



Native Land Amendment and Native Land Claims Adjustment Act 1922

- Citation:** 13 Geo. V, No 48
- Date of Assent:** 31 October, 1922
- Commencement:** Date of Assent
- Repeal:** Repealed 1931, No 32
- Amendments:** **1923, No 32:** See separate record.
s13 amends s27(3).
1924, No 45: See separate record.
s16 amends s27(4).
1926, No 64: See separate record.
s7 amends s17
s20 amends s31.
1927, No 67: See separate record.
s49 (9) repeals s28.
1929, No 19: See separate record.
s17 amends s7
s18 amends s12.
1931, No 31: See separate record.
repeals all except ss1, 15, 27, 31, 32, 43, & Second Schedule.
- Type of Legislation:** Public
- Subject:** Govt Admin Specific to Maori/Maori Land
Lakes, Rivers, Beds, Foreshores etc.
Fisheries
Maori Land Court: Structures & Jurisdiction
Maori Land Boards
Survey Issues
Wahi Tapu & Non Tangible Resources
Gifts/Alienations for Schools, Churches etc.
- Relevant Sections:** s2: Amendments to Native Land Act 1909.
s3: Amendments to Native Land Amendment Act 1913.
s4: Repeals s5 Native Land Amendment Act 1914 and s2 Native Land Amendment and Native Land Claims Adjustment Act 1919.
s5: Extends period for confirmation of resolution.
s6: Reference to Court by Chief Judge.
s7: Chief Judge may amend order of NLCT or Appellate Court after title ascertained.
s8: Extending protection of s92 Native Land Amendment Act 1913.

Relevant Sections continued next page



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1922

s9: When NLCT is satisfied that it is the wish of the majority of Native owners, rents may be allocated for assisting any religious, charitable, or educational purpose.

s10: Revesting lands subject to Parts XIV and XV of Native Land Act 1909, vested in Maori Land Boards.

s11: Permitting adjustment of errors on partition.

s12: Personalty orders may be issued.

s13: In order to give access to any European land which has ceased to be Native land since 15 December, 1913 NLCT may lay road lines over any adjoining Native lands (3) Compensation to be determined by NLCT.

s14: Adequacy of consideration for alienation by sale from the lessor to the lessee.

s15: Amends Native Townships Act 1910.

s16: Board may grant substituted lease.

s17: Grant of new lease on subdivision of leasehold.

s18: The provisions of *s81* Native Land Amendment Act 1913 shall apply to Native freehold land which leasehold is mortgaged and subsequently acquired by mortgagee.

s19: Maori Land Board may accept mortgages.

s20: Maori Land Board may retain compensation moneys paid under the Public Works Act 1908 as a trust fund.

s21: Validating orders vesting any interest in Native land as a discharge for survey costs.

s22: Taxation of conductors cost.

s23: Recovery of amounts due to deceased Natives.

s24: Payments to Maori Land Boards of amounts due to deceased Natives.

s25: Maori Land Board may modify terms of alienation.

s26: Enforcement of contract on behalf of Natives.

s27: Arawa District lake beds and right to use the waters declared to be the property of the Crown

– all islands in said lakes reserved to the Arawa tribe.

(2) Native fishing rights reserved, but no fish to be sold without consent of Board.

(3) Annual payment of £6,000 from Consolidated Fund.

(4) Constitutes Arawa District Trust Board.

Commentary continued over page



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Commentary: Section 27 relating to the Arawa Lakes follows on from a Court of Appeal case which said Arawa could take their claim to the beds of the lake to the NLCt. Arawa said their claim rested on their customary fishing rights guaranteed by the Treaty but introduced fish species had depleted native species and Arawa were breaking fishing laws by catching trout etc. without a licence. As a compromise the Crown awarded Arawa fishing licences and an annuity to the Arawa Trust Board in return for acceptance of the Crown's right to the fee simple to the beds of the lake.

Cross Reference: Walker R *Ka Whawhai Tonu Matou: Struggle Without End* (Penguin, Auckland, 1990) 191.