

*Right Hon. Mr. Fraser*

## OTAKI AND PORIRUA TRUSTS AMENDMENT

### ANALYSIS

Title.	6. Section 12 of principal Act amended.
1. Short Title and commencement.	7. Section 13 of principal Act amended.
2. Section 2 of principal Act amended.	8. Section 14 of principal Act amended.
3. Constitution of Board. Repeal.	9. Authorizing payment of legal costs.
4. Term of office of members of Board.	10. Private Act.
5. Section 7 of principal Act amended.	

### A BILL INTITULED

AN ACT to amend the Otaki and Porirua Trusts Act, 1943. Title.

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

1. (1) This Act may be cited as the Otaki and Porirua Trusts Amendment Act, 1946, and shall be read together with and deemed part of the Otaki and Porirua Trusts Act, 1943 (hereinafter referred to as the principal Act). Short Title and commencement. 1943 (Private), No. 4

(2) This Act shall come into force on the first day of November, nineteen hundred and forty-six.

Section 2 of  
principal Act  
amended.

**2.** Section two of the principal Act is hereby amended by omitting from the definition of the term "financial year" the words "such day in any year as the Board determines", and substituting the words "the thirty-first day of March in any year".

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Constitution  
of Board.

**3.** (1) Section four of the principal Act is hereby amended as follows:—

(a) By omitting from subsection one the word "eight", and substituting the word "ten":

(b) By omitting from paragraph (a) of the same subsection the words "Four members", and substituting the words "Five members (one of whom shall be a Maori or the descendant of a Maori and a member of the Ngatiraukawa Tribe, the Ngatiawa Tribe, or the Ngatittoa Tribe)":

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(c) By omitting from paragraph (b) of the same subsection the word "Three", and substituting the word "Four":

Repeal.

(d) By repealing subsection two and subsection three.

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Term of office  
of members of  
Board.

**4.** (1) The members of the Board in office at the commencement of this Act shall continue in office, and any members needed to fill vacancies in the membership of the Board at the commencement of this Act shall be appointed as soon as practicable thereafter.

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(2) With respect to the members of the Board in office at the commencement of this Act and the members to be appointed, as provided in subsection one hereof, to fill any vacancies in the membership of the Board, the following provisions shall apply:—

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(a) Two of the members (other than the Maori member) appointed on the recommendation of the Diocesan Trusts Board shall retire on the thirty-first day of March, nineteen hundred and forty-seven:

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(b) One of the members (other than the Maori member) appointed on the recommendation of the Diocesan Trusts Board and one of the members appointed on the recommendation of the Raukawa Marae Trustees shall retire on the thirty-first day of March, nineteen hundred and forty-eight:

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5 (c) Two of the members (including the Maori member) appointed on the recommendation of the Diocesan Trusts Board, one of the members appointed on the recommendation of the Raukawa Marae Trustees, and the member appointed on the recommendation of the Minister shall retire on the thirty-first day of March, nineteen hundred and forty-nine:

10 (d) Two of the members appointed on the recommendation of the Raukawa Marae Trustees shall retire on the thirty-first day of March, nineteen hundred and fifty.

15 (2) The members of the Board to retire in any year shall be those who have been longest in office since their last appointment, but as between persons who become members on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot.

20 (3) Subject to the provisions of subsection *two* hereof, all members of the Board shall be appointed for a term of three years computed from the expiration of the term for which their predecessors were appointed.

25 **5.** Section seven of the principal Act is hereby amended as follows:—

Section 7 of principal Act amended.

(a) By inserting, after subsection one, the following subsection:—

30 “(1A) Any three members of the Board may at any time by notice given in writing to the Chairman of the Board require the Chairman to call a special meeting of the Board, and thereupon the Chairman shall call a special meeting of the Board to be held not later than one month after the day on which he received the notice.”:

35 (b) By omitting from subsection two the word “ five ” and substituting the word “ six ”.

40 **6.** Section twelve of the principal Act is hereby amended as follows:—

Section 12 of principal Act amended.

(a) By inserting in paragraph (a) of subsection four, after the words “ scholarships for ”, the words “ the post-primary education of ”:

- (b) By omitting from the same paragraph the words  
“ and then to other Maoris or descendants of  
Maoris residing on the west coast of the  
North Island of New Zealand,”:
- (c) By omitting from subsection five the words 5  
“ Native Land Court has ”, and substituting  
the words “ Raukawa Marae Trustees have ”:
- (d) By omitting from the same subsection the words  
“ Before granting any such consent the Native  
Land Court shall ascertain as far as it deems 10  
practicable the wishes of the members of  
the Ngatiraukawa, Ngatiawa, and Ngatitōa  
Tribes.”
- Section 13 of  
principal Act  
amended.** 7. Section thirteen of the principal Act is hereby  
amended as follows:— 15
- (a) By omitting from subsection five the words “ a  
Judge of the Supreme Court by motion in  
Chambers ”, and substituting the words “ the  
Native Land Court ”:
- (b) By omitting from the same subsection the word 20  
“ Judge ” where it secondly occurs, and  
substituting the word “ Court ”:
- (c) By omitting from the same subsection the words  
“ such motion ”, and substituting the words 25  
“ such application ”.
- Section 14 of  
principal Act  
amended.** 8. Section fourteen of the principal Act is hereby  
amended as follows:—
- (a) By omitting from subsection two the words  
“ Native Land Court has ”, and substituting  
the words “ Raukawa Marae Trustees have ”: 30
- (b) By omitting from the same subsection the words  
“ Before granting any such consent the Native  
Land Court shall ascertain as far as it deems  
practicable the wishes of the members of the  
tribe or hapu concerned.” 35
- Authorizing  
payment of  
legal costs.** 9. Notwithstanding anything in the principal Act,  
the Board is hereby authorized to pay to Sidney  
Archibald Wiren, Esquire, of Wellington, out of the  
income of the Board such sum as may be fixed by agree-  
ment made between him and the Board for legal work 40  
performed by him for certain Maoris in connection with  
the principal Act and this Act.
- Private Act.** 10. This Act is hereby declared to be a private Act.