



HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 8 September 1998

NGĀI TAHU CLAIMS SETTLEMENT BILL

Proposed Amendments

Rt Hon D A M GRAHAM, in Committee, to move the following amendments:

Clause 8: To omit the definition of the term “Ngāi Tahu recipient” (lines 11 to 21 on page 34), and substitute the following definition:

“Ngāi Tahu recipient” means—

- (a) Any member of Ngāi Tahu Whānui (or any entity representing any such member); or
- (b) The ancillary claims trustees; or
- (c) Any person nominated by Te Rūnanga o Ngāi Tahu under clause 20.9 of the deed of settlement— to which any redress is provided, or any property is transferred, pursuant to the deed of settlement or in which any property is vested pursuant to this Act:

Clause 21 (1): To omit the words “Minister of Lands” (in line 40 on page 42), and substitute the words “Minister of the Crown for the time being responsible for the administration of the Land Act 1948”.

Clause 103: To add (after line 39 on page 78) the following subclause:

(3) If no certificate of title has been issued under the Land Transfer Act 1952 for land required to be transferred by section 10 of the deed of settlement, then, notwithstanding any other enactment or rule of law, the District Land Registrar must, at the request of the Commissioner of Crown Lands and after completion of such survey (if any) as may be necessary, issue a certificate of title under the Land Transfer Act 1952 for the fee simple estate in the land in the name of the Crown, and that certificate of title is subject to, and has the benefit of, any relevant easements, encumbrances, restrictions, and other interests, details of which must be set out in the request of the Commissioner.

Clause 214: To omit the expression “and 212,” (in line 6 on page 121), and substitute the expression “212, and 213,”.

Schedule 32: To omit from the 1st paragraph under the heading “**Ngāi Tahu Association with Lake Pāringa**” on page 308, the words “Ngāti Mamoe,”.

EXPLANATORY NOTE

The amendment to *clause 8* substitutes a new definition of “Ngāi Tahu recipient”. The drafting of the new definition has been simplified. The new definition includes a general reference to the ancillary claims trustees. The effect of this is to bring the ancillary claims trustees within *Part 17*. That Part contains miscellaneous provisions, in particular machinery provisions about the issue of certificates of title for settlement properties.

The amendment to *clause 21* takes into account the recent changes to portfolios of Ministers of the Crown.

The amendment to *clause 103* adds a new *subclause (3)* (similar to *clause 45*) providing for the issue of certificates of title for the high country stations to be transferred under section 10 of the deed of settlement.

The amendment to *clause 214* is a drafting correction.

The amendment to *Schedule 32* omits the reference to “Ngāti Mamoe” and aligns this schedule with the amendments made by the Māori Affairs Select Committee to *Schedules 37, 46, and 52*.