

# Urewera District Native Reserve Amendment Act 1909

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## Contents

	Page
Title	1
1 Short Title and commencement.	2
2 Urewera Native Reserve not to be subject to Native Land Act, 1909.	2
3 Orders made under the principal Act, &c., to have operation of freehold orders under Native Land Act.	2
4 Orders may be registered under Land Transfer Act.	2
5 Jurisdiction of Native Land Court with respect to land under principal Act.	2
6 Alienation of that land.	3
7 In certain cases land may be vested in Maori Land Board for sale or lease.	3
8 Land subject to principal Act may be brought under Part XVI of the Native Land Act, 1909, by Order in Council.	3
9 Licenses to out timber may be granted by the Board with the authority of the Governor in Council.	3
10 Validity of Orders in Council under this Act.	4
11 Regulations.	4
12 Removal and appointment of members of the General Committee.	4
13 Purchase by the Crown of land subject to the principal Act.	4
14 Limitation of application of certain parts of Native Land Act.	5

**An Act to amend the Urewera District Native Reserve Act, 1896.**

**BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—**

**1 Short Title and commencement.**

- (1.) This Act may be cited as the Urewera District Native Reserve Amendment Act, 1909, and shall be read together with and deemed to form part of the Urewera District Native Reserve Act, 1896 (hereinafter referred to as the principal Act).
- (2.) This Act shall come into operation on the thirty-first day of March, nineteen hundred and ten.

**2 Urewera Native Reserve not to be subject to Native Land Act, 1909.**

Save so far as otherwise provided in this Act, nothing in the Native Land Act, 1909, shall affect the provisions of the principal Act, or of the Urewera District Native Reserve Act Amendment Act, 1900, or of any unrepealed amendment of either of those Acts.

**3 Orders made under the principal Act, &c., to have operation of freehold orders under Native Land Act.**

All orders made by the Commissioners under the last-mentioned Acts or any amendment thereof, and confirmed (with or without modification) by the Governor or by the Native Minister in accordance with those Acts, whether before or after the commencement of this Act, shall have, and shall be deemed to have had as from the date of the making thereof, the same operation as a freehold order made by the Native Land Court under the Native Land Act, 1909; and the land included therein shall be, and shall be deemed to have been as from the date of the making of the order, Native freehold land accordingly, and subject to the Land Transfer Act, 1908.

**4 Orders may be registered under Land Transfer Act.**

Every such order may be registered under the Land Transfer Act, 1908, in the same manner, with all necessary modifications, as if it was a freehold order made by the Native Land Court under the Native Land Act, 1909.

**5 Jurisdiction of Native Land Court with respect to land under principal Act.**

The Native Land Court may exercise, in respect of land subject to the principal Act, all the jurisdiction vested in the Court by the Native Land Act, 1909, in respect of Native land, including the jurisdiction, under Part IV of that Act, relating to the making of freehold orders: save and except that the Court shall not, without the leave of the Governor in Council first obtained, exercise jurisdiction under Part VI of that Act (relating to partition) or under Part VII of that Act (relating to exchange).

**6 Alienation of that land.**

Land which is subject to the principal Act shall be inalienable except in manner provided by that Act and the amendments thereof, or in manner hereinafter provided.

**7 In certain cases land may be vested in Maori Land Board for sale or lease.**

With the consent of the General Committee under the principal Act and its amendments, the Governor may by Order in Council vest any part of the land subject to that Act in the Maori Land Board of the district in which that land is situated, for sale or for leasing under Part XIV of the Native Land Act, 1909; and thereupon all the provisions of that Part of that Act shall apply thereto accordingly in the same manner as if the land had been so vested in the Board in pursuance of a resolution of the assembled owners under Part XVIII of that Act.

**8 Land subject to principal Act may be brought under Part XVI of the Native Land Act, 1909, by Order in Council.**

- (1.) With the consent of the said General Committee the Governor may by Order in Council declare that any land subject to the principal Act is subject to Part XVI of the Native Land Act, 1909 (relating to Native land for Native settlement).
- (2.) The land comprised in any such Order in Council shall thereupon become and at all times thereafter remain, so long as the Order in Council is in force, subject to Part XVI of the Native Land Act, 1909, and all the provisions of that Part of the said Act shall apply thereto accordingly.
- (3.) Any Order in Council made under this section may be at any time revoked either in whole or in part.

**9 Licenses to out timber may be granted by the Board with the authority of the Governor in Council.**

- (1.) With the consent of the said General Committee, the Governor may by Order in Council empower the Maori Land Board of the district in which any land subject to the principal Act is situated to grant licenses for the removal of timber from that land.
- (2.) Every such license shall be for such period not exceeding, together with the term of any renewal to which the licensee is entitled, a term of thirty years, and may be granted on such conditions and in consideration of such payments by way of royalty or otherwise as the Board thinks fit, and may confer upon the licensee such rights over the land as are in the opinion of the Board necessary or expedient for the purpose of the license.
- (3.) Any such license may be granted either by way of public auction or public tender or by way of private contract.
- (4.) Every such license shall be granted by the Board in its own name, and shall create the same relation between the Board and the licensee, and confer and

impose upon the licensee the same rights, obligations, and liabilities, as if the land was vested in the Board for a legal estate in fee-simple.

- (5.) No such license shall require confirmation by the Board.
- (6.) Every such license may be registered under the Land Transfer Act, 1908, against the title to the land affected thereby in the same manner as if it was a lease.
- (7.) The Board shall hold all revenue derived by it from any such license in trust, after payment thereof of all costs and expenses incurred by the Board in respect thereof, to pay the same to the owners of the land affected by the license in accordance with their respective interests therein.

#### **10 Validity of Orders in Council under this Act.**

Every Order in Council issued under any of the last three preceding sections shall be conclusive proof that all conditions precedent to the making thereof have been duly fulfilled, and no such Order shall be questioned on any ground in any Court.

#### **11 Regulations.**

The Governor may from time to time, by Order in Council, make regulations—

- (a.) Prescribing the powers and functions of local committees under the principal Act and its amendments:
- (b.) Prescribing the mode of filling vacancies on any such local committee:
- (c.) Prescribing the mode of procedure of the General Committee under the principal Act and its amendments.

#### **12 Removal and appointment of members of the General Committee.**

- (1.) The Governor may at any time, for any reason which he thinks fit, remove any member of the said General Committee, and may appoint in his place, or in the place of any other member who has in any manner vacated his office, such other person, being the owner of land subject to the principal Act, as he thinks fit.
- (2.) Every such appointment shall be published in the Kahiti, and shall take effect as from the date of that publication thereof.

#### **13 Purchase by the Crown of land subject to the principal Act.**

- (1.) When any land subject to the principal Act is purchased by the Crown from the General Committee in pursuance of that Act, the contract of purchase shall be carried into effect by a Proclamation in the same manner as in the case of a purchase from the assembled owners under Part XIX of the Native Land Act, 1909, and all the provisions of that Part of that Act shall apply accordingly in the same manner as if the land had been purchased by the Crown under the authority of that Part of that Act.

- (2.) Notwithstanding anything in Part XIX of the Native Land Act, 1909, no land subject to the principal Act shall be purchased by the Crown otherwise than from the General Committee in pursuance of the principal Act.

**14 Limitation of application of certain parts of Native Land Act.**

Except so far as in this Act expressly provided, nothing in Part XIV, Part XV, Part XVI, Part XVII, or Part XVIII of the Native Land Act, 1909, shall apply to any land which is subject to the principal Act.