



## Native Reserves Amendment Act 1862

1862

- Citation:** 26 V. No 14  
**Date of Assent:** 9 September, 1862  
**Commencement:** Date of Assent
- Repeal:** Repealed 1882, No 52  
**Amendments:** –  
**Type of Legislation:** Public  
**Subject:** Status of Land  
Alienation of Maori Land  
Reserved Land
- Relevant Sections:** *s1:* Commissioners' powers under original Act cancelled and powers vested in Governor.  
*s6:* Repeals requirement that land be conveyed to Her Majesty when Aboriginal Inhabitants have agreed to bring land under this Act.  
*s7:* Where assent of Aboriginal Inhabitants required, Governor may by Order in Council declare such assent to have been ascertained, Native title shall be deemed to be extinguished, and the land shall vest in Her Majesty as effectually as if ceded or conveyed.
- Commentary:** Reserved land could now be placed under the control of the Governor without being formally conveyed to the Crown. The original Act required the assent of Maori for land to be brought under the Native Reserves legislation. This amendment allows the Governor to declare that such assent has been ascertained and from that date Maori title is deemed to be extinguished as if the land had actually been ceded and conveyed by the Maori. The Imperial Secretary of State expressed "apprehension" at control of Maori affairs being in the hands of a political body subject to change.
- Cross Reference:** AJHR (1863) A - 1 p.22  
(*Dispatch No. 5*)  
AJHR (1867) A - 17  
(*Native Reserves Acts*)  
Gazette (1863) 325  
Ward A A *Show of Justice*  
(AUP, Canberra, 1974) 151  
Butterworth G & Butterworth S *The Maori Trustee*  
(Maori Trustee, Wellington, 1991) 12 - 18.