Reprint
as at 1 September 2017

Ngāti Koroki Kahukura Claims Settlement Act 2014

Public Act	2014 No 74
Date of assent	15 December 2014
Commencement	see section 2

Contents

Note

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

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

This Act is administered by the Ministry of Justice.

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Ngāti Koroki Kahukura Claims Settlement Act 2014.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

Part 1
Preliminary matters, acknowledgements and apology, and settlement of historical claims

Preliminary matters

3 Purpose

The purpose of this Act is—

(a) to record the acknowledgements and apology given by the Crown to Ngāti Koroki Kahukura in the deed of settlement; and

(b) to give effect to certain provisions of the deed of settlement that settles the historical claims of Ngāti Koroki Kahukura.

4 Provisions to take effect on settlement date

(1) The provisions of this Act take effect on the settlement date unless stated otherwise.

(2) Before the date on which a provision takes effect, a person may prepare or sign a document or do anything else that is required for—

(a) the provision to have full effect on that date; or

(b) a power to be exercised under the provision on that date; or

(c) a duty to be performed under the provision on that date.

5 Act binds the Crown

This Act binds the Crown.

6 Outline

(1) This section is a guide to the overall scheme and effect of this Act, but does not affect the interpretation or application of the other provisions of this Act or of the deed of settlement.

(2) This Part—

(a) sets out the purpose of this Act; and

(b) provides that the provisions of this Act take effect on the settlement date unless a provision states otherwise; and

(c) specifies that the Act binds the Crown; and

(d) sets out a summary of the historical account, and records the text of the acknowledgements and apology given by the Crown to Ngāti Koroki Kahukura, as recorded in the deed of settlement; and

(e) defines terms used in this Act, including key terms such as Ngāti Koroki Kahukura and historical claims; and

(f) provides that the settlement of the historical claims is final; and

(g) provides for—

(i) the effect of the settlement of the historical claims on the jurisdiction of a court, tribunal, or other judicial body in respect of the historical claims; and

(ii) a consequential amendment to the Treaty of Waitangi Act 1975; and

(iii) the effect of the settlement on certain memorials; and

(iv) the exclusion of the law against perpetuities; and

(v) access to the deed of settlement.

(3) Part 2 provides for cultural redress, including—

(a) cultural redress requiring vesting in the trustees of the fee simple estate in certain cultural redress properties; and

(b) cultural redress that does not involve the vesting of land, namely,—

(i) a statutory acknowledgement by the Crown of the statements made by Ngāti Koroki Kahukura of their cultural, historical, spiritual, and traditional association with certain statutory areas and the effect of that acknowledgement, together with deeds of recognition for the specified areas; and

(ii) the registration of Te Hapori o Maungatautari as the proprietor of Maungatautari Mountain Scenic Reserve; and

(iii) provision for various enactments, regulations, bylaws, and components of integrated river management plans to apply to, or in relation to, the Karapiro to Lake Arapuni sub-catchment.

(4) Part 3 provides for commercial redress, including authority to transfer commercial redress properties, and a right of first refusal over RFR land.

(5) There are 4 schedules, as follows:

(a) Schedule 1 describes the statutory areas to which the statutory acknowledgement relates and, in some cases, for which deeds of recognition are issued:

(b) Schedule 2 describes the cultural redress properties:

(c) Schedule 3 describes Maungatautari Mountain Scenic Reserve:

(d) Schedule 4 sets out provisions that apply to notices given in relation to RFR land.

Summary of historical account, acknowledgements, and apology of the Crown

7 Summary of historical account, acknowledgements, and apology

(1) Section 8 summarises the historical account in the deed of settlement, setting out the basis for the acknowledgements and apology.

(2) Sections 9 and 10 record the text of the acknowledgements and apology given by the Crown to Ngāti Koroki Kahukura in the deed of settlement.

(3) The acknowledgements and apology are to be read together with the historical account recorded in part 2 of the deed of settlement.

8 Summary of historical account

(1) During the 1840s and 1850s, Ngāti Koroki Kahukura were a prosperous and flourishing people. Among other things, they successfully traded with Europeans. However, by the late 1850s there was rising tension over land alienations. Ngāti Koroki Kahukura actively supported the establishment of the Kīngitanga and, in an effort to safeguard their lands from alienation, placed their lands under the protection of the Māori King. At the same time, their rangatira Tioriori worked to maintain cordial relations with the Crown.

(2) In 1863, war broke out after Crown military forces breached the Kīngitanga aukati along the Mangatawhiri River. This resulted in the deaths of some Ngāti Koroki Kahukura and the capture of others including Tioriori, who was taken while assisting a wounded British officer. Other Ngāti Koroki Kahukura retreated into the Maungatautari ranges. In June 1864, Tioriori was paroled because he favoured peace, and the Governor wanted his help to end hostilities. Nevertheless, in 1865, the Crown included Ngāti Koroki Kahukura among iwi it labelled rebels, and proclaimed the confiscation of much of their land. The confiscation caused immense hardship.

(3) For many generations Ngāti Koroki Kahukura has perceived Maungatautari as their tupuna, their ancestral mountain, central to their identity and mana. The land in and around the mountain, like the other remaining land held collectively by Ngāti Koroki Kahukura, became the subject of Crown-imposed tenure re-

form. In 1865, the Native Land Court was established to award individuals ownership of land traditionally held in tribal land tenure. Much of the land awarded by the Court to Ngāti Koroki Kahukura, including land at Maungatautari, was sold by individuals awarded ownership under laws in force between 1865 and 1873 which limited ownership of any land block to no more than 10 individuals. Ngāti Koroki Kahukura were involved in more than 50 Native Land Court hearings before 1901, and the costs of Court processes, including surveys, contributed to the further alienation of Ngāti Koroki Kahukura land. Further land was alienated during the twentieth century, Ngāti Koroki Kahukura recall, to pay rates.

(4) The combined impact of confiscation and the alienation of land for which the Native Land Court had awarded titles to individuals resulted in Ngāti Koroki Kahukura becoming virtually landless by the end of the twentieth century.

(5) For many generations the Waikato River has been perceived as a tupuna, a living taonga, and a critical resource for Ngāti Koroki Kahukura. However, the Crown has assumed control of and exercised jurisdiction over the river since the confiscation. In 1881, Ngāti Koroki Kahukura destroyed a bridge being built at Aniwaniwa, which they saw as a significant intrusion on their mana in their own rohe. Nevertheless, swamps and wetlands have been drained and the river polluted by commercial and domestic usage. The construction of hydroelectric power schemes on the river has depleted traditional fisheries and other food sources, and flooded the homes of Ngāti Koroki Kahukura people and their culturally significant sites, including sacred burial sites.

(6) During the First World War, the Crown imprisoned some Ngāti Koroki Kahukura for resisting conscription. Despite this, some Ngāti Koroki Kahukura still volunteered for service during the Second World War.

(7) In the 1870s, the Crown began establishing schools for Māori. One of its objectives was to assimilate Māori into European culture. Ngāti Koroki Kahukura elders recall corporal punishment being used to discourage them from speaking te reo. Ngāti Koroki Kahukura estimate that just 5% of their people today speak te reo.

(8) By 1950, many Ngāti Koroki Kahukura were migrating from their traditional rohe in search of better economic prospects. This disconnected many from their communities and local culture. Ngāti Koroki Kahukura consider that landlessness and social deprivation have contributed to the Crown not recognising them as an iwi in their own right.

9 Acknowledgements

(1) In the Waikato-Tainui deed of settlement signed in 1995 and the Waikato Raupatu Claims Settlement Act 1995, the Crown acknowledged the grave injustice of its actions during the Waikato War of 1863–1864 upon 33 groups descending from the Tainui waka, including Ngāti Koroki. In particular, the Crown acknowledged that its representatives and advisers acted unjustly and in breach of

the Treaty of Waitangi in its dealings with the Kīngitanga and Waikato, sending its forces across the Mangatawhiri River in July 1863, occupying and subsequently confiscating Waikato land, and unfairly labelling Waikato as rebels.

(2) In the Waikato-Tainui deed of settlement signed in 2009 and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, the Crown acknowledged that—

(a) in occupying and subsequently confiscating Waikato land it unjustly, and in breach of the Treaty of Waitangi, denied the hapū of Waikato-Tainui (including Ngāti Koroki) their rights and interests in, and mana whakahaere over, the Waikato River; and

(b) for Waikato-Tainui, their relationship with, and respect for, the Waikato River gives rise to their responsibilities to protect the mana and mauri of the river and to exercise their mana whakahaere in accordance with their long-established tikanga; and

(c) the deterioration of the health of the Waikato River, while under the authority of the Crown, has been a source of distress for the people of Waikato-Tainui; and

(d) the Crown respects the deeply felt obligation of Waikato-Tainui to protect te mana o te awa.

(3) The Crown hereby recognises those grievances and acknowledges that up until now it has failed to deal with the remaining long-standing grievances of Ngāti Koroki Kahukura in an appropriate way and that recognition of those grievances is long overdue. Accordingly, it now makes the following further acknowledgements:

(a) Ngāti Koroki Kahukura suffered significant economic loss when they left homes, cultivations, and mills during the Waikato War of 1863–1864 and in the aftermath of the Crown's confiscation of Waikato land in 1864; and

(b) over time these events helped to weaken the identity of Ngāti Koroki Kahukura as a people with effects that continue to be felt to this day.

(4) The Crown acknowledges the detention of the Ngāti Koroki Kahukura rangatira Tioriori without trial in 1863 on the prison hulk Marion. The Crown's actions in incarcerating Tioriori and his subsequent treatment left Ngāti Koroki Kahukura without leadership in the aftermath of the Waikato war and left the iwi with a sense of shame that has continued to this day.

(5) The Crown acknowledges the cultural significance of Maungatautari and the Waikato River to Ngāti Koroki Kahukura and that Ngāti Koroki Kahukura's spiritual relationship with their ancestral maunga and ancestral awa has been adversely affected by the operation and impact of native land law and other legislation.

(6) The Crown acknowledges that—

(a) it did not consult Ngāti Koroki Kahukura before introducing native land legislation in 1862; and

(b) the operation and impact of the native land laws, in particular awarding blocks of land to individuals, and enabling individuals to deal with that land without reference to iwi or hapū, made the land more susceptible to partition, fragmentation, and alienation. This undermined traditional tribal structures of the iwi, which were based on collective tribal and hapū custodianship of the land. The Crown failed to protect those collective tribal structures, which had a prejudicial effect on Ngāti Koroki Kahukura and was a breach of the Treaty of Waitangi and its principles.

(7) The Crown acknowledges that—

(a) between 1866 and 1869, Ngāti Koroki Kahukura were awarded interests in several land blocks, including Maungatautari, in the names of only 10 owners, who were able to act as absolute owners rather than for or on behalf of Ngāti Koroki Kahukura; and

(b) in 1873, some owners of Maungatautari 1 and 2 land blocks sold their interests against the wishes of the other owners, and the subsequent alienation of these lands caused hardship and conflict within Ngāti Koroki Kahukura; and

(c) the Crown's failure to actively protect the interests of Ngāti Koroki Kahukura in land they may otherwise have wished to retain in communal ownership was a breach of the Treaty of Waitangi and its principles.

(8) The Crown acknowledges that the cumulative effect of the operation and impact of native land laws and Crown purchasing left Ngāti Koroki Kahukura virtually landless and undermined their economic, social, and cultural development. The Crown's failure to ensure Ngāti Koroki Kahukura retained sufficient land for their present and future needs was a breach of the Treaty of Waitangi and its principles.

(9) The Crown acknowledged in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 that Waikato hapū lost rights, interests, and mana whakahaere in relation to the Waikato River. The Crown hereby recognises those grievances and also acknowledges—

(a) the particular significance of the Waikato River to Ngāti Koroki Kahukura as a physical and spiritual resource over which Ngāti Koroki Kahukura acted as kaitiaki; and

(b) that the development of hydroelectric dams on the parts of the Waikato River within the rohe of Ngāti Koroki Kahukura has been a source of great distress to Ngāti Koroki Kahukura, resulting in damage to precious wāhi tapu and historic sites including burial caves.

(10) The Crown acknowledges the significant contribution to the wealth and development of the nation as a result of the hydroelectric developments constructed on the Waikato River in the Ngāti Koroki Kahukura rohe. The Crown also ac-

knowledges other contributions made by Ngāti Koroki Kahukura over time to the development of the nation, including helping to meet the nation's defence obligations in the Second World War. The Crown acknowledges the loss to Ngāti Koroki Kahukura of those who died in the service of their country.

(11) The Crown further acknowledges that, over time, Ngāti Koroki Kahukura have lacked opportunities for economic, social, and cultural development and, in many cases, this has had a detrimental effect on their material, cultural, and spiritual well-being.

10 Apology

The Crown seeks to atone for its wrongs and accordingly offers the following apology to Ngāti Koroki Kahukura and to their ancestors and descendants:

(a) the Crown is deeply sorry for its breaches of Te Tiriti o Waitangi and its principles, which left Ngāti Koroki Kahukura virtually landless. The loss of land undermined the social and traditional tribal structures of Ngāti Koroki Kahukura, their autonomy, and the ability to exercise customary rights and responsibilities over customary resources and wāhi tapu, including the Waikato River; and

(b) the Crown profoundly apologises for the hardship endured by Tioriori and Ngāti Koroki Kahukura when the Crown incarcerated Tioriori without trial; and

(c) the Crown also profoundly regrets and unreservedly apologises for the adverse effects that native land laws and other Crown actions have had on the relationship Ngāti Koroki Kahukura have with Maungatautari, their ancestral mountain; and

(d) Ngāti Koroki Kahukura have a long tradition of seeking a positive relationship with the Crown, and the Crown looks forward to renewing that tradition and building an enduring association of mutual trust and co-operation with Ngāti Koroki Kahukura that is based on respect for Te Tiriti o Waitangi and its principles.

Interpretation provisions

11 Interpretation of Act generally

It is the intention of Parliament that the provisions of this Act are interpreted in a manner that best furthers the agreements expressed in the deed of settlement.

12 Interpretation

In this Act, unless the context otherwise requires,—

administering body has the meaning given in section 2(1) of the Reserves Act 1977

attachments means the attachments to the deed of settlement

commercial redress property has the meaning given in section 99

Commissioner of Crown Lands means the Commissioner of Crown Lands appointed under section 24AA of the Land Act 1948

computer register—

(a) has the meaning given in section 4 of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002; and

(b) includes, where relevant, a certificate of title issued under the Land Transfer Act 1952

consent authority has the meaning given in section 2(1) of the Resource Management Act 1991

Crown has the meaning given in section 2(1) of the Public Finance Act 1989

cultural redress property has the meaning given in section 35

deed of recognition—

(a) means a deed of recognition issued under section 30 by—

(i) the Minister of Conservation and the Director-General; or

(ii) the Commissioner of Crown Lands; and

(b) includes any amendments made under section 30(4)

deed of settlement—

(a) means the deed of settlement dated 20 December 2012 and signed by—

(i) the Honourable Christopher Finlayson, Minister for Treaty of Waitangi Negotiations, and the Honourable Simon William English, Minister of Finance, for and on behalf of the Crown; and

(ii) Karaitiana Mack Tamatea, Stanley Rahui Papa, Hinerangi Renee Kara, and Steven Lance Wilson, for and on behalf of Ngāti Koroki Kahukura; and

(iii) Timothy Taiapa Kara, Ted Taotao Tauroa, Karaitiana Mack Tamatea, and Stanley Rahui Papa, being the trustees of Taumatawiwi Trust; and

(b) includes—

(i) the schedules of, and attachments to, the deed; and

(ii) any amendments to the deed or its schedules and attachments

Director-General means the Director-General of Conservation

documents schedule means the documents schedule of the deed of settlement

early transfer property has the meaning given in paragraph 6.1 of the general matters schedule of the deed of settlement

effective date means the date that is 6 months after the settlement date

historical claims has the meaning given in section 14

interest means a covenant, easement, lease, licence, licence to occupy, tenancy, or other right or obligation affecting a property

LINZ means Land Information New Zealand

local authority has the meaning given in section 5(1) of the Local Government Act 2002

member of Ngāti Koroki Kahukura means an individual referred to in section 13(1)(a)

property redress schedule means the property redress schedule of the deed of settlement

Registrar-General means the Registrar-General of Land appointed under section 4 of the Land Transfer Act 1952

representative entity means—

(a) the trustees; and

(b) any person (including any trustee) acting for or on behalf of—

(i) the collective group referred to in section 13(1)(a); or

(ii) 1 or more members of Ngāti Koroki Kahukura; or

(iii) 1 or more of the whānau, hapū, or groups referred to in section 13(1)(c)

reserve has the meaning given in section 2(1) of the Reserves Act 1977

reserve property has the meaning given in section 35

resource consent has the meaning given in section 2(1) of the Resource Management Act 1991

RFR means the right of first refusal provided for by subpart 2 of Part 3

RFR area has the meaning given in section 105

RFR land has the meaning given in section 106

settlement date means the date that is 20 working days after the date on which this Act comes into force

statutory acknowledgement has the meaning given in section 21

Taumatawiwi Trust means the trust of that name established by a trust deed dated 22 April 2010

tikanga means customary values and practices

trustees of Taumatawiwi Trust and **trustees** mean the trustees, acting in their capacity as trustees, of Taumatawiwi Trust

working day means a day other than—

(a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, and Labour Day:

(b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday:

(c) a day in the period commencing with 25 December in any year and ending with the close of 15 January in the following year:

(d) the days observed as the anniversaries of the provinces of Auckland and Wellington.

13 Meaning of Ngāti Koroki Kahukura

(1) In this Act, **Ngāti Koroki Kahukura**—

(a) means the collective group composed of individuals who are descended from 1 or more of Ngāti Koroki Kahukura tūpuna; and

(b) includes those individuals; and

(c) includes any whānau, hapū, or group to the extent that it is composed of those individuals, including the following groups:

(i) Ngāti Waihoro:

(ii) Ngāti Huakatoa:

(iii) Ngāti Ueroa:

(iv) Ngāti Hourua.

(2) In this section and section 14,—

area of interest means the area shown as the Ngāti Koroki Kahukura area of interest in part 1 of the attachments

customary rights means rights exercised according to Ngāti Koroki Kahukura tikanga, including—

(a) rights to occupy land; and

(b) rights in relation to the use of land or other natural or physical resources

descended means that a person is descended from another person by—

(a) birth; or

(b) legal adoption; or

(c) whāngai or Māori customary adoption in accordance with Ngāti Koroki Kahukura tikanga

Ngāti Koroki Kahukura tupuna means an individual who—

(a) exercised customary rights by virtue of being descended from—

(i) Koroki (through Hape) or Kahukura; or

(ii) any other recognised ancestor of a group referred to in subsection (1)(c); and

(b) exercised the customary rights predominantly in relation to the area of interest at any time after 6 February 1840.

14 Meaning of historical claims

(1) In this Act, **historical claims**—

(a) means the claims described in subsection (2); and

(b) includes the claims described in subsection (3); but

(c) does not include the claims described in subsection (4).

(2) The historical claims are every claim that Ngāti Koroki Kahukura or a representative entity had on or before the settlement date, or may have after the settlement date, and that—

(a) is founded on a right arising—

(i) from the Treaty of Waitangi or its principles; or

(ii) under legislation; or

(iii) at common law (including aboriginal title or customary law); or

(iv) from a fiduciary duty; or

(v) otherwise; and

(b) arises from, or relates to, acts or omissions before 21 September 1992—

(i) by or on behalf of the Crown; or

(ii) by or under legislation.

(3) The historical claims include—

(a) a claim to the Waitangi Tribunal that relates exclusively to Ngāti Koroki Kahukura or a representative entity, including Wai 1494 Comprehensive Ngāti Koroki Kahukura claim, to the extent that subsection (2) applies to the claim:

(b) any other claim to the Waitangi Tribunal, including Wai 443, Te Rohe Katoa o Ngāti Raukawa claim, to the extent that subsection (2) applies to the claim and the claim relates to Ngāti Koroki Kahukura or a representative entity.

(4) However, the historical claims do not include—

(a) a claim that a member of Ngāti Koroki Kahukura, or a whānau, hapū, or group referred to in section 13(1)(c), had or may have that is founded on a right arising by virtue of being descended from an ancestor who is not a Ngāti Koroki Kahukura tupuna; or

(b) a claim that a member of Ngāti Koroki Kahukura, or a whānau, hapū, or group referred to in section 13(1)(c), had or may have in relation to Wai 1294, Ngāti Koroki Kahukura (Transpower claim) dated 14 July 2005; or

(c) a claim that a representative entity had or may have that is based on a claim referred to in paragraph (a) or (b).

(5) A claim may be a historical claim whether or not the claim has arisen or been considered, researched, registered, notified, or made on or before the settlement date.

Historical claims settled and jurisdiction of courts, etc, removed

15 Settlement of historical claims final

(1) The historical claims are settled.

(2) The settlement of the historical claims is final, and, on and from the settlement date, the Crown is released and discharged from all obligations and liabilities in respect of those claims.

(3) Subsections (1) and (2) do not limit the deed of settlement.

(4) Except as provided in this Act, the rights and obligations of the Crown and Ngāti Koroki Kahukura remain unaffected.

(5) To avoid doubt,—

(a) subsections (1) and (2) do not extinguish or limit any aboriginal title or customary right that Ngāti Koroki Kahukura may have; and

(b) paragraph (a) does not constitute or imply an acknowledgement by the Crown that any aboriginal title or customary right exists.

(6) Despite any other enactment or rule of law, on and from the settlement date, no court, tribunal, or other judicial body has jurisdiction (including the jurisdiction to inquire or further inquire, or to make a finding or recommendation) in respect of—

(a) the historical claims; or

(b) the deed of settlement; or

(c) this Act; or

(d) the redress provided under the deed of settlement or this Act.

(7) Subsection (6) does not exclude the jurisdiction of a court, tribunal, or other judicial body in respect of the interpretation or implementation of the deed of settlement or this Act.

Amendment to Treaty of Waitangi Act 1975

16 Amendment to Treaty of Waitangi Act 1975

(1) This section amends the Treaty of Waitangi Act 1975.

(2) In Schedule 3, insert in its appropriate alphabetical order "Ngāti Koroki Kahukura Claims Settlement Act 2014, section 15(6) and (7)".

Resumptive memorials no longer to apply

17 Certain enactments do not apply

(1) The enactments listed in subsection (2) do not apply—

(a) to a cultural redress property; or

(b) to a commercial redress property; or

(c) to an early transfer property; or

(d) to the RFR land; or

(e) for the benefit of Ngāti Koroki Kahukura or a representative entity.

(2) The enactments are—

(a) Part 3 of the Crown Forest Assets Act 1989:

(b) sections 211 to 213 of the Education Act 1989:

(c) Part 3 of the New Zealand Railways Corporation Restructuring Act 1990:

(d) sections 27A to 27C of the State-Owned Enterprises Act 1986:

(e) sections 8A to 8HJ of the Treaty of Waitangi Act 1975.

18 Resumptive memorials to be cancelled

(1) The chief executive of LINZ must issue to the Registrar-General 1 or more certificates that specify the legal description of, and identify the computer register for, each allotment that—

(a) is all or part of—

(i) a cultural redress property:

(ii) a commercial redress property:

(iii) an early transfer property:

(iv) the RFR land; and

(b) is subject to a resumptive memorial recorded under any enactment listed in section 17(2).

(2) The chief executive of LINZ must issue a certificate as soon as is reasonably practicable after the settlement date for the following:

(a) a cultural redress property:

(b) a commercial redress property:

(c) an early transfer property:

(d) the RFR land.

(3) Each certificate must state that it is issued under this section.

(4) As soon as is reasonably practicable after receiving a certificate, the Registrar-General must—

(a) register the certificate against each computer register identified in the certificate; and

(b) cancel each memorial recorded under an enactment listed in section 17(2) on a computer register identified in the certificate, but only in respect of each allotment described in the certificate.

Miscellaneous matters

19 Rule against perpetuities does not apply

(1) The rule against perpetuities and the provisions of the Perpetuities Act 1964—

(a) do not prescribe or restrict the period during which—

(i) Taumatawiwi Trust may exist in law; or

(ii) the trustees may hold or deal with property or income derived from property; and

(b) do not apply to a document entered into to give effect to the deed of settlement if the application of that rule or the provisions of that Act would otherwise make the document, or a right conferred by the document, invalid or ineffective.

(2) However, if Taumatawiwi Trust is, or becomes, a charitable trust, the application (if any) of the rule against perpetuities or of any provision of the Perpetuities Act 1964 to that trust must be determined under the general law.

20 Access to deed of settlement

The chief executive of the Ministry of Justice must make copies of the deed of settlement available—

(a) for inspection free of charge, and for purchase at a reasonable price, at the head office of the Ministry of Justice in Wellington between 9 am and 5 pm on any working day; and

(b) free of charge on an Internet site maintained by or on behalf of the Ministry of Justice.

Part 2
Cultural redress

Subpart 1—Statutory acknowledgement and deeds of recognition

21 Interpretation

In this subpart,—

relevant consent authority, for a statutory area, means a consent authority of a region or district that contains, or is adjacent to, the statutory area

statement of association, for a statutory area, means the statement—

(a) made by Ngāti Koroki Kahukura of their particular cultural, historical, spiritual, and traditional association with the statutory area; and

(b) set out in part 1 of the documents schedule

statutory acknowledgement means the acknowledgement made by the Crown in section 22 in respect of the statutory areas, on the terms set out in this subpart

statutory area means an area described in Schedule 1, the general location of which is indicated on the deed plan for that area

statutory plan—

(a) means a district plan, regional coastal plan, regional plan, regional policy statement, or proposed policy statement as defined in section 43AA of the Resource Management Act 1991; and

(b) includes a proposed plan, as defined in section 43AAC of that Act.

Statutory acknowledgement

22 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas.

23 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

(a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 24 to 26; and

(b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 27 and 28; and

(c) to enable the trustees and any member of Ngāti Koroki Kahukura to cite the statutory acknowledgement as evidence of the association of Ngāti Koroki Kahukura with a statutory area, in accordance with section 29.

24 Relevant consent authorities to have regard to statutory acknowledgement

(1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

(2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.

(3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

25 Environment Court to have regard to statutory acknowledgement

(1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

(2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.

(3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

26 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

(1) This section applies to an application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area.

(2) On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.

(3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—

(a) in determining whether the trustees are persons directly affected by the decision; and

(b) in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.

(4) In this section, **archaeological site** has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

27 Recording statutory acknowledgement on statutory plans

(1) On and from the effective date, each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.

(2) The information attached to a statutory plan must include—

(a) a copy of sections 22 to 26, 28, and 29; and

(b) descriptions of the statutory areas wholly or partly covered by the plan; and

(c) the statement of association for each statutory area.

(3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—

(a) part of the statutory plan; or

(b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

28 Provision of summary or notice to trustees

(1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:

(a) if the application is received by the consent authority, a summary of the application; or

(b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.

(2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.

(3) The summary must be provided—

(a) as soon as is reasonably practicable after the relevant consent authority receives the application; but

(b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.

(4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.

(5) The trustees may, by written notice to a relevant consent authority,—

(a) waive the right to be provided with a summary or copy of a notice under this section; and

(b) state the scope of that waiver and the period it applies for.

(6) This section does not affect the obligation of a relevant consent authority to decide,—

(a) under section 95 of the Resource Management Act 1991, whether to notify an application:

(b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

29 Use of statutory acknowledgement

(1) The trustees and any member of Ngāti Koroki Kahukura may, as evidence of the association of Ngāti Koroki Kahukura with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—

(a) the relevant consent authorities; or

(b) the Environment Court; or

(c) Heritage New Zealand Pouhere Taonga; or

(d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.

(2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—

(a) the bodies referred to in subsection (1); or

(b) parties to proceedings before those bodies; or

(c) any other person who is entitled to participate in those proceedings.

(3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.

(4) To avoid doubt,—

(a) neither the trustees nor members of Ngāti Koroki Kahukura are precluded from stating that Ngāti Koroki Kahukura has an association with a statutory area that is not described in the statutory acknowledgement; and

(b) the content and existence of the statutory acknowledgement do not limit any statement made.

Deeds of recognition

30 Issuing and amending deeds of recognition

(1) This section applies in respect of the statutory areas listed in Part 2 of Schedule 1.

(2) The Minister of Conservation and the Director-General must issue a deed of recognition in the form set out in part 2 of the documents schedule for the statutory areas administered by the Department of Conservation.

(3) The Commissioner of Crown Lands must issue a deed of recognition in the form set out in part 2 of the documents schedule for the statutory areas administered by the Commissioner.

(4) The person or persons who issue a deed of recognition may amend the deed, but only with the written consent of the trustees.

General provisions relating to statutory acknowledgement and deeds of recognition

31 Application of statutory acknowledgement and deed of recognition to river, stream, or lake

(1) If any part of the statutory acknowledgement applies to a river or stream, including a tributary, that part of the acknowledgement—

(a) applies only to—

(i) the continuously or intermittently flowing body of fresh water, including a modified watercourse, that comprises the river or stream; and

(ii) the bed of the river or stream, which is the land that the waters of the river or stream cover at their fullest flow without flowing over the banks of the river or stream; and

(b) does not apply to—

(i) a part of the bed of the river or stream that is not owned by the Crown; or

(ii) an artificial watercourse.

(2) If any part of a deed of recognition applies to a river or stream, including a tributary, that part of the deed—

(a) applies only to the bed of the river or stream, which is the land that the waters of the river or stream cover at their fullest flow without flowing over the banks of the river or stream; and

(b) does not apply to—

(i) a part of the bed of the river or stream that is not owned and managed by the Crown; or

(ii) the bed of an artificial watercourse.

(3) If any part of a statutory acknowledgement or deed of recognition applies to a lake,—

(a) that part of the acknowledgement or deed of recognition applies only to—

(i) the body of fresh water in the lake; and

(ii) the bed of the lake; and

(b) in the case of a statutory acknowledgement, that part of the acknowledgement does not apply to any part of the bed of the lake that is not owned by the Crown; and

(c) in the case of a deed of recognition, that part of the deed of recognition does not apply to any part of the bed of the lake that is not owned and managed by the Crown; and

(d) that part of the acknowledgement or deed of recognition does not apply,—

(i) in the case of a lake not controlled by artificial means, to any land that the waters of the lake do not cover at their highest level without overflowing the banks of the lake; or

(ii) in the case of a lake controlled by artificial means, to any land that the waters of the lake do not cover at the maximum operating level; or

(iii) to any river, stream, or watercourse, whether artificial or otherwise, draining into or out of a lake.

(4) In this section,—

lake means a body of fresh water that is entirely or nearly surrounded by land, and includes a lake controlled by artificial means

maximum operating level means the level of water prescribed for an activity carried out in or on a lake under a resource consent or a rule in a regional plan or proposed plan within the meaning of the Resource Management Act 1991.

32 Exercise of powers and performance of functions and duties

(1) The statutory acknowledgement and a deed of recognition do not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw.

(2) A person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Ngāti Koroki Kahukura with a statutory area than that person would give if there were no statutory acknowledgement or deed of recognition for the statutory area.

(3) Subsection (2) does not limit subsection (1).

(4) This section is subject to—

(a) the other provisions of this subpart; and

(b) any obligation imposed on the Minister of Conservation, the Director-General, or the Commissioner of Crown Lands by a deed of recognition.

33 Rights not affected

(1) The statutory acknowledgement and a deed of recognition do not—

(a) affect the lawful rights or interests of a person who is not a party to the deed of settlement; or

(b) have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, a statutory area.

(2) This section is subject to the other provisions of this subpart.

Consequential amendment to Resource Management Act 1991

34 Amendment to Resource Management Act 1991

(1) This section amends the Resource Management Act 1991.

(2) In Schedule 11, insert in its appropriate alphabetical order "Ngāti Koroki Kahukura Claims Settlement Act 2014".

Subpart 2—Vesting of cultural redress properties

35 Interpretation

In this subpart,—

cultural redress property means each of the following properties, and each property means the land of that name described in Schedule 2:

Properties vested in fee simple

(a) Puahue:

(b) Tau Pakanga:

(c) Tunakawa:

Properties vested in fee simple to be administered as reserves

(d) Koroki Kahukura ki Hinuera:

(e) Taumatawiwi:

(f) Te Reti:

(g) Waikaukau:

Properties vested in fee simple to be administered as Māori reservations

(h) Ara Hinerua:

(i) Horahora Island:

(j) Kohi Wheua:

(k) Koroki Kahukura ki Piarere:

(l) Motu Aratau:

(m) Te Kiwa and Te Uira:

(n) Waitoa:

(o) Whanatangi and Ihaia

Māori reservation property means each of the properties named in paragraphs (h) to (o) of the definition of cultural redress property

operating easement means the easement in gross for a right to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by—

(a) deed of easement 8672093.1, held in computer interest register 544104, in relation to—

(i) Ara Hinerua:

(ii) Horahora Island:

(iii) Kohi Wheua:

(iv) Koroki Kahukura ki Piarere:

(v) Taumatawiwi:

(vi) Te Kiwa and Te Uira:

(vii) Whanatangi and Ihaia:

(b) deed of easement 8672073.1, held in computer interest register 544097, in relation to—

(i) Motu Aratau:

(ii) Waikaukau:

(iii) Waitoa

reserve property means each of the properties named in paragraphs (d) to (g) of the definition of cultural redress property.

Properties vested in fee simple

36 Puahue

(1) The reservation of Puahue as a reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Puahue vests in the trustees.

37 Tau Pakanga

The fee simple estate in Tau Pakanga vests in the trustees.

38 Tunakawa

The fee simple estate in Tunakawa vests in the trustees.

Properties vested in fee simple to be administered as reserves

39 Koroki Kahukura ki Hinuera

(1) The reservation of Koroki Kahukura ki Hinuera (being Horahora Gorge Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Koroki Kahukura ki Hinuera vests in the trustees.

(3) Koroki Kahukura ki Hinuera is declared a reserve and classified as a scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977.

(4) The reserve is named Koroki Kahukura ki Hinuera Scenic Reserve.

(5) The joint management body established by section 62 is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve as if the

reserve were vested in the body (as if the body were trustees) under section 26 of that Act.

40 Taumatawiwi

(1) The fee simple estate in Taumatawiwi vests in the trustees.

(2) Taumatawiwi is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.

(3) The reserve is named Taumatawiwi Recreation Reserve.

(4) The joint management body established by section 62 is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve as if the reserve were vested in the body (as if the body were trustees) under section 26 of that Act.

(5) This section is subject to section 51(2).

41 Te Reti

(1) The reservation of Te Reti (being Te Reti Road Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Te Reti vests in the trustees.

(3) Te Reti is declared a reserve and classified as a scenic reserve for the purposes specified in section 19(1)(a) of the Reserves Act 1977.

(4) The reserve is named Te Reti Scenic Reserve.

(5) The joint management body established by section 62 is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve as if the reserve were vested in the body (as if the body were trustees) under section 26 of that Act.

42 Waikaukau

(1) The fee simple estate in Waikaukau vests in the trustees.

(2) Waikaukau is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.

(3) The reserve is named Waikaukau Recreation Reserve.

(4) The joint management body established by section 62 is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve as if the reserve were vested in the body (as if the body were trustees) under section 26 of that Act.

(5) This section is subject to section 51(1).

Properties vested in fee simple to be administered as Māori reservations

43 Ara Hinerua

(1) The fee simple estate in Ara Hinerua vests in the trustees.

(2) This section is subject to section 51(2).

44 Horahora Island

(1) The fee simple estate in Horahora Island vests in the trustees.

(2) This section is subject to section 51(2).

45 Kohi Wheua

(1) The fee simple estate in Kohi Wheua vests in the trustees.

(2) This section is subject to section 51(2).

46 Koroki Kahukura ki Piarere

(1) The fee simple estate in Koroki Kahukura ki Piarere vests in the trustees.

(2) This section is subject to section 51(2).

47 Motu Aratau

(1) The fee simple estate in Motu Aratau vests in the trustees.

(2) This section is subject to section 51(1).

48 Te Kiwa and Te Uira

(1) The fee simple estate in Te Kiwa and Te Uira vests in the trustees.

(2) This section is subject to section 51(2).

49 Waitoa

(1) The fee simple estate in Waitoa vests in the trustees.

(2) This section is subject to section 51(1).

50 Whanatangi and Ihaia

(1) The fee simple estate in Whanatangi and Ihaia vests in the trustees.

(2) This section is subject to section 51(2).

General provisions applying to vesting of cultural redress properties

51 Vesting, etc, of certain cultural redress properties not to take effect until deeds of covenant executed

(1) Sections 42, 47, and 49 do not take effect until the trustees have signed and provided to the Crown the deed of covenant required under clause 20.2(b) of the deed of easement 8672073.1 (computer interest register 544097) in the form set out in part 4 of the documents schedule.

(2) Sections 40, 43, 44, 45, 46, 48, and 50 do not take effect until the trustees have signed and provided to the Crown the deed of covenant required under clause 20.2(b) of the deed of easement 8672093.1 (computer interest register 544104) in the form set out in part 4 of the documents schedule.

52 Properties vest subject to or together with interests

Each cultural redress property vested under this subpart is subject to, or has the benefit of, any interests listed for the property in the third column of the table in Schedule 2.

53 Interests in land for reserve properties

(1) This section applies to each reserve property while the property has an administering body that is treated as if the property were vested in it.

(2) This section applies to all or the part of the reserve property that remains a reserve under the Reserves Act 1977 (the **reserve land**).

(3) If the reserve property is affected by an interest in land listed for the property in Schedule 2, the interest applies as if the administering body were the grantor, or the grantee, as the case may be, of the interest in respect of the reserve land.

(4) Any interest in land that affects the reserve land must be dealt with for the purposes of registration as if the administering body were the registered proprietor of the reserve land.

(5) Subsections (3) and (4) continue to apply despite any subsequent transfer of the reserve land under section 63.

54 Registration of ownership

(1) This section applies to a cultural redress property vested in the trustees under this subpart.

(2) Subsection (3) applies to a cultural redress property to the extent that the property is all of the land contained in a computer freehold register.

(3) The Registrar-General must, on written application by an authorised person,—

(a) register the trustees as the proprietors of the fee simple estate in the property; and

(b) record any entry on the computer freehold register and do anything else necessary to give effect to this subpart and to part 5 of the deed of settlement.

(4) Subsection (5) applies to a cultural redress property, but only to the extent that subsection (2) does not apply to the property.

(5) The Registrar-General must, in accordance with a written application by an authorised person,—

(a) create a computer freehold register for the fee simple estate in the property in the name of the trustees; and

(b) record on the computer freehold register any interests that are registered, notified, or notifiable and that are described in the application; and

(c) in the case of a Māori reservation property, record on the computer freehold register that the property is a Māori reservation to which section 68 of this Act applies.

(6) Subsection (5) is subject to the completion of any survey necessary to create a computer freehold register.

(7) A computer freehold register must be created under this section as soon as is reasonably practicable after the settlement date, but not later than—

(a) 24 months after the settlement date; or

(b) any later date that may be agreed in writing by the Crown and the trustees.

(8) In this section, **authorised person** means a person authorised by—

(a) the Director-General, for the following properties:

(i) Koroki Kahukura ki Hinuera:

(ii) Puahue:

(iii) Te Reti:

(b) the chief executive of LINZ, for all other properties.

55 Application of Part 4A of Conservation Act 1987 to cultural redress properties except certain reserve properties

(1) The vesting of the fee simple estate in a cultural redress property in the trustees under this subpart is a disposition for the purposes of Part 4A of the Conservation Act 1987, but sections 24(2A), 24A, and 24AA of that Act do not apply to the disposition.

(2) Section 24 of the Conservation Act 1987 does not apply to the vesting of—

(a) Ara Hinerua:

(b) Horahora Island:

(c) Kohi Wheua:

(d) Koroki Kahukura ki Hinuera:

(e) Koroki Kahukura ki Piarere:

(f) Motu Aratau:

(g) Te Kiwa and Te Uira:

(h) Te Reti:

(i) Waitoa:

(j) Whanatangi and Ihaia.

(3) If the reservation of a reserve property under this subpart is revoked for all or part of the property, the vesting of the property is no longer exempt from section 24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property.

(4) If the operating easement is surrendered for all or part of a Māori reservation property, then the vesting of the property is no longer exempt from section 24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property.

(5) The trustees are appointed as the manager of the Whitehall Estate marginal strip (shown on deed plan OTS–180–15) as if that appointment were made under section 24H of the Conservation Act 1987.

(6) This section does not apply to Taumatawiwi or Waikaukau.

56 Application of Part 4A of Conservation Act 1987 to Taumatawiwi and Waikaukau

(1) The vesting of the fee simple estate in Taumatawiwi and Waikaukau in the trustees under this subpart is a disposition for the purposes of Part 4A of the Conservation Act 1987, but sections 24(2A), 24A, and 24AA of that Act do not apply to the dispositions.

(2) Section 24 of the Conservation Act 1987 does not apply to the vesting of Taumatawiwi and Waikaukau.

(3) If, in relation to all or part of Taumatawiwi or Waikaukau, the reservation as a reserve is revoked and the operating easement is surrendered, the vesting of the property is no longer exempt from section 24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property.

57 Matters to be recorded on computer freehold register for cultural redress properties except Taumatawiwi and Waikaukau

(1) The Registrar-General must record on the computer freehold register,—

(a) for a reserve property to which section 55 applies,—

(i) that the land is subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply; and

(ii) that the land is subject to sections 55(3) and 63; and

(b) for a Māori reservation property,—

(i) that the land is subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply; and

(ii) that the land is subject to section 55(4); and

(c) for any other cultural redress property (except Taumatawiwi and Waikaukau), that the land is subject to Part 4A of the Conservation Act 1987.

(2) A notification made under subsection (1) that land is subject to Part 4A of the Conservation Act 1987 is to be treated as having been made in compliance with section 24D(1) of that Act.

(3) For a reserve property to which section 55 applies, if the reservation of the property under this subpart is revoked for—

(a) all of the property, the Director-General must apply in writing to the Registrar-General to remove from the computer freehold register for the property the notifications that—

(i) section 24 of the Conservation Act 1987 does not apply to the property; and

(ii) the property is subject to sections 55(3) and 63; or

(b) part of the property, the Registrar-General must ensure that the notifications referred to in paragraph (a) remain only on the computer freehold register for the part of the property that remains a reserve.

(4) For a Māori reservation property, if the operating easement is surrendered for all or part of the property, the registered proprietors of the property must apply in writing to the Registrar-General to,—

(a) if none of the property remains subject to the operating easement, remove from the computer freehold register for the property the notifications that—

(i) section 24 of the Conservation Act 1987 does not apply to the property; and

(ii) the property is subject to section 55(4); or

(b) if part of the property remains subject to the operating easement (the **subject part**), amend the notifications on the computer freehold register for the property to record that, for the subject part only,—

(i) section 24 of the Conservation Act 1987 does not apply to that part; and

(ii) that part is subject to section 55(4).

(5) The Registrar-General must comply with an application received in accordance with subsection (3) or (4), as relevant.

58 Matters to be recorded on computer freehold register for Taumatawiwi and Waikaukau

(1) The Registrar-General must record on the computer freehold register for Taumatawiwi and Waikaukau—

(a) that the land is subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply; and

(b) that the land is subject to sections 56(3) and 63.

(2) A notification made under subsection (1) that land is subject to Part 4A of the Conservation Act 1987 is to be treated as having been made in compliance with section 24D(1) of that Act.

(3) If the reservation of the property under this subpart is revoked for—

(a) all of the property, and the operating easement has been surrendered, the Director-General must apply in writing to the Registrar-General to re-

move from the computer freehold register for the property the notifications that—

(i) section 24 of the Conservation Act 1987 does not apply to the property; and

(ii) the property is subject to sections 56(3) and 63; or

(b) part of the property, and the operating easement has been surrendered for that part of the property, the Registrar-General must ensure that the notifications referred to in paragraph (a) remain only on the computer freehold register for the part of the property that remains a reserve; or

(c) all of the property, but the operating easement has not been surrendered, the Director-General must apply in writing to the Registrar-General to remove the notification that the property is subject to section 63 from the computer freehold register for the property; or

(d) part of the property (the **revoked part**), but the operating easement has not been surrendered for the revoked part, the Registrar-General must—

(i) ensure that the notifications referred to in paragraph (a) (but not the notification that the land is subject to section 63) are recorded on the computer freehold register for the revoked part; and

(ii) ensure that the notifications referred to in paragraph (a) remain on the computer freehold register for the part of the property that remains a reserve.

(4) If the operating easement is surrendered for all or part of the property (and the reservation has been revoked), the registered proprietors of the property must apply in writing to the Registrar-General,—

(a) if none of the property remains subject to the operating easement, to remove from the computer freehold register the notifications that—

(i) section 24 of the Conservation Act 1987 does not apply to the property; and

(ii) the property is subject to section 56(3); or

(b) if part of the property remains subject to the operating easement (the **subject part**), to amend the notifications on the computer freehold register for the property to record that, for the subject part only,—

(i) section 24 of the Conservation Act 1987 does not apply to that part; and

(ii) that part is subject to section 56(3).

(5) The Registrar-General must comply with an application received in accordance with subsection (3) or (4), as relevant.

(6) For the avoidance of doubt, if the operating easement is surrendered in relation to all or part of the property but the reservation of the property or the part of

the property has not been revoked, the notifications made under subsection (1) must not be removed from the computer freehold register.

(7) In this section, **property** means Taumatawiwi and Waikaukau or either 1 of them (as relevant).

59 Application of other enactments

(1) The vesting of the fee simple estate in a cultural redress property under this subpart does not—

(a) limit section 10 or 11 of the Crown Minerals Act 1991; or

(b) affect other rights to subsurface minerals.

(2) The permission of a council under section 348 of the Local Government Act 1974 is not required for laying out, forming, granting, or reserving a private road, private way, or right of way required to fulfil the terms of the deed of settlement in relation to a cultural redress property.

(3) Sections 24 and 25 of the Reserves Act 1977 do not apply to the revocation, under this subpart, of the reserve status of a cultural redress property.

(4) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to—

(a) the vesting of the fee simple estate in a cultural redress property under this subpart; or

(b) any matter incidental to, or required for the purpose of, the vesting.

(5) Section 108(9) of the Resource Management Act 1991 applies to the following cultural redress properties as if the properties were Maori land within the meaning of Te Ture Whenua Maori Act 1993:

(a) Koroki Kahukura ki Hinuera:

(b) Taumatawiwi:

(c) Te Reti:

(d) Waikaukau.

(6) Except as provided in section 68, nothing in Te Ture Whenua Maori Act 1993 applies to a cultural redress property.

60 Names of Crown protected areas discontinued

(1) Subsection (2) applies to the land, or the part of the land, in a cultural redress property that, immediately before the settlement date, was all or part of a Crown protected area.

(2) The official geographic name of the Crown protected area is discontinued in respect of the land, or the part of the land, and the Board must amend the Gazetteer accordingly.

(3) In this section, **Board**, **Crown protected area**, **Gazetteer**, and **official geographic name** have the meanings given in section 4 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

Further provisions applying to reserve properties

61 Application of other enactments to reserve properties

(1) Sections 48A, 114, and 115 of the Reserves Act 1977 apply to a reserve property, despite sections 48A(6), 114(5), and 115(6) of that Act.

(2) Sections 78(1)(a), 79 to 81, and 88 of the Reserves Act 1977 do not apply in relation to a reserve property.

(3) If the reservation of a reserve property under this subpart is revoked under section 24 of the Reserves Act 1977 for all or part of the property, section 25(2) of that Act applies to the revocation, but not the rest of section 25 of that Act.

(4) A reserve property is not a Crown protected area under the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 despite anything in that Act.

(5) A reserve property must not have a name assigned to it or have its name changed under section 16(10) of the Reserves Act 1977 without the written consent of the owners of the property, and section 16(10A) of that Act does not apply to the proposed name.

62 Joint management body for reserve properties

(1) A joint management body is established for Koroki Kahukura ki Hinuera, Taumatawiwi, Te Reti, and Waikaukau.

(2) The following are appointers for the purposes of this section:

(a) the trustees; and

(b) the Waipa District Council.

(3) Each appointer may appoint 4 members to the joint management body.

(4) A member is appointed only if the appointer gives written notice with the following details to the other appointer:

(a) the full name, address, and other contact details of the member; and

(b) the date on which the appointment takes effect, which must be no earlier than the date of the notice.

(5) An appointment ends after 5 years or when the appointer replaces the member by making another appointment.

(6) A member may be appointed, reappointed, or discharged at the discretion of the appointer.

(7) Sections 32 to 34 of the Reserves Act 1977 apply to the joint management body as if it were a board.

(8) However,—

(a) the first meeting of the body must be held no later than 2 months after the settlement date; and

(b) the joint management body may adopt its own procedure for meetings, and that procedure will apply instead of section 32 of the Reserves Act 1977.

63 Subsequent transfer of reserve land

(1) This section applies to all or the part of a reserve property that remains a reserve under the Reserves Act 1977 after the property has vested in the trustees under this subpart.

(2) The fee simple estate in the reserve land may only be transferred in accordance with section 64 or 65.

(3) In this section and sections 64 to 66, **reserve land** means the land that remains a reserve as described in subsection (1).

64 Transfer of reserve land to new administering body

(1) The registered proprietors of the reserve land may apply in writing to the Minister of Conservation for consent to transfer the fee simple estate in the reserve land to 1 or more persons (the **new owners**).

(2) The Minister of Conservation must give written consent to the transfer if the registered proprietors satisfy the Minister that the new owners are able to—

(a) comply with the requirements of the Reserves Act 1977; and

(b) perform the duties of an administering body under that Act.

(3) When making an application to the Minister of Conservation under subsection (1), the registered proprietors must also apply in writing to the Waipa District Council for its consent to the transfer.

(4) A consent by the Waipa District Council to the transfer must be in writing and state whether, on registration of the new owners, the administering body is to be—

(a) a new joint management body; or

(b) the Waipa District Council.

(5) The Registrar-General must, upon receiving the required documents, register the new owners as the proprietors of the fee simple estate in the reserve land.

(6) The required documents are—

(a) a transfer instrument to transfer the fee simple estate in the reserve land to the new owners, including a notification that the new owners are to hold the reserve land for the same reserve purposes as those for which it was held by the administering body immediately before the transfer; and

(b) the written consent of the Minister of Conservation to the transfer of the reserve land; and

(c) the written consent of the Waipa District Council; and

(d) any other document required for the registration of the transfer instrument.

(7) From the time of registration of the new owners under this section, the administering body—

(a) is the entity stated to be the administering body in the consent given under subsection (4) by the Waipa District Council; and

(b) holds the reserve land for the same reserve purposes as those for which it was held by the administering body immediately before the transfer.

(8) If a new joint management body becomes the administering body, then section 62 (except for section 62(8)(a)) applies as if the reference in that section to the trustees is a reference to the new owners.

(9) If the Waipa District Council becomes the administering body, the Reserves Act 1977 applies to the reserve land as if the reserve land were vested in the council under section 26 of that Act.

(10) A transfer that complies with this section need not comply with any other requirements.

65 Transfer of reserve land to trustees of existing administering body if trustees change

The registered proprietors of the reserve land may transfer the fee simple estate in the reserve land if—

(a) the transferors of the reserve land are or were the trustees of the trust; and

(b) the transferees are the trustees of the same trust, after any new trustee has been appointed to the trust or any transferor has ceased to be a trustee of the trust; and

(c) the instrument to transfer the reserve land is accompanied by a certificate given by the transferees, or the transferees' solicitor, verifying that paragraphs (a) and (b) apply.

66 Reserve land not to be mortgaged

The owners of reserve land must not mortgage, or give a security interest in, the reserve land.

67 Saving of bylaws, etc, in relation to reserve properties

(1) This section applies to any bylaw, or any prohibition or restriction on use or access, that an administering body or the Minister of Conservation made or imposed under the Conservation Act 1987 or the Reserves Act 1977 in relation to

a reserve property before the property was vested in the trustees under this subpart.

(2) The bylaw, prohibition, or restriction remains in force until it expires or is revoked under the Conservation Act 1987 or the Reserves Act 1977.

Further provision applying to Māori reservation properties

68 Māori reservation properties

(1) This section applies to each Māori reservation property from the date that the property vests in the trustees.

(2) Each Māori reservation property is set apart as a Maori reservation as a place of cultural and historical interest as if each property were set apart under section 338(1) of Te Ture Whenua Maori Act 1993.

(3) Each Māori reservation property is held on trust by the trustees for the benefit of Ngāti Koroki Kahukura.

(4) Each Māori reservation property is held on trust on the following terms as if the Maori Land Court had set out the terms of the trust under section 338(8) of Te Ture Whenua Maori Act 1993:

(a) each Māori reservation property is inalienable; and

(b) each Māori reservation property must be held so as to restore and preserve land holdings within the homeland rohe of Ngāti Koroki Kahukura for the purpose of—

(i) recognising and supporting the relationship of Ngāti Koroki Kahukura and their culture and traditions with their ancestral lands; and

(ii) supporting the use of the land by members of Ngāti Koroki Kahukura for traditional purposes; and

(iii) recognising and taking account of the importance of the land in providing both cultural and material support for Ngāti Koroki Kahukura.

(5) No other provisions in Part 17 of Te Ture Whenua Maori Act 1993 nor any regulations made under section 338(15) of that Act apply to the Māori reservation properties except as follows:

(a) the Maori Land Court has jurisdiction under section 338(8) of Te Ture Whenua Maori Act 1993 to amend the terms of the trust of a Maori reservation on application from the trustees, but must not amend or derogate from the terms in subsection (4); and

(b) on the recommendation of the Maori Land Court, the chief executive of Te Puni Kōkiri, by notice in the *Gazette*, may exclude from the Maori reservation any part of the land in the reservation or cancel the reservation in accordance with section 338(5)(a) or (b) of that Act.

(6) Sections 18(1)(c), 18(1)(d), 19(1)(a), 20, 24, 26, 194, and 342 of Te Ture Whenua Maori Act 1993 apply to the Māori reservation properties as if the properties were Maori freehold land.

(7) Section 108(9) of the Resource Management Act 1991 applies to the Māori reservation properties as if those properties were Maori land within the meaning of Te Ture Whenua Maori Act 1993.

(8) Nothing in this section affects the rights and obligations of the grantee of the operating easement.

Subpart 3—Maungatautari Mountain Scenic Reserve and Waikato River

69 Statement of significance

(1) Maungatautari and the Waikato River are regarded by Ngāti Koroki Kahukura as tūpuna and living taonga. Maungatautari and the Waikato River continue to provide spiritual and physical sustenance to Ngāti Koroki Kahukura and are inextricably linked to the identity of Ngāti Koroki Kahukura. Maungatautari and the Waikato River are inseparable and indivisible.

(2) Maungatautari was named by the tohunga (high priest) Rakataura on board the Tainui waka, and both Koroki and Kahukura are his direct descendants. The Waikato River was named by Hoturoa the tumu ariki (highest chief) and captain of the Tainui waka. Again, both Koroki and Kahukura are his direct descendants.

(3) The world view of Ngāti Koroki Kahukura with regard to these tūpuna tūtohu whenua (ancestral environmental sites) is amplified in the maimai aroha (song of sorrow) composed by King Taawhiao Pootatau Te Wherowhero, the second Māori King. A particular verse is—

Kaaore i aarikarika a Maungatautari, a Maungaakawa ooku puke maunga he taonga tuku iho.

The plentiful bounties of Maungatautari and Maungākawa, the hills of my inheritance handed down unto me.

and—

Tooku awa koiora, ko oona pikonga he kura tangihia o te mataamuri.

My river of life, each curve more beautiful than the last.

Maungatautari—maunga tupuna

(4) Ngāti Koroki Kahukura are inextricably bound to the maunga by virtue of whakapapa that derives from the creation stories of Ranginui and Papatūānuku. This interconnectedness lies at the heart of the way Ngāti Koroki Kahukura view the world and their taonga and is the basis of kaitiakitanga, which dictates, among other things, that the mauri of these taonga must be respected as a matter of priority.

(5) The maunga has a significant spiritual relevance for Ngāti Koroki Kahukura, who regard the maunga as a source of mana and an indicator of their own mauri or well-being. The maunga and its forests offered shelter and provided physical sustenance for Ngāti Koroki Kahukura, who maintained ahi kā roa through the turbulence of the 1830s, the last period of large-scale inter-tribal conflict, and have continued to live close to the mountain ever since.

(6) The people of Ngāti Koroki Kahukura are tāngata whenua of Maungatautari in the full sense of what it means to be tāngata whenua in accordance with their customs and culture.

Waikato River—awa tupuna

(7) To Ngāti Koroki Kahukura, the Waikato River is a single indivisible being that includes its waters, banks, bed (and all minerals under it) and its streams, waterways, tributaries, lakes, fisheries, vegetation, floodplains, wetlands, islands, springs, water column, airspace, and substratum as well as its metaphysical being with its own mauri.

(8) Ngāti Koroki Kahukura are inextricably bound to the awa tupuna by virtue of whakapapa, which derives from the creation stories of Ranginui and Papatūānuku. This interconnectedness lies at the heart of the way Ngāti Koroki Kahukura view the world and waterways and is the basis of kaitiakitanga, which dictates, among other things, that the mauri of waterways must be respected as a matter of priority. The awa tupuna has traditional healing powers and a significant spiritual relevance for Ngāti Koroki Kahukura, who regard the awa as a source of mana and an indicator of their own mauri or well-being.

(9) The awa also provided physical sustenance. Its waters enabled lands to remain fertile, thereby allowing the gardens of Ngāti Koroki Kahukura to flourish. The awa tupuna yielded water fowl and aquatic foods such as fish and tuna, and the Arapuni region was known as te rohe o te tuna (the region of the plentiful eels). The awa tupuna was the principal communication link and highway of trade and transport, taking Ngāti Koroki Kahukura wheat, flax, and potatoes as far as Auckland to be exported to Sydney and the Americas.

70 Acknowledgments

The Crown acknowledges—

(a) that Ngāti Koroki Kahukura hold dominant mana whenua, ahi kā roa, mana whakahaere, and kaitiaki status within the homeland rohe of Ngāti Koroki Kahukura, which encompasses—

(i) the Pukekura, Horahora, and Maungatautari land blocks:

(ii) the Waikato River within the Karapiro to Lake Arapuni sub-catchment:

(iii) Maungatautari:

(b) the leadership and generosity of Ngāti Koroki Kahukura in agreeing that the settlement of the historical claims of Ngāti Koroki Kahukura will

provide for the fee simple estate in the land within the Maungatautari Mountain Scenic Reserve to be held by Te Hapori o Maungatautari —the Maungatautari community comprising iwi with customary interests in Maungatautari and members of the wider community connected with Maungatautari:

(c) that Maungatautari is significant, too, for Ngāti Hauā, Raukawa, and Waikato-Tainui, who maintain associations with Maungatautari in accordance with their tikanga:

(d) that Ngāti Koroki Kahukura are a river iwi.

Maungatautari Mountain Scenic Reserve

71 Interpretation

(1) In sections 70 to 85,—

archaeological site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014

authorised representatives means the authorised representatives of Te Hapori o Maungatautari specified in section 82(3)

iwi with customary interests in Maungatautari includes Ngāti Koroki Kahukura, Ngāti Hauā, Raukawa, and Waikato-Tainui

Maungatautari Mountain Scenic Reserve,—

(a) on the settlement date, means the land described in Schedule 3; and

(b) from the date of an addition of land to the reserve, includes any land added to the reserve under section 78, 79, or 80; but

(c) from the date of the removal of land from the reserve, excludes any land removed from the reserve under section 78

members of the wider community connected with Maungatautari means those persons who, through proximity or sustained and positive involvement and association, consider themselves to be members of the Maungatautari community

Ngāti Hauā has the same meaning as in clause 9.5 of the deed of settlement, dated 18 July 2013, between Ngāti Hauā, the Ngāti Hauā Iwi Trust, and the Crown

Ngāti Hauā Iwi Trust means the trust of that name established by a trust deed dated 16 July 2013

private land means land that is held in fee simple by any person other than the Crown

Raukawa has the same meaning as in clause 8.5 of the deed of settlement, dated 2 June 2012, between Raukawa, the Raukawa Settlement Trust, and the Crown

Raukawa Settlement Trust means the trust of that name established by a trust deed dated 17 October 2009

Te Arataura means the executive board of Waikato-Tainui Te Kauhanganui Incorporated being a body corporate under the Incorporated Societies Act 1908

Te Hapori o Maungatautari means the Maungatautari community comprising iwi with customary interests in Maungatautari and members of the wider community connected with Maungatautari

wāhi tapu has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014

wāhi tupuna means a place important to Māori for its ancestral significance and associated cultural and traditional values

Waikato-Tainui has the meaning given to Waikato in section 7 of the Waikato Raupatu Claims Settlement Act 1995.

(2) For the purposes of sections 72(3), 78(6), 79(3) and (5), and 80(3), the Registrar-General must, when creating or registering a computer freehold register in the name of Te Hapori o Maungatautari, create or register the computer freehold register in the name of Te Hapori o Maungatautari by citing the full definition of that term from subsection (1).

72 Te Hapori o Maungatautari registered proprietor of reserve

(1) On and from the settlement date, Te Hapori o Maungatautari is to be treated as the registered proprietor of Maungatautari Mountain Scenic Reserve.

(2) Subsection (1) applies until Te Hapori o Maungatautari becomes the registered proprietor of the reserve in accordance with subsection (3).

(3) The Registrar-General must, on written application by the Director-General,—

(a) create, in the name of Te Hapori o Maungatautari, 1 computer freehold register for the fee simple estate in Maungatautari Mountain Scenic Reserve (within the meaning of paragraph (a) of that term as defined in section 71(1)); and

(b) record on the computer freehold register—

(i) any interests that are registered, notified, or notifiable and that are described in the application; and

(ii) that the land is subject to this subpart; and

(iii) that the land is subject to Part 4A of the Conservation Act 1987; and

(iv) that, despite subparagraph (iii), the land is not subject to section 24 of that Act; and

(v) that the land is subject to section 11 of the Crown Minerals Act 1991.

(4) The notification under subsection (3)(b)(iii) that the land is subject to Part 4A of the Conservation Act 1987 is to be treated as having been made in compliance with section 24D(1) of that Act.

(5) Subsection (3) is subject to the completion of any survey necessary to create a computer freehold register.

(6) The Director-General must make the application referred to in subsection (3) within 24 months after the settlement date or by any later date that may be agreed in writing by the Crown and the trustees.

(7) Te Hapori o Maungatautari must not—

(a) transfer or otherwise dispose of Maungatautari Mountain Scenic Reserve; or

(b) mortgage or give a security interest in Maungatautari Mountain Scenic Reserve.

73 Reserve held for public use and enjoyment

(1) Maungatautari Mountain Scenic Reserve is held for the use and enjoyment of the people of New Zealand.

(2) To avoid doubt, subsection (1) does not of itself confer any rights to any person on which a cause of action may be based.

(3) The Crown continues to have, in relation to Maungatautari Mountain Scenic Reserve, the rights and obligations of the holder of the fee simple estate.

(4) The treatment and registration of Te Hapori o Maungatautari as proprietor of Maungatautari Mountain Scenic Reserve under section 72 does not limit subsection (3).

74 Recognition of customary interests

(1) The Registrar-General must record on any computer freehold register for Maungatautari Mountain Scenic Reserve that Ngāti Koroki Kahukura, Ngāti Hauā, Raukawa, and Waikato-Tainui have spiritual, ancestral, cultural, customary, and historical interests in the land within Maungatautari Mountain Scenic Reserve.

(2) The recording of interests under subsection (1) does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, Maungatautari Mountain Scenic Reserve.

(3) Subsections (4) and (5) apply to any person exercising any power or carrying out any function under this Act or the Reserves Act 1977 in relation to Maungatautari Mountain Scenic Reserve.

(4) A person to whom this subsection applies must, so far as it is consistent with this Act or the Reserves Act 1977,—

(a) consider and give significant weight to—

(i) the interests referred to in subsection (1); and

(ii) the statement of significance set out in section 69; and

(iii) other statements related to the significance of Maungatautari Mountain Scenic Reserve that are contained in deeds of settlement entered into between the Crown and Ngāti Hauā, Raukawa, and Waikato-Tainui or in any enactment giving effect to those deeds; and

(iv) the Crown acknowledgements set out in section 70; and

(b) exercise the power or carry out the function in a manner that—

(i) is not inconsistent with the matters specified in paragraph (a)(i) to (iv); and

(ii) does not compromise a known archaeological site, wāhi tapu, or wāhi tupuna or cause it to be destroyed, damaged, or modified.

(5) A person to whom this subsection applies must, having exercised a power or carried out a function, make a written statement describing how the matters specified in subsection (4)(a)(i) to (iv) are reflected in the manner that the power was exercised or the function was carried out.

75 Reserve status and management plan

(1) Maungatautari Mountain Scenic Reserve is a scenic reserve for the purposes of section 19(1)(a) of the Reserves Act 1977.

(2) Subject to section 78(5), the reservation of Maungatautari Mountain Scenic Reserve as a reserve under the Reserves Act 1977 must not be revoked.

(3) Despite subsection (1), the reserve classification of Maungatautari Mountain Scenic Reserve may be reclassified in accordance with section 24 of the Reserves Act 1977.

(4) If the reserve classification of Maungatautari Mountain Scenic Reserve is reclassified in accordance with section 24 of the Reserves Act 1977,—

(a) the name of the reserve also changes, but only to the extent necessary to reflect the new reserve classification; and

(b) references in this subpart to Maungatautari Mountain Scenic Reserve are to be read as references to the reclassified reserve.

(5) Waipa District Council is the administering body of Maungatautari Mountain Scenic Reserve under section 28 of the Reserves Act 1977, unless and until its appointment as the administering body is revoked under that section.

(6) Waipa District Council must, within 6 months after the settlement date, review the management plan approved under section 41 of the Reserves Act 1977 (and, in particular, in accordance with section 41(5) and (6) of that Act).

(7) Waipa District Council must form a reference group with the trustees to assist with the conduct of the review.

76 Functions and powers of Minister under Reserves Act 1977

(1) The Minister of Conservation has powers and functions under the Reserves Act 1977 in relation to Maungatautari Mountain Scenic Reserve as if it were a reserve vested in the Crown.

(2) However, the Minister of Conservation must not—

(a) exchange any land comprising the reserve or part of the reserve under section 15 of that Act; or

(b) revoke the reservation of the land as a reserve under section 24 of that Act; or

(c) vest the reserve in other persons under section 26 of that Act.

(3) Despite subsection (2)(a), the Minister may authorise an exchange of land comprising part of the reserve in accordance with section 78.

77 Registration of instruments under Land Transfer Act 1952

(1) The Registrar-General must not accept for registration an instrument that relates to the Maungatautari Mountain Scenic Reserve unless the instrument—

(a) complies with subsections (2) and (3); and

(b) is in order for registration under the Land Transfer Act 1952.

(2) The instrument must be—

(a) executed by or on behalf of the Crown—

(i) pursuant to a power or function under section 73(3) or 76(1); or

(ii) to give effect to an exchange of land under section 78; or

(iii) to give effect to an addition of land in accordance with section 79 or 80; or

(b) executed by the administering body of the reserve pursuant to a power or function under the Reserves Act 1977 or pursuant to a power or function delegated to the administering body under section 10 of that Act; or

(c) in any situation not described in paragraph (a) or (b), executed by the authorised representatives in accordance with section 82.

(3) The instrument must be accompanied by a certificate given by a solicitor that—

(a) identifies the provision in subsection (2) that applies to the instrument; and

(b) verifies that the instrument has been executed in accordance with this Act or the Reserves Act 1977; and

(c) in the case of an instrument to give effect to an exchange of land, confirms that the Minister has complied with section 78(2).

78 Exchange of land

(1) In this section,—

added land means private land that is at any time added to Maungatautari Mountain Scenic Reserve for the purposes of an exchange authorised by the Minister under subsection (2)

removed land means the part of Maungatautari Mountain Scenic Reserve that is at any time removed from the reserve for the purposes of an exchange authorised by the Minister under subsection (2).

(2) The Minister may, by notice published in the *Gazette*, authorise the exchange of part of Maungatautari Mountain Scenic Reserve for private land if the Minister has obtained the written consent of the authorised representatives.

(3) Subsections (4) to (6) apply if the Registrar-General receives a transfer instrument that is in order for registration and contains a statement that the land described in the transfer instrument is to be exchanged in accordance with this section.

(4) The Registrar-General must record any entry on any computer freehold register and do anything else necessary to give effect to the exchange.

(5) On the registration of the transfer of the removed land, the removed land—

(a) ceases to be subject to this subpart and to the Reserves Act 1977; and

(b) is subject to—

(i) Part 4A of the Conservation Act 1987 (and is no longer exempt from section 24 (except subsection (2A)) of that Act); and

(ii) section 11 of the Crown Minerals Act 1991.

(6) The Registrar-General must—

(a) register the transfer of the fee simple estate in the added land to the Crown; and

(b) immediately register Te Hapori o Maungatautari as the proprietor of the fee simple estate in the added land; and

(c) record on the computer freehold register the matters specified in section 81.

79 Addition of Crown-owned land to reserve

(1) Any Crown-owned land that does not form part of the Maungatautari Mountain Scenic Reserve may, with the consent of the authorised representatives, be added to the reserve in accordance with this section.

(2) Subsection (3) applies to Crown-owned land that is to be added to the reserve, but only to the extent that the land is all of the land contained in a computer freehold register.

(3) The Registrar-General must, in accordance with a written application by the Director-General,—

(a) register Te Hapori o Maungatautari as the proprietor of the fee simple estate in the land; and

(b) record on the computer freehold register the matters specified in section 81.

(4) Subsection (5) applies to Crown-owned land that is to be added to the reserve, but only to the extent that subsection (3) does not apply to the land.

(5) The Registrar-General must, in accordance with a written application by the Director-General,—

(a) create a computer freehold register for the fee simple estate in the land in the name of Te Hapori o Maungatautari; and

(b) record on the computer freehold register the matters specified in section 81.

80 Addition of private land to reserve

(1) Any private land may, with the consent of the authorised representatives, be added to the reserve in accordance with this section.

(2) Subsection (3) applies to private land that is to be added to the reserve.

(3) The Registrar-General must, on receipt of a transfer instrument that is in order for registration and contains a statement that the land described in the transfer instrument is to be added to Maungatautari Mountain Scenic Reserve in accordance with this section,—

(a) register the transfer of the fee simple estate in the land to the Crown; and

(b) immediately register Te Hapori o Maungatautari as the proprietor of the fee simple estate in the land; and

(c) record on the computer freehold register the matters specified in section 81.

81 Matters to be recorded on computer freehold register

(1) The Registrar-General must record on the computer freehold register for land added to Maungatautari Mountain Scenic Reserve in accordance with section 78, 79, or 80 that—

(a) the land is held as part of Maungatautari Mountain Scenic Reserve and is subject to this subpart; and

(b) the land is subject to Part 4A of the Conservation Act 1987; and

(c) despite paragraph (b), the land is not subject to section 24 of that Act; and

(d) the land is subject to section 11 of the Crown Minerals Act 1991.

(2) A notification made under subsection (1) that land is subject to Part 4A of the Conservation Act 1987 is to be treated as having been made in compliance with section 24D(1) of that Act.

(3) The Registrar-General must record any entry on the computer freehold register and do anything else necessary to give effect to the addition of land to the reserve.

82 Authorised representatives to execute instrument on behalf of Te Hapori o Maungatautari if required

(1) This section applies to any deed, contract, or other instrument that—

(a) Te Hapori o Maungatautari, as the registered proprietor of the fee simple estate in Maungatautari Mountain Scenic Reserve, is required to execute; and

(b) cannot be executed by the Crown (despite section 73(3)) or by the administering body.

(2) The deed, contract, or other instrument must be executed on behalf of Te Hapori o Maungatautari by its authorised representatives.

(3) The authorised representatives of Te Hapori o Maungatautari are—

(a) the chairperson of the Taumatawiwi Trust:

(b) the chairperson of the Ngāti Hauā Iwi Trust:

(c) the chairperson of the Raukawa Settlement Trust:

(d) the chairperson of Te Arataura:

(e) the mayor of the Waipa District Council.

(4) If at any time any of the entities listed in subsection (3)(a) to (d) has more than 1 chairperson, only 1 of them may act as an authorised representative for that entity.

(5) A deed, contract, or other instrument is to be taken as executed by the authorised representatives on behalf of Te Hapori o Maungatautari if—

(a) the deed, contract, or other instrument is executed by—

(i) the mayor of the Waipa District Council; and

(ii) 3 other authorised representatives; and

(b) written notice is given to each of the authorised representatives before the deed, contract, or other instrument is executed.

(6) An authorised representative is not personally liable in respect of any act done or omitted in good faith in the course of performing or exercising the authorised representative's functions or powers.

83 Maungatautari Mountain Scenic Reserve held subject to or together with interests

(1) Maungatautari Mountain Scenic Reserve is held subject to, or with the benefit of, the interests affecting the reserve from time to time, including, on the settlement date, the interests listed in the second column of the table in Schedule 3.

(2) Any arrangement relating to the management of the Maungatautari Mountain Scenic Reserve (including any arrangement relating to infrastructure for activities on the reserve) entered into before the settlement date between the administering body and a third party remains unaffected.

(3) Subsection (4) applies to any interest—

(a) under a lease, licence, permit, easement, or statutory authorisation (including any right to a renewal or extension of that interest) granted in respect of Maungatautari Mountain Scenic Reserve (within the meaning of paragraph (a) of that term as defined in section 71); and

(b) that was in effect immediately before the settlement date.

(4) An interest to which this subsection applies continues to have effect, so far as it is lawful, according to its tenor and as if the grantor of any such interest immediately before the settlement date continues to be the grantor.

(5) Subsections (6) and (7) apply to any structure fixed to, or under or over, any part of Maungatautari Mountain Scenic Reserve.

(6) A structure to which this subsection applies is to be regarded as personal property and not as land or as an interest in land.

(7) If, immediately before the settlement date, a person had an interest in a structure to which this subsection applies, that person continues to have that interest in the structure as personal property until the person's interest is changed by a disposition or by operation of law.

(8) In relation to any land that is added to the reserve under section 78, 79, or 80, the Crown remains the grantee or grantor (as the case may be) of any interest relating to the land immediately before the land is added to the reserve.

84 Saving of bylaws, etc, in relation to Maungatautari Mountain Scenic Reserve

(1) This section applies to any bylaw, or any prohibition or restriction on use or access, that an administering body or the Minister of Conservation made or imposed under the Conservation Act 1987 or the Reserves Act 1977 in relation to Maungatautari Mountain Scenic Reserve and that was in force immediately before the settlement date.

(2) Despite section 72, the bylaw, prohibition, or restriction remains in force until it expires or is revoked under the Conservation Act 1987 or the Reserves Act 1977.

85 Application of other enactments

(1) The following provisions apply to the Maungatautari Mountain Scenic Reserve as if the reserve were Maori customary land:

(a) section 28 of the Limitation Act 2010:

(b) section 8 of the Local Government (Rating) Act 2002:

(c) sections 104, 145, and 342 of Te Ture Whenua Maori Act 1993.

(2) Section 108(9) of the Resource Management Act 1991 applies to Maungatautari Mountain Scenic Reserve as if the reserve were Maori land within the meaning of Te Ture Whenua Maori Act 1993.

(3) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to—

(a) the registration of Te Hapori o Maungatautari as the proprietor of the fee simple estate in Maungatautari Mountain Scenic Reserve under section 72; or

(b) the creation of a computer freehold register for the purposes of an exchange of land under section 78 or an addition of land to the reserve under section 79 or 80; or

(c) any matter incidental to, or required for the purpose of, the matters described in paragraphs (a) and (b).

(4) The registration of Te Hapori o Maungatautari as the proprietor of Maungatautari Mountain Scenic Reserve under section 72 (including the treatment of Te Hapori o Maungatautari as the registered proprietor under section 72(1))—

(a) does not limit section 10 or 11 of the Crown Minerals Act 1991; and

(b) is a disposition for the purposes of Part 4A of the Conservation Act 1987, but sections 24, 24A, and 24AA of that Act do not apply to the disposition.

Karapiro to Lake Arapuni sub-catchment

86 Interpretation

In this section and sections 87 to 96, unless the context otherwise requires,—

2010 Act means the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010

integrated river management plan has the same meaning as in section 35 of the Waikato-Tainui Act

Raukawa co-management deed means the deed between Raukawa, the Raukawa Settlement Trust, and the Crown in relation to the Waikato River dated 17 December 2009

Raukawa and **Raukawa Settlement Trust** have the meanings given in section 7(2) of the 2010 Act

sub-catchment means the Karapiro to Lake Arapuni sub-catchment, being the area shown coloured yellow on SO 409144

Upper Waikato River integrated management plan has the same meaning as in section 36 of the 2010 Act

Waikato Raupatu River Trust has the meaning given in section 6(2) of the Waikato-Tainui Act

Waikato River deed parties means the parties to—

(a) each of the deeds referred to in the definition of deed in section 7(2) of the 2010 Act; and

(b) the deed of settlement between the Crown and Waikato-Tainui in relation to the Waikato River dated 17 December 2009

Waikato-Tainui Act means the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

Waikato-Tainui environmental plan

87 Section 40 of Waikato-Tainui Act applies to sub-catchment

(1) Section 40 of the Waikato-Tainui Act applies to a person carrying out functions or exercising powers under the conservation legislation in relation to the Waikato River to the extent that it is within the sub-catchment.

(2) In subsection (1), **conservation legislation** means the Conservation Act 1987 and the enactments listed in Schedule 1 of that Act.

Joint management agreements

88 Joint management agreements between Waikato Raupatu River Trust and local authorities apply to sub-catchment

(1) The joint management agreement dated 18 June 2013 between the Waikato Raupatu River Trust and the Waikato Regional Council, entered into in accordance with section 41(1) of the Waikato-Tainui Act, applies to the Waikato River to the extent that it is within the sub-catchment and to activities in the sub-catchment affecting the Waikato River.

(2) The joint management agreement dated 27 September 2013 between the Waikato Raupatu River Trust and the Waipa District Council, entered into in accordance with section 41(1) of the Waikato-Tainui Act, applies to the Waikato River to the extent that it is within the sub-catchment and to activities in the sub-catchment affecting the Waikato River.

89 Waikato Raupatu River Trust and South Waikato District Council may enter into joint management agreement

(1) The Waikato Raupatu River Trust and the South Waikato District Council may agree in writing to enter into a joint management agreement to apply to the Waikato River to the extent that it is within the sub-catchment and to activities in the sub-catchment affecting the Waikato River.

(2) The joint management agreement must be generally in the form set out in part 5 of the schedule of the deed of settlement between the Crown and Waikato-Tainui in relation to the Waikato River dated 17 December 2009.

(3) Sections 41(2) and 42 to 55 of the Waikato-Tainui Act apply to the joint management agreement with any necessary modifications.

(4) For the purposes of this section, each reference in section 48 of the Waikato-Tainui Act to the settlement date is to be read as a reference to the date on which the Waikato Raupatu River Trust and the South Waikato District Council agree to enter into the joint management agreement.

Conservation regulations

90 Conservation regulations may be made in relation to sub-catchment

(1) A regulation that is made under section 93(1) of the Waikato-Tainui Act or section 58(1) of the 2010 Act may be made with application to the Waikato River to the extent that it is within the sub-catchment if the regulation is expressed to apply to that area.

(2) However, a regulation may not be made under section 93(1) of the Waikato-Tainui Act or section 58(1) of the 2010 Act that is expressed to apply to the Waikato River to the extent that it is within the sub-catchment unless the regulation is consistent with—

(a) the overarching purpose described in section 3 of the Waikato-Tainui Act; and

(b) the overarching purpose described in section 3 of the 2010 Act.

(3) For the purposes of this section, only 1 regulation or 1 set of regulations may apply to the Waikato River to the extent that it is within the sub-catchment, and the single regulation or single set of regulations must be made under both section 93(1) of the Waikato-Tainui Act and section 58(1) of the 2010 Act.

Customary fishing

91 Customary fishing regulations that apply to sub-catchment

(1) A regulation that is made in accordance with section 93(3) of the Waikato-Tainui Act, to the extent that the regulation provides for the Waikato Raupatu River Trust to manage customary fishing in the Waikato River, applies to the Waikato River to the extent that it is within the sub-catchment.

(2) The regulation must state the effect of subsection (1), but the omission to do so does not affect the validity of the regulation.

Fishing (bylaw) regulations

92 Fishing (bylaw) regulations may be made in relation to sub-catchment

(1) A regulation that is made in accordance with section 93(4) of the Waikato-Tainui Act, to the extent that the regulation provides for the Waikato Raupatu River Trust to recommend the making of bylaws, must also be taken to provide for

the Waikato Raupatu River Trust to recommend the making of bylaws in respect of the Waikato River to the extent that it is within the sub-catchment.

(2) The regulation must state the effect of subsection (1), but the omission to do so does not affect the validity of the regulation.

Fisheries bylaws

93 Fisheries bylaws that apply to sub-catchment

(1) This section applies where—

(a) regulations have been made in accordance with section 93(4) of the Waikato-Tainui Act and in accordance with section 58(3) of the 2010 Act; and

(b) under those regulations, as amplified by section 92, the Waikato Raupatu River Trust and the trustees of each Trust referred to in section 6(1) of the 2010 Act (the **contributing parties**) may recommend the making of bylaws in respect of the Waikato River to the extent that it is within the sub-catchment.

(2) In exercising their powers to recommend a bylaw in respect of the sub-catchment, the contributing parties—

(a) must, after co-operation between them, recommend a joint bylaw in written form; and

(b) must recommend only a bylaw that is consistent with the overarching purpose of each of the Waikato-Tainui Act and the 2010 Act.

(3) The Minister for Primary Industries must make any bylaw recommended under subsection (2), unless the Minister is satisfied that the proposed bylaw would have an undue adverse effect on fishing.

(4) A bylaw that is made on the recommendation of the contributing parties in accordance with subsection (2)—

(a) is taken to be made both under section 93(5) of the Waikato-Tainui Act and under section 58(4) of the 2010 Act; and

(b) takes effect in the Waikato River to the extent that it is within the sub-catchment on a date notified in the *Gazette* by the Minister for Primary Industries.

Integrated river management plan and Upper Waikato River integrated management plan

94 Application of provisions of components of integrated river management plan

(1) The conservation and fisheries components of the integrated river management plan referred to in section 35(3)(a) and (b) respectively of the Waikato-Tainui

Act may contain provisions that apply to the Waikato River to the extent that it is within the sub-catchment.

(2) The Waikato Raupatu River Trust and the Waikato Regional Council may agree that the provisions of the regional council component of the integrated river management plan referred to in section 35(3)(c) of the Waikato-Tainui Act apply to the Waikato River to the extent that it is within the sub-catchment, and those provisions apply according to the terms of the agreement.

(3) The Waikato Raupatu River Trust and an agency that has agreed a component of the integrated river management plan referred to in section 35(3)(d) of the Waikato-Tainui Act may agree that provisions of the component apply to the Waikato River to the extent that it is within the sub-catchment, and those provisions apply according to the terms of the agreement.

95 Process for preparation of provisions that apply to Waikato River under section 94

Provisions of components that, under section 94, apply to the Waikato River within the sub-catchment must be prepared in accordance with Schedule 7 of the Waikato-Tainui Act with any necessary modifications, including the modifications set out in section 96.

96 Modifications to component process preparation

(1) This section applies to the preparation of—

(a) provisions of components of the integrated river management plan to the extent that those provisions apply to the Waikato River within the sub-catchment under section 94:

(b) provisions of components of the Upper Waikato River integrated management plan to the extent that those provisions apply to the Waikato River within the sub-catchment in accordance with Part 2 of the 2010 Act.

(2) The processes in Schedule 7 of the Waikato-Tainui Act and Schedule 5 of the 2010 Act must be carried out simultaneously as a single co-operative process involving the following parties (the **contributing parties**):

(a) the Waikato Raupatu River Trust; and

(b) the trustees of each Trust referred to in section 6(1) of the 2010 Act relevant to the particular component; and

(c) the department, local authority, or agency relevant to the particular component.

(3) References in Schedule 7 of the Waikato-Tainui Act to—

(a) the integrated river management plan and the plan are to be read as references to a provision referred to in subsection (1); and

(b) the draft plan are to be read as references to a draft provision.

(4) In preparing a provision referred to in subsection (1), the contributing parties, after co-operation among them, must agree joint provisions that are consistent with both the overarching purpose and provisions of the Waikato-Tainui Act relating to the integrated river management plan and the overarching purpose and provisions of the 2010 Act relating to the Upper Waikato River integrated management plan.

(5) Once the joint provisions are agreed in accordance with this section and section 95, those provisions must be taken—

(a) to be part of the relevant component of the integrated river management plan and to apply to the Waikato River to the extent that it is within the sub-catchment in accordance with the provisions of the Waikato-Tainui Act; and

(b) to be part of the relevant component of the Upper Waikato River integrated management plan and to apply to the Waikato River to the extent that it is within the sub-catchment in accordance with the provisions of the 2010 Act.

(6) This section and sections 94 and 95 do not affect the preparation of and approval of—

(a) components of the integrated river management plan that apply to the Waikato River in accordance with the Waikato-Tainui Act; or

(b) components of the Upper Waikato River integrated management plan that apply to the Waikato River outside the sub-catchment in accordance with the 2010 Act.

Iwi objectives for review

97 Iwi objectives for review of Waikato river vision and strategy

(1) Ngāti Koroki Kahukura may formulate iwi objectives for the Waikato River for the purposes of—

(a) section 20(2)(a)(iv) of the Waikato-Tainui Act; and

(b) section 21(2)(a)(ii) of the 2010 Act.

(2) If Ngāti Koroki Kahukura formulates iwi objectives, it must do so in accordance with this section.

(3) The iwi objectives must be consistent with the overarching purposes specified in section 3 of the Waikato-Tainui Act and section 3 of the 2010 Act.

(4) The trustees must make the iwi objectives available for inspection by the public at the offices of the Taumatawiwi Trust and provide copies to—

(a) every local authority, within the meaning of paragraph (a) of the definition of local authority in section 6(3) of the Waikato-Tainui Act and of paragraph (a) of the definition of local authority in section 7(2) of the 2010 Act; and

(b) the Minister for the Environment.

(5) The iwi objectives are effective from the date on which the trustees comply with subsection (4).

(6) Ngāti Koroki Kahukura may amend the iwi objectives, and subsections (2) to (5) apply to the formulation of amended iwi objectives with any necessary modifications.

Non-derogation

98 Non-derogation

(1) To the extent that instruments under the Waikato-Tainui Act apply to the sub-catchment in accordance with this subpart, they do not derogate from—

(a) the interests referred to in clause 13.11.1 of the Raukawa co-management deed; or

(b) the statement of significance set out in clause 2.3 of the Raukawa co-management deed.

(2) To the extent that instruments under the 2010 Act apply to the sub-catchment in accordance with this subpart, they do not derogate from—

(a) the interests referred to in the Crown acknowledgements set out in section 70; or

(b) the statement of significance set out in section 69.

Part 3
Commercial redress

99 Interpretation

In subparts 1 and 2,—

commercial redress property means a property described in part 3 of the property redress schedule

land holding agency means the land holding agency specified for a commercial redress property in part 3 of the property redress schedule.

Subpart 1—Transfer of commercial redress properties

100 The Crown may transfer properties

To give effect to part 8 of the deed of settlement, the Crown (acting by and through the chief executive of the land holding agency) is authorised to—

(a) transfer the fee simple estate in a commercial redress property to the trustees; and

(b) sign a transfer instrument or other document, or do anything else, as necessary to effect the transfer.

101 Computer freehold registers for commercial redress properties

(1) This section applies to each commercial redress property that is to be transferred to the trustees under section 100.

(2) However, this section applies only to the extent that—

(a) the property is not all of the land contained in a computer freehold register; or

(b) there is no computer freehold register for all or part of the property.

(3) The Registrar-General must, in accordance with a written application by an authorised person,—

(a) create a computer freehold register for the fee simple estate in the property in the name of the Crown; and

(b) record on the computer freehold register any interests that are registered, notified, or notifiable and that are described in the application; but

(c) omit any statement of purpose from the computer freehold register.

(4) Subsection (3) is subject to the completion of any survey necessary to create a computer freehold register.

(5) In this section and section 102, **authorised person** means a person authorised by the chief executive of the land holding agency for the relevant property.

102 Authorised person may grant covenant for later creation of computer freehold register

(1) For the purposes of section 101, the authorised person may grant a covenant for the later creation of a computer freehold register for a commercial redress property.

(2) Despite the Land Transfer Act 1952,—

(a) the authorised person may request the Registrar-General to register the covenant under that Act by creating a computer interest register; and

(b) the Registrar-General must comply with the request.

103 Application of other enactments

(1) This section applies to the transfer to the trustees of the fee simple estate in a commercial redress property.

(2) The transfer is a disposition for the purposes of Part 4A of the Conservation Act 1987, but sections 24(2A), 24A, and 24AA of that Act do not apply to the disposition.

(3) The transfer does not—

(a) limit section 10 or 11 of the Crown Minerals Act 1991; or

(b) affect other rights to subsurface minerals.

(4) The permission of a council under section 348 of the Local Government Act 1974 is not required for laying out, forming, granting, or reserving a private road, private way, or right of way required to fulfil the terms of the deed of settlement in relation to the transfer.

(5) Section 11 and Part 10 of the Resource Management Act 1991 do not apply to the transfer or to any matter incidental to, or required for the purpose of, the transfer.

(6) In exercising the powers conferred by section 100, the Crown is not required to comply with any other enactment that would otherwise regulate or apply to the transfer.

(7) Subsection (6) is subject to subsections (2) and (3).

104 Transfer of balance Puahue quarry property

(1) This section applies to the commercial redress property described as the balance Puahue quarry property in part 3 of the property redress schedule.

(2) Immediately before the transfer under section 100, the property's reservation as a local purpose reserve subject to the Reserves Act 1977 is revoked.

(3) Sections 24 and 25 of the Reserves Act 1977 do not apply to the revocation of the reserve status under subsection (2).

Subpart 2—Right of first refusal over RFR land

Interpretation

105 Interpretation

In this subpart and Schedule 4,—

control, for the purposes of paragraph (d) of the definition of Crown body, means,—

(a) for a company, control of the composition of its board of directors; and

(b) for another body, control of the composition of the group that would be its board of directors if the body were a company

Crown body means—

(a) a Crown entity, as defined in section 7(1) of the Crown Entities Act 2004; and

(b) a State enterprise, as defined in section 2 of the State-Owned Enterprises Act 1986; and

(c) the New Zealand Railways Corporation; and

(d) a company or body that is wholly owned or controlled by 1 or more of the following:

(i) the Crown:

(ii) a Crown entity:

(iii) a State enterprise:

(iv) the New Zealand Railways Corporation; and

(e) a subsidiary or related company of a company or body referred to in paragraph (d)

dispose of, in relation to RFR land,—

(a) means to—

(i) transfer or vest the fee simple estate in the land; or

(ii) grant a lease of the land for a term that is, or will be (if any rights of renewal or extension are exercised under the lease), 50 years or longer; but

(b) to avoid doubt, does not include to—

(i) mortgage, or give a security interest in, the land; or

(ii) grant an easement over the land; or

(iii) consent to an assignment of a lease, or to a sublease, of the land; or

(iv) remove an improvement, a fixture, or a fitting from the land

expiry date, in relation to an offer, means its expiry date under sections 108(2)(a) and 109

notice means a notice given under this subpart

offer means an offer by an RFR landowner, made in accordance with section 108, to dispose of RFR land to the trustees

public work has the meaning given in section 2 of the Public Works Act 1981

related company has the meaning given in section 2(3) of the Companies Act 1993

RFR area means the area shown on SO 443357

RFR landowner, in relation to RFR land,—

(a) means the Crown, if the land is vested in the Crown or the Crown holds the fee simple estate in the land; and

(b) means a Crown body, if the body holds the fee simple estate in the land; and

(c) includes a local authority to which RFR land has been disposed of under section 114(1); but

(d) to avoid doubt, does not include an administering body in which RFR land is vested—

(i) on the settlement date; or

(ii) after the settlement date, under section 115(1)

RFR period means the period of 173 years on and from the settlement date

subsidiary has the meaning given in section 5 of the Companies Act 1993.

106 Meaning of RFR land

(1) In this subpart, **RFR land** means—

(a) the land that is within the RFR area that, on the settlement date, is—

(i) vested in the Crown; or

(ii) held in fee simple by the Crown; or

(iii) a reserve vested in an administering body that derived title to the reserve from the Crown and that would, on the application of section 25 or 27 of the Reserves Act 1977, revest in the Crown; and

(b) any land obtained in exchange for a disposal of RFR land under section 119(1)(c) or 120.

(2) RFR land does not include a commercial redress property.

(3) Land ceases to be RFR land if—

(a) the fee simple estate in the land transfers from the RFR landowner to—

(i) the trustees or their nominee; or

(ii) any other person (including the Crown or a Crown body) under section 107(d); or

(b) the fee simple estate in the land transfers or vests from the RFR landowner to or in a person other than the Crown or a Crown body—

(i) under any of sections 116 to 122 (which relate to permitted disposals of RFR land); or

(ii) under any matter referred to in section 123(1) (which specifies matters that may override the obligations of an RFR landowner under this subpart); or

(c) the fee simple estate in the land transfers or vests from the RFR landowner in accordance with a waiver or variation given under section 131; or

(d) the RFR period for the land ends.

Restrictions on disposal of RFR land

107 Restrictions on disposal of RFR land

An RFR landowner must not dispose of RFR land to a person other than the trustees or their nominee unless the land is disposed of—

(a) under any of sections 113 to 122; or

(b) under any matter referred to in section 123(1); or

(c) in accordance with a waiver or variation given under section 131; or

(d) within 2 years after the expiry date of an offer by the RFR landowner to dispose of the land to the trustees if the offer to the trustees was—

(i) made in accordance with section 108; and

(ii) made on terms that were the same as, or more favourable to the trustees than, the terms of the disposal to the person; and

(iii) not withdrawn under section 110; and

(iv) not accepted under section 111.

Trustees' right of first refusal

108 Requirements for offer

(1) An offer by an RFR landowner to dispose of RFR land to the trustees must be by notice to the trustees.

(2) The notice must include—

(a) the terms of the offer, including its expiry date; and

(b) the legal description of the land, including any interests affecting it, and the reference for any computer register for the land; and

(c) a street address for the land (if applicable); and

(d) a street address, postal address, and fax number or electronic address for the trustees to give notices to the RFR landowner in relation to the offer.

109 Expiry date of offer

(1) The expiry date of an offer must be on or after the date that is 40 working days after the date on which the trustees receive notice of the offer.

(2) However, the expiry date of an offer may be on or after the date that is 20 working days after the date on which the trustees receive notice of the offer if—

(a) the trustees received an earlier offer to dispose of the land; and

(b) the expiry date of the earlier offer was not more than 6 months before the expiry date of the later offer; and

(c) the earlier offer was not withdrawn.

110 Withdrawal of offer

The RFR landowner may, by notice to the trustees, withdraw an offer at any time before it is accepted.

111 Acceptance of offer

(1) The trustees may, by notice to the RFR landowner who made an offer, accept the offer if—

(a) it has not been withdrawn; and

(b) its expiry date has not passed.

(2) The trustees must accept all the RFR land offered, unless the offer permits them to accept less.

112 Formation of contract

(1) If the trustees accept an offer by an RFR landowner to dispose of RFR land, a contract for the disposal of the land is formed between the RFR landowner and the trustees on the terms in the offer.

(2) The terms of the contract may be varied by written agreement between the RFR landowner and the trustees.

(3) Under the contract, the trustees may nominate any person other than the trustees (the **nominee**) to receive the transfer of the RFR land.

(4) The trustees may nominate a nominee only if—

(a) the nominee is lawfully able to hold the RFR land; and

(b) notice is given to the RFR landowner on or before the day that is 10 working days before the day on which the transfer is to settle.

(5) The notice must specify—

(a) the full name of the nominee; and

(b) any other details about the nominee that the RFR landowner needs in order to transfer the RFR land to the nominee.

(6) If the trustees nominate a nominee, the trustees remain liable for the obligations of the transferee under the contract.

Disposals to others but land remains RFR land

113 Disposal to the Crown or Crown bodies

(1) An RFR landowner may dispose of RFR land to—

(a) the Crown; or

(b) a Crown body.

(2) To avoid doubt, the Crown may dispose of RFR land to a Crown body in accordance with section 143(5) or 206 of the Education Act 1989.

114 Disposal of existing public works to local authorities

(1) An RFR landowner may dispose of RFR land that is a public work, or part of a public work, in accordance with section 50 of the Public Works Act 1981 to a local authority, as defined in section 2 of that Act.

(2) To avoid doubt, if RFR land is disposed of to a local authority under subsection (1), the local authority becomes—

(a) the RFR landowner of the land; and

(b) subject to the obligations of an RFR landowner under this subpart.

115 Disposal of reserves to administering bodies

(1) An RFR landowner may dispose of RFR land in accordance with section 26 or 26A of the Reserves Act 1977.

(2) To avoid doubt, if RFR land that is a reserve is vested in an administering body under subsection (1), the administering body does not become—

(a) the RFR landowner of the land; or

(b) subject to the obligations of an RFR landowner under this subpart.

(3) However, if RFR land vests back in the Crown under section 25 or 27 of the Reserves Act 1977, the Crown becomes—

(a) the RFR landowner of the land; and

(b) subject to the obligations of an RFR landowner under this subpart.

Disposals to others where land may cease to be RFR land

116 Disposal in accordance with obligations under enactment or rule of law

An RFR landowner may dispose of RFR land in accordance with an obligation under any enactment or rule of law.

117 Disposal in accordance with legal or equitable obligations

An RFR landowner may dispose of RFR land in accordance with—

(a) a legal or an equitable obligation that—

(i) was unconditional before the settlement date; or

(ii) was conditional before the settlement date but became unconditional on or after the settlement date; or

(iii) arose after the exercise (whether before, on, or after the settlement date) of an option existing before the settlement date; or

(b) the requirements, existing before the settlement date, of a gift, an endowment, or a trust relating to the land.

118 Disposal under certain legislation

An RFR landowner may dispose of RFR land in accordance with—

(a) section 54(1)(d) of the Land Act 1948; or

(b) section 34, 43, or 44 of the Marine and Coastal Area (Takutai Moana) Act 2011; or

(c) section 355(3) of the Resource Management Act 1991.

119 Disposal of land held for public works

(1) An RFR landowner may dispose of RFR land in accordance with—

(a) section 40(2) or (4) or 41 of the Public Works Act 1981 (including as applied by another enactment); or

(b) section 52, 105(1), 106, 114(3), 117(7), or 119 of the Public Works Act 1981; or

(c) section 117(3)(a) of the Public Works Act 1981; or

(d) section 117(3)(b) of the Public Works Act 1981 if the land is disposed of to the owner of adjoining land; or

(e) section 23(1) or (4), 24(4), or 26 of the New Zealand Railways Corporation Restructuring Act 1990.

(2) To avoid doubt, RFR land may be disposed of by an order of the Maori Land Court under section 134 of Te Ture Whenua Maori Act 1993, after an application by an RFR landowner under section 41(e) of the Public Works Act 1981.

120 Disposal for reserve or conservation purposes

An RFR landowner may dispose of RFR land in accordance with—

(a) section 15 of the Reserves Act 1977; or

(b) section 16A or 24E of the Conservation Act 1987.

121 Disposal for charitable purposes

An RFR landowner may dispose of RFR land as a gift for charitable purposes.

122 Disposal to tenants

The Crown may dispose of RFR land—

(a) that was held on the settlement date for education purposes to a person who, immediately before the disposal, is a tenant of the land or all or part of a building on the land; or

(b) under section 67 of the Land Act 1948, if the disposal is to a lessee under a lease of the land granted—

(i) before the settlement date; or

(ii) on or after the settlement date under a right of renewal in a lease granted before the settlement date; or

(c) under section 93(4) of the Land Act 1948.

RFR landowner obligations

123 RFR landowner's obligations subject to other matters

(1) An RFR landowner's obligations under this subpart in relation to RFR land are subject to—

(a) any other enactment or rule of law except that, in the case of a Crown body, the obligations apply despite the purpose, functions, or objectives of the Crown body; and

(b) any interest, or legal or equitable obligation, that—

(i) prevents or limits an RFR landowner's disposal of RFR land to the trustees; and

(ii) the RFR landowner cannot satisfy by taking reasonable steps; and

(c) the terms of a mortgage over, or security interest in, RFR land.

(2) Reasonable steps, for the purposes of subsection (1)(b)(ii), do not include steps to promote the passing of an enactment.

Notices about RFR land

124 Notice to LINZ of RFR land with computer register after settlement date

(1) If a computer register is first created for RFR land after the settlement date, the RFR landowner must give the chief executive of LINZ notice that the register has been created.

(2) If land for which there is a computer register becomes RFR land after the settlement date, the RFR landowner must give the chief executive of LINZ notice that the land has become RFR land.

(3) The notice must be given as soon as is reasonably practicable after a computer register is first created for the RFR land or after the land becomes RFR land.

(4) The notice must include the legal description of the land and the reference for the computer register.

125 Notice to trustees of disposal of RFR land to others

(1) An RFR landowner must give the trustees notice of the disposal of RFR land by the landowner to a person other than the trustees or their nominee.

(2) The notice must be given on or before the date that is 20 working days before the day of the disposal.

(3) The notice must include—

(a) the legal description of the land, including any interests affecting it; and

(b) the reference for any computer register for the land; and

(c) the street address for the land (if applicable); and

(d) the name of the person to whom the land is being disposed of; and

(e) an explanation of how the disposal complies with section 107; and

(f) if the disposal is to be made under section 107(d), a copy of any written contract for the disposal.

126 Notice to LINZ of land ceasing to be RFR land

(1) This section applies if land contained in a computer register is to cease being RFR land because—

(a) the fee simple estate in the land is to transfer from the RFR landowner to—

(i) the trustees or their nominee (for example, under a contract formed under section 112); or

(ii) any other person (including the Crown or a Crown body) under section 107(d); or

(b) the fee simple estate in the land is to transfer or vest from the RFR landowner to or in a person other than the Crown or a Crown body—

(i) under any of sections 116 to 122; or

(ii) under any matter referred to in section 123(1); or

(c) the fee simple estate in the land is to transfer or vest from the RFR landowner in accordance with a waiver or variation given under section 131.

(2) The RFR landowner must, as early as practicable before the transfer or vesting, give the chief executive of LINZ notice that the land is to cease being RFR land.

(3) The notice must include—

(a) the legal description of the land; and

(b) the reference for the computer register for the land; and

(c) the details of the transfer or vesting of the land.

127 Notice requirements

Schedule 4 applies to notices given under this subpart by or to—

(a) an RFR landowner; or

(b) the trustees.

Right of first refusal recorded on computer registers

128 Right of first refusal to be recorded on computer registers for RFR land

(1) The chief executive of LINZ must issue to the Registrar-General 1 or more certificates that specify the legal descriptions of, and identify the computer registers for,—

(a) the RFR land for which there is a computer register on the settlement date; and

(b) the RFR land for which a computer register is first created after the settlement date; and

(c) land for which there is a computer register that becomes RFR land after the settlement date.

(2) The chief executive must issue a certificate as soon as is reasonably practicable—

(a) after the settlement date, for RFR land for which there is a computer register on the settlement date; or

(b) after receiving a notice under section 124 that a computer register has been created for the RFR land or that the land has become RFR land, for any other land.

(3) Each certificate must state that it is issued under this section.

(4) The chief executive must provide a copy of each certificate to the trustees as soon as is reasonably practicable after issuing the certificate.

(5) The Registrar-General must, as soon as is reasonably practicable after receiving a certificate issued under this section, record on each computer register for the RFR land identified in the certificate that the land is—

(a) RFR land, as defined in section 106; and

(b) subject to this subpart (which restricts disposal, including leasing, of the land).

129 Removal of notifications when land to be transferred or vested

(1) The chief executive of LINZ must, before registration of the transfer or vesting of land described in a notice received under section 126, issue to the Registrar-General a certificate that includes—

(a) the legal description of the land; and

(b) the reference for the computer register for the land; and

(c) the details of the transfer or vesting of the land; and

(d) a statement that the certificate is issued under this section.

(2) The chief executive must provide a copy of each certificate to the trustees as soon as is reasonably practicable after issuing the certificate.

(3) If the Registrar-General receives a certificate issued under this section, he or she must, immediately before registering the transfer or vesting described in the certificate, remove from the computer register identified in the certificate any notification recorded under section 128 for the land described in the certificate.

130 Removal of notifications when RFR period ends

(1) The chief executive of LINZ must, as soon as is reasonably practicable after the RFR period ends in respect of any RFR land, issue to the Registrar-General a certificate that includes—

(a) the reference for each computer register for that RFR land that still has a notification recorded under section 128; and

(b) a statement that the certificate is issued under this section.

(2) The chief executive must provide a copy of each certificate to the trustees as soon as is reasonably practicable after issuing the certificate.

(3) The Registrar-General must, as soon as is reasonably practicable after receiving a certificate issued under this section, remove any notification recorded under section 128 from any computer register identified in the certificate.

General provisions applying to right of first refusal

131 Waiver and variation

(1) The trustees may, by notice to an RFR landowner, waive any or all of the rights the trustees have in relation to the landowner under this subpart.

(2) The trustees and an RFR landowner may agree in writing to vary or waive any of the rights each has in relation to the other under this subpart.

(3) A waiver or an agreement under this section is on the terms, and applies for the period, specified in it.

132 Disposal of Crown bodies not affected

This subpart does not limit the ability of the Crown, or a Crown body, to sell or dispose of a Crown body.

133 Assignment of rights and obligations under this subpart

(1) Subsection (3) applies if the RFR holder—

(a) assigns the RFR holder's rights and obligations under this subpart to 1 or more persons in accordance with the RFR holder's constitutional document; and

(b) has given the notices required by subsection (2).

(2) The RFR holder must give notices to each RFR landowner—

(a) stating that the RFR holder's rights and obligations under this subpart are being assigned under this section; and

(b) specifying the date of the assignment; and

(c) specifying the names of the assignees and, if they are the trustees of a trust, the name of the trust; and

(d) specifying the street address, postal address, and fax number or electronic address for notices to the assignees.

(3) This subpart and Schedule 4 apply to the assignees (instead of to the RFR holder) as if the assignees were the trustees, with any necessary modifications.

(4) In this section,—

constitutional document means the trust deed or other instrument adopted for the governance of the RFR holder

RFR holder means the 1 or more persons who have the rights and obligations of the trustees under this subpart because—

(a) they are the trustees; or

(b) they have previously been assigned those rights and obligations under this section.

Schedule 1
Statutory areas

ss 21, 30

Part 1
Areas subject only to statutory acknowledgement

Statutory area	Location
Little Waipā Recreation Reserve	As shown on OTS–180–14
Whitehall Estate site	As shown on OTS–180–15

Part 2
Areas also subject to deed of recognition

Statutory area	Location
Pōkaiwhenua Stream (Pokaiwhenua Stream) marginal strip site	As shown on OTS–180–17
Waikato River and its tributaries within the area of interest	As shown on OTS–180–27
Lake Arapuni	As shown on OTS–180–28
Lake Karapiro	As shown on OTS–180–29

Schedule 2
Cultural redress properties

ss 35, 52, 53

Properties vested in fee simple

Name of property	Description	Interests
Puahue	*South Auckland Land District–Waipa District* 0.4216 hectares, more or less, being Lots 2 and 3 DPS 9683. All Transfer S465738.	Subject to a mining permit created by SA71B/94.
Tau Pakanga	*South Auckland Land District–South Waikato District* 2.3300 hectares, more or less, being Section 1 SO 59555. Part Proclamation 6030.	Subject to a pipeline easement in gross in favour of Vector Gas Limited.
Tunakawa	*South Auckland Land District–Waipa District* 0.0937 hectares, more or less, being Section 1 SO 462032. All *Gazette* notice S606138.	

Properties vested in fee simple to be administered as reserves

Name of property	Description	Interests
Koroki Kahukura ki Hinuera	*South Auckland Land District–Waipa District* 32.0982 hectares, more or less, being Sections 152 and 157 Block XVI Cambridge Survey District. All *Gazette* 1987, p 23.	Subject to being a reserve, as referred to in section 39(3). Subject to a water easement created by document S123406. Subject to a right of way easement created by document S134688. Subject to GN H080406 declaring adjoining State Highway 1 to be limited access road.
Taumatawiwi	*South Auckland Land District–Waipa District* 4.3869 hectares, more or less, being Section 1 SO 462033. Part *Gazette* 1996, p 1838.	Subject to being a recreation reserve, as referred to in section 40(2). Subject to an easement in gross for a right to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by deed of easement 8672093.1 and held in computer interest register 544104. Subject to an unregistered lease in favour of Brooklyn Water Ski Club (Incorporated), dated 2 December 1994.
Te Reti	*South Auckland Land District–Waipa District*	Subject to being a scenic reserve, as referred to in section 41(3).

Name of property	Description	Interests
	27.9380 hectares, more or less, being Section 12 Block X Maungatautari Survey District. All *Gazette* notice H476156. 2.6610 hectares, more or less, being Lot 1 DPS 31406. All Transfer H432476.6.	
Waikaukau	*South Auckland Land District–Waipa District* 0.8986 hectares, more or less, being Section 2 SO 465103. Part *Gazette* notice 5724545.2.	Subject to being a recreation reserve, as referred to in section 42(2). Subject to an easement in gross for a right to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by deed of easement 8672073.1, held in computer interest register 544097.

Properties vested in fee simple to be administered as Māori reservations

Name of property	Description	Interests
Ara Hinerua	*South Auckland Land District–Waipa District* 0.0365 hectares, more or less, being Section 3 SO 306282. Part *Gazette* notice 5266206.2.	Subject to being a Maori reservation, as referred to in section 68(2). Subject to an easement in gross for a right to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by deed of easement 8672093.1 and held in computer interest register 544104.
Horahora Island	*South Auckland Land District–South Waikato District* 1.2327 hectares, more or less, being Section 3 SO 461172. Part *Gazette* notice 5567426.1.	Subject to being a Maori reservation, as referred to in section 68(2). Subject to an easement in gross to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by deed of easement 8672093.1 and held in computer interest register 544104.
Kohi Wheua	*South Auckland Land District–Waipa District* 0.0600 hectares, more or less, being Section 2 SO 306282. Part *Gazette* notice 5266206.2.	Subject to being a Maori reservation, as referred to in section 68(2). Subject to an easement in gross for a right to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by deed of easement 8672093.1 and held in computer interest register 544104.
Koroki Kahukura ki Piarere	*South Auckland Land District–South Waikato and Matamata-Piako Districts*	Subject to being a Maori reservation, as referred to in section 68(2).

Name of property	Description	Interests
	4.7089 hectares, more or less, being Section 6 SO 461172. Part *Gazette* notice 5567426.1.	Subject to an easement in gross for a right to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by deed of easement 8672093.1 and held in computer interest register 544104.
Motu Aratau	*South Auckland Land District–Waipa District* 11.1005 hectares, more or less, being Section 1 SO 462109. Part *Gazette* 1996, p 55.	Subject to being a Maori reservation, as referred to in section 68(2). Subject to an easement in gross for a right to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by deed of easement 8672073.1 and held in computer interest register 544097.
Te Kiwa and Te Uira	*South Auckland Land District–Waipa District* 0.0435 hectares, more or less, being Sections 1 and 2 SO 461172. Part *Gazette* notice 5567426.1.	Subject to being a Maori reservation, as referred to in section 68(2). Subject to an easement in gross for a right to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by deed of easement 8672093.1 and held in computer interest register 544104.
Waitoa	*South Auckland Land District–Waipa District* 12.4532 hectares, more or less, being Section 2 SO 462109. All *Gazette* 2003, p 2295.	Subject to being a Maori reservation, as referred to in section 68(2). Subject to an easement in gross for a right to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by deed of easement 8672073.1, held in computer interest register 544097.
Whanatangi and Ihaia	*South Auckland Land District–Waipa District* 1.5337 hectares, more or less, being Sections 4 and 5 SO 461172. Part *Gazette* notice 5729973.1.	Subject to being a Maori reservation, as referred to in section 68(2). Subject to an easement in gross for a right to store water and to install and operate hydroelectricity works in favour of Mighty River Power Limited, created by deed of easement 8672093.1 and held in computer interest register 544104.

Schedule 3
Maungatautari Mountain Scenic Reserve

ss 71, 83

Description	Interests
South Auckland Land District–Waipa District	
1513.9714 hectares, more or less, being Section 1 SO 460456 and Maungatautari 3A5A3 and 3A5A6. Balance Proclamation H547522.1.	Subject to being a scenic reserve, as referred to in section 75(1).
361.3109 hectares, more or less, being Sections 31 and 32 Tautari Settlement and Maungatautari 3A6A and 3A7A. All *Gazette* 1953, p 1341.	
180.9704 hectares, more or less, being Maungatautari 4G2B. All *Gazette* notice S268111.	
81.6732 hectares, more or less, being Lot 2 DP 27762. All Computer Freehold Register SA989/172.	Subject to a right of way easement created by Transfer 319602 (affects Lot 2 DP 27762).
73.5013 hectares, more or less, being Lot 3 DPS 27075. All Transfer H273349.	
56.8330 hectares, more or less, being Lot 1 DPS 5051. All *Gazette* notice S166754.	
40.4610 hectares, more or less, being Section 1 SO 38698. All *Gazette* notice S117797.	
37.0287 hectares, more or less, being Lot 1 DPS 7036. All *Gazette* notice S232175.	
30.8300 hectares, more or less, being Lot 1 DPS 39276. All Transfer H631080.4.	
20.2300 hectares, more or less, being Lot 1 DPS 34267. All Transfer H533839.	
10.8100 hectares, more or less, being Lot 1 DPS 19374. All Transfer H121356.4.	Subject to a water easement created by easement certificate H361488.1 (affects Lot 1 DPS 29722).
0.0910 hectares, more or less, being Lot 1 DPS 29722. All Transfer H361488.2.	

Schedule 4
Notices in relation to RFR land

ss 105, 127, 133(3)

1 Requirements for giving notice

A notice by or to an RFR landowner or the trustees under subpart 2 of Part 3 must be—

(a) in writing and signed by—

(i) the person giving it; or

(ii) at least 2 of the trustees, for a notice given by the trustees; and

(b) addressed to the recipient at the street address, postal address, fax number, or electronic address,—

(i) for a notice to the trustees, specified for the trustees in accordance with the deed of settlement, or in a later notice given by the trustees to the RFR landowner, or identified by the RFR landowner as the current address, fax number, or electronic address of the trustees; or

(ii) for a notice to an RFR landowner, specified by the RFR landowner in an offer made under section 108, or in a later notice given to the trustees, or identified by the trustees as the current address, fax number, or electronic address of the RFR landowner; or

(c) for a notice given under section 124 or 126, sent to the chief executive of LINZ at the Wellington office of LINZ; and

(d) given by—

(i) delivering it by hand to the recipient's street address; or

(ii) posting it to the recipient's postal address; or

(iii) faxing it to the recipient's fax number; or

(iv) sending it by electronic means such as email.

2 Use of electronic transmission

Despite clause 1, a notice that must be given in writing and signed, as required by clause 1(a), may be given by electronic means provided the notice is given with an electronic signature that satisfies section 226(1)(a) and (b) of the Contract and Commercial Law Act 2017.

Schedule 4 clause 2: amended, on 1 September 2017, by section 347 of the Contract and Commercial Law Act 2017 (2017 No 5).

3 Time when notice received

(1) A notice is to be treated as having been received—

(a) at the time of delivery, if delivered by hand; or

(b) on the second day after posting, if posted; or

(c) at the time of transmission, if faxed or sent by other electronic means.

(2) However, a notice is to be treated as having been received on the next working day if, under subclause (1), it would be treated as having been received—

(a) after 5 pm on a working day; or

(b) on a day that is not a working day.

Reprints notes

1 General

This is a reprint of the Ngāti Koroki Kahukura Claims Settlement Act 2014 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, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

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

Contract and Commercial Law Act 2017 (2017 No 5): section 347

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