



Native Land Amendment and Native Land Claims Adjustment Act 1926

1926

- Citation:** 17 Geo. V, No 64
Date of Assent: 11 September, 1926
Commencement: Date of Assent
- Repeal:** Still in Force
- Amendments:** **1927, No 67:** See separate record.
s27 amends s6.
1931, No 31: See separate record.
repeals all except ss1, 14 - 16, 20, 23, 24, 31, 33, 34, & *Second Schedule*.
1931, No 32: See separate record.
repeals all except ss1 & 14.
1946, No 37: s8 amends s14(4).
1981, No 112: s10 amends s14 – fishing in Lake Taupo.
- Type of Legislation:** Public
- Subject:** Fisheries
Maori Land Boards
Leased Land
Lakes, Rivers, Beds, Foreshores etc.
Maori Land Court: Structures & Jurisdiction
Gifts/Alienations for Schools, Churches etc.
Maori Land Development Schemes
Wahi Tapu & Non Tangible Resources
- Relevant Sections:** s3: Amends Native Land Act 1909 (a) amends s325 (b) amends s327.
s5: Authorising variation of terms of payment of rent.
s6: Authorising execution by Maori Land Board of renewed leases.
s8: Authorising Maori Land Board to make advances for the purposes of agricultural or pastoral business, payment of debts or liabilities of body corporate, discharge of rates or taxes affecting Native freehold land, for farming, improvement or settlement of Native freehold land.
s9: Making provision for Board moneys to be common fund.
s10: Amends Native Land Act 1909 s417.
s11: Authorising the provisional registration of mortgages to State Loan Department.
s12: Board may be empowered to administer land when rates in default.
s13: Amends Native Land Act 1909 s140.

Relevant Sections, Commentary and Cross Reference continued over page



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Native Land Claims Adjustment Act 1926** *continued*

s14: Bed of Lake Taupo and Waikato river to Huka Falls inclusive declared to be the property of the Crown, freed and discharged from Native customary title. (2) Natives reserved the right to fish for their own use but sale of fish shall be an offence. (4) Gov-Gen may declare by Proclamation the bed of any river or stream flowing into lake Taupo to be Crown land.

s15: Payment of annual sum to Tuwharetoa Trust Board authorised.

s16: Tuwharetoa Trust Board constituted.

s34: Enabling exemption of Native land from liability for rates.

Commentary: Section 8 was designed to assist in providing security for Maori land development finance. Using Maori land as a security had become impossible due to the complexity of Maori title. The section provided for moneys advanced by the State to become a charge on the land. Section 14 gives effect to an agreement entered into under the provisions of s29 Native Land Amendment and Native Land Claims Adjustment Act 1924 between the Government and Ngati Tuwharetoa for the use of Lake Taupo and its foreshore. The Government had been concerned that the right to use the foreshore of the lake, or the banks of contributing rivers might be sold by the Maori owners to foreigners who were willing to pay to fish in the waters. This Act vests the bed of the lake and contributing rivers in the Crown, as well as a chain on the land surrounding the lake. In return Ngati Tuwharetoa are to receive a £3,000 annual payment from the Crown which will be distributed by the Tuwharetoa Board established under this Act. To finance this the Government is imposing fees for fishing licences for the lake, while local Maori have free access to fish for their own requirements. Ngata pointed out that this should be so because Maori fish for food, not sport, and thus do not observe the conventions of fly-fishing etc.

Cross Reference: NZPD vol 211 (1926) 285 - 295, 378 - 389.