



**THE MAORI TRUST BOARDS REGULATIONS 1985,
AMENDMENT NO. 1**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 31st day of August 1987

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 56 of the Maori Trust Boards Act 1955, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Maori Trust Boards Regulations 1985, Amendment No. 1, and shall be read together with and deemed part of the Maori Trust Boards Regulations 1985* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of September 1987.

2. Two new regulations (relating to Te Runanga o Ngati Porou) inserted—The principal regulations are hereby amended by inserting, after regulation 5, the following regulations:

“5A. Majority of members of Te Runanga o Ngati Porou to be nga nohokainga—(1) In respect of each division of the beneficiaries of Te Runanga o Ngati Porou, at least 3 of the 5 members elected or appointed to represent that division shall be nga nohokainga.

“(2) For the purposes of giving full effect to **subclause (1)** of this regulation, the following provisions shall apply in respect of the election of members to represent any division of the beneficiaries:

“(a) Where no more than 5 qualified persons are duly nominated for election to represent that division, and the number so nominated includes at least 3 nga nohokainga, all persons so nominated for election shall be deemed to have been duly elected as members of the Board in accordance with their nominations:

“(b) Where no more than 5 qualified persons are duly nominated for election to represent that division, and the number so nominated includes less than 3 nga nohokainga and no more than 2 who are not nga nohokainga, all persons so nominated for election shall be deemed to have been duly elected as members of the Board in accordance with their nominations:

“(c) Where no more than 5 qualified persons are duly nominated for election to represent that division, and the number so elected includes at least 3 who are not nga nohokainga,—

“(i) Those who are nga nohokainga shall be deemed to have been duly elected as members of the Board in accordance with their nominations; and

“(ii) An election shall be held between those who are not nga nohokainga, and, of those, the 2 who receive the highest number of valid votes shall be deemed to be elected:

“(d) Where more than 5 qualified persons are duly nominated for election to represent that division, and the number so nominated includes no more than 3 nga nohokainga,—

“(i) Those who are nga nohokainga shall be deemed to have been duly elected as members of the Board in accordance with their nominations; and

“(ii) An election shall be held between those who are not nga nohokainga, and, of those, the 2 who receive the highest number of valid votes shall be deemed to be elected:

“(e) Where more than 5 qualified persons are duly nominated for election to represent that division, and the number so nominated includes more than 3 nga nohokainga, an election shall be held and the following persons shall be deemed to be elected:

“(i) The 3 persons who, as between those who are nga nohokainga, receive the highest number of valid votes; and

“(ii) The 2 persons (whether they are or are not nga nohokainga) who, as between the candidates who are not deemed to be elected under subparagraph (i) of this paragraph, receive the highest number of valid votes.

“(3) In this regulation ‘nga nohokainga’, in relation to any division of the beneficiaries of Te Runanga o Ngati Porou, means beneficiaries who are resident in the area to which that division relates.

“5B. **Manner of elections for membership of Te Runanga o Ngati Porou**—(1) Where, in accordance with section 48 (1) of the Act, an election or elections to membership of Te Runanga o Ngati Porou is or are necessary, the succeeding provisions of this regulation shall apply.

“(2) No vote may be cast otherwise than in person at hui pooti called for the purposes of and in accordance with the provisions of this regulation.

“(3) Hui pooti may be held separately or in conjunction with any other hui, such as the Ngati Porou Festival.

“(4) Hui pooti for each division of the beneficiaries may be held conjointly or separately.

“(5) The date and venue of any hui pooti shall be determined by Te Runanga, and the Secretary of Te Runanga shall, at least 2 months before the date fixed for the hui pooti, post to each beneficiary shown on the roll of beneficiaries as entitled to vote at the election written notice of the date and venue of the hui pooti, and a list of the candidates for election.

“(6) For the purposes of any such election, the Minister shall appoint a Returning Officer, and may appoint any number of Assistant Returning Officers.

“(7) The Returning Officer shall, either personally or through any Assistant Returning Officer, ensure that appropriate facilities are available at any hui pooti to enable each elector to cast his or her vote in secret, and every qualified elector who is present at the hui pooti shall be given a reasonable opportunity to do so.

“(8) When the Returning Officer or (if the Returning Officer is not present, an Assistant Returning Officer) is satisfied that every qualified elector who is present at the hui pooti has had a reasonable opportunity to cast his or her vote, the officer shall declare the poll closed.

“(9) When a poll has been declared closed, the Returning Officer, either personally or through any Assistant Returning Officer, shall take possession of the ballot papers, count the votes validly cast for each candidate, and communicate the results to the Secretary of Te Runanga.”

3. First Schedule amended—The First Schedule to the principal regulations is hereby amended by inserting, after the item relating to the Tauranga Moana Maori Trust Board, the following item:

“Te Runanga o Ngati Porou 20”.

4. Second Schedule amended—The Second Schedule to the principal regulations is hereby amended by inserting, after the item relating to the Taranaki Maori Trust Board, the item set out in the Schedule to these regulations.

SCHEDULE

Reg. 4

NEW ITEM INSERTED IN SECOND SCHEDULE TO PRINCIPAL REGULATIONS

<i>Name of Board</i>	<i>Number of Representatives of Specific Sections or Divisions</i>	<i>Specific Sections or Divisions Represented</i>
Te Runanga o Ngati Porou	5	The Potikirua ki Waiapu division, comprising all beneficiaries who are members of hapu whose affiliations are principally located in the district of Potikirua, Wharekahika, Kawakawa, Waiapu, and Mangaoporo.
	5	The Pohautea ki Tawhiti division, comprising all beneficiaries who are members of hapu whose affiliations are principally located in the district of Tikapa, Ruatoria, Reporua, Whareponga, and Waipiro Bay.
	5	The Tawhiti ki Rototahe division, comprising all beneficiaries who are members of hapu whose affiliations are principally located in the district of Te Puia, Tokomaru Bay, Mangatuna, and Uawa.
	5	The Rototahe ki Toka-a-Taiiau division, comprising all beneficiaries who are members of hapu whose affiliations are principally located in the district of Whangara, Waimata, Wainui, and Kaiti.

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

EXPLANATORY NOTE

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

These regulations amend the Maori Trust Boards Regulations 1985, consequential upon the enactment of the Te Runanga o Ngati Porou Act 1987.

Regulation 2 inserts 2 new regulations which make special provision for elections of members of Te Runanga. *Regulation 5A* ensures that at least 3 of the 5 representatives of each division of the beneficiaries are nga nohokainga (beneficiaries who are resident in the area to which the division relates), as required by section 5 of the Act. *Regulation 5B* prescribes the method of voting. In the case of other Maori Trust Boards, elections are conducted by postal voting. However, under this regulation elections are to be conducted at hui pooti, and electors are required to vote in person.

Regulation 3 fixes the number of members of Te Runanga at 20, and *regulation 4* provides for 4 divisions of the beneficiaries, each with 5 representatives.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 3 September 1987.

These regulations are administered in the Department of Maori Affairs.