



Maori Land Claims Adjustment and Laws Amendment Act 1907

- Citation:** 7 Edw. VII, No 76
- Date of Assent:** 25 November, 1907
- Commencement:** Date of Assent
- Repeal:** Repealed 1 January, 1932 by 1931, No 32
- Amendments:** 1908, No 253: See separate record.
s13 amends *s25(1)*
s26 amends *s26*
s28 extends the time for making an application under *s26*.
 1911, No 35: See separate record.
s14 amends *s11*.
 1921, No 55: repeals *s7* relating to Urewera.
 1931, No 31: See separate record.
 repeals all except *ss1, 10, 11* and *47*.
- Type of Legislation:** Public
- Subject:** Maori Land Court: Structures & Jurisdiction
 Public/Native/Maori Trustee
 Public Works
 Mining
 Reserved Land
 Maori Land Boards
 Leased Land
 Forestry
- Relevant Sections:** *Amendments of Maori Land Laws*
s3: NLCt may direct payments to persons entitled to any compensation under Public Works Act 1905 being held by Public Trustee.
s4: Restraining orders under *s14(9)* Native Land Court Act 1894 may be made on the application of any person.
s5: Amends *s62* Native Land Court Act 1894, Surveyor-General to authorise survey when directed by the Minister.
s6: (1) Execution of instruments under Chattels Transfer Act 1889 by Maori in the North Island shall be void unless,
 (a) he has a sufficient knowledge of English, or
 (b) the effect of the instrument has been explained by a licensed interpreter.
 (2) Repeals *s110* Native Land Court Act 1894 (Chattels transfer) and *s41(h)* Native Land Claims Adjustment and Laws Amendment Act 1901.

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s7: Urewera District Native Reserve to be subject to Mining Act 1905.

s8: Uninvestigated Native land in the Urewera District to be investigated by a NLCT Judge and Assessor.

s9: Court may exercise jurisdiction under *s14(1) - (5) & (10)* Native Land Court Act 1894 over land vested in a Board or trustees as if the land had not been vested. No partition or exchange may be made without the consent of the Board or trustee.

s10: Public Trustee may lease land under West Coast Settlement Reserves Act 1892 for up to 25 years with or without compensation for improvements.

s11: East Coast Native Trust Land Act 1902 and *s22* Maori Land Claims Adjustment and Laws Amendment Act 1906 extensively amended as to powers of East Coast Commissioner, debt to Bank of New Zealand, and Validation Court jurisdiction and powers.

s12: Vacancies on Maori Land Board.

s13: (1) Amends *s8* Maori Land Settlement Act 1905, repealing subsections (b), (d) and (e) and amending subsection (f) allowing leases to contain rights of renewal so long as the total term is not more than 50 years,

(2) repeals and replaces *s13(a)* Maori Land Settlement Act 1905, income from land to now pay only half the costs of administration, to be apportioned fairly to each block,

(3) amends *s16(2)* Maori Land Settlement Act 1905 by adding (e) lessee must declare the land is for his own use and benefit,

(4) amends *s16(3)* by removing limitation on area of Maori-owned land that may be leased,

(5) amends *s20* Maori Land Settlement Act 1905 by repealing subsection (2). Governor may purchase land from Maori owners but not from only a majority of owners.

s14: District Land Registrar to issue Land Transfer Act Certificate of Title to Maori Land Board for land vested in it under the Maori Land Settlement Act 1905.

s15: Board shall cause land vested in it to be surveyed and subdivided, and may lay off roads for the purposes of settlement.

s16: Board shall classify land as 1st, 2nd, or 3rd class in accordance with the Land Act 1892.

s17: No person may lease or purchase land owned by Maori if the total amount of land held is more than 5000 acres.

Rules for computation and exceptions.

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s18: Purchaser or lessee to make statutory declaration that land is solely for his own use and benefit.

s19: Sections 17 - 18 not to apply in the case of lands purchased by Maori from Europeans or the Crown.

s20: Extension of time for applying for approval of a lease under *s26* Maori Lands Administration Act 1900. Lease to be postponed if the land was acquired by the Crown or another person before the lease was approved.

s21: Repeals *s26* Maori Lands Administration Act 1900 (declaration by purchaser), *s8(8), (9) & (10)* Maori Lands Administration Amendment Act 1901, *s15* Maori Land Laws Amendment Act 1903.

s22: Power to lay off roads in blocks vested in Board. Costs, with 5% interest, to be a charge on the rents received from the land.

s23: (1) Land vested in a Board for Maori settlement under *s4* Maori Land Settlement Act Amendment Act 1906 may be dealt with as if land was available for leasing under Part II of Native Land Settlement Act 1907.

(2) Section 60 Native Land Settlement Act 1907 applies to lessees.

s24: Native Minister may vest up to 5 acres of Maori land in Board as site for dairy/cheese factory etc or for religious/educational etc public building,

(a) Governor to declare land vested in Board for the benefit of Maori owners,

(b) recording of Board's title,

(c) Board may sell or lease at nominal rental for up to 21 years with right of renewal.

s25: (1) Trustees under Maori Real Estate Management Act 1888 may lease land for up to 50 years with the approval of the Board,

(2) deemed to have applied from passing of Maori Land Settlement Act 1905,

(3) repeals *s2* Maori Land Settlement Act Amendment Act 1906.

s26: For the purpose of permitting limited alienations of timber or flax etc. on Native land any alienations made before the passing of this Act may be approved by the Maori Land Board. Applications must be made within two months of the passing of this Act.

s27: Amends *s6* Native Land Laws Amendment Act 1895, alienations by way of mortgage shall not be void due to excess area.

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s28: Native Minister may apply for the NLCt to incorporate land under *s122*, Native Land Court Act, 1894. Application treated as if made by a majority of the owners.

s29: Board may sell reserves, other than papakainga reserves, to the Crown for scenic purposes.

s30: Board may set aside money received from rents as a fund to be invested for the purpose of paying off surveys, roading, etc and for paying compensation for improvements on expiry of the lease.

s31: Costs of roading etc. may be subsidised by appropriation by Parliament.

Commentary: Debates mainly concern land claims adjustment sections.

Cross Reference: NZPD vol 142 (1907) 1264 - 1273

AJHR (1908) G - 8
(*Validation Court*)

Reported Court Cases:

Wiki Tahua v. Johnsonville Town Board (1909) (ss.3, 39): 29 N.Z.L.R. 368, 12 G.L.R. 387

Roberts v. District Land Registrar (1909) (ss.13, 25): 28 N.Z.L.R. 616

Re Wharekopae Block (1909): 11 G.L.R. 444

Hira Te Akau v. Pukeweka Sawmills, Ltd. (1924) (s.26): [1924] N.Z.L.R. 615, [1924] G.L.R. 342

Taitumu Marangataua v. Patena Kerehi (1911) (s.37): 31 N.Z.L.R. 513, 13 G.L.R. 457, 14 G.L.R. 583

In re Tutira Block; Te Roera Tareha v. Sim (1908) (s.45): 28 N.Z.L.R. 505, 11 G.L.R. 370, 559.