



Crown Grants Amendment Act 1867

- Citation:** 31 V. No 66
- Date of Assent:** 10 October, 1866
- Commencement:** Date of Assent
- Repeal:** Repealed 8 September, 1883 by 1883, No 31
- Amendments:** –
- Type of Legislation:** Public
- Subject:** Maori Land Court: Structures & Jurisdiction
Confiscated Lands
Validation
Waste Lands
- Relevant Sections:**
- s3:** Declaration of errors in name of intended grantee (in Crown Grants under Native Lands Act 1865, Native Lands Act 1867, or to Natives under the New Zealand Settlements Act 1863, its Amendments, and the Confiscated Lands Act 1867) are to be made by the Secretary for Crown Lands or a Judge of the Native Land Court.
- s4:** If a grantee's name has been omitted from a Crown Grant, the Governor has power to cancel the grant.
- s5:** Correction of errors in the description of the land comprised in a grant.
- s7:** Date at which grantee deemed to have become entitled to a Crown Grant shall be,
- (1) the date a Certificate or interlocutory orders were issued in the Native Land Court,
 - (2) the date of Compensation Court award to Native grantees under the New Zealand Settlements Acts,
 - (3) - (5) the date of registration by Waste Land Boards in Southland, Otago and elsewhere.
- s8:** Correction of erroneous vesting dates.
- s9:** Crown Grants may be repealed in Supreme Court proceedings using the writ of *scire facias*.
- s10:** If new grant issued for same land any prior grant, whether formally cancelled or not, to be absolutely void.
- s11:** Grants issued under Native Lands Act 1865 or the Native Lands Act 1867, and the Land Claims Settlement Act 1856 or the Land Claims Settlement Extension Act 1858 not subject to fees under Crown Grants Act 1866.

Commentary and Cross Reference continued next page



Commentary: Section 7 provides for the legal vesting of land in grantees from the date their entitlement to the land was declared rather than the date the grant was issued, so as to validate deeds executed after entitlement but before issue of grant. Native Land Court and Compensation Court grants are exempted from fees.

Cross Reference: NZPD vol 1 (1867) 997 - 998.