



THE MAORI LAND COURT RULES 1958, AMENDMENT NO. 5

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 24th day of May 1982

Present:

THE RIGHT HON. D. S. THOMSON PRESIDING IN COUNCIL

PURSUANT to sections 25 and 40 of the Maori Affairs Act 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council and with the concurrence of the Chief Judge and at least two of the other members of the Rules Committee, 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. 5, 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 1st day of June 1982.

2. New scale of fees substituted—(1) The principal rules are hereby amended by revoking the Second Schedule (as substituted by rule 2 (1) of the Maori Land Court Rules 1958, Amendment No. 3), and substituting the Second Schedule set out in the Schedule to these rules.

(2) The Maori Land Court Rules 1958, Amendment No. 3 are hereby revoked.

*S.R. 1958/162
 Amendment No. 1: S.R. 1969/144
 Amendment No. 2: S.R. 1971/78
 Amendment No. 3: S.R. 1976/273
 Amendment No. 4: S.R. 1977/140

SCHEDULE

Rule 2

NEW SECOND SCHEDULE SUBSTITUTED

"SECOND SCHEDULE

Rule 132

FEES

Fees Payable in Respect of Proceedings Set Out Below, Such Fees Being Payable Upon Filing of Application

NOTE—The references in the Third Column of this Schedule are references to the Maori Affairs Act 1953 or the Maori Affairs Amendment Act 1967, as the case may be.

<i>Nature of Proceedings</i>	<i>Section</i>	<i>Act</i>
A. For each of the following applications the fee shall be \$20		
Payment of money held in trust	32	1953
Appointment of trustee or new trustee	93 or 95	1953
Vesting interest of deceased person, not being a Maori or descendant of a Maori, in Maori freehold land	133 (4)	1953
Determination of persons legally entitled to succeed (any number of blocks or interests)	135	1953
Exchange of undivided beneficial freehold interest in land	187	1953
Vesting order for transfer of freehold interests, per block	213	1953
Vesting in successors without grant of administration	78A	1967
Vesting interests in administrator	81	1967
Vesting in persons beneficially entitled, interests held by administrator	81A	1967
Vesting in persons beneficially entitled, interests held in representative capacity	213A	1953
Appointment of committee of management or members thereof	52	1967
Vesting pieces of land in the aggregate of the owners thereof	434A	1953
Amalgamation of titles	435	1953
Revesting land acquired for a public work	436	1953
Vesting of interest for a dwelling site	440	1953
Appointment of new trustees	443	1953
Vesting on fulfilment of trust	444	1953
Registration of memorial of assignment under the Maori Vested Lands Administration Act 1954 or the Maori Reserved Land Act 1955	—	—
Any certificate, other than a certificate of confirmation, given by a Judge or Registrar	—	—
B. For each of the following applications the fee shall be \$100		
Easement	30 (1) (j)	1953
Appointment of receiver	33	1953

SECOND SCHEDULE—*continued*

<i>Nature of Proceedings</i>	<i>Section</i>	<i>Act</i>
Investigation of title... ..	161	1953
Partition	173 and 182	1953
Exchange of land (other than undivided interests)	187	1953
Confirmation	225	1953
Acceptance of surrender and grant of new lease ...	236	1953
Incorporation	29	1967
Amalgamation of incorporations	44	1967
Inclusion in incorporation of owners of additional land	45	1967
Winding up incorporation	65	1967
Summoning meeting of assembled owners ...	307	1953
(If the Court dismisses the application to summon the meeting, the applicant shall be entitled to a refund of \$70 of the fee on application in writing to the Registrar)		
Laying out roadway... ..	418 and 419	1953
Road or tramway for removal of timber... ..	442	1953
Issue of supplementary notice—Rule 21 (8) ...	—	—
C. For each of the following applications there shall be no fee		
Exemption from requirement to furnish special valuation	228	1953
Charging order for survey	411	1953
Recommendation for a Maori reservation ...	439	1953
Dismissal of appeal—Rule 138	—	—
D. For all other applications the fee shall be \$50		

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

The rules substitute a new and, in general, increased scale of fees payable in respect of various proceedings of the Maori Land Court.

The rules come into force on 1 June 1982.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 27 May 1982.

These rules are administered in the Department of Maori Affairs.