

MAORI TRUST BOARDS AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill makes various amendments to the Maori Trust Boards Act 1955, and establishes Te Runanga o Ngati Awa, the Hauraki Maori Trust Board, the Maniapoto Maori Trust Board, the Whanganui River Maori Trust Board, and Te Runanga o Ngati Whatua as Maori Trust Boards within the meaning of that Act.

Clause 1 relates to the Short Title and commencement of the Bill.

Clause 2 inserts 2 new sections in the principal Act.

Section 23A provides that a Board may appoint a council of elders to advise the Board on all matters relating to custom, language, and protocol.

Section 23B provides that a Board may appoint a council of young people to advise the Board on the needs and interests of the young people among the beneficiaries.

Clause 3 inserts 3 new sections in the principal Act.

Section 24D empowers a Board to enter into contracts with, and receive grants and loans from, the Government and other agencies in connection with any scheme related to employment, training, and other specified matters.

Section 24E makes it clear that a Board may accept appointment by the Maori Land Court under section 61 (6) (c) of the Maori Affairs Amendment Act 1967 to act in place of the committee of management of a Maori incorporation. That provision empowers that Court, following an investigation into the affairs of an incorporation, to suspend the powers of the members of the committee of management and appoint a competent person to exercise those powers.

Section 24F empowers a Board to contract to provide certain services to Maori incorporations, trusts, and other bodies.

Clause 4 is of a consequential nature only. The amendment should have been made on the enactment of the Maori Community Development Act 1962.

Clauses 5 and 6 relate to elections, and should be read together.

Section 49 of the principal Act requires the Secretary of a Board, following an election of members, to send the names of the successful candidates to the

Secretary for Maori Affairs. Those persons are then appointed as members of the Board by the Governor-General under section 14 (2) of the Act.

Sections 55 and 55A of the principal Act provide for the case where irregularities have occurred in the election. Section 55 allows minor irregularities to be validated by Order in Council. If, however, the irregularities are such that it would not be appropriate to validate them, the election may be declared by Order in Council under section 55A of the Act to be invalid.

These new provisions, in a sense, build a bridge between those various provisions.

Clause 5 provides that, where the Secretary for Maori Affairs believes the list of successful candidates is incorrect in some particular, the Secretary must report the matter to the Minister.

Clause 6 empowers the Minister to apply to a Judge of the Maori Land Court to investigate the conduct or result of an election where the Minister believes that irregularities have occurred. The Judge (or a barrister or solicitor of at least 7 years' standing appointed by the Judge) must investigate each specific matter raised in the application, and may investigate any other matter relating to the election. At the end of the investigation, the Judge may take 1 of 2 courses of action. If the Judge is satisfied that the election was basically in compliance with the Act, the Judge may declare the result of the election and advise the Minister of the persons elected. Otherwise, the Judge must submit a report to the Minister, and recommend any action the Judge thinks desirable, whether under section 55 or section 55A of the Act or otherwise.

Clause 7 empowers regulations made under section 56 of the principal Act (relating to elections) to restrict the rights of absentee beneficiaries to stand for election, to nominate candidates, or to vote.

PART I

TE RUNANGA O NGATI AWA

This Part of this Bill has 2 objectives. First, it establishes Te Runanga o Ngati Awa as a Maori Trust Board. Subject to the provisions of the Bill, the Maori Trust Boards Act 1955 will apply to this body as it does to other Maori Trust Boards.

Secondly, it restores the character, mana, and reputation of Ngati Awa, whose members were punished and declared rebels in respect of the land wars fought in 1865, and grants a full pardon to them.

In accordance with section 24 of the Maori Trust Boards Act 1955, the principal functions of Te Runanga o Ngati Awa will be to give direction to the tribe and to administer its assets for the general benefit of its beneficiaries. The beneficiaries are declared by the Bill to be the descendants of the hapu of Ngati Awa.

Te Runanga o Ngati Awa shall have an initial membership, not exceeding 23, to be appointed by the Governor-General on the recommendation of the Minister of Maori Affairs. Their task will be to draw up a roll of adult beneficiaries to enable elections to be held (*clause 11*).

One member is to be nominated to represent Te Kahui Kaumatua (a council of elders for which provision is made in *clause 13*), and one member is to be nominated to represent Te Huinga Rangatahi (a council of young people for which provision is made in *clause 14*). The permanent membership will have 21 elected members and the 2 nominees.

Te Runanga o Ngati Awa is required to hold an annual hui at which it must explain its activities and outline its future plans to the beneficiaries (*clause 15*).

Clause 17 restores the character, mana, and reputation of Ngati Awa in respect of the land wars of 1865, and grants a full pardon to them. It is expressed in both Maori and English, because it deals with feelings and concepts for which te reo Maori is the more appropriate medium.

Clause 18 provides that certain money held by the Ngati Awa Trust Board shall be held for and paid to Te Runanga. The Board was set up as an interim measure, pending the constitution of Te Runanga.

PART II

HAURAKI MAORI TRUST BOARD

This Part of this Bill establishes the Hauraki Maori Trust Board as a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955, and, subject to the provisions of this Part of the Bill, that Act will apply to this new body as it does to other Maori Trust Boards.

The beneficiaries of the Board shall be Ngati Hako, Ngati Hei, Ngati Maru, Ngati Paoa, Ngati Patukirikiri, Ngati Porou ki Harataunga, Ngati Pukenga, Ngati Rahiri-Tumutumu, Ngai Tai, Ngati Tamatera, Ngati Tara Tokanui, and Ngati Whanaunga.

The Board will have an initial membership, not exceeding 12, to be appointed by the Governor-General on the recommendation of the Minister of Maori Affairs. Their task will be to draw up a roll of adult beneficiaries to enable elections to be held (*clause 22*).

The Board is required to hold an annual hui at which it must explain its activities and outline its future plans to the beneficiaries (*clause 23*).

PART III

MANIAPOTO MAORI TRUST BOARD

This Part of this Bill establishes the Maniapoto Maori Trust Board as a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955, and, subject to the provisions of this Part of the Bill, that Act will apply to this new body as it does to other Maori Trust Boards. The beneficiaries of the Board will be the members of the Maniapoto tribe and their descendants.

The new Board will have an initial membership, not exceeding 14, to be appointed by the Governor-General on the recommendation of the Minister of Maori Affairs. Their task will be to draw up a roll of adult beneficiaries to enable elections to be held (*clause 27*).

Once established, the Board will have the following membership:

- (a) Six members elected by the beneficiaries as a whole:
- (b) Six members elected by the Regional Management Committees (for which provision is made by *clause 30* of the Bill):
- (c) One member nominated by the person who is for the time being recognised by the Tainui tribes as head of the Kahui Ariki, the position presently held by Dame Arikinui Te Ata-i-Rangikaahu (popularly known as the Maori Queen):
- (d) One member nominated by the council of elders (for which provision is made by *clause 29* of the Bill).

Finally, by *clause 31*, the Board is required to hold an annual hui at which it must explain its activities and outline its future plans to the beneficiaries.

PART IV

WHANGANUI RIVER MAORI TRUST BOARD

This Part of this Bill establishes the Whanganui River Maori Trust Board as a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955, and, subject to the provisions of this Part of the Bill, that Act will apply to this new body as it does to other Maori Trust Boards. The beneficiaries of the Board will be the descendants of the Tama Upoko, Hinengakau, and Tupoho hapu.

The new Board will have an initial membership, not exceeding 9, to be appointed by the Governor-General on the recommendation of the Minister of Maori Affairs. Their task will be to draw up a roll of adult beneficiaries to enable elections to be held (*clause 35*).

It is expected that for the purposes of elections, the beneficiaries will be divided into sections or divisions to represent each of the 3 hapu.

In addition to the functions conferred by section 14 of the Maori Trust Boards Act 1955, the Board will be responsible for negotiating with the Government and other bodies and authorities in respect of all outstanding claims relating to the Whanganui River (*clause 36*).

Finally, by *clause 37*, the Board is required to hold an annual hui at which it must explain its activities and outline its future plans to the beneficiaries.

PART V

TE RUNANGA O NGATI WHATUA

This Part of this Bill establishes Te Runanga o Ngati Whatua as a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955, and, subject to the provisions of this Part of the Bill, that Act will apply to this new body as it does to other Maori Trust Boards.

The beneficiaries of Te Runanga shall be the descendants of Haumoewarangi, the ancestor of Ngati Whatua.

Te Runanga o Ngati Whatua will have an initial membership, not exceeding 11, to be appointed by the Governor-General on the recommendation of the Minister of Maori Affairs. Their task will be to draw up a roll of adult beneficiaries to enable elections to be held (*clause 41*).

Clause 42 provides that Te Runanga should consult with other tribal authorities within Ngati Whatua, seeking to bring all the assets of the people under a unified administration, while still respecting local autonomy.

Clause 43 requires Te Runanga to appoint a council of elders, to be called Te Kohanganui, to advise Te Runanga on all matters relating to custom, language, and protocol.

Te Runanga is required by *clause 44* to hold an annual hui at which it must explain its activities and outline its future plans to the beneficiaries.

Clause 45 is of a consequential nature only.

Hon. K. T. Wetere

MAORI TRUST BOARDS AMENDMENT

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A BILL INTITULED

An Act to amend the Maori Trust Boards Act 1955, and to establish Te Runanga o Ngati Awa, the Hauraki Maori Trust Board, the Maniapoto Maori Trust Board, the Whanganui River Maori Trust Board, and Te Runanga o Ngati Whatua as Maori Trust Boards within the meaning of that Act 5

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Maori Trust Boards Amendment Act 1988, and shall be read together with and deemed part of the Maori Trust Boards Act 1955* (hereinafter referred to as the principal Act). 10

(2) This Act shall come into force on the 28th day after the date on which it receives the Royal assent.

2. New heading and sections (relating to Councils) 15
inserted—The principal Act is hereby amended by inserting, after section 23, the following heading and sections:

“Councils

“23A. Council of elders—(1) Each Board may from time to time, by resolution, appoint a council of elders to be known by such name as the Board may decide. 20

“(2) The principal function of the council of elders shall be to advise the Board on all matters involving tikanga, te reo, and kawa.

“(3) The council of elders shall comprise such of the kaumatua of the beneficiaries as the Board may decide to appoint from time to time after consulting the kaumatua. 25

“23B. Council of young people—(1) Each Board may from time to time, by resolution, appoint a council of young people to be known by such name as the Board may decide. 30

“(2) The principal function of the council of young people shall be to advise the Board on the needs and interests of the young people among the beneficiaries.

“(3) The council of young people shall comprise such of the young people among the beneficiaries as the Board may decide to appoint from time to time after consulting the young people.” 35

3. New sections (relating to Board's powers) inserted—

The principal Act is hereby amended by inserting, after section 24C (as inserted by section 8 of the Maori Purposes Act 1971), the following sections:

5 “24D. **Board may take part in Government schemes, etc.**—(1) A Board may enter into any contract with, or accept grants or loans from, any Government department or other instrument of the Crown, or any other organisation or agency approved by the Minister, for the purpose of any scheme
10 relating to—

 “(a) The placement of Maori in industry and other forms of employment; and

 “(b) The education, vocational guidance, and training of Maori; and

15 “(c) The provision of housing and the improvement of the living conditions of Maori; and

 “(d) The promotion of health among Maori; and

 “(e) The broadening of the Maori economic base through the provision of funds for lending to Maori for
20 enterprise development.

 “(2) In any case to which subsection (1) of this section applies, the Board may do anything required of it by the terms of any contract or the conditions of any grant, notwithstanding any other provisions of this Act.

25 “24E. **Board may be appointed in place of committee of management**—A Board may accept appointment by the Maori Land Court under section 61 (6) (c) of the Maori Affairs Amendment Act 1967 to exercise all the powers of a committee of management of a Maori incorporation if the
30 shareholders in the incorporation, or a majority of them, are beneficiaries of the Board.

 “24F. **Board may contract to provide services to other bodies**—A Board may contract to provide administrative, secretarial, accounting, or other services to any Maori
35 incorporation, trust, or other body if the shareholders, beneficiaries, or members of the incorporation, trust, or other body, or a majority of them, are beneficiaries of the Board.”

4. Invitation of nominations—Section 46 (2) (b) of the principal Act is hereby amended by omitting the words “Tribal
40 Executives and Tribal Committees constituted under the Maori Social and Economic Advancement Act 1962”, and substituting the words “Maori Committees, Maori Executive Committees,

and District Maori Councils constituted under the Maori Community Development Act 1962”.

5. Names of persons elected to be transmitted to Secretary for Maori Affairs—Section 49 of the principal Act is hereby amended by adding the following subsection: 5

“(3) If, on receiving under subsection (1) of this section the names of the persons elected as members of the Board, the Secretary for Maori Affairs has reason to believe that—

“(a) The name of any person has been included incorrectly, in that the person was not qualified to be, or was not duly, elected; or 10

“(b) The name of any person has been excluded incorrectly, in that the person was qualified to be, and was duly, elected,—

the Secretary shall forthwith report the matter to the Minister.” 15

6. Investigation of conduct and result of election—The principal Act is hereby amended by inserting, after section 53, the following section:

“53A. (1) Where in the opinion of the Minister (whether based on a report under **section 49 (3)** of this Act or otherwise) it appears that irregularities may have occurred in respect of any election under this Act, the Minister may apply to a Judge of the Maori Land Court to investigate the conduct or result of the election. 20

“(2) On receiving any such application, the Judge shall fix a place, date, and time for the commencement of the investigation, and shall give notice of those matters, and of the purposes of the investigation, to the Secretary of the Board and to the Returning Officer. 25

“(3) The Judge may require the Secretary or the Returning Officer to produce all such enrolment applications, nominations, ballot papers, and other particulars relating to the election and under the control of the Secretary or the Returning Officer as the Judge may specify. 30

“(4) The Judge shall investigate each specific matter relating to the election as the Minister may require in the application, and may investigate any other matter relating to the election as appears to the Judge to warrant investigation. 35

“(5) If, after completing the investigation, the Judge is satisfied— 40

“(a) That the election was conducted in accordance with the principles laid down in this Part of this Act; and

“(b) That any irregularity, failure, or mistake that occurred in the conduct of the election did not affect the result of the election; and

“(c) That the result of the election is clear,—

5 the Judge shall declare the result of the election, and shall send to the Minister the names of the persons elected as members of the Board and, where necessary, the section or division of the beneficiaries that each such person is elected to represent.

10 “(6) If, after completing the investigation, the Judge is not satisfied of each of the matters specified in **subsection (5)** of this section, the Judge shall report his or her findings to the Minister, and recommend such action as the Judge thinks desirable, whether under section 55 or section 55A of this Act or otherwise.

15 “(7) In any particular case, the Judge may, instead of dealing with the application under this section personally, appoint some other person, being a barrister or solicitor of the High Court of at least 7 years’ standing, to conduct the investigation; and in any such case, the provisions of **subsections (2) to (6)** of this
20 section shall be read as if every reference to the Judge were a reference to that other person.”

7. Regulations—(1) Section 56 (3) of the principal Act is hereby amended by adding the following paragraph:

25 “(d) Limiting or regulating the rights of persons who do not reside in the appropriate area to stand for election, or to nominate any candidate for election, or to vote in an election.”

(2) Section 56 of the principal Act is hereby further amended by inserting, after subsection (3) (as amended by **subsection (1)** of
30 this section) the following subsection:

“(3A) Any regulations made pursuant to **subsection (3) (d)** of this section shall have effect according to their tenor notwithstanding anything to the contrary in this Act.”

PART I

35 TE RUNANGA O NGATI AWA

8. Interpretation—In this Part of this Act,—

“Nga uri o nga hapu o Ngati Awa” means the descendants of the hapu of Ngati Awa:

40 “Te Runanga” means Te Runanga o Ngati Awa constituted by **section 10** of this Act.

9. Part to bind Crown—This Part of this Act shall bind the Crown.

10. Te Runanga o Ngati Awa constituted—(1) There is hereby constituted a body corporate to be known as Te Runanga o Ngati Awa, which shall be a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955, and, subject to the provisions of this Part of this Act, the provisions of that Act shall apply accordingly. 5

(2) The beneficiaries of Te Runanga shall be nga uri o nga hapu o Ngati Awa.

11. Initial membership of Te Runanga—(1) As soon as practicable after the commencement of this Act, the Governor-General shall, on the recommendation of the Minister of Maori Affairs, appoint such number of persons not exceeding 23 as the Minister thinks fit to be the initial members of Te Runanga. 10

(2) One of those members shall be appointed after consultation by the Minister with, and to represent, the kaumatua of Ngati Awa, and another of those members shall be appointed after consultation by the Minister with, and to represent, the young people among the beneficiaries. 15

(3) Each initial member of Te Runanga (other than the 2 members referred to in subsection (2) of this section) shall hold office until his or her successor is elected and comes into office under subsection (4) of this section. 20

(4) Te Runanga shall cause to be prepared a roll containing the names and addresses of all adult beneficiaries of Te Runanga, and Te Runanga and the Secretary of Te Runanga shall do everything necessary, in accordance with Part III of the Maori Trust Boards Act 1955, to hold an election of members of Te Runanga. 25

(5) If, by regulations made under section 56 of the Maori Trust Boards Act 1955, the Governor-General makes provision for the representation of specific sections or divisions of the beneficiaries of Te Runanga, the roll prepared under subsection (4) of this section shall also show the section or division to which each beneficiary belongs. 30

12. Membership of Te Runanga following elections— From the first election of members, the membership of Te Runanga shall be as follows: 35

- (a) Twenty-one members elected by the beneficiaries in accordance with regulations made under section 56 of the Maori Trust Boards Act 1955: 40
- (b) One member, appointed by the Governor-General on the recommendation of the Minister and without

election, nominated by and representing Te Kahui Kaumatua constituted under section 13 of this Act:

- (c) One member, appointed by the Governor-General on the recommendation of the Minister and without election, nominated by and representing Te Huinga Rangatahi constituted under section 14 of this Act.

13. Te Kahui Kaumatua—(1) Te Runanga shall from time to time, by resolution, appoint a council of kaumatua to be known as Te Kahui Kaumatua.

- (2) The principal function of Te Kahui Kaumatua shall be to advise Te Runanga on all matters involving tikanga, te reo, and kawa.

- (3) Te Kahui Kaumatua shall comprise such of the kaumatua of the beneficiaries as Te Runanga may decide to appoint from time to time after consulting the kaumatua.

14. Te Huinga Rangatahi—(1) Te Runanga shall from time to time, by resolution, appoint a council of young people to be known as Te Huinga Rangatahi.

- (2) The principal function of Te Huinga Rangatahi shall be to advise Te Runanga on the needs and interests of the young people among the beneficiaries.

(3) Te Huinga Rangatahi shall comprise such of the young people among the beneficiaries as Te Runanga may decide to appoint from time to time after consulting the young people.

- 15. Annual hui**—(1) Te Runanga shall in every year hold a hui at which it shall report on its activities and its plans for the future to the beneficiaries.

- (2) Not later than 3 months before the date of the proposed hui in any year, the Secretary of Te Runanga shall cause public notice to be given to the beneficiaries of Te Runanga of the date and place of the proposed hui.

(3) Section 46 (2) of the Maori Trust Boards Act 1955 shall apply to every public notice required to be given under subsection (2) of this section.

- 16. Bank accounts**—The bank account into which all money belonging to Te Runanga is required by section 28 (1) of the Maori Trust Boards Act 1955 to be paid shall be called “Te Runanga o Ngati Awa Account”.

- 17. Character, mana, and reputation restored**—He panui tenei ki te motu katoa, ka tutuki ana tenei Ture, koinei te

wa e whakahokia ai ki a ratou te ihi, te mana, te tapu o nga tangata o Ngati Awa i mauhereheretia, i whakawakia i te tau 1865, ki o ratou whanau hoki, ki o ratou iwi, tae atu ki a Ngati Awa whanui. Ka wetekina katoatia nga whiu o te ture i pa ki a ratou i roto i nga pakanga whenua o Te Tau 1865. 5

It is hereby declared that after the passing of this Part of this Act the character, mana, and reputation of the persons of Ngati Awa descent who were arrested, tried, and labelled as rebels in or about 1865 is restored to them and their whanau and to the iwi of Ngati Awa as a whole, and a full pardon is hereby 10 granted to them in respect of all matters arising out of the land wars in 1865.

18. Certain trust money to be held for and paid to Te Runanga—(1) As from the date of the commencement of this Act, the trustees of the Ngati Awa Trust Board shall hold all 15 money belonging to the Trust at that date for Te Runanga, and all such money shall be paid to Te Runanga upon request.

(2) A receipt duly signed on behalf of Te Runanga for the money shall be a sufficient discharge for the trustees, and they shall not be concerned to see to the application of the money. 20

PART II

HAURAKI MAORI TRUST BOARD

19. Interpretation—In this Part of this Act, “the Board” means the Hauraki Maori Trust Board constituted by **section 21** 25 of this Act.

20. Part to bind Crown—This Part of this Act shall bind the Crown.

21. Hauraki Maori Trust Board constituted—(1) There is hereby constituted a body corporate to be known as the Hauraki Maori Trust Board, which shall be a Maori Trust Board 30 within the meaning and for the purposes of the Maori Trust Boards Act 1955, and, subject to the provisions of this Part of this Act, the provisions of that Act shall apply accordingly.

(2) The beneficiaries of the Board shall be Ngati Hako, Ngati Hei, Ngati Maru, Ngati Paoa, Ngati Patukirikiri, Ngati Porou ki 35 Harataunga, Ngati Pukenga, Ngati Rahiri-Tumutumu, Ngai Tai, Ngati Tamatera, Ngati Tara Tokanui, and Ngati Whanaunga.

22. Membership of Board—(1) As soon as practicable after the commencement of this Act, the Governor-General shall, on the recommendation of the Minister of Maori Affairs, appoint 40

such number of persons not exceeding 12 as the Minister thinks fit to be the initial members of the Board.

(2) Each initial member of the Board shall hold office until his or her successor is elected and comes into office under **subsection 5 (3)** of this section.

(3) The Board shall cause to be prepared a roll containing the names and addresses of all adult beneficiaries of the Board, and, as soon as practicable thereafter and not later than 2 years after the date of the commencement of this Act, the Board and 10 the Secretary to the Board shall do everything necessary, in accordance with Part III of the Maori Trust Boards Act 1955 to hold an election of members of the Board.

(4) If, by regulations made under section 56 of the Maori Trust Boards Act 1955, the Governor-General makes provision 15 for the representation of specific sections or divisions of the beneficiaries of the Board, the roll prepared under **subsection (3)** of this section shall also show the section or division to which each beneficiary belongs.

23. Annual hui—(1) The Board shall in every year hold a 20 hui at which it shall report on its activities and its plans for the future to the beneficiaries.

(2) Not later than 2 months before the date of the proposed hui in any year, the Secretary of the Board shall cause public notice to be given to the beneficiaries of the Board of the date 25 and place of the proposed hui.

(3) Section 46 (2) of the Maori Trust Boards Act 1955 shall apply to every public notice required to be given under **subsection (2)** of this section.

PART III

30

MANIAPOTO MAORI TRUST BOARD

24. Interpretation—In this Part of this Act, unless the context otherwise requires,—

“Board” means the Maniapoto Maori Trust Board constituted by **section 26** of this Act:

35 “Regional Management Committee” means a Regional Management Committee constituted under **section 30** of this Act:

“Te Arikinui” means the head of the Kahui Ariki for the time being recognised by the Tainui tribes:

40 “Te Mauri o Maniapoto” means the council of elders appointed under **section 29** of this Act.

25. Part to bind Crown—This Part of this Act shall bind the Crown.

26. Maniapoto Maori Trust Board constituted—

(1) There is hereby constituted a body corporate to be known as the Maniapoto Maori Trust Board, which shall be a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955, and, subject to the provisions of this Part of this Act, the provisions of that Act shall apply accordingly. 5

(2) The beneficiaries of the Board shall be the members of the Maniapoto tribe and their descendants. 10

27. Initial membership of Board—(1) As soon as practicable after the commencement of this Act, the Governor-General shall, on the recommendation of the Minister of Maori Affairs, appoint such number of persons not exceeding 14 as the Minister thinks fit to be the initial members of the Board. 15

(2) One of those members shall be appointed on the nomination, and to represent, Te Arikiniui, and another of those members shall be appointed after consultation by the Minister with, and to represent, the kaumatua of the Maniapoto tribe. 20

(3) Each initial member of the Board (other than the 2 members referred to in subsection (2) of this section) shall hold office until his or her successor is appointed and comes into office under subsection (4) of this section.

(4) The Board shall cause to be prepared a roll containing the names and addresses of all adult beneficiaries of the Board, and, as soon as practicable thereafter, the Board and the Secretary of the Board shall do everything necessary, in accordance with Part III of the Maori Trust Boards Act 1955, to hold an election of members of the Board. 25 30

28. Membership of Board following elections—From the first election of members, the membership of the Board shall be as follows:

- (a) Six members elected by the beneficiaries in accordance with regulations made under section 56 of the Maori Trust Boards Act 1955: 35
- (b) Six members elected by the Regional Management Committees in accordance with those regulations:
- (c) One member, appointed by the Governor-General on the recommendation of the Minister and without election, nominated by and representing Te Arikiniui: 40

(d) One member, appointed by the Governor-General on the recommendation of the Minister and without election, nominated by and representing Te Mauri o Maniapoto.

5 **29. Te Mauri o Maniapoto**—(1) The Board shall from time to time, by resolution, appoint a council of elders to be known as Te Mauri o Maniapoto.

(2) The principal function of Te Mauri o Maniapoto shall be to advise the Board on matters involving tikanga, te reo, and
10 kawa.

(3) Te Mauri o Maniapoto shall comprise such of the kaumatua of the Maniapoto tribe as the Board may decide to appoint from time to time after consulting the kaumatua.

15 **30. Regional Management Committees**—(1) For the purposes of this Act, there shall be such number of Regional Management Committees as is specified in regulations made under section 56 of the Maori Trust Boards Act 1955.

(2) Each Regional Management Committee shall comprise persons elected in accordance with those regulations to
20 represent the various marae specified in the regulations.

(3) The Board shall have the same power to delegate any of its powers and duties to a Regional Management Committee as it has under section 20 of the Maori Trust Boards Act 1955 in respect of Committees appointed by the Board under that
25 section, and the provisions of that section shall apply with any necessary modifications.

(4) Sections 21 to 23 of the Maori Trust Boards Act 1955 shall also apply with any necessary modifications to Regional Management Committees.

30 **31. Annual hui**—(1) The Board shall in every year hold a hui at which it shall report on its activities and its plans for the future to the beneficiaries.

(2) Not later than 3 months before the date of the proposed hui in any year, the Secretary of the Board shall cause public
35 notice to be given to the beneficiaries of the Board of the date and place of the proposed hui.

(3) Section 46 (2) of the Maori Trust Boards Act 1955 shall apply to every public notice required to be given under subsection (2) of this section.

PART IV

WHANGANUI RIVER MAORI TRUST BOARD

32. Interpretation—In this Part of this Act, “the Board” means the Whanganui River Maori Trust Board constituted by section 34 of this Act. 5

33. Part to bind Crown—This Part of this Act shall bind the Crown.

34. Whanganui River Maori Trust Board constituted—
 (1) There is hereby constituted a body corporate to be known as the Whanganui River Maori Trust Board, which shall be a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955, and, subject to the provisions of this Part of this Act, the provisions of that Act shall apply accordingly. 10

(2) The beneficiaries of the Board shall be the descendants of the hapu of Tama Upoko, Hinengakau, and Tupoho. 15

35. Membership of Board—(1) As soon as practicable after the commencement of this Act, the Governor-General shall, on the recommendation of the Minister of Maori Affairs, appoint such number of persons not exceeding 9 as the Minister thinks fit to be the initial members of the Board. 20

(2) Each initial member of the Board shall hold office until his or her successor is elected and comes into office under subsection (3) of this section.

(3) The Board shall cause to be prepared a roll containing the names and addresses of all adult beneficiaries of the Board, and, as soon as practicable thereafter, the Board and the Secretary of the Board shall do everything necessary, in accordance with Part III of the Maori Trust Boards Act 1955, to hold an election of members of the Board. 25 30

(4) If, by regulations made under section 56 of the Maori Trust Boards Act 1955, the Governor-General makes provision for the representation of specific sections or divisions of the beneficiaries of the Board, the roll prepared under subsection (3) of this section shall also show the section or division to which each beneficiary belongs. 35

36. Board to negotiate outstanding claims—In addition to the functions conferred on the Board by section 24 of the Maori Trust Boards Act 1955, the Board shall from time to time negotiate with the Government, or any other body or authority concerned, for the settlement of all outstanding claims relating 40

to the customary rights and usages of te iwi o Whanganui, or any particular hapu, whanau, or group, in respect of the Whanganui River, including the bed of the river, its minerals, its water, and its fish.

5 **37. Annual hui**—(1) The Board shall in every year hold a hui at which it shall report on its activities and its plans for the future to the beneficiaries.

10 (2) Not later than 3 months before the date of the proposed hui in any year, the Secretary of the Board shall cause public notice to be given to the beneficiaries of the Board of the date and place of the proposed hui.

 (3) Section 46 (2) of the Maori Trust Boards Act 1955 shall apply to every public notice required to be given under subsection (2) of this section.

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PART V

TE RUNANGA O NGATI WHATUA

38. Interpretation—In this Part of this Act, “Te Runanga” means Te Runanga o Ngati Whatua constituted by section 41 of this Act.

20 **39. Part to bind Crown**—This Part of this Act shall bind the Crown.

40. Te Runanga o Ngati Whatua constituted—(1) There is hereby constituted a body corporate to be known as Te Runanga o Ngati Whatua, which shall be a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955, and, subject to the provisions of this Part of this Act, the provisions of that Act shall apply accordingly.

 (2) The beneficiaries of Te Runanga shall be the descendants of Haumoewarangi, te tupuna o Ngati Whatua.

30 **41. Membership of Te Runanga**—(1) As soon as practicable after the commencement of this Act, the Governor-General shall, on the recommendation of the Minister of Maori Affairs, appoint such number of persons not exceeding 11 as the Minister thinks fit to be the initial members of Te Runanga.

35 (2) Each initial member of Te Runanga shall hold office until his or her successor is elected and comes into office under subsection (3) of this section.

40 (3) Te Runanga shall cause to be prepared a roll containing the names and addresses of all adult beneficiaries of Te Runanga, and Te Runanga and the Secretary of Te Runanga

shall do everything necessary, in accordance with Part III of the Maori Trust Boards Act 1955, to hold an election of members of Te Runanga.

42. Functions, objects, and powers—In performing the functions conferred on it by section 24 of the Maori Trust Boards Act 1955, Te Runanga shall consult with other tribal authorities concerned with the administration of resources for the benefit of members of the Ngati Whatua tribe, with the objective of bringing the assets of the whole tribe under a unified administration, thereby reaffirming tribal identity, while still preserving local autonomy.

43. Te Kohanganui—(1) Te Runanga shall from time to time, by resolution, appoint a council of elders to be known as Te Kohanganui.

(2) The principal function of Te Kohanganui shall be to advise Te Runanga on all matters involving tikanga, te reo, and kawa.

(3) Te Kohanganui shall comprise such of the kaumatua of the beneficiaries as Te Runanga may decide to appoint from time to time after consulting the kaumatua.

44. Annual hui—(1) Te Runanga shall in every year hold a hui at which it shall report on its activities and its plans for the future to the beneficiaries.

(2) Not later than 3 months before the date of the proposed hui in any year, the Secretary of Te Runanga shall cause public notice to be given to the beneficiaries of Te Runanga of the date and place of the proposed hui.

(3) Section 46 (2) of the Maori Trust Boards Act 1955 shall apply to every public notice required to be given under subsection (2) of this section.

45. Bank accounts—The bank account into which all money belonging to Te Runanga is required by section 28 (1) of the Maori Trust Boards Act 1955 to be paid shall be called “Te Runanga o Ngati Awa Account”.