

1971/78



## THE MAORI LAND COURT RULES 1958, AMENDMENT NO. 2

ARTHUR PORRITT, Governor-General

### ORDER IN COUNCIL

At the Government Buildings at Wellington this 29th day of March 1971

Present:

THE RIGHT HON. SIR KEITH HOLYOAKE, G.C.M.G., C.H., PRESIDING IN  
COUNCIL

PURSUANT to the Maori Affairs Act 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following rules.

### RULES

**1. Title and commencement**—(1) These rules may be cited as the Maori Land Court Rules 1958, Amendment No. 2, and shall be read together with and deemed part of the Maori Land Court Rules 1958\* (hereinafter referred to as the principal rules).

(2) These rules shall come into force on the seventh day after the date of their notification in the *Gazette*.

**2. Alienation by vesting orders**—(1) Rule 93 of the principal rules is hereby amended by inserting in subclause (4), before the words "The applicant", the words "Except in the case of an application under subsection (4) of section 213 of the Act,".

(2) Notwithstanding anything contained in Form No. 157 in the First Schedule to the principal rules or in Part I of the Second Schedule to the principal rules, but subject to subclauses (2) to (6) of rule 132 of the principal rules, the fees payable on the filing of an application under section 213 of the Act shall be:

- (a) In respect of an application under subsection (4) of section 213 of the Act, the sum of \$2.00:
- (b) In any other case, the sum of \$2.00 for each separate interest in land referred to in the application.

**3. Assembled owners**—Rule 103 of the principal rules is hereby amended by revoking subclause (2), and substituting the following subclause:

\*S.R. 1958/162  
Amendment No. 1: S.R. 1969/144

- “(2) The applicant shall file with the application the following:
- “(a) Particulars of title in form 162:
- “(b) A list, in alphabetical order, of the names and shares of the present owners, together with the addresses of all such owners or of the trustees of those under disability.”

**4. Miscellaneous fees**—The Second Schedule to the principal rules is hereby amended by revoking Part II, and substituting the following Part:

“PART II—MISCELLANEOUS FEES

	\$
“Any certificate by a Judge, Commissioner, or Registrar .....	1.00
Issuing supplementary notice for setting down application (including cost of printing and distributing) .....	6.00
Transmitting case stated to Supreme Court .....	2.00
Typing copies of any record—50 cents, plus 25 cents per 100 words or part thereof for all words in excess of the first 200 words:	
Supplying the addresses of owners for the purposes of a meeting of owners—10 cents per address or a total fee of \$1.00, whichever is the greater.”	

P. J. BROOKS,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

*This note is not part of the rules, but is intended to indicate their general effect.*

These rules make several amendments to the Maori Land Court Rules 1958. Rule 2 amends rule 93 of the principal rules so as to remove the need to file copies of Government valuations with applications under subsection (4) of section 213 of the Act for vesting orders. Applications under that subsection relate to land held by persons, such as executors, in a representative capacity. The fee in respect of any such application is to be \$2. In the case of other applications under that section the fee is to be \$2 for each separate interest in land referred to in the application.

Rule 3 does away with the requirement that applicants for meetings of assembled owners must file full title searches, and replaces it with a requirement that such applicants must file particulars of title.

Rule 4 abolishes the fees for searching the Maori Land Court records, thus bringing the practice into line with the Land Transfer system. A new fee for supplying addresses of owners is prescribed.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 1 April 1971.

These rules are administered in the Maori and Island Affairs Department.