



# Whanganui River Maori Trust Board Order 2001

Silvia Cartwright, Governor-General

## Order in Council

At Wellington this 10th day of September 2001

Present:

Her Excellency the Governor-General in Council

Pursuant to sections 55 and 56 of the Maori Trust Boards Act 1955, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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## Order

### 1 Title

This order is the Whanganui River Maori Trust Board Order 2001.

### 2 Commencement

This order commences on the day after the date of its notification in the *Gazette*.

**3 Interpretation**

In this order,—

**Act** means the Maori Trust Boards Act 1955

**Trust Board** means the Whanganui River Maori Trust Board.

**4 Background**

- (1) The Trust Board is constituted by the Whanganui River Trust Board Act 1988 and is a Maori Trust Board under the Act.
- (2) The Trust Board held an election for membership of the Trust Board in September 2000; however, in conducting that election the Trust Board failed—
  - (a) to give public notice inviting nominations for election within the period specified in section 46(1) of the Act; and
  - (b) to fix a final date for receipt of nominations that complied with section 47(3) of the Act.
- (3) At the election referred to in subclause (2), members were elected to represent specific divisions of beneficiaries of the Trust Board; however, an election of members to represent specific divisions of beneficiaries of the Trust Board was not authorised by the Act or the Maori Trust Boards Regulations 1985.

**5 Validation**

The election for membership of the Trust Board held in September 2000 is valid and has always been valid despite—

- (a) the failures specified in clause 4(2); and
- (b) the lack of authority specified in clause 4(3).

**6 Maori Trust Boards Regulations amended**

The Second Schedule of the Maori Trust Boards Regulations 1985 (SR 1985/258) is amended by adding the following item:

Whanganui River Maori Trust Board	3	The Tamaupoko division comprising beneficiaries who reside anywhere and whakapapa to Tamaupoko.
	3	The Hinengakau division comprising beneficiaries who reside anywhere and whakapapa to Hinengakau.
	3	The Tupoho division comprising beneficiaries who reside anywhere and whakapapa to Tupoho.

Marie Shroff,  
Clerk of the Executive Council.

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### **Explanatory note**

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

This order, which comes into force the day after the date of its notification in the *Gazette*, validates the election in September 2000 of members of divisions of beneficiaries of the Whanganui River Maori Trust Board even though the Trust Board—

- failed to comply with timing requirements in seeking and receiving nominations for membership; and
- lacked authority to elect members to represent specific divisions of beneficiaries of the Trust Board.

The Maori Trust Boards Regulations 1985 are amended to authorise, in future, the Trust Board to elect members to represent specific divisions of beneficiaries of the Trust Board.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 13 September 2001.  
This order is administered in Te Puni Kokiri.

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