



TE RUNANGA O NGATI POROU ORDER 1993

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 3rd day of November 1993

Present:

THE RIGHT HON. J. B. BOLGER PRESIDING IN COUNCIL

WHEREAS, by virtue of certain provisions of the Maori Trust Boards Act 1955, an election of members of Te Runanga o Ngati Porou (as constituted by section 3 of Te Runanga o Ngati Porou Act 1987) should have been held in 1992, but was not held until 1993:

And whereas, for the purpose of an election of members of Te Runanga o Ngati Porou, hui pooti were held, as required by subclause (2) of regulation 5B of the Maori Trust Boards Regulations 1985, during the period from the 10th to the 16th day of April 1993:

And whereas, by virtue of subclause (5) of that regulation, the Secretary of Te Runanga o Ngati Porou was required, at least 2 months before the date fixed for the hui pooti, to 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: And whereas that notice and that list were posted to those beneficiaries less than 2 months before the date fixed for the hui pooti:

And whereas it is desirable to validate the election of members held at the hui pooti notwithstanding that the hui pooti were held in 1993 and that the notice of the date and venue of the hui pooti and the list of candidates for election were posted after the time at which they were required to be posted:

And whereas it was not possible at the election of members held at the hui pooti held in 1993 to elect, as representatives of the Rototahe ki Toka-a-Taiau division, at least 3 representatives who were nga nohokainga as only 2 of the qualified persons who were duly nominated were nga nohokainga:

And whereas section 5 of Te Runanga o Ngati Porou Act 1987 requires that a majority of the representatives of each division be nga nohokainga:

And whereas it is necessary to elect, as an additional representative of the Rototahe ki Toka-a-Taiau division, a qualified person who is nga nohokainga:

And whereas sufficient provision is not made by or under Part III of the Maori Trust Boards Act 1955 or the Maori Trust Boards Regulations 1985, for the electing of that additional representative:

And whereas it is desirable to provide for the election of that additional representative:

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

ORDER

1. Title and commencement—(1) This order may be cited as Te Runanga o Ngati Porou Order 1993.

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

2. Interpretation—In this order, unless the context otherwise requires,—

“Te Runanga” means Te Runanga o Ngati Porou constituted by section 3 of the Te Runanga o Ngati Porou Act 1987:

“the Act” means the Maori Trust Boards Act 1955:

“the Regulations” means the Maori Trust Boards Regulations 1985:

“Nga nohokainga”, in relation to any division of beneficiaries of Te Runanga, means beneficiaries who are resident in the area to which that division relates.

3. Election validated notwithstanding late election and late notice—The election of members of Te Runanga held at hui pooti during the period commencing with the 10th day and ending with the 16th day of April 1993 is hereby declared to have been and to have always been valid notwithstanding that the election was required, in accordance with the provisions of the Act, to be held in 1992 and that the notice of the date and venue of the hui pooti and the list of candidates were posted later than the date required by regulation 5B (5) of the Regulations.

4. Election of additional representative of Rototahe ki Toka-a-Taiau division—Te Runanga shall conduct an election in accordance with the following provisions:

- (a) The Secretary of Te Runanga shall, not later than one month after the date of the commencement of this order, cause public notice to be given to the beneficiaries of the Rototahe ki Toka-a-Taiau division of Te Runanga of the fact that nominations are called for

the election to membership of Te Runanga of an additional nga nohokainga representative of the Rototahe ki Toka-a-Taiau division for a 3 year term, the method of lodging nominations, and the latest date, as fixed by paragraph (b) of this clause, by which nominations must be lodged with the Secretary of Te Runanga:

- (b) Nominations shall be lodged with the Secretary of Te Runanga not later than 2 months after the date of the commencement of this order:
- (c) Where an election is required, Te Runanga shall, not later than 1 month after the latest date fixed by paragraph (b) of this clause for the lodging of nominations, determine the date and venue of the hui pooti, 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:
- (d) Subject to the preceding provisions of this clause, the provisions of the Act and the Regulations shall apply to and in respect of the election.

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—

- (a) Validates certain irregularities in the election of members of the Maori Trust Board known as Te Runanga o Ngati Porou; and
- (b) Makes provision for the election of an additional representative of the Rototahe ki Toka-a-Taiau division of Te Runanga o Ngati Porou (which provision is necessary because an insufficient number of nga nohokainga candidates from that division were nominated at the election).

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 5 November 1993.

This order is administered in the Ministry of Maori Development.