



## Crown and Native Lands Rating Act 1882

- Citation:** 46 V. No 41
- Date of Assent:** 15 September, 1882
- Commencement:** Date of Assent
- Repeal:** Repealed 1888, No 35
- Amendments:** 1883, No 42: How to recover rates for Native land for year ending 31 March, 1883.
- Type of Legislation:** Public
- Subject:** Rating
- Relevant Sections:**
- s2: Definition of Native lands includes land held under customary usages or otherwise.
  - s3: All Native lands situated within boroughs shall be rateable, notwithstanding any other Act.
  - s4: Native rating districts may be proclaimed.
  - s5: Districts where Native lands may be rated under the ordinary law may be proclaimed.
  - s6: All Crown and Native Lands shall be rateable with certain exceptions including... (15) Native land situated more than five miles from any public road.
  - s10: Colonial Treasurer to pay rates.
  - s11: When Native land sold for first time to other than Natives then the amount of rates paid by the Colonial Treasurer shall be payable to the Crown as a stamp duty on such sale.
  - s12: On demand of rates the Colonial Treasurer shall cause a notice to be published in the Gazette, in Maori, requiring the owners to pay the said rates. If the rates not paid within three months the Colonial Treasurer shall pay them as provided in s10.
  - s17: Payment of rates on Native land shall entitle payer to be enrolled as a ratepayer.
- Commentary:** This Act makes all Maori land within 5 miles of a highway liable for rates (3.5 million acres out of 13 million acres by 1883). Settlers argued that Maori land received the benefit of having a road nearby and so should contribute to the cost through rates, but Te Wheoro and Tawhai said that Maori did not ask for the roads and so should not be forced to pay. The rates were not charged directly to Maori, but rather the Crown paid the rates that were assessed which remained as a lien on the land. By July 1885 over £12,978 had been paid by the Treasurer for rates on Maori land. The Maori members

*Commentary and Cross Reference continued next page*



expressed the fear that this was a measure designed to take Maori land and that another bill would be introduced to authorise the taking of land to clear the rates debt.

In 1927 Ngata announced that the Government would be writing off £13,000 in rates that had been unpaid under this Act (see Native Land Amendment and Native Land Claims Adjustment Act 1927).

- Cross Reference:** NZPD vol 43 (1882) 703 - 720, 829, 867 - 874  
NZPD vol 48 (1884) 99 - 100  
NZPD vol 216 (1927) 536 - 559  
AJHR (1884) Sess II I - 2 p.6  
(*Native Affairs Committee*)  
AJHR (1885) B - 14  
(*Crown and Native Land Rating Act*)  
AJHR (1886) B - 15  
(*Payments to Local Bodies under...*)  
AJHR (1924) G - 8  
(*Rates paid by the Crown on Native Lands*)  
Ward A *A Show of Justice*  
(*AUP, Canberra, 1974*) 283 - 284, 347 footnote 11.