



New Zealand Railways Corporation Restructuring Act 1990

Citation: No 105
Date of Assent: 28 August, 1990
Commencement: Date of Assent

Repeal: Still in Force
Amendments: 1993, No 79.
Type of Legislation: Public
Subject: Govt Admin Specific to Maori/Maori Land
 Public Works
 ToW/Principles of ToW reference

Relevant Sections: *s26:* Where land had been taken under Public Works Acts and was previously Maori land, an application may be made to MLCT under *s436*, Maori Affairs Act 1953, as an alternative to an offer to sell to the original owners under *ss23 & 24* of this Act.
s38: District Land Registrar to register memorial on Certificate of Title when Crown land is vested in Crown transferee giving notice of the right of resumption on the recommendation of the Waitangi Tribunal.
s39: Resumption of land on binding recommendation of Waitangi Tribunal.
s40: Resumption of land to be effected under Public Works Act 1981.
ss41 - 43: Amendments to Treaty of Waitangi Act 1975.

Commentary: According to the Debates, land held by a railway operator will not be subject to resumption as the land on which the railway runs must be retained. In this case other compensation will be negotiated.
 In June 1991 the National Maori Congress lodged a claim in respect of railways lands (Wai 264) following which, during 1991 - 1993, there was a Crown/Congress Joint Working Party which researched and sought for negotiated settlements of Maori land claims relating to the disposal of the railways surplus lands in certain areas (Auckland Central, Waikanae, Wellington and South Auckland).

Cross Reference: NZPD vol 506 (1990) 921, 934 - 935.