



## Land Claims Settlement Act 1856

- Citation:** 19 & 20 V. No 32
- Date of Assent:** 16 August, 1856
- Commencement:** Date of Assent
- Repeal:** Repealed 1891, No 8
- Amendments:** 1858, No 76: Extends the period for filing notifications.  
1878, No 15: repeals ss43, 44.
- Type of Legislation:** Public
- Subject:** Alienation of Maori Land  
Validation
- Relevant Sections:** Entire Act. See...
- Part I:** Constitution of Court of Commissioners.
- Part II:** Powers of Commissioners – to hear and determine all claims to land or compensation arising out of dealings with Maori, whether prior to establishment of sovereignty or since that period, with Government sanction or arising from one of Fitzroy’s proclamations.
- Part III:** Claims not to be heard.
- Part IV:** Proceedings for Voidable Grants – ie where Native title has not been extinguished, where the description of land is uncertain, or where there was no map provided.
- Part V:** Proceedings where no Grants have been issued – ie for Old Land Claims, Pre-Emption waiver Claims.
- Part VI:** General Claims.
- s39: Where Native title not extinguished, Governor may at cost of claimant cause it to be extinguished.
- Commentary:** Act to “provide for the final settlement of Claims arising out of dealings with the Aborigines of New Zealand”. Establishes Court of Commissioners to hear and determine Old Land Claims and claims relating to the Penny an Acre Proclamations (claims under the Ten Shilling an Acre Proclamation being nearly all settled). It was anticipated in the House of Representatives that there were 150 outstanding Old Land Claims and 80 Penny an Acre claims. No new claims were to be heard. The 1948 Royal Commission Surplus Lands (AJHR 1948 G - 8) gives details of the work of the Commissioners and some of the grants awarded.
- Cross Reference:** BPP NZ10: 1860 [2719] 340 - 347  
NZPD (1856) 314  
AJHR (1948) G - 8 pp.51 - 59  
(*Royal Commission on Surplus Lands*).