



TE RUNANGA O NGĀTI AWA ORDER 1999

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 22nd day of November 1999

Present:

THE RIGHT HON WYATT CREECH PRESIDING IN COUNCIL

WHEREAS—

- A. The Te Runanga o Ngati Awa Act 1988—
- (a) Constitutes a body corporate to be known as the Te Runanga o Ngati Awa (“the Runanga”); and
 - (b) Provides—
 - (i) That the Runanga is a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955 (“the Act”); and
 - (ii) That, subject to the provisions of the Te Runanga o Ngati Awa Act 1988, the provisions of the Act apply accordingly:
- B. In June 1997, the Runanga gave public notice to all hapu and marae of Ngāti Awa calling for hui to nominate representatives for membership of the Runanga as the term of incumbent members was due to expire in December 1997:
- C. As each hapu division nominated only 1 person for membership of the Runanga, a full election process was not required by virtue of section 48 of the Act:
- D. However, despite the provisions of the Act,—
- (a) The public notice calling for nominations was not in the form prescribed in the Fourth Schedule of the Maori Trust Boards Regulations 1985 (“the regulations”); and

- (b) The nomination forms for the divisions of the Runanga were not in the form prescribed in the Sixth Schedule of the regulations; and
- (c) Certain divisions of the Runanga did not notify the Runanga of their nominee within the time specified in section 47 of the Act; and
- (d) The Secretary of the Runanga did not forward to the chief executive of the Ministry of Māori Development the names of the persons deemed to have been elected by virtue of section 48 (2) of the Act, as required by section 49 of the Act:

NOW THEREFORE, PURSUANT to section 55 of the Maori Trust Boards Act 1955, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

ANALYSIS

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| 1. Title and commencement | | 2. Election irregularities validated |
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ORDER

1. Title and commencement—(1) This order may be cited as the *Te Runanga o Ngāti Awa Order 1999*.

(2) This order comes into force on the day after the date of its notification in the *Gazette*.

2. Election irregularities validated—The election by beneficiaries of members of the Runanga, which was conducted in 1997 for terms beginning in December 1997, is declared to be and always to have been valid even though—

- (a) The public notice calling for nominations was not in the form prescribed in the Fourth Schedule of the regulations; and
- (b) The nomination forms for the divisions of the Runanga were not in the form prescribed in the Sixth Schedule of the regulations; and
- (c) Not all divisions of the Runanga notified the Runanga of their nominee within the time specified in section 47 of the Act; and
- (d) The Secretary of the Runanga did not forward to the chief executive of the Ministry of Māori Development the names of the persons deemed to have been elected, as required by section 49 of the Act.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on the day after the date of its notification in the *Gazette*, validates the 1997 election by beneficiaries of members of Te Runanga o Ngāti Awa.

The order is necessary because of irregularities involving the failure to comply with certain prescribed forms and notice requirements in the Maori Trust Boards Act 1955 and the Maori Trust Boards Regulations 1985. A full election process was not required (by virtue of section 48 (2) of that Act) as the number of persons nominated for election to represent each division of the beneficiaries did not exceed the number of appointments to be made in respect of each division.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 25 November 1999.
This order is administered in Te Puni Kokiri.