



Native Land Act Amendment Act 1877

1877

- Citation:** 41 V. No 31
Date of Assent: 8 December, 1877
Commencement: Date of Assent
- Repeal:** Repealed 1 October, 1886 by 1886, No 24
Amendments: –
Type of Legislation: Public
Subject: Maori Land Court: Structures & Jurisdiction
- Relevant Sections:**
- s2: Court may award costs to be paid by or to any party, including the Crown, appearing before the NLCT.
 - s3: If costs unpaid, they may be recoverable as a debt.
 - s4: NLCT may order any Native to give security for payment of costs and may refuse to proceed with a case until security given.
 - s5: Native Minister may appoint any person to represent the Crown in matters before the NLCT in which it is interested.
 - s6: Native Minister may apply to NLCT to determine the interest purchased by the Crown in any block of land and the Court may declare such lands absolutely vested in Her Majesty.
 - s7: NLCT to have powers of District Court to maintain order within the Court.
- Commentary:** The Native Minister said that one of the aims of this Act was to ensure that only people with genuine claims would ask for a rehearing by making the applicant give security for payment of costs. If rehearings could be deterred, then the title awarded through the Native Land Court would be more secure and prospective purchasers need not worry that a rehearing would later show that they had purchased from the wrong persons. Section 6 allows the Crown to appear before the Native Land Court so that it can obtain title to the proportion of land it has paid for in a block even if it has not purchased the whole block.
- Cross Reference:** NZPD vol 27 (1877) 235 - 237, 514
AJHR (1877) I - 3 pp.36, 51 (*Native Affairs Committee*),
J - 1 (*Petition of Renata Kawepo and Piripi Ropata*)
AJHR (1883) G - 6 p.14 - 18
(*Dealings with Native Lands*)
Reported Court Case:
Mere Roihi v. Assets Co. Ltd. (1902) (s.6): 21 N.Z.L.R. 691, 5 G.L.R. 73.