

MAORI PURPOSES BILL

EXPLANATORY NOTE

Clause 3: The purpose of this clause is to make it clear that a sale of timber or flax cutting rights or the granting of the right to remove minerals or other valuable things (except industrial crops) is an alienation of the land for the purposes of Part XXIII of the Maori Affairs Act 1953. The amendment will accordingly make it clear that the resolution of assembled owners to make the sale will require the confirmation of the Maori Land Court and, in the case of a sale of timber cutting rights, cannot be confirmed without the prior consent of the Minister of Forests.

Clause 4 repeals section 434 of the Maori Affairs Act 1953. That section enables European land owned by several Maoris in common to be declared to be Maori land in certain circumstances.

Clause 5 re-enacts in an amended form the provisions of section 6 of the Maori Purposes Fund Act 1934-35 relating to the annual accounts of the Maori Purposes Fund. The effect of the new provisions is that, instead of an annual statement showing the total receipts and payments and the income and expenditure of the Fund, a revenue account for the year must be prepared, and will bring the accounting provisions relating to the Fund into line with the requirements relating to most Government accounts of this nature.

Clause 6 repeals miscellaneous provisions of Maori Land Amendment and Maori Land Claims Adjustment Acts and Maori Purposes Acts. The provisions proposed to be repealed are all now spent, as the powers conferred have now been exercised or have lapsed, or the lands concerned have been dealt with or disposed of, or general provision has since been made in respect of the matters for which special provision was made in those Acts.

Clause 7: Ordinary Maori land cannot be leased for a term exceeding in the aggregate 50 years. The land in this case is that upon which the Mangakino Township stands, and the purpose of this clause is to remove that limitation to permit the body corporate of owners to grant leases for commercial or industrial purposes with perpetual rights of renewal.

Clause 8: £5,000 of the compensation payable in respect of the Aorangi Claim was reserved for payment of costs. The Court has awarded a part only of this sum, and the purpose of this clause is to provide for the disposal of the balance. Substantial agreement has been reached by the beneficiaries upon the mode of disposal.

Hon. Mr Corbett

MAORI PURPOSES

ANALYSIS

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	8. Disposal of balance of sum reserved for costs in Aorangi Claim Schedule

A BILL INTITULED

An Act to amend the law relating to Maoris and Maori land, and for other purposes

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Maori Purposes Act 1956.

No. 87—1

2. Provisions of Maori Affairs Act 1953 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 Affairs Act 1953 (hereinafter 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 provided for in this Act in as full and ample a manner as if this Act had been incorporated with and formed part of the principal Act. 5

PART I 10

AMENDMENT OF LAWS

3. Sale of timber, etc., to constitute alienation for purposes of Part XXIII of principal Act—The principal Act is hereby amended by inserting, after section three hundred and five, the following section: 15

“305A. For the purposes of this Part of this Act, a contract of sale of any timber, flax, minerals, or other valuable thing (other than industrial crops) attached to or forming part of any Maori land, or any contract, licence, or grant conferring upon any person (whether by way of agency or otherwise) the right to enter upon any Maori land for the purpose of removing therefrom any timber, flax, minerals, or other valuable thing (other than industrial crops) attached thereto or forming part thereof, shall be deemed to be an alienation of that land, unless the thing so sold or agreed to be sold or authorised to be removed has been severed from the land before the contract, licence, or grant is made or granted.” 20 25

4. Repealing provision that European land owned by Maoris may be declared Maori land—Section four hundred and thirty-four of the principal Act is hereby repealed. 30

5. Annual accounts of Maori Purposes Fund—The Maori Purposes Fund Act 1934–35 is hereby amended by repealing section six, and substituting the following section:

“6. At the close of each financial year the Maori Trustee shall cause to be prepared in respect of the Fund a revenue account for that year, together with a balance sheet showing the assets and liabilities of the Board. That account and balance sheet shall be audited by the Audit Office.” 35

6. **Enactments repealed**—(1) The enactments specified in the Schedule to this Act are hereby repealed.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the repeal of any provision by this Act shall not affect any document made or any thing whatsoever done or suffered or any estate, right, title, interest, or benefit created, conferred, or acquired, or any obligation undertaken or imposed under any such enactment.

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PART II

MISCELLANEOUS POWERS

Waiariki District

7. **Term of leases granted by The Proprietors of Mangakino Township Incorporated**—Notwithstanding anything in subsection one of section two hundred and thirty-five or in section two hundred and eighty-six of the principal Act, no lease granted by the body corporate of owners constituted under Part XXII of the principal Act and known as The Proprietors of Mangakino Township Incorporated of the land vested in it shall be subject to the limitation imposed by the said section two hundred and thirty-five.

Ikaroa District

8. **Disposal of balance of sum reserved for costs in Aorangi Claim**—(1) The Maori Trustee is hereby authorised and directed, after making payments in accordance with determinations made by the Court pursuant to subsection two of section twenty-four of the Maori Purposes Act 1953, to disburse the balance of the sum of five thousand pounds referred to in the said subsection two in such manner as appears to him to be in accordance with the wishes of the beneficiaries of the Aorangi Maori Trust Board constituted by section three of the Maori Trust Boards Act 1955. The Maori Trustee may ascertain the wishes of the beneficiaries by such means as he thinks fit.

(2) Section twenty-four of the Maori Purposes Act 1953 is hereby repealed.

SCHEDULE

ENACTMENTS REPEALED

- 1908, No. 253—
The Maori Land Laws Amendment Act 1908.
- 1914, No. 64—
The Maori Land Claims Adjustment Act 1914.
- 1915, No. 63—
The Maori Land Amendment and Maori Land Claims Adjustment Act 1915.
- 1919, No. 43—
The Maori Land Amendment and Maori Land Claims Adjustment Act 1919.
- 1921–22, No. 62—
The Maori Land Amendment and Maori Land Claims Adjustment Act 1921–22.
- 1923, No. 32—
The Maori Land Amendment and Maori Land Claims Adjustment Act 1923.
- 1924, No. 45—
The Maori Land Amendment and Maori Land Claims Adjustment Act 1924.
- 1929, No. 19—
The Maori Land Amendment and Maori Land Claims Adjustment Act 1929.
- 1930, No. 29—
The Maori Land Amendment and Maori Land Claims Adjustment Act 1930.
- 1931, No. 32—
The Maori Purposes Act 1931: Sections 62, 64, 67, 74, 77, 79, 80, 83, 86, 96, 100, 104, 106, 112, and 115.
- 1933, No. 50—
The Maori Purposes Act 1933: Sections 9, 13, 15, 16, 18, and 19, sections 21 to 23 and 25 to 27, and the Second Schedule.
- 1934, No. 37—
The Maori Purposes Act 1934: Sections 4 to 7, section 9, and the Schedule.
- 1935, No. 39—
The Maori Purposes Act 1935: Sections 6 to 8, 10 to 15, 20, and 22, and the Schedule.
- 1936, No. 56—
The Maori Purposes Act 1936: Sections 4 to 6, 8, 9, and 13, and the First, Second, and Fourth Schedules.
- 1937, No. 34—
The Maori Purposes Act 1937: Sections 10, 12, 15, and 16, and the Schedule.
- 1938, No. 23—
The Maori Purposes Act 1938: Sections 9 to 14, 16, 18 to 21, section 23, and the Schedule.
- 1939, No. 28—
The Maori Purposes Act 1939: Sections 9 to 12, 14, 15, 17, and 18, and the Schedule.

SCHEDULE—*continued*

ENACTMENTS REPEALED—*continued*

- 1940, No. 25—
The Maori Purposes Act 1940.
- 1941, No. 22—
The Maori Purposes Act 1941: Sections 8, 10, 11, 13, 17, and 18, and the Schedule.
- 1942, No. 15—
The Maori Purposes Act 1942: Sections 6 to 8, section 10, and the Schedule.
- 1943, No. 24—
The Maori Purposes Act 1943: Sections 11 to 13, 15, 16, and 19, and the Schedule.
- 1944, No. 17—
The Maori Purposes Act 1944: Sections 10, 11, and 13, and the Schedule.
- 1945, No. 42—
The Maori Purposes Act 1945: Sections 7 to 9 and the Schedule.
- 1946, No. 37—
The Maori Purposes Act 1946: Sections 10 to 14, 17, and 18, and the Schedule.
- 1947, No. 59—
The Maori Purposes Act 1947: Sections 7, 46, and 51, sections 53 to 55, and the Second Schedule.
- 1948, No. 69—
The Maori Purposes Act 1948: Sections 9 to 11, 14, 15, 17, and 21.
- 1949, No. 46—
The Maori Purposes Act 1949: Sections 22 to 25, 27, and 30.
- 1950, No. 98—
The Maori Purposes Act 1950: Sections 55 to 59.
- 1951, No. 75—
The Maori Purposes Act 1951: Sections 31, 32, 34, 35, and 40.
- 1952, No. 70—
The Maori Purposes Act 1952: Section 4 and sections 9 to 13.
- 1953, No. 112—
The Maori Purposes Act 1953: Sections 20, 22, and 25, and the Schedule.
- 1954, No. 59—
The Maori Purposes Act 1954: Sections 4 and 7.