

**Reprint  
as at 1 January 2014**



**Waitangi Day Act 1976**

Public Act    1976 No 33  
Date of assent    1 November 1976  
Commencement    1 November 1976

**Contents**

	Page
Title	1
1 Short Title	2
2 Act to bind Crown	2
3 Waitangi Day to be a day of commemoration	2
4 Observance of Waitangi Day	2
5 Application to terms of employment <i>[Repealed]</i>	2
6 Anniversary Day in Northland <i>[Repealed]</i>	2
6A Relationship with Holidays Act 2003	2
7 Repeals, savings, and consequential amendments	3
<b>Schedule</b>	4
<b>The Treaty of Waitangi</b>	

---

**An Act to make provision for the observance of 6 February in each year as a public holiday to commemorate the signing of the Treaty of Waitangi**

---

**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This Act is administered by the Ministry for Culture and Heritage.**

**1 Short Title**

This Act may be cited as the Waitangi Day Act 1976.

**2 Act to bind Crown**

This Act shall bind the Crown.

**3 Waitangi Day to be a day of commemoration**

In commemoration of the signing on 6 February 1840, at Waitangi, of the treaty known as the Treaty of Waitangi (a copy of which is set out in English and in Maori in the Schedule), 6 February in each year shall be known as Waitangi Day.

**4 Observance of Waitangi Day**

(1) Waitangi Day shall be observed as a public holiday throughout New Zealand on the day of the week on which it falls.

(2) *[Repealed]*

Section 4(2): repealed, on 1 January 2014, by section 7(2) of the Holidays (Full Recognition of Waitangi Day and ANZAC Day) Amendment Act 2013 (2013 No 19).

**5 Application to terms of employment**

*[Repealed]*

Section 5: repealed, on 1 April 2004, by section 91(1) of the Holidays Act 2003 (2003 No 129).

**6 Anniversary Day in Northland**

*[Repealed]*

Section 6: repealed, on 1 February 1982, by section 36(1) of the Holidays Act 1981 (1981 No 15).

**6A Relationship with Holidays Act 2003**

This Act is subject to section 45A of the Holidays Act 2003 (which concerns the transfer of the public holiday for the purposes of Part 2, subpart 3 of that Act when Waitangi Day falls on a Saturday or a Sunday).

Section 6A: inserted, on 1 January 2014, by section 7(3) of the Holidays (Full Recognition of Waitangi Day and ANZAC Day) Amendment Act 2013 (2013 No 19).

**7 Repeals, savings, and consequential amendments**

(1) The New Zealand Day Act 1973 is hereby repealed.

(2) *[Repealed]*

(3) *[Repealed]*

(4) *[Repealed]*

(5) *[Repealed]*

(6) *[Repealed]*

Section 7(2): repealed (with effect on 8 March 1974), on 14 December 1979, by section 2(2) of the Industrial Relations Amendment Act 1979 (1979 No 141).

Section 7(3): repealed (with effect on 8 March 1974), on 14 December 1979, by section 2(2) of the Industrial Relations Amendment Act 1979 (1979 No 141).

Section 7(4): repealed, on 1 February 1982, by section 74 of the Factories and Commercial Premises Act 1981 (1981 No 25).

Section 7(5): repealed, on 16 December 1982, by section 15 of the Banking Act 1982 (1982 No 144).

Section 7(6): repealed, on 16 December 1982, by section 15 of the Banking Act 1982 (1982 No 144).

---

**Schedule**

s 3

**The Treaty of Waitangi**

HER MAJESTY VICTORIA Queen of the United Kingdom of Great Britain and Ireland regarding with Her Royal Favour the Native Chiefs and Tribes of New Zealand and anxious to protect their just Rights and Property and to secure to them the enjoyment of Peace and Good Order has deemed it necessary in consequence of the great number of Her Majesty's Subjects who have already settled in New Zealand and the rapid extension of Emigration both from Europe and Australia which is still in progress to constitute and appoint a functionary properly authorized to treat with the Aborigines of New Zealand for the recognition of Her Majesty's Sovereign authority over the whole or any part of those islands—Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the native population and to Her subjects has been graciously pleased to empower and to authorize me William Hobson a Captain in Her Majesty's Royal Navy Consul and Lieutenant Governor of such parts of New Zealand as may be or hereafter shall be ceded to her Majesty to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.

**Article the First**

The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess over their respective Territories as the sole Sovereigns thereof.

**Article the Second**

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which

they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Preemption over such lands as the Proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

### Article the Third

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.

W Hobson,  
Lieutenant Governor.

Now therefore We the Chiefs of the Confederation of the United Tribes of New Zealand being assembled in Congress at Victoria in Waitangi and We the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names, having been made fully to understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof: in witness of which we have attached our signatures or marks at the places and the dates respectively specified.

Done at Waitangi this Sixth day of February in the year of Our Lord One thousand eight hundred and forty.

*[Here follow signatures, dates, etc]*

### (The text in Maori)

Schedule text in Maori: substituted, on 6 January 1986, by section 10 of the Treaty of Waitangi Amendment Act 1985 (1985 No 148).

KO WIKITORIA, te Kuini o Ingarani, i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga, me to ratou wenua, a kia mau tonu hoki

te Rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira hei kai wakarite ki nga Tangata maori o Nu Tirani-kia wakaetia e nga Rangatira maori te Kawanatanga o te Kuini ki nga wahikatoa o te Wenua nei me nga Motu-na te mea hoki he tokomaha ke nga tangata o tona Iwi Kua noho ki tenei wenua, a e haere mai nei.

Na ko te Kuini e hiahia ana kia wakaritea te Kawanatanga kia kua ai nga kino e puta mai ki te tangata Maori ki te Pakeha e noho ture kore ana.

Na, kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kawana mo nga wahi katoa o Nu Tirani e tukua aiane, amua atu ki te Kuini e mea atu ana ia ki nga Rangatira o te wakaminenga o nga hapu o Nu Tirani me era Rangatira atu enei ture ka korerotia nei.

#### Ko te Tuatahi

Ko nga Rangatira o te Wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu-te Kawanatanga katoa o o ratou wenua.

#### Ko te Tuarua

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga hapu-ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te Wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te Wenua-ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

#### Ko te Tuatoru

Hei wakaritenga mai hoki tenei mo te wakaetanga ki te Kawanatanga o te Kuini-Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

(Signed) William Hobson,

Consul and Lieutenant-Governor.

Na ko matou ko nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani ka huihui nei ki Waitangi ko matou hoki ko nga Rangatira o Nu Tirani ka kite nei i te ritenga o enei kupu, ka tangohia ka wakaetia katoatia e matou, koia ka tohungia ai o matou ingoa o matou tohu. Ka meatia tenei ki Waitangi i te ono o nga ra o Pepueri i te tau kotahi mano, e waru rau e wa te kau o to tatou Ariki.

Ko nga Rangatira o te wakaminenga.

---

## Reprints notes

### **1** *General*

This is a reprint of the Waitangi Day Act 1976 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### **2** *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, will have the status of an official version once issued by the Chief Parliamentary Counsel under section 17(1) of that Act.

### **3** *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4** *Amendments incorporated in this reprint*

Holidays (Full Recognition of Waitangi Day and ANZAC Day) Amendment Act 2013 (2013 No 19): section 7

Holidays Act 2003 (2003 No 129): section 91(1)

Treaty of Waitangi Amendment Act 1985 (1985 No 148): section 10

Banking Act 1982 (1982 No 144): section 15

Factories and Commercial Premises Act 1981 (1981 No 25): section 74

Holidays Act 1981 (1981 No 15): section 36(1)

Industrial Relations Amendment Act 1979 (1979 No 141): section 2(2)

---