



## ANALYSIS

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1962, No. 46

**An Act to amend the Maori Trustee Act 1953**

[5 December 1962]

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 and Commencement**—(1) This Act may be cited as the Maori Trustee Amendment Act 1962, and shall be read together with and deemed part of the Maori Trustee Act 1953 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the first day of April, nineteen hundred and sixty-three.

**2. Temporary advances to Maori Trustee**—The principal Act is hereby amended by inserting, after section 24, the following section:

“24A. (1) The Maori Trustee may from time to time, with the approval of the Minister, obtain advances from the Reserve Bank of New Zealand by pledging securities held by him in respect of the investments of the Common Fund or the General Purposes Fund.

“(2) Every such advance shall be for such period, not exceeding six months, as the Minister determines:

“Provided that on the expiration of the said period, the advance may be renewed for the same or any shorter period, and so on from time to time.

“(3) The term ‘advance’ where used in this section shall include accommodation by way of overdraft.”

**3. Unclaimed money in Common Fund**—Section 30 of the principal Act (as amended by section 16 of the Maori Purposes Act 1961) is hereby further amended by inserting, after subsection (11), the following subsections:

“(12) Where the committee of management of a body corporate established under Part XXII of the Maori Affairs Act 1953 has not been able to distribute any money to which paragraph (f) of subsection (1) of section 285 of that Act applies within twelve months after the date on which the money is appropriated for distribution in accordance with that paragraph, the committee of management may pay the undistributed money to the Maori Trustee and shall, in any such case, furnish him with a list showing the persons to whom the money should have been distributed, the amount due to each such person, the date the money was appropriated for distribution, and such other particulars as the Maori Trustee may require and the receipt of the Maori Trustee for the money shall be a sufficient discharge to the body corporate of its obligations under the said section 285 in respect of the money.

“(13) For the purposes of paragraph (a) of subsection (2) of this section, any money paid to the Maori Trustee under subsection (12) of this section shall be deemed to have been in the possession or under the control of the Maori Trustee from the date on which it was appropriated by the committee of management for distribution in accordance with paragraph (f) of subsection (1) of section 285 of the Maori Affairs Act 1953.”

**4. Housing accommodation for officers**—Section 37 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsection:

“(4) The Maori Trustee may sell or otherwise dispose of any dwelling acquired or erected under this section in such manner and on such terms as the Board of Maori Affairs approves.”

**5. Expenditure from General Purposes Fund**—Subsection (4) of section 38 of the principal Act (as amended by section 10 of the Maori Purposes Act 1955) is hereby further amended by adding the words “or under section 104 of the Public Works Act 1928”.

**6. Maori Trustee not obliged to act on orders for payment**—The principal Act is hereby further amended by inserting, after section 46, the following section:

“46A. Notwithstanding any enactment or rule of law to the contrary, the Maori Trustee shall not be under any duty or obligation to act upon any order or authority for payment given by any person in respect of any of the proceeds of the alienation of Maori land held or receivable by the Maori Trustee on behalf of that person.”

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This Act is administered in the Department of Maori Affairs.

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