



## West Coast Settlement Reserves Amendment Act 1913

1913

- Citation:** 4 Geo. V, No 59  
**Date of Assent:** 15 December, 1913  
**Commencement:** Date of Assent
- Repeal:** Repealed 1955, No 38  
**Amendments:** **1914, No 50:** s2: extends powers of NLCt to partition of reserves.  
s3: On partition NLCt to have same powers of exchange as in ordinary jurisdiction.  
s4: NLCt may award areas of land to certain Natives.  
**1923, No 33:** See separate record.
- Type of Legislation:** Public  
**Subject:** Reserved Land  
Public/Native/Maori Trustee  
Leased Land
- Relevant Sections:** s3: Each lessee entitled to a new lease of the land comprised in his present lease for a further term of 10 years. On expiry of the term the rights of the lessee over the land shall absolutely cease.  
s6: Method of assessment of rental.  
s7 - 10: Three valuers to be appointed to assess values of lands comprised in leases. 1 appointed by lessees, 1 appointed by Maori owners and 1 appointed by Valuer-General.  
s15: NLCt to partition the lands amongst the Native owners. However no partition shall take effect nor the land vest in the Native owners until the new leases have expired. Until the partition orders take effect it is not lawful for any beneficial Native owner to lease any part of the said lands.  
s16: Rentals to be received by the Public Trustee - 5% deducted for administration then one-third to Native owners and two-thirds into Public Trust fund to gain interest in order to pay compensation to lessees.  
s17: On expiration of the term of the new leases the lessee entitled to be paid the full value of improvements on the land. Value of improvements to be ascertained by the 3 valuers appointed.  
s18: Money to be paid to lessee shall be paid by the Public Trustee out of money accumulated for that purpose. If this amount is deficient the Public Trustee is to make an advance from the common fund of the Public Trust Office.  
s19: Lessee electing not to take new lease to be paid compensation under present lease.

*Commentary and Cross Reference continued over page*



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**Commentary:** The West Coast Settlement Reserves Act 1892 allowed lease holders to convert their leases to perpetually renewable ones. Several had failed to take advantage of this, despite 3 opportunities to do so. The leases were now due to expire and the tenants had petitioned Parliament for favourable consideration re the value of improvements. A Royal Commission was set up in 1912, which found that “every legislative measure has been in favour of the lessees” and that “on no occasion has the Native owner been consulted in reference to any fresh legislation” while it was the Public Trustee’s legal responsibility to ascertain Maori wishes. Maori owners wanted to farm their lands rather than continue leasing but at the end of their term the leases would go to auction and Maori would be unlikely to regain possession of the land whilst the tenants would receive only improvements payments to the value of £5 per acre. This Act provides for a settlement by extending the leases for ten years with a portion of the rents being put into a fund to pay for the improvements at the new expiry date. After the ten years the land reverts to the Maori owner and will not be under the control of the Public Trustee (Butterworth says that this resulted in the Public Trustee losing control of a total of 22,442 hectares). In the meantime provision is made for the owners’ interests to be individualised to facilitate their later use of the land and provision is made for the Crown to purchase individual shares. Te Rangihiroa said that the settlement means that Maori are giving up too much for what they are to obtain in return, and Carroll says that the Government should have followed the report of the Royal Commission which said the tenants should not be granted further extensions and that they knew the value of improvements which had been set .

**Cross Reference:** NZPD vol 167 (1913) 135 - 140, 879 - 925, 956 - 965

AJHR (1912) Sess II G - 2

*(West Coast Settlement Reserves Royal Commission)*

Butterworth G & Butterworth S *The Maori Trustee*  
(Maori Trustee, Wellington, 1991) 26

Butterworth G & Young H *Maori Affairs*  
(GP Books, Wellington, 1990) 68 - 69.