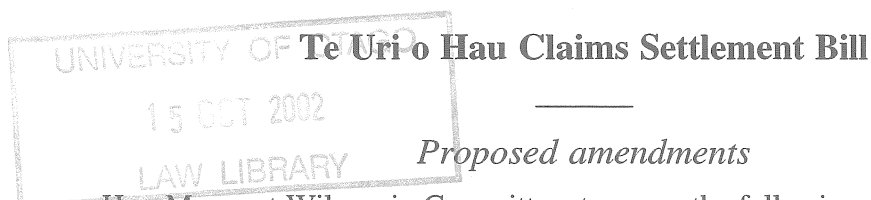


House of Representatives

Supplementary Order Paper

Thursday, 10 October 2002



Hon Margaret Wilson, in Committee, to move the following amendments:

Clause 12

To omit the definition of **chief surveyor** (lines 28 and 29 on page 15).

Clause 20

To insert in *subclause (1)*, after the words “title” (line 24 on page 21), the words “or computer register”.

To insert in *subclause (3)(a) and (b)*, after the word “title” (lines 33 and 37 on page 21), the words “or computer register”.

Clause 36(2)

To omit the words “issue of a certificate of title” (line 19 on page 27), and substitute the words “creation of a computer freehold register”.

Clause 38

To omit this clause (line 30 on page 27 to line 29 on page 28), and substitute the following clause:

38 Registration of ownership

- (1) This section applies to the fee simple estate in a cultural redress property that vests in Te Uri o Hau governance entity by this Act.
- (2) The Registrar-General must, on written application by a person authorised by the chief executive, comply with **subsections (3) and (4)**.
- (3) To the extent that the property comprises all the land in a certificate of title or computer freehold register, the Registrar-General must—
 - (a) register Te Uri o Hau governance entity as the proprietor of the fee simple estate in the land; and

- (b) make those entries in the register and generally do all things necessary to give effect to section 4 of the deed of settlement.
- (4) To the extent that the property does not comprise land in a certificate of title or computer freehold register, the Registrar-General must, in accordance with the application, create 1 or more computer freehold registers in the name of Te Uri o Hau governance entity subject to, and together with, any encumbrances that are registrable or notifiable and that are described in the written application.
- (5) **Subsection (4)** applies subject to completing any survey necessary to create a computer freehold register.
- (6) A computer freehold register must be created under this section as soon as reasonably practicable after the settlement date but no later than—
 - (a) 24 months after the cultural redress property vests in Te Uri o Hau governance entity; or
 - (b) any later date that may be agreed in writing by Te Uri o Hau governance entity and the Crown.

Clause 77(4)

To omit the words “chief surveyor” (in line 27 on page 42), and substitute the words “chief executive”.

Clause 119

To omit this clause (line 27 on page 58 to line 2 on page 59), and substitute the following clause:

119 Creation of computer register

- (1) This section applies to a commercial redress property to the extent that 1 or more allotments of the property are not included in a certificate of title or computer freehold register.
- (2) The Registrar-General must, on written application by a person authorised by the chief executive, comply with **subsection (3)**.
- (3) The Registrar-General must, in accordance with the application, create 1 or more computer freehold registers in the name of the Crown subject to, and together with, any encumbrances that are registrable or notifiable and that are described in the written application.
- (4) If, immediately before the creation of a computer freehold register, the allotments of the property are held for different purposes, the register may be created without a statement of purpose.
- (5) The Crown may grant a covenant to arrange for the later creation of 1 or more computer freehold registers for a property that is to be transferred to Te Uri o Hau governance entity.
- (6) Despite the Land Transfer Act 1952,—

- (a) the Crown may request the Registrar-General to register a covenant referred to in **subsection (5)** under the Land Transfer Act 1952 by creating a computer interest register; and
 - (b) the Registrar-General must register the covenant in accordance with **paragraph (a)**.
- (7) In this section, **allotment** has the same meaning as in section 2(1) of the Resource Management Act 1991.

Schedule 2

To omit the word “**Land**” from the heading to column 1 (line 27 on page 66, line 1 on page 67, and line 1 on page 68), and substitute the word “**Property**”. To omit the word “**Description**” from the heading to column 2 (line 27 on page 66, line 1 on page 67, and line 1 on page 68), and substitute the word “**Land description**”.

To omit from column 2 of the item relating to the Pukekaroro site the words “12.4700 hectares, more or less, being Sections 1, 2, and 3 SO 70762. Part *Gazette* Notice 764049.1, and Part Certificate of Title 1123/287” (lines 30 to 33 on page 66), and substitute the words “11.1700 hectares, more or less, being Section 1 SO 70762. Part Certificate of Title 1123/287. 1.3000 hectares, more or less, being Sections 2 and 3 SO 70762. Part *Gazette* Notice 764049.1”.

To omit from column 2 of the item relating to the Pukeareinga site the words “Part *Gazette* Notice 591553.1” (lines 38 and 39 on page 66), and substitute the words “Part Proclamation 5362”.

To omit from column 2 of the item relating to the First Whakahuranga Pa site the words “LT 211035. Part Certificate of title 111D/482” (lines 5 and 6 on page 67), and substitute the words “DP 211035. All Transfer D692397.5”.

To omit from column 3 of the item relating to the First Whakahuranga Pa site the words “shown marked H, I, V on DP 180722” (lines 12 to 14 on page 67), and substitute the words “specified in Easement Certificate D194200.1”.

To omit from column 3 of the item relating to the First Whakahuranga Pa site the expression “LT” (line 16 on page 67), and substitute the expression “DP”.

To omit from column 2 of the item relating to the Second Whakahuranga Pa site the words “LT 211035. Part Document K 29967” (lines 21 and 22 on page 67), and substitute the words “DP 211035. All Certificate of Title 139A/858”.

To omit from column 2 of the item relating to the Okahukura site the expression “2.0” (line 38 on page 67), and substitute the expression “2.0000”.

To insert in column 2 of the item relating to the Okahukura site, after the word “Section” (line 39 on page 67), the expression “1”.

To omit from column 2 of the item relating to the Part Humuhumu lake bed the words “Certificate of Title 428/225 (cancelled)” (lines 5 and 6 on page 68), and substitute the words “Transfer 507388”.

To omit from column 2 of the item relating to the Pouto Road end the words “approximately, being Part Pouto Block as defined on” (lines 12 to 14 on page 68), and substitute the words “more or less, being Section 1”.

To omit from column 2 of the item relating to the Pouto Road end the words “Subject to survey.” (lines 15 and 16 on page 68).

Schedule 11

To add to column 3 of the item relating to the Kaipara Harbour (line 16 on page 97) the words “Part New Zealand *Gazette* 1955 page 403”.

Explanatory note

This Supplementary Order Paper—

- contains a number of technical drafting amendments that take account of recent amendments in the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002; and
- further refines the technical descriptions of certain cultural redress properties and nohoanga sites.

Te Uri o Hau has agreed these changes.
