

Reprint
as at 1 November 2008

**New Zealand Geographic Board
Act 1946**

Public Act 1946 No 3
Date of assent 9 August 1946

New Zealand Geographic Board Act 1946: repealed, on 1 November 2008, by section 37 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 (2008 No 30).

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

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An Act to make better provision for the naming of places in New Zealand, and to establish the New Zealand Geographic Board

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

- 1 Short Title**
This Act may be cited as the New Zealand Geographic Board Act 1946.
- 2 Interpretation**
In this Act, unless the context otherwise requires,—
Board means the New Zealand Geographic Board established under this Act

Department means the department within the meaning of section 2 of the Survey Act 1986

Department: this definition was inserted, as from 1 April 1987, by section 81(1) Survey Act 1986 (1986 No 123).

Department: this definition was substituted, as from 1 July 1996, by section 5 Survey Amendment Act 1996 (1996 No 55).

Minister means the Minister of the Crown for the time being responsible for the administration of this Act

Minister: this definition was substituted, as from 1 April 1987, by section 81(1) Survey Act 1986 (1986 No 123).

Minister: this definition was substituted, as from 1 February 1990, by section 6 Survey Amendment Act (No 3) 1989 (1989 No 139).

territorial authority means a territorial authority within the meaning of the Local Government Act 2002

Territorial authority: this definition was inserted by section 8(3) Local Government Amendment Act 1979.

Territorial authority: this definition was substituted, as from 1 July 2003, by section 262 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

Town includes any parcel of land outside a city, borough, or town district, divided into areas for building purposes.

New Zealand Geographic Board

3 New Zealand Geographic Board established

- (1) There is hereby established for the purposes of this Act a Board, to be called the New Zealand Geographic Board.
- (2) The Board shall consist of—
 - (a) The Surveyor-General:
 - (b) Two persons to be appointed as representatives of the Maori race on the recommendation of the Minister of Maori Affairs:
 - (ba) One person to be nominated by Te Runanga o Ngai Tahu (as established under section 6 of Te Runanga o Ngai Tahu Act 1996), and to be appointed on the recommendation of the Minister:
 - (c) One person to be nominated by the New Zealand Geographical Society Incorporated, and to be appointed on the recommendation of the Minister:

- (d) One person to be nominated by the Federated Mountain Clubs of New Zealand Incorporated, and to be appointed on the recommendation of the Minister:
 - (e) Two persons to be appointed on the recommendation of the Minister.
- (3) The members of the Board, other than the Surveyor-General, shall be appointed by the Governor-General for a term of 3 years. Any such member may from time to time be reappointed, or may be at any time removed from office by the Governor-General for inability to perform the functions of the office, insolvency, neglect of duty, or misconduct, or may at any time resign his office by writing addressed to the Secretary of the Board.
- (4) If any appointed member of the Board dies, or is removed from office, or resigns, the vacancy so created shall be filled in the manner in which the appointment to the vacant office was originally made. Every person so appointed shall be appointed for the residue of the term for which his predecessor was appointed.
- (5) Unless he sooner vacates his office as provided in the last preceding subsection, every member of the Board shall continue in office until his successor comes into office, notwithstanding that the term for which he was appointed may have expired.
- (6) The powers of the Board shall not be affected by any vacancy in the membership thereof.

Subsection (2)(b) was amended by section 9(2)(a) Maori Purposes Act 1947 by substituting the words “Minister of Maori Affairs” for the words “Native Minister” the reference to the .

Subsection (2)(ba) was inserted, as from 1 October 1998, by section 276 Ngai Tahu Claims Settlement Act 1998 (1998 No 97). *See* clause 2 Ngai Tahu Claims Settlement Act Commencement Order 1998 (SR 1998/295).

Subsection (3) was amended, as from 1 January 2002, by section 70(1) Human Rights Amendment Act 2001 (2001 No 96), by substituting the words “inability to perform the functions of the office” for the word “disability”.

4 Chairman of Board

- (1) The Surveyor-General shall be the Chairman of the Board.
- (2) The Chairman shall preside at all meetings of the Board at which he is present. If at any meetings of the Board the Surveyor-General is not present, the officer of the Department au-

thorised to attend the meeting in his stead pursuant to the next succeeding section shall act as the Chairman in respect of that meeting, and shall have and may exercise all the powers and functions of the Chairman for the purposes of that meeting.

Subsection (2) was amended by section 81(1) of 1986 No 123 by omitting the words “of Lands and Survey”.

5 Meetings of Board

- (1) Meetings of the Board shall be held at such times and places as the Board or the Chairman from time to time determines.
- (2) At every meeting of the Board 4 members shall form a quorum.
- (3) Every question before the Board shall be determined by a majority of the votes of the members present at a meeting of the Board.
- (4) The Chairman shall have a deliberative vote, and in the case of an equality of votes shall also have a casting vote.
- (5) In the absence from any meeting of the Board of the Surveyor-General he may authorise any officer of the Department to attend the meeting in his stead. While any person is attending any meeting of the Board pursuant to this subsection he shall be deemed for all purposes to be a member of the Board. The fact that any person so attends shall be sufficient evidence of his authority so to do.
- (6) Except as expressly provided in this Act or in regulations under this Act, the Board may regulate its procedure in such manner as it thinks fit.

Subsection (5) was amended by section 81(1) of 1986 No 123 by omitting the words “of Lands and Survey”.

6 Allowances and travelling expenses of members

There shall be paid out of money appropriated by Parliament for the purpose to the members of the Board 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.

This section was substituted for the original section 6 by section 10(1) of the Fees and Travelling Allowances Act 1951.

7 Secretary of Board

The Board may from time to time appoint an officer of the Department, to be nominated by the Surveyor-General, to be the Secretary of the Board.

Section 7 was amended by section 81(1) of 1986 No 123 by omitting the words “of Lands and Survey”.

Functions and powers of Board**8 Functions of Board**

- (1) The general functions of the Board shall be—
- (a) To adopt rules of orthography and nomenclature in respect of place names in New Zealand:
 - (b) To examine cases of doubtful spelling of place names in New Zealand, and determine the spelling to be adopted on official maps:
 - (c) To investigate and determine the priority of the discovery of any geographic feature:
 - (d) To collect original Maori place names for recording on official maps:
 - (da) To encourage the use of original Maori place names on official maps, including maps published by or under the direction or control of the Surveyor-General.
 - (e) To determine what alien names appearing on official maps should be replaced by Maori or British names:
 - (f) Subject to the provisions of this Act, to investigate and determine any proposed alteration of a place name:
 - (g) To make inquiries and recommendations on any matters referred to it by the Minister.
- (2) The Board shall have such other functions as are by this Act or any other Act imposed upon it.

Subsection (1)(da) was inserted, as from 1 October 1998, by section 270 Ngai Tahu Claims Settlement Act 1998 (1998 No 97). *See* clause 2 Ngai Tahu Claims Settlement Act Commencement Order 1998 (SR 1998/295).

9 Board may assign or alter certain place names

- (1) Notwithstanding anything in any other Act, but subject to the provisions of this Act, the Board may from time to time—
- (a) Assign a name to any place in New Zealand:

- (b) Alter the name of any place in New Zealand, whether by substituting another name therefor or by correcting the spelling thereof, and whether the name to be altered was first applied to the place before or after the passing of this Act.
- (2) For the purposes of this section, the term **place** means—
- (a) Any town, village, village settlement, special settlement, goldfield or mining district, land area, or other district, place or locality whatsoever (not being the district of a territorial authority or a ward or riding thereof):
 - (b) Any railway or railway station:
 - (c) Any post office:
 - (d) Any mountain, peak, hill, pass, valley, glen, forest, lagoon, swamp, creek, stream, river, ford, lake, bay, harbour, or other natural feature whatsoever.

In subsection (2)(a) the words in square brackets were substituted for the original words by section 8(3) of the Local Government Amendment Act 1979.

10 Board may alter name of district with consent of territorial authority

Subject to this Act, the Board may from time to time, at the request or with the consent of the territorial authority of any district, to be signified to the Board by resolution of the territorial authority passed at an ordinary meeting thereof, alter the name of that district.

Section 10 was substituted for the original section 10 by section 8(3) of the Local Government Amendment Act 1979.

11 Two or more boroughs, etc, with similar names

- (1) This section shall apply with respect to every district of a territorial authority, town, village, village settlement, or special settlement in New Zealand, whether existing at the passing of this Act or coming into existence at any time thereafter.
- (2) No place to which this section applies shall bear a name identical with the name of any other place to which this section applies, or so similar to the name of that other place that it is likely to be mistaken therefor or confused therewith.
- (3) If the names of any 2 or more places to which this section applies are identical, or are in the opinion of the Board so similar

that they are likely to be mistaken for or confused with one another, then, notwithstanding anything in section 10 of this Act, the Board may by notice in writing require any territorial authority having jurisdiction over any such place, not being the place to which such identical or similar name was first applied, to submit for the approval of the Board a new name for the place in respect of which the notice is given.

- (4) Subject to the provisions of sections 12 and 13 of this Act, the Board may—
- (a) Approve a name submitted for any place under the last preceding subsection, and alter the name accordingly; or
 - (b) If in its opinion the name so submitted is so similar to the name of any other place that it is likely to be mistaken therefor or confused therewith, refuse to approve the name so submitted, and alter the name of the place as it thinks fit; or
 - (c) If the territorial authority refuses or neglects to submit a new name within 3 months after the date of the notice requiring it to do so, alter the name of the place as it thinks fit.

Subs (1) was substituted for the original subsection (1) by section 8(3) of the Local Government Amendment Act 1979.

In subsection (3) the words “territorial authority” were substituted for the words “local authority” by section 8(3) of the Local Government Amendment Act 1979.

In subsection (4)(c) the words “territorial authority” were substituted for the words “local authority” by section 8(3) of the Local Government Amendment Act 1979.

12 Notice of intention to assign or alter name

Before it assigns or alters any name, the Board shall—

- (a) Cause to be published in the *Gazette* notice of its intention to do so, specifying the intended name or alteration; and
- (b) As soon as is practicable afterwards, cause a copy of the notice to be published in daily newspapers circulating in the cities of Auckland, Hamilton, Wellington, Christchurch, and Dunedin; and—

- (i) If 2 or more newspapers (not being newspapers in which copies have been published under the foregoing provisions of this paragraph) circulate in the area where the place concerned is situated, in both or any 2 of them; and
- (ii) If only one such newspaper circulates in the area, in that newspaper.

Section 12 was substituted, as from 16 December 1988, by section 2(1) New Zealand Geographic Board Amendment Act 1988 (1988 No 202).

13 Objection to proposed name or alteration

- (1) Any person objecting to any such proposed name or alteration as aforesaid may, at any time within 3 months of the publication in the *Gazette* of notice of the Board's intention to assign or alter the name concerned, give to the Secretary of the Board notice in writing of his objection, setting out the grounds of the objection.
- (2) As soon as practicable after the expiration of the aforesaid period of 3 months the Board shall inquire into and dispose of all objections made pursuant to this section, and shall report in writing to the Minister, setting out the grounds of the objections, and its decision thereon.
- (3) The Minister, after such inquiry as he thinks fit, may confirm, modify, or reverse the decision of the Board, and his decision shall be final.

Section 13(1) was amended by section 2(2) of 1988 No 202 by substituting the words “, at any time within 3 months of the publication in the *Gazette* of notice of the Board's intention to assign or alter the name concerned,” for the words “at any time within the period of 3 months referred to in section 12 of this Act”.

14 If no objection, Board's decision to be final

If no objection is received by the Board within the aforesaid period of 3 months the Board's decision as to the proposed name or alteration shall be final.

15 Publication of final decision as to name or alteration

- (1) The Board shall—
 - (a) Cause to be published in the *Gazette* notice of—

- (i) The decision of the Minister on a proposed name or alteration; or
 - (ii) If there has been no objection under section 13(1) of this Act, the decision of the Board on it; and
 - (b) As soon as is practicable afterwards, cause a copy of the notice to be published in daily newspapers circulating in the cities of Auckland, Hamilton, Wellington, Christchurch, and Dunedin; and—
 - (i) If 2 or more newspapers (not being newspapers in which copies have been published under the foregoing provisions of this paragraph) circulate in the area where the place concerned is situated, in both or any 2 of them; and
 - (ii) If only one such newspaper circulates in the area, in that newspaper.
- (2) Every such decision as aforesaid shall take effect only on such date as may be specified in the notice, being a date not earlier than 6 months after the date of publication in the *Gazette*, under section 12 of this Act, of the notice of intention to assign or alter the name.
- (3) A copy of the *Gazette* containing any notice published pursuant to this section shall be conclusive evidence that the name or alteration to which the notice relates has been duly assigned or made on the date specified in the notice.

Subsection (1) was substituted, as from 16 December 1988, by section 2(3) New Zealand Geographic Board Amendment Act 1988 (1988 No 202).

Miscellaneous

16 Rights or obligations of local authority not affected

No alteration of name pursuant to this Act shall affect any rights or obligations of any city, borough, county, town district, road district, town, or other district or place, or of any Council, Board, authority, or person, or render defective any legal proceedings; and any legal proceedings may be continued or commenced under the altered name.

17 Previous decisions of Honorary Geographic Board not affected

- (1) All decisions made and approvals given before the passing of this Act by the Honorary Geographic Board of New Zealand and subsisting or in force at the passing of this Act shall enure for the purposes of this Act as fully and effectually as if they had been made and given as final decisions of the Board in accordance with this Act, and accordingly shall, where necessary, be deemed to have been so made and given.
- (2) The Board shall, as soon as is reasonably practicable after the passing of this Act, cause to be published in the *Gazette* a list of all place names in New Zealand that have been approved by the Honorary Geographic Board of New Zealand as aforesaid. A copy of the *Gazette* containing the list shall, until the contrary is proved, be sufficient evidence that the names in the list are approved for the purposes of this Act.

18 Names in maps, scientific manuscripts, or tourist publications

- (1) No person shall publish or cause to be published in any geographic or scientific manuscript or publication, or in any guide book, handbook, pamphlet, road map, or other publication intended for the use of travellers or tourists generally, or on any map in any such manuscript or publication as aforesaid, any name purporting to be the name of any place, locality, or natural feature in New Zealand to which any provision of this Act applies, unless the name appears on a map previously published by or under the direction or control of the Surveyor-General, or is a name assigned to or approved for that place, locality, or natural feature pursuant to this Act:
Provided that nothing in this section shall apply with respect to the printing or publication as aforesaid of any name if it is stated in the manuscript or other publication or, as the case may require, on the map, that the name has not been approved by the Board.
- (2) Every person who acts in contravention of or fails to comply with the provisions of this section commits an offence and shall be liable on summary conviction to a fine not exceeding \$10.

The expression “\$10” was substituted for the words “five pounds” by section 7 of the Decimal Currency Act 1964.

19 Regulations

- (1) The Governor-General may from time to time, by Order in Council, make all such regulations as may in his opinion be necessary or expedient for giving full effect to the provisions of this Act and for the due administration thereof.
- (2) Without limiting the general power hereinbefore conferred, it is hereby declared that regulations may be made under this section for all or any of the following purposes:
 - (a) Prescribing any forms or other documents required for the purposes of this Act:
 - (b) Prescribing the form of and the method of keeping any records to be kept by the Board for the purposes of this Act:
 - (c) Regulating the procedure of the Board:
 - (d) Providing such other matters as may be necessary for the efficient discharge by the Board of its duties and functions under this Act.
- (3)

Subsection (3) was repealed, as from 19 December 1989, by section 11 Regulations (Disallowance) Act 1989 (1989 No 143).

20 Repeals and savings

- (1) The Designation of Districts Act 1908 and the Designation of Districts Amendment Act 1909 are hereby repealed.
 - (2) All Proclamations and generally all acts of authority that originated under any of the enactments hereby repealed and are subsisting or in force at the passing of this Act shall enure for the purposes of this Act as fully and effectually as if they had originated under this Act, and accordingly shall, where necessary, be deemed to have so originated.
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Notes

1 *General*

This is an eprint of the New Zealand Geographic Board Act 1946. It incorporates all the amendments to the Act as at 1 November 2008. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 *About this eprint*

This eprint has not been officialised. For more information about officialisation, please see “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

3 *List of amendments incorporated in this eprint (most recent first)*

New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 (2008 No 30): section 37
