



## South Island Landless Natives Act 1906

1906

**Citation:** 6 Edw. VII, No 17  
**Date of Assent:** 20 October, 1906  
**Commencement:** Date of Assent

**Repeal:** Repealed 1909, No 15  
**Amendments:** –  
**Type of Legislation:** Public  
**Subject:** Reserved Land  
Leased Land

**Relevant Sections:**

**s2:** Landless Natives defined as Maori in the South Island who are not in possession of sufficient lands and includes half castes and their descendants. **South Island** includes Stewart Island. **Land** defined as all land previously set aside for landless Natives.

**s3:** Governor may temporarily reserve land in order to provide land for landless Natives.

**s4:** In 1 - 6 months time from the Proclamation of temporary reserves the lands described may be permanently reserved. Failing this any temporary reservation shall be void.

**s6:** Proclamations may be amended where there are discrepancies.

**s7:** For the purpose of carrying out this Act the Governor may execute warrants for the issue of land transfer certificates to any person or persons whose names have been ascertained.

**s9:** Every Certificate of Title shall contain a restriction to the effect that the land shall be absolutely inalienable except by way of lease for a period not exceeding 21 years.

**s10:** Powers of the NLCT including the power to reduce the area allotted to some people to a quantity commensurable to that appropriate for their age at the time the award was made. Surplus lands to revert to the Crown and to be set aside as an endowment for the Natives.

**s11:** Land may be leased by the Governor.

**Commentary:** In 1893 Percy Smith and Alexander McKay were appointed Commissioners to allocate Crown Waste Land to claimants, and this Act authorises the issue of titles to the allotted lands. Parata says that the quality of the land is such that it will be insufficient to support those awarded it and in 1914 a Commission of Inquiry into Reserves for Landless Natives found that most of the land had not been occupied by the beneficiaries as 1) it was too far from present home;

*Commentary and Cross Reference continued over page*



## South Island Landless Natives Act 1906 *continued*

2) the grantees were too young or too old to relocate; and 3) the land was not suitable for subdivision.

The Waitangi Tribunal (Ngai Tahu Report) referred to this attempt at settlement as a “cruel hoax” and found “the Crown’s policy in relation to landless Ngai Tahu to have been a serious breach of the Treaty principle requiring it to act in good faith.”

- Cross Reference:** NZPD vol 137 (1906) 316 - 328  
 NZPD vol 138 (1906) 174 - 177  
 AJHR (1888) I - 8  
*(Joint Middle Island Native Claims Committee)*  
 AJHR (1889) I - 10  
*(Joint Middle Island Native Claims Committee)*  
 AJHR (1890) I - 10  
*(Joint Middle Island Native Claims Committee)*  
 AJHR (1905) G - 2  
*(Landless Natives in Middle Island)*  
 AJHR (1914) G - 2  
*(Commission of Inquiry in Regard to Reserves for Landless Natives)*  
 Waitangi Tribunal *The Ngai Tahu Report* Wai 27  
 (Brooker & Friend, Wellington, 1991) 96 - 97, 170 - 172, 979 - 1000.