

**Reprint  
as at 21 March 2017**



## **Whanganui River Māori Trust Board Order 2012**

(SR 2012/169)

Whanganui River Māori Trust Board Order 2012: revoked, on 21 March 2017, by section 121(b) of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (2017 No 7).

Jerry Mateparae, Governor-General

### **Order in Council**

At Wellington this 2nd day of July 2012

Present:

His Excellency the Governor-General in Council

Pursuant to sections 55 and 55A 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.

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#### **Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This order is administered by Te Puni Kōkiri.**

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## Order

### 1 Title

This order is the Whanganui River Māori Trust Board Order 2012.

### 2 Commencement

This order comes into force on 6 July 2012.

### 3 Interpretation

In this order,—

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

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

### 4 Background

- (1) The term of office of the previous members of the Board expired on 19 February 2012.
- (2) The number of nominations for the Hinengakau division exceeded the number of vacancies for that division, so an election of members for that division was required.
- (3) The Board held an election of new members for the Hinengakau division by way of a postal ballot in the period beginning on 5 December 2011 and ending on 13 January 2012.
- (4) However, the postal ballot for members of the Hinengakau division was irregular in the following ways:
  - (a) where more than 1 beneficiary lived at the same address, the Board enclosed ballot papers in the same envelope instead of separate envelopes as required by section 51 of the Act; and
  - (b) because of the irregularity referred to in paragraph (a), the results of the election could not be forwarded to the chief executive of Te Puni Kōkiri in accordance with section 49 of the Act.
- (5) The candidates nominated for election for the Hinengakau division have confirmed to the secretary of the Board that they are still available for election to the Board.

### 5 Postal ballot for election of Hinengakau division members declared invalid and further postal ballot to be held

- (1) The postal ballot for the election of the Hinengakau division members is declared to be invalid.

- (2) A further postal ballot for the election of the Hinengakau division members is to be held.
- (3) The further postal ballot is to be held in accordance with the following provisions:
  - (a) the secretary of the Board must, not later than 27 July 2012, post to each beneficiary shown on the roll of beneficiaries as entitled to vote at the election a printed ballot paper setting out the full names of each candidate for election, the method of marking the ballot paper to indicate the beneficiary's preference, the address to which the ballot paper is to be returned, and the latest time for its return:
  - (b) ballot papers must, not later than 27 August 2012, be posted to or lodged with the returning officer appointed by the Minister for the purpose of the election:
  - (c) the secretary of the Board must, not later than 27 September 2012, forward to the chief executive of Te Puni Kōkiri the names of the persons elected as members of the Board for the Hinengakau division:
  - (d) subject to this clause, the Act applies to the postal ballot.

**6 Time for forwarding election results to chief executive of Te Puni Kōkiri extended**

The time within which the secretary of the Board must comply with section 49 of the Act is extended to 27 September 2012.

Rebecca Kitteridge,  
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 comes into force on 6 July 2012.

The order does the following things:

- it invalidates the postal ballot for the election of the Hinengakau division of the Whanganui River Māori Trust Board because beneficiaries voting in that election and living at the same address were not sent voting papers separately:
- it requires a fresh postal ballot for the election for the Hinengakau division of the Whanganui River Māori Trust Board to be held:
- it extends the time within which the election results for all 3 divisions of the Whanganui River Māori Trust Board are to be sent to the chief executive of Te Puni Kōkiri.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 5 July 2012.

## Reprints notes

### **1** *General*

This is a reprint of the Whanganui River Māori Trust Board Order 2012 that incorporates all the amendments to that order as at the date of the last amendment to it.

### **2** *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3** *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4** *Amendments incorporated in this reprint*

Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (2017 No 7): section 121(b)