



THE TAITOKERAU MAORI TRUST BOARD REGULATIONS
1955

C. W. M. NORRIE, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 20th day of July 1955

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 28 of the Maori Purposes Act 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Taitokerau Maori Trust Board Regulations 1955.

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

2. In these regulations, unless the context otherwise requires,—

“Board” means the Taitokerau Maori Trust Board constituted by these regulations:

“Minister” means the Minister of Maori Affairs:

“Registrar” means the Registrar for the time being of the Maori Land Court for the Tokerau District:

“Secretary” means the Secretary of the Board appointed under regulation 19 hereof:

“Taitokerau District” means that part of New Zealand comprised in the seven Tribal Divisions described in the First Schedule hereto:

“Tribal Division” means one of the Tribal Divisions described in the First Schedule hereto.

TAITOKERAU MAORI TRUST BOARD

3. There is hereby constituted a Board to be called the Taitokerau Maori Trust Board.

4. (1) The Board shall consist of seven members, to be appointed from time to time by the Governor-General in Council on the recommendation of the Minister.

(2) In making any recommendation under subclause (1) of this regulation, the Minister shall have regard to, but shall not be bound by, any nominations that may be made and submitted to him in terms of these regulations.

5. Each member shall represent one of the seven Tribal Divisions described in the First Schedule hereto.

6. (1) Except in the case of an extraordinary vacancy, every member of the Board shall be appointed for a term of three years from the date of his appointment.

(2) Every member shall be eligible for reappointment.

(3) Notwithstanding anything to the contrary in these regulations, every member, unless he sooner vacates his office, shall continue to hold office until his successor comes into office.

7. (1) Any member of the Board may at any time be removed from office by the Governor-General in Council for inefficiency, disability, insolvency, neglect of duty, or misconduct proved to the satisfaction of the Governor-General in Council, or may at any time resign his office by writing addressed to the Minister.

(2) If any member dies, or resigns, or is removed from office, his office shall become vacant, and the vacancy shall be deemed to be an extraordinary vacancy.

(3) In the case of an extraordinary vacancy the Governor-General in Council may appoint some qualified person to be a member of the Board for the residue of the term for which the vacating member was appointed. Every such appointment shall be made in the same manner as the appointment of the vacating member:

Provided that a member appointed under this subclause shall not be elected for nomination in the manner provided in these regulations for the filling of vacancies caused by the expiry of the term of office of members.

(4) No act or proceeding of the Board or of any committee of the Board appointed in terms of regulation 18 hereof or of any person acting as a member of the Board shall be invalidated in consequence of there being a vacancy in the membership of the Board at the time of any such act or proceeding or of the subsequent discovery that there was some defect in the appointment of any person so acting, or that he was incapable of being a member.

ROLL OF ELECTORS

8. (1) It shall be the duty of the Board to compile or have compiled a roll of electors in manner prescribed by these regulations, being a roll of the names and addresses of the adult members of the Maori tribes known at Ngati Whatua, Ngapuhi, Te Rarawa, Ngati Kahu, and Te Aupouri, residing in the Taitokerau District.

(2) The roll of electors shall show, in any manner which to the Board may seem fit, the Tribal Division in which each of the electors resides.

9. (1) For the purpose of compiling the roll of electors referred to in regulation 8 hereof, the Board shall prepare a form of application for inclusion in the roll of electors.

(2) Printed copies of the form of application aforesaid shall be distributed by the Board to Tribal Executives and Tribal Committees, constituted under the Maori Social and Economic Advancement Act 1945, in the Taitokerau District, and to any other persons and in such manner as to the Board may seem fit.

10. (1) The Board shall, by public advertisement and in any other manner it thinks fit, invite applications from adult members of the Maori tribes referred to in regulation 8 hereof residing in the Taitokerau District for inclusion in the roll of electors and only those persons who make application accordingly shall be entitled to have their names entered upon the roll of electors.

(2) The Board shall have exclusive power to determine whether any person making application is in fact entitled to be included in the roll of electors and may reject the application of any person who, in its opinion, is not entitled to be included as aforesaid.

11. (1) It shall be the duty of the Board to see that the roll of electors is at all times complete in accordance with the information available to the Board, and it shall be the duty of the Secretary to place thereon the name of every person who has made application in terms of subclause (1) of regulation 10 hereof, and of whose qualification as an elector in terms of regulation 8 hereof the Board is satisfied, and to omit therefrom the name of any elector who, in the opinion of the Board, is no longer entitled to have his name included in the roll of electors.

(2) The Secretary is hereby empowered to make all necessary alterations in the names, addresses, and other particulars appearing in the roll of electors of which he has been advised.

ELECTION OF MEMBERS

12. (1) Not later than five months before the day on which the term of office of the members for the time being in office expires, the Secretary shall cause notice to be given of the fact that nominations are called for membership of the Board for the ensuing term, the method of lodging a nomination, the date on which nominations close, and the date upon which the roll of electors shall close under subclause (3) of this regulation.

(2) Any such public notice shall be given in the following manner:

- (a) By newspaper advertisement in at least two newspapers published in any city or town in the Taitokerau District; and
- (b) By notice in writing to all Tribal Executives and Tribal Committees constituted under the Maori Social and Economic Advancement Act 1945, in the Taitokerau District.

(3) Any such public notice shall give notice of the fact that in the event of more than one candidate being nominated to represent any Tribal Division, the roll of electors shall be closed on a date not later than one month after the closing of nominations, and after that date no names shall be added to the roll of electors until after the election of the member to represent that Tribal Division.

13. (1) The nomination of every candidate for appointment as a member shall be in writing signed by not less than two persons residing in the Tribal Division which he proposes to represent.

(2) Every person nominated as a candidate and every person nominating a candidate must be on the roll of electors.

(3) The consent of every candidate shall be endorsed on the nomination paper, or otherwise notified to the Board.

(4) Nominations shall be lodged with the Secretary not later than three months before the day on which the term of office of the members for the time being expires.

(5) If any candidate is nominated to represent more than one Tribal Division, he shall, by notice in writing to the Secretary, elect which one of those Tribal Divisions he intends to represent, and he shall withdraw his nomination in respect of the other or others.

(6) A candidate may at any time by notice to the Board withdraw his nomination.

(7) A nomination paper shall be in the form set out in the Second Schedule hereto.

14. (1) If more than one candidate is nominated to represent any Tribal Division, the Secretary shall, not later than one month after the date of the closing of nominations, transmit by post to each of the electors who, according to the roll of electors, resides in that Tribal Division, a ballot paper, which shall be in the form set out in the Third Schedule hereto, setting out the full name of each such candidate and the date by which the ballot paper shall be returned as provided in subclause (3) of this regulation.

(2) Every ballot paper transmitted by the Secretary under subclause (1) of this regulation shall be accompanied by an envelope, addressed to the Registrar, for the return of the completed ballot paper in accordance with subclause (3) of this regulation.

(3) All ballot papers shall be forwarded by the electors to the Registrar so as to reach him not later than seven weeks after the date of the closing of nominations, and any ballot paper received by the Registrar after that date shall be invalid.

(4) The Registrar shall, within seven days after the closing of the ballot, notify the Secretary in writing of the result of every ballot conducted under this regulation, and the candidate receiving the majority of the valid votes cast shall be deemed to be the candidate nominated as the representative of the Tribal Division in respect of which he has sought appointment.

15. The Secretary shall forward a list of the names of the candidates nominated for the several Tribal Divisions in accordance with regulations 13 and 14 hereof to the Secretary for Maori Affairs so as to reach the Secretary for Maori Affairs not later than twenty-one days before the day on which the term of office of the members for the time being shall expire.

MEETINGS

16. (1) At the first meeting of the Board after the coming into force of these regulations and at the first meeting of the Board held in each succeeding year, the Board shall appoint a Chairman and a Deputy Chairman.

(2) Any person appointed as the Chairman or Deputy Chairman shall hold office, while he continues to be a member of the Board, until the appointment of his successor in accordance with these regulations, and may be reappointed.

17. (1) The first meeting of the Board shall be held on a day to be appointed in that behalf by the Minister.

(2) Subsequent meetings of the Board shall be held at such times and places as the Board from time to time appoints.

(3) The Minister, or the Chairman of the Board, or any five members thereof may at any time call a special meeting of the Board.

(4) At all meetings of the Board four members shall form a quorum and no business shall be transacted at any meeting of the Board unless a quorum is present.

(5) The Chairman shall preside at all meetings of the Board at which he is present.

(6) In the absence of the Chairman from any meeting of the Board the Deputy Chairman, if present, shall preside. In the absence from any meeting of both the Chairman and the Deputy Chairman, the members present shall appoint one of their number to preside at that meeting.

(7) All questions before the Board shall be decided by a majority of the valid votes recorded thereon.

(8) At any meeting of the Board the person presiding shall have a deliberative vote, and, in the case of an equality of votes, shall also have a casting vote.

(9) Subject to the provisions of these regulations the Board may regulate its procedure in such manner as it thinks fit.

COMMITTEES

18. (1) The Board may from time to time appoint a committee or committees, consisting of two or more members of the Board and may delegate to any such committee any of the powers or duties of the Board, except the power of delegation conferred by this regulation and the powers conferred by regulations 19 and 26 hereof:

Provided that no such committee shall have power to make any grant or approve any expenditure in any one case in excess of £20.

(2) Any delegation under this regulation may be at any time revoked in whole or in part, by the Board.

(3) The delegation by the Board of any of its powers shall not prevent the exercise of those powers by the Board itself.

OFFICERS OF THE BOARD

19. (1) The Board may from time to time, subject to the approval of the Minister, appoint a fit and proper person, who may be a member of the Board, to act as Secretary of the Board, and, with the like approval, may at any time remove the Secretary from office.

(2) The Secretary shall have all such powers and duties as the Board from time to time determines, and he shall at all times conform to the directions of the Board.

(3) The Board may from time to time appoint such other officers and workmen as it may think necessary or expedient, and may from time to time dismiss any such officer or workman.

(4) All employees of the Board shall be paid such salaries, wages, or allowances, as the Board from time to time determines:

Provided that the rate of remuneration of the Secretary shall be fixed only with the prior approval of the Minister.

FUNCTIONS AND POWERS OF THE BOARD

20. (1) The functions of the Board shall be to administer the funds held by the Board in accordance with the provisions of section 28 of the Maori Purposes Act 1953.

(2) The Board shall have the power to determine finally whether any person or any group or class of person or persons is a member or are members of the Maori tribes referred to in regulation 8 hereof.

(3) In the exercise of its functions the Board may, in its discretion, provide out of the funds held by it, money for the benefit or advancement in life of any specific member or of any group or class of members of the Maori tribes aforesaid.

(4) Without limiting the general provisions hereinafter contained, it is hereby declared that the Board may from time to time apply money out of the funds held by it for the general benefit of members of the Maori tribes aforesaid, towards all or any of the following purposes:

(a) The promotion of health:

(i) By installing or making grants or loans towards the cost of installing water supplies, sanitation works, and drainage in Maori settlements;

(ii) By promoting, carrying out, or subsidizing housing schemes, or by making grants or loans for any such schemes;

(iii) By providing, subsidizing, or making grants for medical, nursing, or dental services.

(b) The promotion of social and economic welfare:

(i) By making grants or loans for the relief of indigence or distress, or for the discharge of debts or liabilities;

(ii) By developing, subsidizing, or making grants or loans for farming or other industries;

(iii) By making grants or loans towards the cost of the construction, establishment, management, maintenance, repair, or improvement of Maori meeting houses, villages, marae, or cemeteries.

(c) The promotion of education:

(i) By assisting in the establishment of schools and in the equipping, managing, and conducting of schools; making grants of money, equipment, or material to schools or other educational institutions; or making grants to funds established or bodies formed for the promotion of the education of Maoris;

(ii) By providing scholarships, exhibitions, bursaries, and other similar means to enable individuals to secure the benefits of education, or by making grants to Education Boards or other educational bodies for scholarships, exhibitions or bursaries;

(iii) By providing books, clothing, or other equipment for the holders of scholarships or other individuals, or making grants for those purposes; or making grants generally for the purpose of assisting the parents or guardians of children to provide for their education;

(iv) By providing, maintaining, or contributing towards the cost of residential accommodation for children in relation to their education.

- (d) The performance of tribal obligations by making payments or gifts to tribes or sub-tribes, whether residing within the Taitokerau District or not, on occasions when it is proper, according to Maori custom and usage, to make any such payments or gifts.
- (e) Such other or additional purposes as the Board, with the approval of the Minister, from time to time determines.

FINANCIAL PROVISIONS

21. (1) As soon as practicable after the Board commences to function, the sum of £46,000 out of the funds held by it shall be invested by the Board in any manner authorized by or under the Trustee Act 1908 or any other Act for the investment of trust funds.

(2) With the precedent consent in writing of the Minister, but not otherwise, any investment made by the Board pursuant to subclause (1) of this regulation may at any time be converted into money to be used by the Board for any purpose approved by the Minister.

22. All money held by the Board shall be paid into an account, to be called the Taitokerau Maori Trust Account, at a branch of any trading bank approved by the Minister.

23. No money shall be withdrawn from the Taitokerau Maori Trust Account except by the authority of the Board and by cheque signed by two members thereof:

Provided that the Minister may, if he thinks fit, require that all cheques shall be countersigned by a person from time to time appointed by him.

24. (1) The Board shall in each year in the month of April, or as soon as practicable thereafter, furnish to the Minister a statement showing in such detailed form as the Minister requires the estimated receipts and the proposed payments of the Board for the financial year ending on the 31st day of March next following.

(2) The Minister may, in his discretion, refuse to approve any proposed payments shown in any such statement or any other payments proposed by the Board, or may grant his approval in any case either unconditionally or upon or subject to such conditions as he thinks fit.

(3) Notwithstanding anything to the contrary in these regulations, the Board shall not expend any money or incur any liability for expenditure except in accordance with the statement of proposed payments duly approved by the Minister under subclause (2) of this regulation or otherwise with his precedent approval.

25. (1) The Board shall cause books to be provided and kept and true and regular accounts to be entered therein of all money received into and paid out of the Taitokerau Maori Trust Account, and of the several purposes for which that money has been received and paid.

(2) Any member or any duly authorized officer of the Board or any person duly authorized in that behalf by the Minister, may at all reasonable times inspect the books and take copies of or extracts from them free of charge.

(3) The books and accounts shall be kept in such a manner as may be prescribed by the Minister.

26. (1) At the end of each financial year the Board shall cause to be prepared and sent to the Audit Office a balance sheet showing the assets and liabilities of the Board, and a statement of receipts and payments together with such other statements of account as may be necessary to show fully the financial position of the Board and its financial operations during that year.

(2) The balance sheet, account, and statements shall be audited by the Audit Office, which for that purpose shall have and may exercise all such powers as it has under the Public Revenues Act 1953 in respect of public money and public stores and the audit of local authorities' accounts.

(3) A copy of the balance sheet, account, and statements shall, when duly audited, be submitted by the Board to the Minister, together with a report as to the operations of the Board for that financial year.

SEAL OF THE BOARD

27. The seal of the Board shall be such as the Board, with the approval of the Minister, determines, and shall be kept in the custody of the Secretary or some other person appointed by the Board for the purpose.

28. The seal of the Board shall not be affixed to any instrument except by the authority of a resolution of the Board and in the presence of three members of the Board, or of the Secretary and two members of the Board, all of whom shall attest the sealing of the instrument.

MINUTE BOOK

29. The Board shall cause to be kept a proper minute book in which shall be recorded minutes of all resolutions and all proceedings at all meetings of the Board.

CONTRACTS

30. (1) Any contract which, if made between private persons, must be by deed shall, if made by the Board, be in writing under the seal of the Board.

(2) Any contract which, if made between private persons, must be in writing signed by the parties to be charged therewith shall, if made by the Board, be in writing signed by any member or the Secretary of the Board on behalf of and by direction of the Board.

(3) Any contract which, if made between private persons, may be made orally, may be similarly made by or on behalf of the Board by any member or the Secretary acting by direction of the Board, but no oral contract shall be made for any sum exceeding £20.

(4) Notwithstanding anything to the contrary in the foregoing provisions of this regulation, no contract made by or on behalf of the Board shall be invalid by reason only that it was not made in manner provided by this regulation, if it was made pursuant to a resolution of the Board or to give effect to a resolution of the Board.

31. No member of the Board shall be personally liable for any act or default done or made by the Board or by any member thereof in good faith in the course of the operations of the Board.

TRAVELLING EXPENSES

32. (1) The Board is hereby declared to be a statutory Board within the meaning of the Fees and Travelling Allowances Act 1951.

(2) The Board shall pay to its members remuneration by way of fees, salary, or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly.

SCHEDULES

FIRST SCHEDULE

Reg 2

TRIBAL DIVISIONS OF THE TAITOKERAU DISTRICT

Tribal Division No. 1 (Te Aupouri and Rarawa)

All land (including boroughs and town districts within the said boundaries or adjoining the said boundaries) within the boundaries of the following:

The Houhora, Kaitaia, Ahipara, and Herekino Ridings of the County of Mangonui.

The Whangape, Motukaraka, Kohukohu, and Mangamuka Ridings of the County of Hokianga.

Tribal Division No. 2 (Ngatikahu)

All land (including boroughs and town districts within the said boundaries or adjoining the said boundaries) within the boundaries of the following:

The Awanui, Victoria Valley, Oturu, and Mangonui Ridings of the County of Mangonui.

Tribal Division No. 3 (Ngapuhi ki Whangaroa)

All land (including boroughs and town districts within the said boundaries or adjoining the said boundaries) within the boundaries of the following:

The County of Whangaroa.

The Waihou Riding of the County of Hokianga.

Tribal Division No. 4 (Ngapuhi ki Waimate)

All land (including boroughs and town districts within the said boundaries or adjoining the said boundaries) within the boundaries of the following:

The Kerikeri, Okaihau, and Waimate Ridings of the County of Bay of Islands.

Tribal Division No. 5 (Ngapuhi Taumarere ki Hokianga Tonga)

All land (including boroughs and town districts within the said boundaries or adjoining the said boundaries) within the boundaries of the following:

The Horeke, Taheke, Rawene, and Omapere Ridings of the County of Hokianga.

The Pakaraka, Mataraua, Tautoro, Kawakawa, Russell, and Towai Ridings of the County of Bay of Islands.

Tribal Division No. 6 (Ngapuhi ki Whangarei)

All land (including boroughs and town districts within the said boundaries or adjoining the said boundaries) within the boundaries of the following:

The County of Whangarei.

The Tangiteroria, Maungaru, and Omana Ridings of the County of Hobson.

Tribal Division No. 7 (Ngatiwhatua and Uriohau)

All land (including boroughs and town districts within the said boundaries or adjoining the said boundaries) within the boundaries of the following:

The Waipoua, Tutamoe, Kaihu, Awakino, Tangowahine, Arapohue, Aratapu, Okahu, and Kopuru Ridings of the County of Hobson.

The County of Otamatea.

The County of Rodney.

The County of Waitemata.

The City of Auckland.

SECOND SCHEDULE

Reg. 13 (7)

THE TAITOKERAU MAORI TRUST BOARD

Nomination Paper

To the Secretary,
Taitokerau Maori Trust Board,

WE, the undersigned, being members of the Tribe residing in the Tribal Division, hereby nominate as a candidate for appointment as a member to represent the said Tribal Division on the Board.

Dated at this day of 19.....

Signature:.....

Address:.....

Witness:.....

Signature:.....

Address:.....

Witness:.....

I, the said, being a member of the Tribe residing in the said Tribal Division, hereby consent to the above nomination.

Signature of nominee:.....

Address:.....

Witness:.....

THIRD SCHEDULE

Reg. 14 (1)

THE TAITOKERAU MAORI TRUST BOARD

Election of Candidates for Membership of the Board.

BALLOT PAPER

THE following persons have been nominated to represent the
Tribal Division:

A. B.
C. D.
E. F.

Electors desiring to record their votes must cross out the name(s) of the candidate(s) for whom they do NOT wish to vote, leaving only the name of the candidate for whom they wish to vote. This paper must be completed and forwarded to:

The Registrar,
Maori Land Court,
(Whangarei)

.....
to reach him not later than the day of 19.....

To be filled in by voter:

My full name as shown on the roll of electors is

My usual place of residence is

My age is years months.

Signature of voter:.....

T. J. SHERRARD,
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 constitute the Taitokerau Maori Trust Board and prescribe its powers and functions.

The Board will administer the money awarded in respect of certain claims by North Auckland Maori tribes.

Provision is made for the election of persons to be nominated for membership of the Board and for other necessary matters in relation to the administration of the Board's affairs.

The functions, powers, and duties of the Board are similar to those conferred and imposed on other Boards of a similar nature.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 July 1955.

These regulations are administered in the Department of Maori Affairs.