

**Reprint
as at 1 April 1987**



Mount Egmont Vesting Act 1978

Public Act 1978 No 38
Date of assent 11 October 1978
Commencement 11 October 1978

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An Act to provide for the symbolic return of Mount Egmont to the Taranaki Maori Trust Board on behalf of the Maori tribes

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This Act is administered by the Department of Conservation.

concerned, and the gift of the Mountain back to the Crown by the Board for the purposes of a national park for the use and enjoyment of all the people of New Zealand

Whereas Mount Egmont (known in Maori as Taranaki) (in this preamble referred to as the Mountain) comprises part of the Egmont National Park: And whereas the Mountain comprises, in part, land that was confiscated by the Crown from its former Maori owners pursuant to the New Zealand Settlements Act 1863 and, in part, land that has been purchased by the Crown from its former Maori owners: And whereas certain provisions in relation to the confiscations above referred to were made by the Taranaki Maori Claims Settlement Act 1944 and are now contained in the Maori Trust Boards Act 1955, which Act continued in existence the Taranaki Maori Trust Board: And whereas, in consideration of the special significance that the Mountain has for the Maori people of the Taranaki district, it has been agreed between the Crown and representatives of those Maori people that the Mountain shall be formally transferred to the Taranaki Maori Trust Board as representing the Maori people of the Taranaki district in order that it may be given back to the Crown for the purposes of a National Park as a free gift and as a symbol of love to all the people of New Zealand by the Board on behalf of the Atiawa, Ngati Mutunga, Ngati Maru, Ngati Tama, Ngati Ruanui, Ngaruahine, Taranaki, and Ngarauru tribes, and their descendants.

1 Short Title

This Act may be cited as the Mount Egmont Vesting Act 1978.

2 Interpretation

In this Act, unless the context otherwise requires,—

Board means the Taranaki Maori Trust Board referred to in section 9 of the Maori Trust Boards Act 1955

Minister means the Minister of Conservation

the Mountain means Mount Egmont, being the land more particularly described in the Schedule.

Section 2 **Minister**: amended, on 1 April 1987, by section 65(1) of the Conservation Act 1987 (1987 No 65).

3 Act to bind Crown

This Act binds the Crown.

4 Vesting of Mountain in Taranaki Maori Trust Board

The Mountain is hereby excluded from the Egmont National Park, and is hereby vested in the Board for an estate in fee simple.

5 Gift of Mountain for purposes of national park

- (1) The Board is hereby empowered to give and does give the whole of the interest in the Mountain vested in it by section 4 to Her Majesty the Queen for the purposes of a national park, subject to the condition set out in section 6.
- (2) For the purposes of giving full effect to that gift, the Mountain is hereby vested in Her Majesty, to be held by Her Majesty for the purposes of and as part of the Egmont National Park, under and subject to the National Parks Act 1952.

6 Board to be consulted in respect of proposal to exclude Mountain from national park

The Board's gift of the Mountain is subject to the condition that every proposal to exclude any part of the land comprising the Mountain from the Egmont National Park shall be referred by the Minister to the Board, and he shall give the Board a reasonable opportunity to consider the proposal and to comment on it to the Minister.

7 Gift duty exemption

No duty shall be payable in respect of the gift of the Mountain by the Board.

8 Act not limited by other Acts

The provisions of this Act shall apply notwithstanding anything in the National Parks Act 1952, Part 21 of the Maori Affairs Act 1953, the Maori Trust Boards Act 1955, the Estate and Gift Duties Act 1968, or any other enactment.

9 Savings

- (1) Nothing in section 6 shall limit or affect the provisions of section 10(2) of the National Parks Act 1952 (which provides that land may be excluded from a national park only by Act of Parliament).
 - (2) Nothing in this Act shall affect any Order in Council, notice, regulation, rule, or bylaw or any lease, licence, authority, or document made or granted, or any thing whatsoever done, under the provisions of the National Parks Act 1952 or any corresponding former enactment; and every such Order in Council, notice, regulation, rule, bylaw, lease, licence, authority, document or thing, so far as it is subsisting or in force on the date of the commencement of this Act, shall continue to have effect as if the Mountain had at all times remained subject to the National Parks Act 1952.
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Schedule

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First, all that parcel of land in the Taranaki Land District, containing 18 307.4969 hectares, more or less, being part Blocks XI and XV Cape Survey District, and Sections 18 and 19, Block V, and part Blocks V, IX, XIII, and XIV, Egmont Survey District, part Block IV, Opunake Survey District, and Sections 6, 7, and 8, Block II, and part Blocks II, III, V, VI, and VII, Kaupokonui Survey District; being the whole of the area hatched brown on SO Plan 11271; and

Secondly, all that parcel of land in the Taranaki Land District, containing 13 653.0823 hectares, more or less, being Subdivisions 1, 3, 4, 5, 6, 7, 8, and 9, and part Subdivisions 2 and 10 of Section 170 and Section 174 and parts Sections 169 and 170, Oakura District, situated in Block II, Wairau Survey District, and Blocks III and VII, Cape Survey District, and part Section 2, Block XIV, Sections 2 and 3, Block XV, Section 8, Block XI, Section 38, Block VII, Block X, and part Blocks VI, VII, IX, X, XI, XIV, and XV, Egmont Survey District, and part Blocks II and III, Kaupokonui Survey District; being the whole of the area hatched blue on the said SO Plan 11271.

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Notes**1 *General***

This is a reprint of the Mount Egmont Vesting Act 1978. The reprint incorporates all the amendments to the Act as at 1 April 1987, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Conservation Act 1987 (1987 No 65): section 65(1)
