



Native Land Amendment Act 1912

- Citation:** 3 Geo. V, No 34
- Date of Assent:** 7 November, 1912
- Commencement:** 1 December, 1912
- Repeal:** Repealed 1931, No 31
- Amendments:** **1913, No 58:** See separate record.
s97(8) repeals *s18*
s106 repeals and replaces *s16(14)*
s135 amends *s8(1)(d)*.
1928, No 49: See separate record.
s4 repeals *s17(11)*.
1930, No 29: See separate record.
s4 amends *s17*.
- Type of Legislation:** Public
- Subject:** Maori Land Court: Structures & Jurisdiction
 Alienation of Maori Land
 Maori Land Boards
 Reserved Land
- Relevant Sections:** *s5:* Interpretation of wills of Natives.
s6: Nothing to prevent the assignment of leasehold estates in Native land.
s10: Laying out of roads over partitioned land.
s11: Where Crown land reserved for the benefit of Natives, the NLCT to have jurisdiction to ascertain which persons should be included in the Certificate of Title.
s12: European Land exchanged for Native land to become Native land.
s16: On confirmation of a resolution of owners empowering the Board to sell the land by public auction, the Board shall become the agent of the owners to sell the land.
s17: The Governor may, on recommendation of the NLCT, declare any Native to be a European. No such recommendation to be made unless NLCT satisfied that...
 – the Native is acquainted with the English language
 – that he has sufficient Native freehold land, European land, holds a lease for over 21 years or earns adequate maintenance by reason of some trade or profession. Every person deemed to be a European shall be entitled to succeed to Native land.

Relevant Sections and Commentary continued next page



s18: Governor may declare by Order in Council that land is no longer vested in the Maori Land Board. NLCT to ascertain the equitable owners of that land and vest the legal fee simple of that land in those owners.

s19: Native land purchased by the Crown may be reserved for the use of Natives.

Commentary: This Act allows a Maori to be declared a European if he or she can be shown to be capable of supporting themselves. While the Maori members generally supported this proposal none said that they would take advantage of it, and by 1917 only 35 Maori had done so (AJHR 1913 - 1917 G - 1). However, a 1918 Commission found that Rangi Kerehoma should not have been Europeanised because of the fraudulent manner he was made to sell his lands. In 1931 the Native Department reported that, since 1912, 76 Maori had been made European and questioned the policy "The question arises whether the provision for Europeanization, which is averse to Native sentiment, and which is mostly resorted to for conveyancing reasons, should be retained. It has not been an unmixed blessing for those who have taken advantage of the provision". Other changes made by this Act are that the assembled owners can chose to have land sold by public auction, incorporations are allowed to borrow from outside State institutions (which were short of funds), and any land which had been vested in Maori Land Boards which the Board had not been able to deal with can be revested in the owners.

Cross Reference: NZPD vol 161 (1912) 935 - 955
AJHR (1913) G - 1
(*Native Land Amendment Act 1912*)
AJHR (1914) G - 1
(*Native Land Amendment Act 1912*)
AJHR (1915) G - 1
(*Native Land Amendment Act 1912*)
AJHR (1916) G - 1
(*Native Land Amendment Act 1912*)
AJHR (1917) G - 1
(*Native Land Amendment Act 1912*)

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AJHR (1918) G - 7

(Rangi Kerehoma Commission)

G - 8 *(Natives declared to be Europeans)*

AJHR (1920) G - 8, G - 8a

(Natives Declared to be Europeans)

AJHR (1912) G - 8

(Natives Declared to be Europeans)

AJHR (1931) G - 9 p.2

(Native Land Courts).