

MAORI PURPOSES BILL

EXPLANATORY NOTE

THIS Bill makes miscellaneous amendments of the Maori Affairs Act 1953 and other Acts relating to Maoris and Maori land.

Clause 1 relates to the Short Title.

PART I

AMENDMENTS OF MAORI AFFAIRS ACT 1953

Clause 2 is a machinery provision.

Clause 3 amends section 30 of the principal Act by empowering the Maori Land Court to enforce the obligations of a trust against any trustee of any General land owned by Maoris. The amendment will bring section 30 (1) (e) into accord with section 438 (1) of the principal Act.

Clause 4: Subclause (1) amends the definition of the term "owner" for the purposes of Part XXIII of the principal Act, relating to meetings of assembled owners. The amendment enables administrators of deceased owners to attend and vote at meetings.

Subclause (2) is consequential upon subclause (1). It requires administrators to have obtained vesting orders in their favour before they are entitled to attend or vote at any meeting of owners under Part XXIII.

Clause 5 gives the Maori Land Court a discretion as to the period during which a draft of a proposed consolidated order shall be open for public inspection, instead of the present required minimum period of 2 months.

Clause 6 gives the Chief Judge the same powers under section 452 of the principal Act in relation to Registrars' orders (under sections 81 and 81A of the Maori Affairs Amendment Act 1967) as he has the Judges' orders.

PART II

MISCELLANEOUS AMENDMENTS OF OTHER ACTS

Clause 7 amends the Maori Trust Boards Act 1955 by empowering Maori Trust Boards to acquire and deal with shares in any body corporate having among its principal objects the economic or social advancement of Maoris, or the development of land.

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Clause 8 amends section 29 of the Maori Trust Boards Act by enabling monetary transactions to be by cheques or other instruments. At present, it is limited to cheques.

Clause 9 amends the Maori Community Development Act 1962 by giving District Maori Councils a discretion to nominate for appointment or re-appointment as Maori Wardens non-Maoris as well as Maoris.

Hon. Mr Couch

MAORI PURPOSES

ANALYSIS

Title		
1. Short Title	5. Court may issue declaratory consolidated order in substitution for orders creating title to Maori land	
PART I		
AMENDMENTS OF MAORI AFFAIRS ACT 1953		
2. This Part to form part of Maori Affairs Act 1953	6. Special powers of Chief Judge with respect to Court orders	
3. General jurisdiction of Court	PART II	
4. Definition of "owners" in section 305 to be amended	MISCELLANEOUS AMENDMENTS OF OTHER ACTS	
	7. Functions of Maori Trust Boards	
	8. Countersigning of cheques and other instruments on behalf of Maori Trust Boards	
	9. Appointment of Maori Wardens	

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 1981.

PART I

10 **AMENDMENTS OF MAORI AFFAIRS ACT 1953**

2. **This Part to form part of Maori Affairs Act 1953**—This Part of this Act shall be read together with and deemed part of the Maori Affairs Act 1953* (in this Part referred to as the principal Act).

*Reprinted 1968, Vol. 3, p. 2199
Amendment: 1974, No. 73

3. General jurisdiction of Court—Section 30 (1) (e) of the principal Act is hereby amended by inserting, after the words “Maori freehold land”, the words “or General land owned by Maoris”.

4. Definition of “owners” in section 305 to be amended— 5
 (1) Section 305 (1) of the principal Act is hereby amended by inserting, after the words “legal or equitable,”, the words “or, in the case of any such persons who are deceased, their administrators (within the meaning of section 74 of the Maori Affairs Amendment Act 1967);” 10

(2) Section 309 (4) of the principal Act is hereby amended by inserting, after the words “claiming to be”, the words “the administrator of or”.

5. Court may issue declaratory consolidated order in substitution for orders creating title to Maori land—(1) Section 445 (3) of the principal Act (as amended by section 6 (1) (a) of the Maori Purposes Act 1957) is hereby amended by omitting the words “, being not less than two months in any case,”. 15

(2) Section 6 (1) of the Maori Purposes Act 1957 is hereby repealed. 20

6. Special powers of Chief Judge with respect to Court orders—(1) Section 452 of the principal Act is hereby amended by inserting in subsection (1), and also in subsection (5), after the word “Court” wherever it occurs, the words “or a Registrar”. 25

(2) Section 452 of the principal Act is hereby further amended by inserting in subsection (3), after the words “Appellate Court”, the words “or (where the application relates to an order made by a Registrar) to the Registrar”. 30

PART II

MISCELLANEOUS AMENDMENTS OF OTHER ACTS

7. Functions of Maori Trust Boards—Section 24 (2) (b) of the Maori Trust Boards Act 1955 is hereby amended by adding to subparagraph (vi) the word “; or”, and by adding the following subparagraph: 35

“(vii) By purchasing, acquiring, holding, selling, disposing of, or otherwise turning to account shares in any body corporate that has as one of its principal objects the economic or social advancement of Maoris, or the development of land.”. 40

8. Countersigning of cheques and other instruments on behalf of Maori Trust Boards—Section 29 of the Maori Trust Boards Act 1955 is hereby amended—

- 5 (a) By inserting in subsection (1), and also in subsection (2), and also in subsection (3), after the word “cheques” in each case, the words “or other instruments”:
- (b) By inserting in subsection (3), after the word “cheque”, the words “or other instrument”.

10 **9. Appointment of Maori Wardens**—Section 7 (2) of the Maori Community Development Act 1962 (as substituted by section 14 (1) of the Maori Purposes Act 1975) is hereby amended by omitting the words “a Maori residing in that district who”, and substituting the words “residing in that
15 district and”.