Block Committee.
- (5) If any member of the Council dies, or resigns, or is removed from office, his office shall become vacant, and the vacancy shall be deemed to be an extraordinary vacancy.
- (6) In the case of any extraordinary vacancy the Block Committee by whom the vacating member was appointed may appoint some qualified person as a member of the Council for the residue of the term for which the vacating member was appointed.
- (7) If any member of the Council is, by reason of sickness or otherwise, prevented from attending any meeting of the Council, he may in writing appoint some other member of the Block Committee by which he was appointed to act as his proxy for the purpose of that meeting.
- (8) At the first meeting of the Council and at the annual meeting in every year thereafter, the Council shall elect one of its members to be Chairman of the Council.
- (9) The Chairman shall preside at all meetings of the Council at which he is present, and, in the absence of the Chairman from any meeting, the members present thereat may elect one of their number to be the Chairman of that meeting.
- (10) No business shall be transacted at any meeting unless a quorum is present thereat. A quorum shall consist of not less than half the total number of the members of the Council.

- (11) All questions coming before the Council shall be decided by a majority of the votes of the members present at the meeting, and in the case of an equality of votes the Chairman shall have a second or casting vote.
- (12) The powers of the Council shall not be affected by any vacancy in the membership thereof
- (13) All proceedings, decisions, and resolutions of the Council shall be recorded in a minute book kept for the purpose.
- (14) Subject to the provisions of this section the Council may regulate its own procedure.
- (15) The Council may from time to time appoint some fit and proper person to act as Secretary of the Council and may at any time remove the Secretary from office. The Secretary shall not be a member of the Council but may be a member of a Block Committee. The Secretary shall be paid such remuneration as the Council, with the approval of the Minister, shall decide.
- (16) The first meeting of the Council shall be held at such time as the Minister may approve and thereafter meetings of the Council shall be held at such times and in such places as the Chairman of the Council shall decide.
- (17) The annual meeting of the Council shall be held in October in each year or as soon thereafter as may be practicable.
- (18) It shall be the duty of the East Coast Commissioner appointed under Part 4 of the Maori Purposes Act 1931 to submit for the consideration of the Council all important matters and undertakings relating to the general administration of the lands vested in the Commissioner, to explain to the Council any material changes being made with regard to the trust estate, and to give heed to, and adopt, as far as he thinks the same is practicable or expedient, any advice, tendered by the Council in connection with the administration, management, or disposal of the trust estate. The East Coast Commissioner shall also supply to the Council a copy of his official balance sheet as soon as practicable after the close of each financial year.
- (19) Out of moneys derived from any lands forming part of the trust estate, the beneficial owners of which have not been ascertained by the court, or out of the accumulations of any such

moneys, the Council may, with the prior consent of the Minister of Maori Affairs, make grants, or donations or may authorise expenditure in the nature of grants or donations for any purpose. Any such grant or donation may be charged against the said moneys or the accumulations thereof.

- (20) The East Coast Commissioner shall not, without the prior approval of the Council as aforesaid, make any donation for any purpose out of any such moneys or the accumulations thereof.
- (21) *Amendment(s) incorporated in the Act(s).*
- (22) Where an overdraft has been granted to the East Coast Commissioner by any bank before the passing of this Act the consent of the Council shall be necessary before there is any increase in the limit of any such overdraft.
- (23) It shall be the duty of the Council to consider all matters referred to it by the East Coast Commissioner and to report to the said Commissioner all such matters affecting the trust estate and the beneficial owners thereof as it may think necessary to bring to his attention.
- (24) The East Coast Commissioner shall refund to the members of the Council all reasonable expenses incurred by each member in travelling to and from duly summoned meetings of the Council and shall pay to the said members such daily allowances in respect of their attendance at such meetings as the Minister of Maori Affairs shall from time to time approve. The expenses incidental to the administration of the Council shall be charged to the general administration of the trust estate.
- (25) Notwithstanding anything in section 27 of the Maori Purposes Act 1931, in the event of the office of the East Coast Commissioner becoming vacant for any reason, the Council may recommend the Governor-General to appoint or re-appoint any person to that office. In making any such appointment the Governor-General shall have regard to but shall not be bound by a recommendation of the Council.

29 Settlement of claims in respect of Kauhouroa Block and constitution of Wairoa Maori Trust Board

[Repealed]

Section 29: repealed, on 1 January 1956, by section 57(1) of the Maori Trust Boards Act 1955 (1955 No 37).

**30 Ngatiporou Co-operative Dairy Company, Ltd.,
authorised to contribute to cost of centennial celebrations
of Te Aute College**

[Repealed]

Section 30: repealed, on 25 October 1956, by section 6(1) of the Maori Purposes Act 1956 (1956 No 43).

Ikaroa District

**31 Meaning of term issue when used in relation to residuary
beneficiaries in Hemi Matenga Trust**

For the purposes of section 20 of the Maori Purposes Act 1948, the term **issue**, when used in subsection (1) of that section in relation to a contingent residuary beneficiary, shall include any child or other descendant, whether legitimate or illegitimate, and whether a Maori or not, of the contingent residuary beneficiary, who would, if a Maori, be capable of taking by way of intestate succession an interest of the contingent residuary beneficiary in Maori land.

32 Provisions relating to North Island Tenths modified

[Repealed]

Section 32: repealed, on 1 January 1956, by section 93(1) of the Maori Reserved Land Act 1955 (1955 No 38).

**33 Proceeds of alienation of Tarawera and Tataraka
Blocks to be paid to Ikaroa District Maori Land Board**

[Repealed]

Section 33: repealed, on 23 October 1952, by section 13(19) of the Maori Purposes Act 1952 (1952 No 70).

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Notes

1 *General*

This is a reprint of the Maori Purposes Act 1949. The reprint incorporates all the amendments to the Act as at 1 August 1991, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint
(most recent first)***

Rehabilitation Act Repeal Act 1991 (1991 No 80): section 2(1)

Maori Community Development Act 1962 (1962 No 133): section 44

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

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

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

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

Maori Purposes Act 1952 (1952 No 70): section 13(19)