



Petroleum Act 1937

1937

- Citation:** 1 Geo. VI, No 27
- Date of Assent:** 11 December, 1937
- Commencement:** Date of Assent
- Repeal:** Repealed 1992, No 96
- Amendments:** 1975, No 43: New Part I of principal Act.
1991, No 70: Repeals most sections except health & safety provisions.
- Type of Legislation:** Public
- Subject:** Mining
Compulsory Acquis & Transfer of Control
- Relevant Sections:** s2: Land defined to include Native land and includes land below the sea or any other water.
s30: Maori Land Board to represent Native owners and occupiers of Native land if requested.
- Commentary:** The Minister of Mines, Webb, explained that the principle of the Act was that “it being generally accepted that oil belonged to the Crown, and that it did not enhance the value of the land, because the landowner had no knowledge of its existence. Further, we provide that if any damage is done to the land adequate compensation is to be paid for all surface values”. He went on to say that the Act does not contravene the Treaty of Waitangi because Maori and European were being treated equally, as provided by article 3 of the Treaty. The Debates then contain an extensive discussion of Maori mineral rights under the Treaty, as the Act provides that oil companies will pay a royalty on all oil found to the Crown, and Maori felt that some of the royalty should go to them. Ngata points out that Ngati Porou already have deals with oil companies and this Act will mean they will lose the royalties they are entitled to under their arrangements. There was an unsuccessful motion that Maori should receive at least 50% of the royalty, and Tirikatene (Govt MP) spoke with the opposition saying that “the original title that was enjoyed by the Maori people prior to the signing of the Treaty of Waitangi does deserve some recognition”. The Bill was then forced through the Assembly under urgency as the Govt wanted to be able to issue licenses immediately. Ngata’s opposition to this measure included the use of a specially composed haka to criticise the Act performed when Government Ministers visited East Coast marae in 1937.
- Cross Reference:** NZPD vol 249 (1937)1037 - 1075, 1174 - 1175, 1230 - 1236
Star (Auckland) 15 June 1938.