



West Coast Settlement Reserves Act Amendment Act 1893

1893

- Citation:** 57 V. No 17
Date of Assent: 19 September, 1893
Commencement: Date of Assent
- Repeal:** Repealed 1955, No 38
Amendments: –
- Type of Legislation:** Public
Subject: Public/Native/Maori Trustee
Reserved Land
Leased Land
- Relevant Sections:**
- s4:** Regardless of principal Act, Public Trustee has absolute discretion for leasing reserves to Natives on special terms including;
- (1) No Natives (solely or jointly) may become lessees of more than 640 acres unless the land devolved upon them by will/marriage. Any instrument trying to do this shall be void.
 - (2) Rents to be fixed by Public Trustee.
 - (3) Leases to be for 21 years and renewable.
 - (4) Public Trustee may impose conditions restricting Natives from alienating any lease.
 - (5) No Native lessee shall have any right in law or equity to alienate the lease or the land contrary to the provisions of this section.
 - (6) No Native lessee shall dispose of interest by will or gift unless to another Native.
 - (7) Native lessees under the section, notwithstanding any exemption contained in any Act, shall be liable for all duties, taxes, rates etc. as would be the case if they were European.
 - (8) Native lessees interests not liable to be seized by the Official Assignee on bankruptcy.
- s5:** Provision for surrender of leases vested in several persons for the purpose of subdivisional leases.
- s8:** Meetings (under s8) which were informally convened, or at which were present Natives not “entitled” to take part, are still to be valid.
- Commentary:** When moving this Bill, Carroll said that it was to make the 1892 Act more workable. The main provision is to allow the Public Trustee to lease to Maori whereas under the 1892 Act leases had to be by tender, which disadvantaged Maori. The definition of improvements is changed to be in line with the Land Act 1892 which was not in force when the principal Act was passed.

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Cross Reference: NZPD vol 80 (1893) 318 - 319, 337 - 340
NZPD vol 81 (1893) 609 - 613, 640 - 643
NZPD vol 82 (1893) 44 - 45
AJHR (1893) I - 3 p.5
(Native Affairs Committee)
AJHR (1904) I - 3a
(Native Affairs Committee).