



## ANALYSIS

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 1978, No. 38

**An Act to provide for the symbolic return of Mount Egmont to the Taranaki Maori Trust Board on behalf of the Maori tribes concerned, and the gift of the Mountain back to the Crown by the Board for the purposes of a national park for the use and enjoyment of all the people of New Zealand**  
 [11 October 1978]

Whereas Mount Egmont (known in Maori as Taranaki) (in this preamble referred to as the Mountain) comprises part of the Egmont National Park: And whereas the Mountain comprises, in part, land that was confiscated by the Crown from its former Maori owners pursuant to the New Zealand Settlements Act 1863 and, in part, land that has been purchased by the Crown from its former Maori owners: And whereas certain provisions in relation to the confiscations above referred to were made by the Taranaki Maori Claims Settlement Act 1944 and are now contained in the Maori Trust Boards Act 1955, which Act continued in existence the Taranaki Maori Trust Board: And whereas, in consideration of the special significance that the Mountain has for the Maori people of the Taranaki district, it has been agreed between the Crown and representatives

of those Maori people that the Mountain shall be formally transferred to the Taranaki Maori Trust Board as representing the Maori people of the Taranaki district in order that it may be given back to the Crown for the purposes of a National Park as a free gift and as a symbol of love to all the people of New Zealand by the Board on behalf of the Atiawa, Ngati Mutunga, Ngati Maru, Ngati Tama, Ngati Ruanui, Ngaruahine, Taranaki, and Ngarauru tribes, and their descendants:

BE IT THEREFORE 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 Mount Egmont Vesting Act 1978.

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

“Board” means the Taranaki Maori Trust Board referred to in section 9 of the Maori Trust Boards Act 1955:

“Minister” means the Minister of Lands:

“The Mountain” means Mount Egmont, being the land more particularly described in the Schedule to this Act.

**3. Act to bind Crown**—This Act binds the Crown.

**4. Vesting of Mountain in Taranaki Maori Trust Board**—The Mountain is hereby excluded from the Egmont National Park, and is hereby vested in the Board for an estate in fee simple.

**5. Gift of Mountain for purposes of National Park**—

(1) The Board is hereby empowered to give and does give the whole of the interest in the Mountain vested in it by section 4 of this Act to Her Majesty the Queen for the purposes of a national park, subject to the condition set out in section 6 of this Act.

(2) For the purposes of giving full effect to that gift, the Mountain is hereby vested in Her Majesty, to be held by Her Majesty for the purposes of and as part of the Egmont National Park, under and subject to the National Parks Act 1952.

**6. Board to be consulted in respect of proposal to exclude Mountain from National Park**—The Board's gift of the Mountain is subject to the condition that every proposal to exclude any part of the land comprising the Mountain from the Egmont National Park shall be referred by the Minister to the Board, and he shall give the Board a reasonable opportunity to consider the proposal and to comment on it to the Minister.

**7. Gift duty exemption**—No duty shall be payable in respect of the gift of the Mountain by the Board.

**8. Act not limited by other Acts**—The provisions of this Act shall apply notwithstanding anything in the National Parks Act 1952, Part XXI of the Maori Affairs Act 1953, the Maori Trust Boards Act 1955, the Estate and Gift Duties Act 1968, or any other enactment.

**9. Savings**—(1) Nothing in section 6 of this Act shall limit or affect the provisions of section 10 (2) of the National Parks Act 1952 (which provides that land may be excluded from a national park only by Act of Parliament).

(2) Nothing in this Act shall affect any Order in Council, notice, regulation, rule, or bylaw or any lease, licence, authority, or document made or granted, or any thing whatsoever done, under the provisions of the National Parks Act 1952 or any corresponding former enactment; and every such Order in Council, notice, regulation, rule, bylaw, lease, licence, authority, document or thing, so far as it is subsisting or in force on the date of the commencement of this Act, shall continue to have effect as if the Mountain had at all times remained subject to the National Parks Act 1952.

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## SCHEDULE

Section 2

First, all that parcel of land in the Taranaki Land District, containing 18307.4969 hectares, more or less, being part Blocks XI and XV Cape Survey District, and Sections 18 and 19, Block V, and part Blocks V, IX, XIII, and XIV, Egmont Survey District, part Block IV, Opunake Survey District, and Sections 6, 7, and 8, Block II, and part Blocks II, III, V, VI, and VII, Kaupokonui Survey District; being the whole of the area hatched brown on S.O. Plan 11271; and

Secondly, all that parcel of land in the Taranaki Land District, containing 13653.0823 hectares, more or less, being Subdivisions 1, 3, 4, 5, 6, 7, 8, and 9, and part Subdivisions 2 and 10 of Section 170 and Section 174 and parts Sections 169 and 170, Oakura District, situated in Block II, Wairau Survey District, and Blocks III and VII, Cape Survey District, and part Section 2, Block XIV, Sections 2 and 3, Block XV, Section 8, Block XI, Section 38, Block VII, Block X, and part Blocks VI, VII, IX, X, XI, XIV, and XV, Egmont Survey District, and part Blocks II and III, Kaupokonui Survey District; being the whole of the area hatched blue on the said S.O. Plan 11271.

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This Act is administered in the Department of Lands and Survey.

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