Reprint
as at 1 August 2020

Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014

Public Act	2014 No 19
Date of assent	22 April 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 Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau 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 and settlement of historical claims

Subpart 1—Purpose of Act, historical accounts, acknowledgements, and apologies

3 Purpose

The purpose of this Act is to give effect to certain provisions of the deeds of settlement that settle the historical claims of Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau.

4 Provisions take effect on settlement date

(1) The provisions of this Act take effect on the settlement date unless a provision states 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—

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

(b) for a power to be exercised, or for 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 the deeds 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 this Act binds the Crown; and

(d) summarises the historical accounts from the deeds of settlement and records the acknowledgements and the apology given by the Crown in the deeds; and

(e) defines terms used in this Act, including key terms such as Ngāti Apa ki te Rā Tō, Ngāti Kuia, Rangitāne o Wairau, 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 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 deeds of settlement.

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

(a) the issuing of protocols to the trustees of the settlement trusts by the Minister of Conservation, the Minister for Primary Industries, the Minis-

ter of Energy and Resources, and the Minister for Arts, Culture and Heritage; and

(b) a statutory acknowledgement by the Crown of the statements made by the settlement iwi of their cultural, spiritual, historical, and traditional associations with certain statutory areas; and

(c) provision for deeds of recognition issued by the Crown to the trustees of the settlement trusts; and

(d) the application of an overlay classification to certain overlay sites by the Crown's acknowledgement of the values of the settlement iwi in relation to the relevant sites; and

(e) the vesting of cultural redress properties in the trustees of each settlement trust, in some cases jointly with each other or with the trustees of trusts for iwi under related settlements; and

(f) the vesting of the alpine tarns in the trustees of the Ngāti Apa ki te Rā Tō Trust, and the vesting of the tarns back to the Crown as a gift from the trustees; and

(g) the vesting of Te Tai Tapu in the trustees of the Ngāti Apa ki te Rā Tō Trust (jointly with the trustees of trusts for iwi under a related settlement), and the vesting of the site back to the Crown as a gift from the trustees; and

(h) the alteration and assignment of names for certain geographic features; and

(i) the Crown's acknowledgement of the association of Ngāti Apa ki te Rā Tō with eels in the part of the Nelson Lakes National Park within the Ngāti Apa conservation protocol area, and provision for customary use of the eels; and

(j) the Crown's acknowledgement of the association of Ngāti Kuia and Rangitāne o Wairau with pakohe, provision for iwi members to remove pakohe from certain riverbeds by hand, and a requirement for the Director-General to consult in relation to pakohe; and

(k) provision for members of the settlement iwi to remove natural material from certain riverbeds by hand; and

(l) the appointment of the trustees of the Te Runanga o Ngāti Kuia Trust as statutory kaitiaki of Tītī Island and the Chetwode Islands, and provision for the customary use of tītī by members of Ngāti Kuia and Rangitāne o Wairau; and

(m) the Crown's recognition of the historical association of Rangitāne o Wairau with Endeavour Inlet; and

(n) the establishment of an iwi advisory committee to provide advice on the management of rivers and fresh water within the regions of certain coun-

cils, with members appointed by the trustees of the settlement trusts, the related settlement trusts, and the Toa Rangatira Trust; and

(o) the preparation of a conservation management plan for the historic reserve being created over the Wairau Boulder Bank, with certain decisions about the plan being made jointly by the Nelson/Marlborough Conservation Board and the trustees of the Rangitāne o Wairau Settlement Trust.

(4) Part 3 provides for commercial redress, including—

(a) authorisation for the transfer of commercial properties, deferred selection properties (which may include the unlicensed land), and any Woodbourne land to the trustees of each settlement trust to give effect to the deeds of settlement; and

(b) provision for a right of access to certain protected sites on the unlicensed land; and

(c) a right of first refusal in relation to RFR land that may be exercised by the trustees of the settlement trusts (and, in some cases, the trustees of the related settlement trusts and the Toa Rangatira Trust).

(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 overlay sites to which the overlay classification applies:

(c) Schedule 3 describes the cultural redress properties:

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

7 Historical accounts and the Crown's acknowledgements and apologies

(1) Section 8 summarises the historical account from the deed of settlement for Ngāti Apa ki te Rā Tō, which provides a background to the deed of settlement.

(2) Sections 9 and 10 record the acknowledgements and the apology given by the Crown to Ngāti Apa ki te Rā Tō in the deed of settlement for Ngāti Apa ki te Rā Tō.

(3) Section 11 summarises the historical account from the deed of settlement for Ngāti Kuia, which provides a background to the deed of settlement.

(4) Sections 12 and 13 record the acknowledgements and the apology given by the Crown to Ngāti Kuia in the deed of settlement for Ngāti Kuia.

(5) Section 14 summarises the historical account from the deed of settlement for Rangitāne o Wairau, which provides a background to the deed of settlement.

(6) Sections 15 and 16 record the acknowledgements and the apology given by the Crown to Rangitāne o Wairau in the deed of settlement for Rangitāne o Wairau.

Historical account, acknowledgements, and apology for Ngāti Apa ki te Rā Tō

8 Summary of historical account for Ngāti Apa ki te Rā Tō

The historical account set out in the deed of settlement for Ngāti Apa ki te Rā Tō (**Ngāti Apa**) is summarised as follows:

(1) Ngāti Apa have resided in the northern South Island for many generations. At 1820 Ngāti Apa occupied and used resources in the outer Marlborough Sounds at Anamahanga (Port Gore), Waimea, Whakatu (Nelson), Te Tai Aorere (Golden Bay), Te Tai Tapu (Tasman Bay, Whanganui and the northern West Coast) and down to the Kawatiri region. In the 1820s and 1830s iwi from the North Island invaded and settled in the northern South Island. Although Ngāti Apa no longer had exclusive possession of all their territory they retained their tribal structures, chiefly lines and ancestral connections to the land. There was also opportunity for the recovery of status and the revival of rights as British rule began to take effect after 1840.

(2) In 1839 the New Zealand Company signed deeds with Māori that purported to purchase the entire northern South Island. Ngāti Apa were not consulted by the Company. The validity of the Company's purchases was investigated in 1844 by a Crown-appointed Commissioner. The Commissioner found that the Company had made a limited purchase of land in the northern South Island and recommended a grant of 151 000 acres. The Crown failed to investigate the rights of Ngāti Apa before granting land to the Company. The Company also made an additional payment to Te Tau Ihu Māori in 1844. Ngāti Apa did not directly receive a share of this payment for their interests or a share in the Nelson Tenths reserves that were set aside from the land granted to the Company.

(3) Between 1847 and 1856 the Crown sought to purchase most of the remaining Māori land in the northern South Island. Despite the Crown being aware that Ngāti Apa claimed rights in some of the areas that were being purchased, Ngāti Apa were not included in any of the transactions. Consequently Ngāti Apa, in contrast to all the other northern South Island iwi, received no payment for the alienation of their land, and no reserves were set aside for them.

(4) Ngāti Apa received some recognition in the 1860 Arahura (West Coast) purchase. The Ngāti Apa rangatira Pūaha Te Rangi was a signatory to the deed. Ngāti Apa received a small share of the purchase price and several occupation reserves were set aside for them. The reserves were insufficient for the present and future needs of the iwi. In the first half of the twentieth century Ngāti Apa obtained a beneficial share in several endowment reserves on the West Coast. For various reasons, including inefficient Māori and Public Trustee administration, Ngāti Apa did not obtain significant economic benefit from these reserves. During the twentieth century Ngāti Apa occupation and endowment

reserves were reduced through public works and scenery preservation takings and sales by their owners.

(5) In 1977 the remaining reserves on the West Coast were transferred to the Mawhera Incorporation. This included the Westport town sections in which Ngāti Apa held a nine-tenths interest. The 1973 Commission of Inquiry into Māori Reserved Lands had earlier put forward two options for the future management of the Westport sections—if the owners desired, the lands might be included in an incorporation, together with other West Coast reserves; or two owner representatives might work with the Māori Trustee to determine the future administration of the sections. The Crown did not consult separately with the Ngāti Apa owners and did not offer them the option of working with the Māori Trustee. Following the transfer of the Westport and other Ngāti Apa reserves to Mawhera the Ngāti Apa owners became shareholders in the Incorporation but no longer controlled the land and could not utilise it for tribal or community purposes.

(6) In 1883 and 1892 the Native Land Court investigated the ownership of land that had been excluded from Crown purchases and the Nelson Tenths reserves. Ngāti Apa made several claims before the Court. In the Te Tai Tapu and Nelson Tenths ownership investigations the Court deemed that Ngāti Apa did not have rights and they were excluded from ownership. In 1889 the Court granted Ngāti Apa two small reserves at Anamahanga (Port Gore). When the larger of the reserves was sold in 1929 the remaining reserve of 5 acres was the only land remaining in Ngāti Apa ownership outside the West Coast.

(7) By the late nineteenth century, Ngāti Apa were landless. The Crown attempted to alleviate their position through the provision of "Landless Natives Reserves". Hoani Mahuika of Ngāti Apa petitioned the Crown to provide additional land in the Kawatiri region. Ngāti Apa individuals were allocated land at Whakapoai on the West Coast but the Crown never granted them title to the land. Ultimately the reserves scheme did nothing to alleviate the landless position of Ngāti Apa in the northern South Island.

9 Text of acknowledgements for Ngāti Apa ki te Rā Tō

The text of the acknowledgements set out in the deed of settlement for Ngāti Apa ki te Rā Tō (**Ngāti Apa**) is as follows:

(1) The Crown acknowledges that it has failed to deal with the long-standing grievances of Ngāti Apa in an appropriate way and that recognition of these grievances is long overdue. The Crown further acknowledges that at relevant times it has failed to carry out an adequate inquiry into the nature and extent of Ngāti Apa customary rights and interests. This meant that the Crown failed to recognise or protect Ngāti Apa rights and interests to their full extent, which resulted in prejudice to the iwi. This was a breach of the Treaty of Waitangi and its principles.

(2) The Crown acknowledges that it failed to adequately investigate the customary rights of Ngāti Apa before granting land to the New Zealand Company. As a result the Crown did not consult, negotiate with, and compensate Ngāti Apa for their rights in those lands. The Crown failed to actively protect the interests of Ngāti Apa and this was a breach of the Treaty of Waitangi and its principles.

(3) The Crown failed to adequately protect the interests of Ngāti Apa when it arranged the completion of the New Zealand Company's Nelson purchase and did not establish a process in a timely manner that ensured Ngāti Apa received consideration, including a share in the tenths, for this purchase. This was a breach of the Treaty of Waitangi and its principles.

(4) The Crown acknowledges that its failure to adequately investigate the rights of Ngāti Apa at the time of the Spain Commission and protect the interests of Ngāti Apa when completing the Company's Nelson purchase had an ongoing effect on Ngāti Apa. From this point, the ability of Ngāti Apa to represent and protect their interests, including at pivotal Native Land Court cases in 1883 and 1892, and to maintain their connections to the whenua, was significantly impacted. The Crown acknowledges that this negative impact has continued down to the present day.

(5) The Crown acknowledges that it failed to investigate and recognise Ngāti Apa customary rights or deal with the iwi when it embarked on a series of purchases in Te Tau Ihu between 1847 and 1856. Ngāti Apa were afforded minimal recognition in the 1860 Arahura purchase. The Crown acknowledges that—

(a) Ngāti Apa received no payment for the alienation of their land in Crown purchases carried out between 1847–1856; and

(b) it did not acquire the Ngāti Apa interests in land it later treated as purchased; and

(c) no reserves were set aside for Ngāti Apa from the Crown's Waipounamu purchase; and

(d) the occupation reserves set aside for Ngāti Apa in connection with the Crown's Arahura purchase were insufficient for the present and future needs of Ngāti Apa and that over time these reserves were subject to further alienation.

The Crown acknowledges that these failures were in breach of the Treaty of Waitangi and its principles.

(6) The Crown acknowledges that in purchasing almost the entire Te Tau Ihu region, Ngāti Apa were the only iwi in Te Tau Ihu the Crown did not sign a purchase deed with or provide with reserves.

(7) The Crown acknowledges that Ngāti Apa received little economic return from the endowment reserves granted to them on the West Coast.

(8) The Crown acknowledges that it failed to adequately consult the Ngāti Apa owners of West Coast reserves between Kahurangi Point and Westport about

the future management of those lands. This included failing to present the Westport town section owners with the full range of options recommended by the 1973 Commission of Inquiry into Maori Reserved Land. All Ngāti Apa's remaining West Coast reserves were subsequently vested in the Greymouth-based Mawhera Incorporation. Ngāti Apa owners became shareholders in the Incorporation, but lost control of their lands. This gave rise to a grievance which is still keenly felt by Ngāti Apa today.

(9) The Crown acknowledges that members of Ngāti Apa were never issued title to land allocated to them at Whakapoai under the "landless natives" scheme. The Crown's failure to effectively implement the scheme meant that it did nothing to alleviate the landless position of Ngāti Apa in Te Tau Ihu. This failure was a breach of the Treaty of Waitangi and its principles.

(10) The Crown acknowledges that its actions have impacted on the ability of Ngāti Apa to access many of their traditional resources, including the rivers, lakes, forests, and wetlands. The Crown also acknowledges that Ngāti Apa have lost control of many of their significant sites, including wahi tapu, and that this has had an ongoing impact on their physical and spiritual relationship with the land.

(11) The Crown acknowledges that by 1900 Ngāti Apa were a landless iwi. The Crown failed to ensure that Ngāti Apa were left with sufficient land for their present and future needs and this failure was a breach of the Treaty of Waitangi and its principles.

10 Text of apology for Ngāti Apa ki te Rā Tō

The text of the apology set out in the deed of settlement for Ngāti Apa ki te Rā Tō (**Ngāti Apa**) is as follows:

(1) The Crown makes the following apology to Ngāti Apa, and to their ancestors and descendants.

(2) The Crown is deeply sorry that it has not always fulfilled its obligations to Ngāti Apa under the Treaty of Waitangi and unreservedly apologises to Ngāti Apa for the breaches of the Treaty of Waitangi and its principles acknowledged above.

(3) The Crown profoundly regrets its failure since 1840 to appropriately acknowledge the mana and rangatiratanga of Ngāti Apa. The Crown's failure to recognise Ngāti Apa in any land purchases in Te Tau Ihu quickly left Ngāti Apa landless and almost wrote the iwi out of the history of Te Tau Ihu. The Crown is deeply sorry that its failure to recognise and protect the interests of Ngāti Apa has had a devastating impact on the social and economic well-being and development of Ngāti Apa.

(4) The Crown regrets and apologises for the cumulative effect of its actions and omissions, which have had a damaging impact on the social and traditional tribal structures of Ngāti Apa, their autonomy and ability to exercise customary

rights and responsibilities, and their access to customary resources and sites of significance.

(5) Through this apology the Crown seeks to atone for these wrongs, restore its honour, and begin the process of healing. The Crown looks forward to building a new relationship with Ngāti Apa that is based on mutual trust, co-operation, and respect for the Treaty of Waitangi and its principles.

Historical account, acknowledgements, and apology for Ngāti Kuia

11 Summary of historical account for Ngāti Kuia

The historical account set out in the deed of settlement for Ngāti Kuia is summarised as follows:

(1) Ngāti Kuia have resided in Te Tau Ihu o Te Waka a Maui (the northern South Island or the prow of the waka of Maui) for generations. By 1820 Ngāti Kuia were established primarily in the Kaituna, Te Hora, Te Hoiere (the Pelorus area), Rangitoto (D'Urville Island), Whangarae, Whakapuaka, and Whakatū (Nelson) districts. In the 1820s and 1830s iwi from the North Island invaded and settled in Te Tau Ihu. Although Ngāti Kuia no longer had exclusive possession of all their territory they retained their tribal structures, chiefly lines, and ancestral connections to the land. There was also opportunity for the recovery of status and the revival of rights as British rule began to take effect after 1840.

(2) In 1839 the New Zealand Company signed deeds with Māori that purported to purchase the entire northern South Island. Ngāti Kuia were not consulted by the Company. The validity of the Company's purchases was investigated in 1844 by a Crown-appointed Commissioner. The Commissioner deemed that the Company had made a limited purchase of land in Te Tau Ihu and recommended a grant of 151 000 acres. However, the Crown failed to investigate the rights of Ngāti Kuia before granting land to the Company. The Company also made an additional payment to Te Tau Ihu Māori in 1844. Ngāti Kuia did not directly receive a share of this payment for their interests or a share in the Nelson Tenths reserves that were set aside from the land granted to the Company.

(3) Between 1847 and 1856 the Crown sought to purchase most of the remaining Māori land in Te Tau Ihu. In 1853 the Crown signed with other iwi the Te Waipounamu deed that purported to purchase all remaining Māori land in the region. Ngāti Kuia were not present at negotiations or signatories to the deed. Under the deed a share of the purchase money was to be distributed among resident Te Tau Ihu Māori. In 1854 Ngāti Kuia at Te Hoiere disputed the idea the Waipounamu deed had acquired their interests in the land and demanded a fair payment directly from the Government. The Crown did not meet with resident Māori to finalise the Te Waipounamu purchase until 1856. The Crown used the 1853 deed to pressure resident Māori, including Ngāti Kuia, to agree to the alienation of their land. In 1856 Ngāti Kuia signed a deed with the

Crown and were paid £100 for their interests in Te Tau Ihu and granted reserves in the Te Hoiere district.

(4) The 790 acres of reserves provided to Ngāti Kuia were insufficient for the iwi to either maintain their customary practices of resource use or develop effectively in the new economy. As a result Ngāti Kuia became economically marginalised. In 1889 the Native Land Court determined ownership of the reserves granted to Ngāti Kuia. Title to the land was given to individual Ngāti Kuia rather than to iwi or hapū collectives. Over time the reserves became increasingly fragmented and uneconomic as individuals sold their shares and as titles became crowded through succession. By the end of the twentieth century Ngāti Kuia retained less than 230 acres of their reserves.

(5) In 1883 and 1892 the Native Land Court investigated the ownership of land that had been excluded from Crown purchases and the Nelson Tenths reserves. Ngāti Kuia made several claims before the Court. In the Te Tai Tapu and Nelson Tenths ownership investigations the Court deemed that Ngāti Kuia did not have rights and they were excluded from ownership. Ngāti Kuia protested unsuccessfully against the Court's Nelson Tenths decision.

(6) Ngāti Kuia also made claims to islands in Te Hoiere Sound they considered had not been sold. These included the Tītī Islands, which were an important mahinga kai (harvesting area) for Ngāti Kuia. From 1918 Ngāti Kuia, under an agreement with the Crown, were able to harvest tītī (muttonbirds) and other resources from the islands. From 1960 the Crown denied Ngāti Kuia permission to land on the islands owing to declining numbers of tītī. Ngāti Kuia expressed strong opposition to this decision.

(7) By the late nineteenth century, Ngāti Kuia were landless. Ngāti Kuia submitted a petition to the Government requesting additional land to live on and described themselves as "the poorest tribe under the Heavens". The Crown attempted to alleviate their position through the provision of "Landless Natives Reserves". The reserves, however, were in isolated locations, of poor quality, and generally unable to be developed for effective economic use. Ngāti Kuia were also allocated land on Stewart Island but the Crown never granted them title to the land. Ultimately the reserves granted did little to alleviate the landless position of Ngāti Kuia in Te Tau Ihu.

12 Text of acknowledgements for Ngāti Kuia

The text of the acknowledgements set out in the deed of settlement for Ngāti Kuia is as follows:

(1) The Crown acknowledges that it has failed to deal with the long-standing grievances of Ngāti Kuia in an appropriate way and that recognition of these grievances is long overdue. The Crown further acknowledges that at relevant times it has failed to carry out an adequate inquiry into the nature and extent of Ngāti Kuia customary rights and interests across Te Tau Ihu. This meant that the Crown failed to recognise or protect Ngāti Kuia rights and interests to their

full extent, which resulted in prejudice to the iwi. This was a breach of the Treaty of Waitangi and its principles.

(2) The Crown acknowledges that it failed to adequately investigate the customary rights of Ngāti Kuia before granting land to the New Zealand Company. As a result the Crown did not consult, negotiate with, and compensate Ngāti Kuia for their rights in those lands. Consequently the Crown failed to actively protect the interests of Ngāti Kuia and this was a breach of the Treaty of Waitangi and its principles.

(3) The Crown failed to adequately protect the interests of Ngāti Kuia when it arranged the completion of the New Zealand Company's Nelson purchase and did not establish a process in a timely manner that ensured Ngāti Kuia received the full consideration, including a share in the tenths, for this purchase. This was a breach of the Treaty of Waitangi and its principles.

(4) The Crown acknowledges that its failure to adequately investigate the rights of Ngāti Kuia and include the iwi at the time of the Spain Commission and protect the interests of Ngāti Kuia when completing the New Zealand Company's Nelson purchase had an ongoing effect on Ngāti Kuia. From this point, the ability of Ngāti Kuia to represent and protect their interests, including at pivotal Native Land Court cases in 1883 and 1892, and to maintain their connections to the whenua, was significantly affected. The Crown acknowledges that this negative impact has continued down to the present day.

(5) The Crown acknowledges that it failed to recognise the full nature and extent of Ngāti Kuia customary rights when it embarked on a series of purchases from 1847:

(a) it did not consult or negotiate with Ngāti Kuia prior to signing the 1853 Te Waipounamu deed; and

(b) Ngāti Kuia were heavily pressured by the Crown into accepting the Te Waipounamu purchase and alienating their interests in Te Tau Ihu for a small price; and

(c) the reserves set aside for Ngāti Kuia from the Waipounamu purchase were insufficient for the immediate and future needs of Ngāti Kuia.

The Crown acknowledges that these failures were in breach of the Treaty of Waitangi and its principles.

(6) The Crown acknowledges that for Ngāti Kuia the 1856 deed of sale with the Crown represented more than a transfer of land. The Crown further acknowledges that the collateral benefits Ngāti Kuia expected in entering into the Te Waipounamu sale agreement with the Crown were not always realised.

(7) The Crown acknowledges that during the late nineteenth century Ngāti Kuia made several claims to the Crown for islands and land areas they did not believe had been sold in the Waipounamu transaction. This included the Tītī Islands, which were an important mahinga kai source for Ngāti Kuia. The Crown's 1933 agreement with Ngāti Kuia over harvesting from the Tītī Islands

enabled the iwi to exercise a kaitiaki role over their use of the resource. The Crown acknowledges its decision in the mid-twentieth century to withhold permission for Ngāti Kuia to harvest tītī from these islands has been an ongoing source of frustration for the iwi.

(8) The Crown acknowledges that the operation and impact of the native land laws on the reserves granted to Ngāti Kuia, in particular the awarding of land to individual Ngāti Kuia rather than to the iwi or its hapū, made those lands more susceptible to partition, fragmentation, and alienation. This further contributed to the erosion of the traditional tribal structures of Ngāti Kuia. The Crown failed to take adequate steps to protect those structures and this was a breach of the Treaty of Waitangi and its principles.

(9) The Crown acknowledges that under the "landless natives" scheme—

(a) the land allocated to members of Ngāti Kuia was mostly of poor quality, in remote locations, of little economic utility and therefore inadequate; and

(b) members of Ngāti Kuia were never issued title to land allocated to them on Stewart Island; and

(c) it failed to issue title to the Ngāti Kuia owners of the Te Māpou and Te Raetihi reserves until 1968; and

(d) the provision of land to Ngāti Kuia did little to relieve their landless position in Te Tau Ihu.

The Crown acknowledges that it failed to effectively implement the scheme designed to alleviate the landless position of Ngāti Kuia in Te Tau Ihu. This failure was a breach of the Treaty of Waitangi and its principles.

(10) The Crown acknowledges that its actions have impacted on the ability of Ngāti Kuia to access many of their traditional resources, including the rivers, lakes, forests, and wetlands. The Crown also acknowledges that Ngāti Kuia has lost control of many of their significant sites, including wahi tapu, and that this has had an ongoing impact on their physical and spiritual relationship with the land.

(11) The Crown acknowledges that by 1900 Ngāti Kuia were landless. The Crown failed to ensure that Ngāti Kuia were left with sufficient land for their immediate and future needs and this failure was a breach of the Treaty of Waitangi and its principles.

13 Text of apology for Ngāti Kuia

The text of the apology set out in the deed of settlement for Ngāti Kuia is as follows:

(1) The Crown recognises the efforts and struggles of the ancestors of Ngāti Kuia over several generations in pursuit of their grievances against the Crown and makes this apology to Ngāti Kuia, to their ancestors and descendants.

(2) The Crown is deeply sorry that it has not always fulfilled its obligations to Ngāti Kuia under the Treaty of Waitangi.

(3) The Crown profoundly regrets its long-standing failure to appropriately acknowledge the mana and rangatiratanga of Ngāti Kuia. The Crown is deeply sorry that its failure to protect the interests of Ngāti Kuia when purchasing their land in Te Tau Ihu rapidly left Ngāti Kuia landless. Its failure to provide Ngāti Kuia with sufficient reserves in Te Tau Ihu marginalised them from the benefits of economic development in the region.

(4) The Crown regrets and apologises for the cumulative effect of its actions and omissions, which have had a damaging impact on the social and traditional tribal structures of Ngāti Kuia, their autonomy and ability to exercise customary rights and responsibilities, and their access to customary resources and significant sites.

(5) The Crown unreservedly apologises to Ngāti Kuia for the breaches of the Treaty of Waitangi and its principles. Through this apology the Crown seeks to atone for these wrongs, restore its honour, and begin the process of healing. The Crown looks forward to building a new relationship with Ngāti Kuia that is based on mutual trust, co-operation, and respect for the Treaty of Waitangi and its principles.

Historical account, acknowledgements, and apology for Rangitāne o Wairau

14 Summary of historical account for Rangitāne o Wairau

The historical account set out in the deed of settlement for Rangitāne o Wairau (**Rangitāne**) is summarised as follows:

(1) Rangitāne have resided in the northern South Island for many generations. Rangitāne occupied and used resources within a territory stretching from the Waiau-toa (Clarence) River in the south to the Wairau (Marlborough), including the Nelson Lakes, and north to Kaituna and the Marlborough Sounds and west into the Whakatu (Nelson) area. In the 1820s and 1830s iwi from the North Island invaded and settled in the northern South Island. Although Rangitāne no longer had exclusive possession of all their territory they retained their tribal structures, chiefly lines and ancestral connections to the land. There was also opportunity for the recovery of status and the revival of rights after 1840 as British rule began to take effect. In 1840 their rangatira Ihaia Kaikoura signed the Treaty of Waitangi at Horahora Kākahu Island in Port Underwood.

(2) In 1839 the New Zealand Company signed deeds with Māori that purported to purchase the entire northern South Island. Rangitāne were not consulted by the Company. The validity of the Company's purchases was investigated in 1844 by a Crown-appointed Commissioner. The Commissioner found that the Company had made a limited purchase of land in the northern South Island and recommended a grant of 151 000 acres. However, the Crown failed to investigate the rights of Rangitāne before granting land to the Company. The Company

also made an additional payment to Te Tau Ihu Māori in 1844. Rangitāne did not directly receive a share of this payment for their interests or a share in the Nelson Tenths reserves that were set aside from the land granted to the Company.

(3) Between 1847 and 1856 the Crown sought to purchase the remaining Māori land in Te Tau Ihu. In 1847 the Crown purchased the Wairau district from three North Island chiefs. The Crown did not identify other right-holders in the region and the rights of Rangitāne were ignored. In 1853 the Crown signed with other iwi the Te Waipounamu deed that purported to purchase all remaining Māori land in the region. Rangitāne were not present at negotiations or signatories to the deed. Under the deed a share of the purchase money was to be distributed among resident Te Tau Ihu Māori, including Rangitāne. The Crown did not meet with resident Māori to finalise the Te Waipounamu purchase until 1856. The Crown used the 1853 deed to pressure resident Māori, including Rangitāne, to agree to the alienation of their land. In 1856 Rangitāne were paid £100 for their interests in Te Tau Ihu and granted reserves in the Wairau district. Land south of the Wairau River was not sold by Rangitāne in 1856.

(4) Despite the Crown purchase agent, Donald McLean, considering that an appropriate reserve in the Wairau comprised a block of around 13 400 acres, the reserves finally established by the Crown were wholly inadequate. The two reserves established—the Pukatea and Wairau—were shared between three iwi and were insufficient for Rangitāne to either maintain their customary practices of resource use or developed effectively in the new economy. As a result Rangitāne became economically marginalised. In 1889 the reserves granted to Rangitāne and other iwi were investigated by the Native Land Court. Title to the land was given to individual Rangitāne rather than to iwi or hapū collectives. Over time the reserves became increasingly fragmented and uneconomic as individuals sold their shares and as titles became crowded through succession.

(5) In 1883 and 1892 the Native Land Court investigated the ownership of land that had been excluded from Crown purchases and the Nelson Tenths reserves. Rangitāne made several claims before the Court. In the Te Tai Tapu and Nelson Tenths ownership investigations the Court deemed that Rangitāne did not have rights and they were excluded from ownership. Rangitāne also made several claims for land they did not think had been included in the 1856 transaction but these claims were dismissed by the Court.

(6) The Pukatea reserve was mainly leased by the Crown. Because of its isolation and poor quality it provided only a small return to its owners. Most of Rangitāne's reserved land at Pukatea was purchased by the Crown in the 1950s in order to create a recreation and scenic reserve.

(7) The Wairau reserve was subject to frequent flooding and from the 1930s, at the request of Rangitāne and other Wairau Māori, it was included in a land development scheme. The scheme was ineffective at preventing flooding and the reserve became encumbered with debt. The Wairau reserve was eventually

released from the scheme between 1955 and 1970. The reserve was still subject to serious flooding at least until 1960.

(8) By the late nineteenth century, Rangitāne were landless. The Crown attempted to alleviate their position through the provision of "Landless Natives Reserves". The reserves, however, were in isolated locations, of poor quality and generally unable to be developed for effective economic use. Rangitāne were also allocated land on Stewart Island but the Crown never granted them title to the land. Ultimately the reserves did little to alleviate the landless position of Rangitāne in the northern South Island.

15 Text of acknowledgements for Rangitāne o Wairau

The text of the acknowledgements set out in the deed of settlement for Rangitāne o Wairau (**Rangitāne**) is as follows:

(1) The Crown acknowledges that it has failed to deal with the long-standing grievances of Rangitāne in an appropriate way and that recognition of these grievances is long overdue. The Crown further acknowledges that at relevant times it has failed to carry out an adequate inquiry into the nature and extent of Rangitāne customary rights and interests. This meant that the Crown failed to recognise or protect Rangitāne rights and interests to their full extent, and resulted in prejudice to the iwi. This was a breach of the Treaty of Waitangi and its principles.

(2) The Crown acknowledges that—

(a) the rapid shift of Commissioner Spain's hearing from investigation to arbitration denied Rangitāne an opportunity to present evidence on the New Zealand Company's claims; and

(b) Rangitāne were not involved in the arbitration between Te Tau Ihu Māori and the New Zealand Company, did not directly receive any of the Company's compensation payment, and did not sign any of the deeds of release before the Crown granted the Company 151 000 acres.

The Crown's failure to investigate the customary rights of Rangitāne before granting land to the New Zealand Company meant that it failed to actively protect the interests of Rangitāne in those lands and was a breach of the Treaty of Waitangi and its principles.

(3) The Crown failed to protect the interests of Rangitāne when it arranged the completion of the New Zealand Company's Nelson purchase and did not establish a process in a timely manner that ensured Rangitāne received the full consideration, including a share in the tenths, for this purchase. This was a breach of the Treaty of Waitangi and its principles.

(4) The Crown acknowledges that its failure to investigate the rights of Rangitāne at the time of the Spain Commission and protect the interests of Rangitāne when completing the Company's Nelson purchase had an ongoing effect on Rangitāne. From this point, the ability of Rangitāne to represent and protect

their interests, including at pivotal Native Land Court cases in 1883 and 1892, and to maintain their connections to the whenua, was significantly impacted. The Crown acknowledges that this negative impact has continued down to the present day.

(5) The Crown acknowledges that it failed to recognise the full nature and extent of Rangitāne customary rights when it embarked on a series of purchases from 1847:

(a) it failed to deal with Rangitāne in its negotiation of the 1847 Wairau deed; and

(b) it did not negotiate with Rangitāne prior to signing the 1853 Te Waipounamu deed; and

(c) Rangitāne were heavily pressured into accepting the Te Waipounamu purchase and alienating their interests in Te Tau Ihu for a small price; and

(d) Rangitāne rights and interests in lands south of Parinui-o-Whiti were not acquired by the Crown in the Te Waipounamu purchase, and Rangitāne were not consulted when these lands were later purchased from other iwi; and

(e) the reserves set aside for Rangitāne from the Waipounamu purchase were wholly inadequate for the present and future needs of Rangitāne.

The Crown acknowledges that these failures were in breach of the Treaty of Waitangi and its principles.

(6) The Crown acknowledges that the collateral benefits Rangitāne expected in entering into the Te Waipounamu sale agreement with the Crown were not always realised.

(7) The Crown acknowledges that the operation and impact of the native land laws on the reserves granted to Rangitāne, in particular the awarding of land to individual Rangitāne rather than to iwi or hapū, made those lands more susceptible to partition, fragmentation, and alienation. This further contributed to the erosion of the traditional tribal structures of Rangitāne. The Crown failed to take adequate steps to protect those structures and this was a breach of the Treaty of Waitangi and its principles.

(8) The Crown acknowledges that the flood-prone nature of the Wairau reserve limited its usefulness. The Crown further acknowledges that the development scheme which operated on the reserve during the mid-twentieth century was largely ineffective in alleviating the flooding problem and meant Rangitāne lost effective control of their land for a period.

(9) The Crown acknowledges that owing to its isolation and poor quality the Pukatea reserve provided little economic return to the Rangitāne owners. The Crown further acknowledges that considerable public pressure contributed to

the decision of Rangitāne to sell their share in Pukatea 3 to the Crown in 1955 and that Rangitāne received little benefit from this transaction.

(10) The Crown acknowledges that—

(a) the land allocated to members of Rangitāne under the "landless natives" scheme was mostly of poor quality, in remote locations, of little economic utility, and therefore inadequate; and

(b) members of Rangitāne were never issued title to land allocated to them on Stewart Island; and

(c) the provision of land to Rangitāne did little to relieve their landless position in Te Tau Ihu.

The Crown acknowledges that it failed to effectively implement the scheme designed to alleviate the landless position of Rangitāne in Te Tau Ihu. This failure was a breach of the Treaty of Waitangi and its principles.

(11) The Crown acknowledges that by 1900 Rangitāne were landless. The Crown failed to ensure that Rangitāne were left with sufficient land for their present and future needs and this failure was a breach of the Treaty of Waitangi and its principles.

16 Text of apology for Rangitāne o Wairau

The text of the apology set out in the deed of settlement for Rangitāne o Wairau (**Rangitāne**) is as follows:

(1) The Crown makes the following apology to Rangitāne, and to their ancestors and descendants.

(2) On 17 June 1840 the Rangitāne rangatira Ihaia Kaikoura signed the Treaty of Waitangi at Horahora-kākahu, Port Underwood. The Crown is deeply sorry that it has not fulfilled its obligations to Rangitāne under the Treaty of Waitangi and unreservedly apologises to Rangitāne for the breaches of the Treaty of Waitangi and its principles acknowledged above.

(3) The Crown profoundly regrets its long-standing failure to appropriately acknowledge the mana and rangatiratanga of Rangitāne. The Crown did not recognise Rangitāne when it purchased the Wairau district in 1847 and recognition of Rangitāne mana in the Te Waipounamu purchase was belated. The Crown is deeply sorry that its acts and omissions quickly left Rangitāne landless and this has had a devastating impact on the economic, social, and cultural well-being and development of Rangitāne.

(4) The Crown regrets and apologises for the cumulative effect of its actions and omissions, which have had a damaging impact on the social and traditional structures of Rangitāne, their autonomy and ability to exercise customary rights and responsibilities, and their access to customary resources and significant sites.

(5) With this apology the Crown seeks to atone for its past wrongs and begin the process of healing. It looks forward to re-establishing its relationship with Rangitāne based on mutual trust, co-operation, and respect for the Treaty of Waitangi and its principles.

Subpart 2—Interpretation

17 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 deeds of settlement.

18 Interpretation

(1) In this Act, unless the context requires another meaning,—

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

advisory committee means the committee established by section 138 to provide advice in relation to the management of rivers and fresh water within the regions of certain councils

affected person has the meaning given by section 2AA(2) of the Resource Management Act 1991

aquatic life has the meaning given by section 2(1) of the Conservation Act 1987

commercial property means a property listed in part 3.8 of the property redress schedule of the deed of settlement for Rangitāne o Wairau in respect of which the agreement for sale and purchase (formed under clause 6.8 of that deed) has not been cancelled

Commissioner of Crown Lands has the same meaning as Commissioner in section 2 of the Land Act 1948

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

conservation land means land that is—

(a) vested in the Crown or held in fee simple by the Crown; and

(b) held, managed, or administered by the Department of Conservation under the conservation legislation

conservation legislation means the Conservation Act 1987 and the Acts listed in Schedule 1 of that Act

conservation management plan has the meaning given by section 2(1) of the Conservation Act 1987

conservation management strategy has the meaning given by section 2(1) of the Conservation Act 1987

conservation protocol—

(a) means a protocol issued by the Minister of Conservation under section 30(1)(a); and

(b) includes any amendments made to the protocol under section 30(1)(b)

conservation protocol area means the area shown on the map attached to a conservation protocol

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—

(a) has the meaning given by section 2(1) of the Public Finance Act 1989; and

(b) for the purposes of subpart 1 of Part 3, includes New Zealand Post Limited and the New Zealand Transport Agency

Crown body means—

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

(b) a State enterprise (as defined by 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)

Crown-owned mineral means a mineral (as defined by section 2(1) of the Crown Minerals Act 1991)—

(a) that is the property of the Crown under section 10 or 11 of that Act; or

(b) over which the Crown has jurisdiction under the Continental Shelf Act 1964

cultural redress property has the meaning given by section 72

deed of recognition—

(a) means a deed of recognition issued under section 47 to the trustees of a settlement trust by—

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

(ii) the Commissioner of Crown Lands; and

(b) includes any amendments to the deed made under section 47; and

(c) for Ngāti Kuia, is known as pou whakāro

deed of settlement—

(a) means each of the following 3 deeds of settlement, including any schedules or attachments and including any amendments:

(i) the deed of settlement for Ngāti Apa ki te Rā Tō dated 29 October 2010, entered into by the Crown, Ngāti Apa ki te Rā Tō, and the Ngāti Apa ki te Rā Tō Trust:

(ii) te whakatau (the deed of settlement) for Ngāti Kuia dated 23 October 2010, entered into by the Crown, Ngāti Kuia, and the Te Runanga o Ngāti Kuia Trust:

(iii) the deed of settlement for Rangitāne o Wairau dated 4 December 2010, entered into by the Crown, Rangitāne o Wairau, and the Rangitāne o Wairau Settlement Trust; but

(b) in section 161 and Schedule 4,—

(i) for a related settlement iwi, means the deed of settlement for that iwi defined by section 21(1) of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014; or

(ii) for Ngati Toa Rangatira, means the deed of settlement for Ngati Toa Rangatira defined by section 12(1) of the Ngati Toa Rangatira Claims Settlement Act 2014

deferred selection property means a property listed in part 3.6 or 3.7 of the property redress schedule of a deed of settlement (including the unlicensed land)—

(a) that the trustees of the relevant settlement trust have elected to purchase from the Crown or the New Zealand Transport Agency by giving notice under paragraph 1.4 of part 3.1 of that schedule; and

(b) in respect of which the agreement for sale and purchase (formed under paragraph 2.1 of that part 3.1) has not been cancelled

Director-General means the Director-General of Conservation

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

fisheries protocol—

(a) means a protocol issued by the Minister for Primary Industries under section 30(1)(a); and

(b) includes any amendments made to the protocol under section 30(1)(b)

fisheries protocol area means the area shown on the map attached to a fisheries protocol, together with the adjacent waters

freshwater fisheries management plan has the meaning given by section 2(1) of the Conservation Act 1987

Heritage New Zealand Pouhere Taonga means the Crown entity established by section 9 of the Heritage New Zealand Pouhere Taonga Act 2014

historical claims has the meaning given by section 21

interest, in relation to land, means a lease, tenancy, licence, licence to occupy, easement, covenant, or other right or obligation affecting the land

land holding agency means,—

(a) for a commercial property, the land holding agency specified for the property in part 3.8 of the property redress schedule of the deed of settlement for Rangitāne o Wairau:

(b) for a deferred selection property,—

(i) the land holding agency specified for the property in part 3.6 or 3.7 of the property redress schedule of the relevant deed of settlement; and

(ii) in relation to a lease back to the Crown of the courthouse site defined in section 150(1), the Ministry of Justice:

(c) for the Woodbourne land, the New Zealand Defence Force

LINZ means Land Information New Zealand

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

member, for a settlement iwi, means an individual referred to in paragraph (a) of the definition of that iwi in section 20(1)

minerals protocol—

(a) means a protocol issued by the Minister of Energy and Resources under section 30(1)(a); and

(b) includes any amendments made to the protocol under section 30(1)(b)

minerals protocol area means the area shown on the map attached to a minerals protocol, together with the adjacent waters

national park management plan has the same meaning as management plan in section 2 of the National Parks Act 1980

New Zealand Transport Agency means the agency established by section 93 of the Land Transport Management Act 2003

overlay classification has the meaning given by section 53(1)

protocol—

(a) means a protocol issued under section 30(1)(a); and

(b) includes any amendments made to the protocol under section 30(1)(b)

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

regional council has the meaning given by section 2(1) of the Resource Management Act 1991

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

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

related settlement iwi has the meaning given by section 19

related settlement trust has the meaning given by section 19

representative entity means—

(a) the trustees of each settlement trust; and

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

(i) the collective group referred to in paragraph (a) of the definition of Ngāti Apa ki te Rā Tō, Ngāti Kuia, or Rangitāne o Wairau in section 20(1); or

(ii) 1 or more members of Ngāti Apa ki te Rā Tō, Ngāti Kuia, or Rangitāne o Wairau; or

(iii) 1 or more of the whānau, hapū, or groups referred to in paragraph (c) of the definition of Ngāti Apa ki te Rā Tō, Ngāti Kuia, or Rangitāne o Wairau in section 20(1)

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

responsible Minister means,—

(a) for a conservation protocol, the Minister of Conservation; or

(b) for a fisheries protocol, the Minister for Primary Industries; or

(c) for a minerals protocol, the Minister of Energy and Resources; or

(d) for a taonga tūturu protocol, the Minister for Arts, Culture and Heritage; or

(e) for any protocol, any other Minister of the Crown authorised by the Prime Minister to exercise powers, and perform functions and duties, in relation to the protocol

RFR land has the meaning given by section 162

settlement date means the date that is 70 working days after the date on which this Act comes into force

settlement iwi has the meaning given by section 19

settlement trust has the meaning given by section 19

statutory acknowledgement has the meaning given by section 37(1)

statutory plan—

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

(b) includes a proposed plan (as defined by section 43AAC of that Act)

subsidiary has the meaning given by section 5 of the Companies Act 1993

taonga tūturu—

(a) has the meaning given by section 2(1) of the Protected Objects Act 1975; and

(b) includes ngā taonga tūturu (as defined by section 2(1) of that Act)

taonga tūturu protocol—

(a) means a protocol issued by the Minister for Arts, Culture and Heritage under section 30(1)(a); and

(b) includes any amendments made to the protocol under section 30(1)(b)

trustees means the trustees of a trust acting in their capacity as trustees

unlicensed land means the land described as Speeds Valley in part 3.6 of the property redress schedule of the deed of settlement for Ngāti Apa ki te Rā Tō

Woodbourne land means any area of land defined in the general matters schedule of a deed of settlement as the cleared current surplus land, the cleared non-operational land, or the leaseback land—

(a) that the trustees of the relevant settlement trust have elected to acquire from the Crown by giving notice under paragraph 1.15 of part 4.1, 5.1, or 6.1 of the property redress schedule of the relevant deed of settlement; and

(b) in respect of which any agreement for sale and purchase (formed under paragraph 2.1 of that part 4.1, 5.1, or 6.1) has not been cancelled

working day means a day of the week other than—

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

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

(c) a day in the period starting on 25 December in a year and ending on 15 January in the following year; and

(d) the day observed as the anniversary of the province of Nelson, Marlborough, or Wellington.

(2) In this Act, a reference to a transfer or vesting of any land (being the fee simple estate in the land) to or in any trustees includes the transfer or vesting of an undivided share of the fee simple estate in the land.

(3) Subsection (2) applies unless the context requires another meaning.

Section 18(1) **Heritage New Zealand Pouhere Taonga**: inserted, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 18(1) **Historic Places Trust**: repealed, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

19 Interpretation: iwi and trusts

In this Act, unless the context requires another meaning,—

Ngāti Apa ki te Rā Tō has the meaning given by section 20(1)

Ngāti Apa ki te Rā Tō Trust means the trust with that name established by a deed of trust dated 28 October 2010

Ngāti Kōata has the meaning given by section 23(1) of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

Ngāti Kuia has the meaning given by section 20(1)

Ngāti Rārua has the meaning given by section 23(1) of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

Ngāti Rārua Settlement Trust has the meaning given by section 22 of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

Ngāti Tama ki Te Tau Ihu has the meaning given by section 23(1) of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

Ngāti Tama ki Te Waipounamu Trust has the meaning given by section 22 of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

Ngati Toa Rangatira has the meaning given by section 14(1) of the Ngati Toa Rangatira Claims Settlement Act 2014

Rangitāne o Wairau has the meaning given by section 20(1)

Rangitāne o Wairau Settlement Trust means the trust with that name established by a deed of trust dated 25 October 2010

related settlement iwi means each of the following iwi:

(a) Ngāti Kōata:

(b) Ngāti Rārua:

(c) Ngāti Tama ki Te Tau Ihu:

(d) Te Ātiawa o Te Waka-a-Māui

related settlement trust means,—

(a) for Ngāti Kōata, Te Pātaka a Ngāti Kōata:

(b) for Ngāti Rārua, the Ngāti Rārua Settlement Trust:

(c) for Ngāti Tama ki Te Tau Ihu, the Ngāti Tama ki Te Waipounamu Trust:

(d) for Te Ātiawa o Te Waka-a-Māui, the Te Ātiawa o Te Waka-a-Māui Trust

settlement iwi means each of the following iwi:

(a) Ngāti Apa ki te Rā Tō:

(b) Ngāti Kuia:

(c) Rangitāne o Wairau

settlement trust means,—

(a) for Ngāti Apa ki te Rā Tō, the Ngāti Apa ki te Rā Tō Trust:

(b) for Ngāti Kuia, the Te Runanga o Ngāti Kuia Trust:

(c) for Rangitāne o Wairau, the Rangitāne o Wairau Settlement Trust

Te Ātiawa o Te Waka-a-Māui has the meaning given by section 23(1) of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

Te Ātiawa o Te Waka-a-Māui Trust has the meaning given by section 22 of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

Te Pātaka a Ngāti Kōata has the meaning given by section 22 of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

Te Runanga o Ngāti Kuia Trust means the trust with that name established by a deed of trust dated 2 November 2009

Toa Rangatira Trust has the meaning given by section 13 of the Ngati Toa Rangatira Claims Settlement Act 2014.

20 Meaning of Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau

(1) In this Act,—

Ngāti Apa ki te Rā Tō—

(a) means the collective group composed of individuals who are descended from an ancestor of Ngāti Apa ki te Rā Tō; and

(b) includes those individuals; and

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

Ngāti Kuia—

(a) means the collective group composed of individuals who are descended from an ancestor of Ngāti Kuia; and

(b) includes those individuals; and

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

Rangitāne o Wairau—

(a) means the collective group composed of individuals who are descended from an ancestor of Rangitāne o Wairau; and

(b) includes those individuals; and

(c) includes any whānau or group to the extent that it is composed of those individuals.

(2) In this section,—

ancestor of Ngāti Apa ki te Rā Tō means an individual who—

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

(i) Ruatea (who was on board the Kurahaupō waka that arrived in Aotearoa); and

(ii) a recognised tupuna of 1 or both of the following hapū:

(A) Puaha Te Rangi (West Coast):

(B) Tarakaipa (Te Tau Ihu); and

(b) exercised the customary rights predominantly in relation to the area of interest of Ngāti Apa ki te Rā Tō at any time after 6 February 1840

ancestor of Ngāti Kuia means an individual who—

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

(i) a tupuna, or a union of tupuna, identified in clause 8.7 of the deed of settlement for Ngāti Kuia; and

(ii) 1 or more of the following:

(A) an individual who originally signed the Ngāti Kuia deed of sale dated 16 February 1856 for Ngāti Kuia (including such individuals who are listed in clause 8.8 of the deed of settlement for Ngāti Kuia):

(B) an individual listed in the South Island landless natives lists who has been identified as Ngāti Kuia (including such individuals who are listed in clause 8.8 of the deed of settlement for Ngāti Kuia):

(C) a sibling of an individual described in subsubparagraph (A) or (B); and

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

ancestor of Rangitāne o Wairau means an individual who—

(a) exercised customary rights by virtue of being descended from a primary ancestor of Rangitāne o Wairau identified in clause 8.6 of the deed of settlement for Rangitāne o Wairau; and

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

area of interest of Ngāti Apa ki te Rā Tō means the area of interest of Ngāti Apa ki te Rā Tō shown in part 1 of the attachments schedule of the deed of settlement for Ngāti Apa ki te Rā Tō

area of interest of Ngāti Kuia means te kupenga-a-Kuia (the area of interest of Ngāti Kuia) shown in part 1 of the attachments schedule of the deed of settlement for Ngāti Kuia

area of interest of Rangitāne o Wairau means the area of interest of Rangitāne o Wairau shown in part 1 of the attachments schedule of the deed of settlement for Rangitāne o Wairau

customary rights means rights according to tikanga Māori (Māori customary values and practices), 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, or from a union of persons, by—

(a) birth; or

(b) legal adoption; or

(c) Māori customary adoption in accordance with the tikanga (customary values and practices) of the relevant settlement iwi.

21 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 subsections (3) to (5); but

(c) does not include the claims described in subsection (6).

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

(a) is, or 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 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 Apa ki te Rā Tō or a representative entity of Ngāti Apa ki te Rā Tō, including the following claim, to the extent that subsection (2) applies to the claim: Wai 521—Ngāti Apa iwi lands and fisheries claim; and

(b) any other claim to the Waitangi Tribunal, including each of the following claims, to the extent that subsection (2) applies to the claim and the claim relates to Ngāti Apa ki te Rā Tō or a representative entity of Ngāti Apa ki te Rā Tō:

(i) Wai 102—Te Runanganui o Te Tau Ihu o Te Waka a Maui Inc claims:

(ii) Wai 785—Combined record of inquiry for the northern South Island claims:

(iii) Wai 1987—Te Awhaiti Village claim.

(4) The historical claims include—

(a) a claim to the Waitangi Tribunal that relates exclusively to Ngāti Kuia or a representative entity of Ngāti Kuia, including each of the following claims, to the extent that subsection (2) applies to the claim:

(i) Wai 561—Ngāti Kuia iwi claim:

(ii) Wai 829—Whakapuaka, Nelson Tenths, and Stewart Island claim:

(iii) Wai 2092—Descendants of Amiria Hemi lands (Wedderspoon) claim; and

(b) any other claim to the Waitangi Tribunal, including each of the following claims, to the extent that subsection (2) applies to the claim and the claim relates to Ngāti Kuia or a representative entity of Ngāti Kuia:

(i) Wai 102—Te Runanganui o Te Tau Ihu o Te Waka a Maui Inc claims:

(ii) Wai 785—Combined record of inquiry for the northern South Island claims.

(5) The historical claims include—

(a) a claim to the Waitangi Tribunal that relates exclusively to Rangitāne o Wairau or a representative entity of Rangitāne o Wairau, including the

following claim, to the extent that subsection (2) applies to the claim: Wai 44—Kurahaupō Rangitāne claim; and

(b) any other claim to the Waitangi Tribunal, including each of the following claims, to the extent that subsection (2) applies to the claim and the claim relates to Rangitāne o Wairau or a representative entity of Rangitāne o Wairau:

(i) Wai 102—Te Runanganui o Te Tau Ihu o Te Waka a Maui Inc claims:

(ii) Wai 785—Combined record of inquiry for the northern South Island claims.

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

(a) a claim that a member of Ngāti Apa ki te Rā Tō, or a whānau, hapū, or group referred to in paragraph (c) of the definition of Ngāti Apa ki te Rā Tō in section 20(1), had or may have that is, or is founded on, a right arising by virtue of being descended from a person other than an ancestor of Ngāti Apa ki te Rā Tō (as defined in section 20(2)); or

(b) a claim that a representative entity of Ngāti Apa ki te Rā Tō had or may have that is, or is founded on, a claim described in paragraph (a); or

(c) a claim that a member of Ngāti Kuia, or a whānau, hapū, or group referred to in paragraph (c) of the definition of Ngāti Kuia in section 20(1), had or may have that is, or is founded on, a right arising by virtue of being descended from a person other than an ancestor of Ngāti Kuia (as defined in section 20(2)); or

(d) a claim that a representative entity of Ngāti Kuia had or may have that is, or is founded on, a claim described in paragraph (c); or

(e) a claim that a member of Rangitāne o Wairau, or a whānau, hapū, or group referred to in paragraph (c) of the definition of Rangitāne o Wairau in section 20(1), had or may have that is, or is founded on, a right arising by virtue of being descended from a person other than an ancestor of Rangitāne o Wairau (as defined in section 20(2)); or

(f) a claim that a representative entity of Rangitāne o Wairau had or may have that is, or is founded on, a claim described in paragraph (e).

(7) 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.

Subpart 3—Settlement of historical claims

Historical claims settled and jurisdiction of courts, etc, removed

22 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 acknowledgements expressed in, or the provisions of, the deeds of settlement.

(4) 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 deeds of settlement; or

(c) this Act; or

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

(5) Subsection (4) does not exclude the jurisdiction of a court, tribunal, or other judicial body in respect of the interpretation or implementation of the deeds of settlement or this Act.

Consequential amendment to Treaty of Waitangi Act 1975

23 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 Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014, section 22(4) and (5)".

Protections no longer apply

24 Certain enactments do not apply

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

(a) to land in the Nelson Land District or Marlborough Land District; or

(b) for the benefit of a settlement iwi or a representative entity.

(2) The enactments are—

(a) sections 8A to 8HJ of the Treaty of Waitangi Act 1975:

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

(c) sections 568 to 570 of the Education and Training Act 2020:

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

(e) Part 3 of the New Zealand Railways Corporation Restructuring Act 1990.

Section 24(2)(c): replaced, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

25 Removal of memorials

(1) The chief executive of LINZ must issue to the Registrar-General 1 or more certificates that specify each computer register for the Nelson Land District or Marlborough Land District that has a memorial recorded under any enactment listed in section 24(2).

(2) The chief executive of LINZ must issue a certificate under subsection (1) as soon as is reasonably practicable after the settlement date.

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

(4) The Registrar-General must, as soon as is reasonably practicable after receiving a certificate issued under subsection (1), remove any memorial recorded under an enactment listed in section 24(2) from each computer register identified in the certificate.

Subpart 4—Other matters

26 Rule against perpetuities does not apply

(1) The rule against perpetuities and the provisions of the Perpetuities Act 1964 do not—

(a) prescribe or restrict the period during which—

(i) a settlement trust may exist in law; or

(ii) the trustees of a settlement trust may hold or deal with property (including income derived from property); or

(b) apply to a document entered into to give effect to a 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 a settlement 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.

27 Access to deeds of settlement

The chief executive of the Ministry of Justice must make copies of the deeds 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.

28 Provisions of other Acts that have same effect

If a provision in this Act has the same effect as a provision in 1 or both of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014 and the Ngati Toa Rangatira Claims Settlement Act 2014, the provisions must be given effect to only once as if they were 1 provision.

Part 2
Cultural redress

Subpart 1—Protocols

General provisions

29 Interpretation

In this subpart, **relevant trustees**, for a protocol, means the trustees of a settlement trust to whom the protocol may be or has been issued.

30 Issue, amendment, and cancellation of protocols

(1) Each responsible Minister—

(a) must issue a protocol to the trustees of each settlement trust in the form set out in part 4 of the documents schedule of the relevant deed of settlement; and

(b) may amend or cancel that protocol.

(2) The responsible Minister may amend or cancel a protocol at the initiative of—

(a) the relevant trustees; or

(b) the responsible Minister.

(3) The responsible Minister may amend or cancel a protocol only after consulting, and having particular regard to the views of, the relevant trustees.

31 Protocols subject to rights, functions, and obligations

Protocols do not restrict—

(a) the ability of the Crown to exercise its powers and perform its functions and duties in accordance with the law and Government policy, which includes the ability to—

(i) introduce legislation and change Government policy; and

(ii) interact with or consult a person that the Crown considers appropriate, including any iwi, hapū, marae, whānau, or other representative of tangata whenua; or

(b) the responsibilities of a responsible Minister or a department of State; or

(c) the legal rights of a settlement iwi or a representative entity.

32 Enforceability of protocols

(1) The Crown must comply with a protocol while it is in force.

(2) If the Crown fails, without good cause, to comply with a protocol, the relevant trustees may, subject to the Crown Proceedings Act 1950, enforce the protocol.

(3) Despite subsection (2), damages or any form of monetary compensation are not available as a remedy for a failure by the Crown to comply with a protocol.

(4) To avoid doubt,—

(a) subsections (1) and (2) do not apply to guidelines developed for the implementation of a protocol; and

(b) subsection (3) does not affect the ability of a court to award costs incurred by the relevant trustees in enforcing the protocol under subsection (2).

33 Limitation of rights

(1) A conservation protocol does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to,—

(a) the common marine and coastal area (as defined by section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011); or

(b) land held, managed, or administered, or flora or fauna managed or administered, under the conservation legislation.

(2) A fisheries protocol does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, assets or other property rights (including in respect of fish, aquatic life, and seaweed) held, managed, or administered under any of the following enactments:

(a) the Fisheries Act 1996:

(b) the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992:

(c) the Maori Commercial Aquaculture Claims Settlement Act 2004:

(d) the Maori Fisheries Act 2004.

(3) A minerals protocol does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, Crown-owned minerals.

(4) A taonga tūturu protocol does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, taonga tūturu.

Noting of conservation, fisheries, and minerals protocols

34 Noting of conservation protocols

(1) A summary of the terms of a conservation protocol must be noted in the conservation documents affecting the conservation protocol area for that protocol.

(2) The noting of a conservation protocol is—

(a) for the purpose of public notice only; and

(b) not an amendment to the conservation documents for the purposes of section 17I of the Conservation Act 1987 or section 46 of the National Parks Act 1980.

(3) In this section, **conservation document** means a conservation management plan, conservation management strategy, freshwater fisheries management plan, or national park management plan.

35 Noting of fisheries protocols

(1) A summary of the terms of a fisheries protocol must be noted in fisheries plans affecting the fisheries protocol area for that protocol.

(2) The noting of a fisheries protocol is—

(a) for the purpose of public notice only; and

(b) not an amendment to the fisheries plans for the purposes of section 11A of the Fisheries Act 1996.

(3) In this section, **fisheries plan** means a plan approved or amended under section 11A of the Fisheries Act 1996.

36 Noting of minerals protocols

(1) A summary of the terms of a minerals protocol must be noted in—

(a) a register of protocols maintained by the chief executive of the Ministry of Business, Innovation, and Employment; and

(b) the minerals programmes affecting the minerals protocol area for that protocol, but only when those programmes are changed.

(2) The noting of a minerals protocol is—

(a) for the purpose of public notice only; and

(b) not a change to the minerals programmes for the purposes of the Crown Minerals Act 1991.

(3) In this section, **minerals programme** has the meaning given by section 2(1) of the Crown Minerals Act 1991.

Subpart 2—Statutory acknowledgement and deeds of recognition

Statutory acknowledgement

37 Interpretation

(1) In this Act, **statutory acknowledgement**—

(a) means the acknowledgement made by the Crown in section 38 in respect of each statutory area, on the terms set out in this subpart; and

(b) for Ngāti Kuia, is known as pou rāhui or coastal pou rāhui.

(2) In this subpart,—

coastal statutory area—

(a) means the statutory area described in Schedule 1 as coastal marine area; and

(b) for Ngāti Kuia, is known as hineparawhenua

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

relevant iwi, for a statutory area, means the 1 or more iwi listed in Schedule 1 as having an association with the statutory area

relevant trustees, for a statutory area, means the trustees of the settlement trust of each of the relevant iwi for the statutory area

statements of association means the statements—

(a) made by the relevant iwi of their particular cultural, spiritual, historical, and traditional association with the statutory areas (except the coastal statutory area); and

(b) that are in the form set out in part 2 of the documents schedule of each deed of settlement

statements of coastal values means the statements—

(a) made by the relevant iwi of their particular values relating to the coastal statutory area; and

(b) that are in the form set out in part 2.1 of the documents schedule of each deed of settlement

statutory area means an area described in Schedule 1, with the general location (but not the precise boundaries) indicated on the deed plan referred to in relation to the area.

38 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association and the statements of coastal values.

39 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, as provided for in sections 40 to 42; and

(b) to require relevant consent authorities to provide summaries of resource consent applications, or copies of notices of resource consent applications, to the relevant trustees, as provided for in section 44; and

(c) to enable the relevant trustees and members of the relevant iwi to cite the statutory acknowledgement as evidence of the iwi's association with a statutory area, as provided for in section 45.

Section 39(a): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

40 Relevant consent authorities to have regard to statutory acknowledgement

(1) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the relevant trustees are affected persons in relation to an activity within, adjacent to, or directly affecting the statutory area and for which an application for a resource consent has been made.

(2) Subsection (1) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

41 Environment Court to have regard to statutory acknowledgement

(1) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the relevant trustees are persons who have an interest in proceedings that is greater than the interest that the general public has in respect of an application for a resource consent for activities within, adjacent to, or directly affecting the statutory area.

(2) Subsection (1) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

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

(1) If, on or after the effective date, an application is 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,—

(a) Heritage New Zealand Pouhere Taonga, in exercising its powers under section 48, 56, or 62 of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and

(b) the Environment Court, in determining under section 59(1) or 64(1) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

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

Section 42: replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

43 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) the relevant provisions of sections 37 to 46 in full; and

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

(c) any statements of association or statements of coastal values for the statutory areas.

(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.

44 Provision of summaries or notices of certain applications to relevant trustees

(1) Each relevant consent authority must, for a period of 20 years starting on the effective date, provide the following to the relevant 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) The information provided in a summary of an application 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 relevant trustees and the relevant consent authority.

(3) A summary of an application must be provided under subsection (1)(a)—

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

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

(4) A copy of a notice of an application must be provided under subsection (1)(b) no later than 10 working days after the day on which the consent authority receives the notice.

(5) This section does not affect a relevant consent authority's obligation,—

(a) under section 95 of the Resource Management Act 1991, to decide whether to notify an application, and to notify the application if it decides to do so; or

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

45 Use of statutory acknowledgement

(1) The relevant trustees and any member of the relevant iwi may, as evidence of the iwi's association with a statutory area, cite the statutory acknowledgement that relates to that area in submissions to, and in proceedings before, a relevant consent authority, the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991, the Environment Court, or Heritage New Zealand Pouhere Taonga concerning activities within, adjacent to, or directly affecting the statutory area.

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

(a) relevant consent authorities:

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

(c) the Environment Court:

(d) Heritage New Zealand Pouhere Taonga:

(e) parties to proceedings before those bodies:

(f) 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 relevant trustees nor members of a relevant iwi are precluded from stating that the iwi 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.

Section 45(1): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 45(2)(d): replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

46 Relevant trustees may waive rights

(1) The relevant trustees may waive the right to be provided with summaries, and copies of notices, of resource consent applications under section 44 in relation to a statutory area.

(2) The relevant trustees may waive the right to have a relevant consent authority, the Environment Court, or Heritage New Zealand Pouhere Taonga have regard to the statutory acknowledgement under sections 40 to 42 in relation to the coastal statutory area.

(3) Rights must be waived by written notice to the relevant consent authority, the Environment Court, or Heritage New Zealand Pouhere Taonga stating—

(a) the scope of the waiver; and

(b) the period for which it applies.

(4) An obligation under this subpart does not apply to the extent that the corresponding right has been waived under this section.

Section 46(2): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 46(3): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Deeds of recognition

47 Issue and amendment of deeds of recognition

(1) Deeds of recognition must be issued to the trustees of the settlement trust of an iwi in respect of the statutory areas with which the iwi has an association as listed in Schedule 1, except the areas referred to as—

(a) Big River site (Te Tai Tapu); and

(b) Westhaven (Te Tai Tapu) Marine Reserve and Westhaven (Whanganui Inlet) Wildlife Management Reserve; and

(c) coastal marine area.

(2) The Minister of Conservation and the Director-General must issue a deed of recognition for the relevant statutory areas administered by the Department of Conservation.

(3) The Commissioner of Crown Lands must issue a deed of recognition for the relevant statutory areas administered by the Commissioner.

(4) A deed of recognition must be issued in the form set out in part 3 of the documents schedule of the relevant deed of settlement.

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

General provisions

48 Application to river or stream

(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, meaning the land that the waters of the river or stream cover at its fullest flow without flowing over its banks; but

(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, meaning the land that the waters of the river or stream cover at its fullest flow without flowing over its banks; but

(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.

49 Exercise of powers and performance of functions and duties

(1) The statutory acknowledgement and the deeds 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 legislation or a bylaw.

(2) A person, in considering a matter or making a decision or recommendation under legislation or a bylaw, must not give greater or lesser weight to the association of the relevant iwi 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.

50 Rights not affected

(1) The statutory acknowledgement and the deeds of recognition do not affect the lawful rights or interests of a person who is not a party to a deed of settlement.

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

51 Limitation of rights

(1) The statutory acknowledgement and the deeds of recognition do not 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

52 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 Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014".

Subpart 3—Overlay classification

53 Interpretation

(1) In this Act, **overlay classification**—

(a) means the application of this subpart to each overlay site; and

(b) for Ngāti Kuia, is known as whenua rāhui.

(2) In this subpart,—

Conservation Board means a board established under section 6L of the Conservation Act 1987

iwi values, for each overlay site, means the values stated by the relevant iwi in their statements of iwi values

New Zealand Conservation Authority means the authority established by section 6A of the Conservation Act 1987

overlay site—

(a) means a site that is declared under section 54 to be subject to the overlay classification; but

(b) does not include an area that is declared under section 68(1) to no longer be subject to the overlay classification

protection principles, for an overlay site, means the protection principles set out for the site in paragraph 4.1 of part 1 of the documents schedule of the relevant deed of settlement, including any amendments made to the principles under section 57(3)

relevant iwi, for an overlay site, means the 1 or more iwi listed in Schedule 2 as having an association with the overlay site

relevant trustees, for an overlay site, means the trustees of the settlement trust of each of the relevant iwi for the overlay site

specified actions, for an overlay site, means the actions set out for the site in paragraph 5.1 of part 1 of the documents schedule of the relevant deed of settlement

statements of iwi values, for each overlay site, means the statements—

(a) made by the relevant iwi of their values relating to their cultural, spiritual, historical, and traditional association with the overlay site; and

(b) that are in the form set out in paragraph 3 of part 1 of the documents schedule of the relevant deed of settlement.

54 Declaration of overlay classification

Each site described in Schedule 2 is declared to be subject to the overlay classification.

55 Acknowledgement by the Crown of statements of iwi values

The Crown acknowledges the statements of iwi values of the relevant iwi in relation to the overlay sites.

56 Purposes of overlay classification

The only purposes of the overlay classification are—

(a) to require the New Zealand Conservation Authority and relevant Conservation Boards to consult the relevant trustees and to have particular regard to the statements of iwi values, the protection principles, and the views of the relevant trustees, as provided for in sections 58 and 59; and

(b) to require the New Zealand Conservation Authority to give the relevant trustees an opportunity to make submissions, as provided for in section 60; and

(c) to enable the taking of action under sections 61 to 66.

57 Agreement on protection principles

(1) The relevant trustees and the Minister of Conservation may agree on and publicise protection principles that are intended to prevent—

(a) harm to the iwi values in relation to an overlay site; or

(b) the diminishing of the iwi values in relation to an overlay site.

(2) The protection principles set out in paragraph 4.1 of part 1 of the documents schedule of a deed of settlement are to be treated as having been agreed by the relevant trustees and the Minister of Conservation.

(3) The relevant trustees and the Minister of Conservation may agree in writing to any amendments to the protection principles.

58 New Zealand Conservation Authority and Conservation Boards to have particular regard to certain matters

When the New Zealand Conservation Authority or a Conservation Board considers or approves a conservation management strategy, conservation management plan, or national park management plan in relation to an overlay site, it must have particular regard to—

(a) the statements of iwi values for the site; and

(b) the protection principles for the site.

59 New Zealand Conservation Authority and Conservation Boards to consult relevant trustees

Before approving a conservation management strategy, conservation management plan, or national park management plan in relation to an overlay site, the New Zealand Conservation Authority or a Conservation Board must—

(a) consult the relevant trustees; and

(b) have particular regard to the views of the relevant trustees as to the effect of the strategy or plan on—

(i) the iwi values for the site; and

(ii) the protection principles for the site.

60 Conservation management strategy

If the relevant trustees advise the New Zealand Conservation Authority in writing that they have significant concerns about a draft conservation management strategy in relation to an overlay site, the New Zealand Conservation Authority must, before approving the strategy, give the trustees an opportunity to make submissions in relation to those concerns.

61 Noting of overlay classification

(1) The application of the overlay classification to an overlay site must be noted in any conservation management strategy, conservation management plan, or national park management plan affecting the site.

(2) The noting of the overlay classification under subsection (1)—

(a) is for the purpose of public notice only; and

(b) is not an amendment to the strategy or plan for the purposes of section 17I of the Conservation Act 1987 or section 46 of the National Parks Act 1980.

62 Notification in *Gazette*

(1) The Minister of Conservation must notify the following in the *Gazette*:

(a) the application of the overlay classification to each overlay site, as soon as practicable after the settlement date; and

(b) the protection principles for each overlay site, as soon as practicable after the settlement date; and

(c) any amendment to the protection principles agreed under section 57(3), as soon as practicable after the amendment has been agreed in writing.

(2) The Director-General may notify in the *Gazette* any action (including any specified action) taken or intended to be taken under section 63 or 64.

63 Actions by Director-General

(1) The Director-General must take action in relation to the protection principles that relate to an overlay site, including the specified actions.

(2) The Director-General retains complete discretion to determine the method and extent of the action to be taken.

(3) The Director-General must notify the relevant trustees in writing of any action intended to be taken.

64 Amendment to strategy or plan

(1) The Director-General may initiate an amendment to a conservation management strategy, conservation management plan, or national park management plan to incorporate objectives relating to the protection principles that relate to an overlay site.

(2) The Director-General must consult any relevant Conservation Board before initiating an amendment under subsection (1).

(3) An amendment initiated under subsection (1) is an amendment for the purposes of section 17I(1) to (3) of the Conservation Act 1987 or section 46(1) to (4) of the National Parks Act 1980, as the case may be.

65 Regulations

The Governor-General may, by Order in Council made on the recommendation of the Minister of Conservation, make regulations for 1 or more of the following purposes:

(a) to provide for the implementation of objectives included in a strategy or plan under section 64(1):

(b) to regulate or prohibit activities or conduct by members of the public in relation to an overlay site:

(c) to create offences for breaching any regulations made under paragraph (b):

(d) to provide for the following fines to be imposed:

(i) for an offence referred to in paragraph (c), a fine not exceeding $5,000; and

(ii) for a continuing offence, an additional amount not exceeding $50 for every day during which the offence continues.

66 Bylaws

The Minister of Conservation may make bylaws for 1 or more of the following purposes:

(a) to provide for the implementation of objectives included in a strategy or plan under section 64(1):

(b) to regulate or prohibit activities or conduct by members of the public in relation to an overlay site:

(c) to create offences for breaching any bylaws made under paragraph (b):

(d) to provide for the following fines to be imposed:

(i) for an offence referred to in paragraph (c), a fine not exceeding $1,000; and

(ii) for a continuing offence, an additional amount not exceeding $50 for every day during which the offence continues.

67 Existing classification of overlay sites

(1) This section applies if the overlay classification applies to any land in—

(a) a national park under the National Parks Act 1980; or

(b) a conservation area under the Conservation Act 1987; or

(c) a reserve under the Reserves Act 1977.

(2) The overlay classification does not affect—

(a) the purpose of the national park, conservation area, or reserve; or

(b) the classification of the land as a national park, conservation area, or reserve.

68 Termination of overlay classification

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Conservation, declare that all or part of an overlay site is no longer subject to the overlay classification.

(2) The Minister of Conservation must not make a recommendation for the purposes of subsection (1) unless—

(a) the relevant trustees and the Minister of Conservation have agreed in writing that the overlay classification is no longer appropriate for the relevant area; or

(b) the relevant area is to be, or has been, disposed of by the Crown; or

(c) the responsibility for managing the relevant area is to be, or has been, transferred to another Minister of the Crown or to the Commissioner of Crown Lands.

(3) Subsection (4) applies if—

(a) subsection (2)(c) applies; or

(b) there is a change in the statutory management regime that applies to all or part of the overlay site.

(4) The Crown must take reasonable steps to ensure that the relevant trustees continue to have input into the management of the relevant area.

69 Exercise of powers and performance of functions and duties

(1) The overlay classification does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under legislation or a bylaw.

(2) A person, in considering a matter or making a decision or recommendation under legislation or a bylaw, must not give greater or lesser weight to the iwi values that relate to an overlay site than that person would give if the site were not subject to the overlay classification.

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

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

70 Rights not affected

(1) The overlay classification does not affect the lawful rights or interests of a person who is not a party to a deed of settlement.

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

71 Limitation of rights

(1) The overlay classification does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, an overlay site.

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

Subpart 4—Vesting of cultural redress properties

72 Interpretation

In this Act, unless the context requires another meaning,—

cultural redress property means each of the following sites, and each site means the land described by that name in Schedule 3:

Sites that vest in fee simple

(a) St Arnaud:

(b) Te Tai Tapu (Tombstone):

(c) Port Gore:

(d) Titiraukawa (Pelorus Bridge):

(e) Ngā Tai Whakaū (Kawai, World's End):

(f) Waimea Pā (Appleby School):

(g) Te Hora (Canvastown School):

(h) Picton Recreation Reserve:

(i) Tuamatene Marae, Grovetown:

(j) Rārangi:

(k) Wairau Lagoons (reinterment):

Site that vests in fee simple subject to conservation covenant

(l) Tītīrangi Bay site:

Sites that vest in fee simple to be administered as reserves

(m) Aorere Scenic Reserve:

(n) Cullen Point (Havelock):

(o) Moenui:

(p) Tarakaipa Island urupā:

(q) Te Pokohiwi:

(r) Waikutakuta / Robin Hood Bay:

(s) Ngākuta Bay:

(t) Momorangi:

(u) Endeavour Inlet site:

(v) Mātangi Āwhio (Nelson):

(w) Pukatea / Whites Bay:

(x) Horahora-kākahu

jointly vested site means each of the following sites:

(a) Mātangi Āwhio (Nelson):

(b) Pukatea / Whites Bay:

(c) Horahora-kākahu

reserve site means each of the 12 sites in paragraphs (m) to (x) of the definition of cultural redress property.

Sites that vest in fee simple

73 St Arnaud

(1) St Arnaud ceases to be a conservation area under the Conservation Act 1987.

(2) The fee simple estate in St Arnaud then vests in the trustees of the Ngāti Apa ki te Rā Tō Trust.

74 Te Tai Tapu (Tombstone)

(1) Te Tai Tapu (Tombstone) (being part of North-west Nelson Forest Park) ceases to be a conservation area under the Conservation Act 1987.

(2) The fee simple estate in Te Tai Tapu (Tombstone) then vests in the trustees of the Ngāti Apa ki te Rā Tō Trust.

75 Port Gore

(1) The reservation of Port Gore (being part of Titirangi Farm Park) as a recreation reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Port Gore then vests in the trustees of the Ngāti Apa ki te Rā Tō Trust.

76 Titiraukawa (Pelorus Bridge)

(1) The reservation of Titiraukawa (Pelorus Bridge) (being part of Pelorus Bridge Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Titiraukawa (Pelorus Bridge) then vests in the trustees of the Te Runanga o Ngāti Kuia Trust.

(3) Subsections (1) and (2) do not take effect until the trustees of the Te Runanga o Ngāti Kuia Trust have provided the Crown with—

(a) a registrable right of way easement over the area shown as A on SO 427361 in favour of Section 3 SO 427361 and Section 64 Block VIII Heringa Survey District (part computer freehold register MB50/234) on the terms and conditions set out in part 5.2 of the documents schedule of the deed of settlement for Ngāti Kuia; and

(b) a registrable easement in gross for a right to convey water over the area shown as B on SO 427361 on the terms and conditions set out in part 5.1 of the documents schedule of the deed of settlement for Ngāti Kuia.

(4) The sign in or on Titiraukawa (Pelorus Bridge) that relates to tree planting by volunteers does not vest in the trustees of the Te Runanga o Ngāti Kuia Trust, despite the vesting under subsection (2).

77 Ngā Tai Whakaū (Kawai, World's End)

(1) The road shown as Section 4 on SO 427401 is stopped.

(2) Section 345(3) of the Local Government Act 1974 does not apply to the stopping of the road.

(3) The stopped road then vests in the Crown as a scenic reserve subject to section 19 of the Reserves Act 1977.

(4) The reservation of Ngā Tai Whakaū (Kawai, World's End) (being part of Tennyson Inlet Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is then revoked.

(5) The fee simple estate in Ngā Tai Whakaū (Kawai, World's End) then vests in the trustees of the Te Runanga o Ngāti Kuia Trust.

78 Waimea Pā (Appleby School)

(1) The fee simple estate in Waimea Pā (Appleby School) vests in the trustees of the Te Runanga o Ngāti Kuia Trust.

(2) Subsection (1) does not take effect until the trustees of the Te Runanga o Ngāti Kuia Trust have provided the Crown with a registrable lease of Waimea Pā (Appleby School) on the terms and conditions set out in part 5.5 of the documents schedule of the deed of settlement for Ngāti Kuia.

79 Te Hora (Canvastown School)

(1) The road shown as Section 1 on SO 4760, Marlborough Land District, is stopped.

(2) Section 345(3) of the Local Government Act 1974 does not apply to the stopping of the road.

(3) The stopped road is then set apart for a school site as if it were set apart under section 52 of the Public Works Act 1981.

(4) The fee simple estate in Te Hora (Canvastown School) then vests in the trustees of the Te Runanga o Ngāti Kuia Trust.

(5) Subsections (1) to (4) do not take effect until the trustees of the Te Runanga o Ngāti Kuia Trust have provided the Crown with a registrable lease of Te Hora (Canvastown School) on the terms and conditions set out in part 5.5 of the documents schedule of the deed of settlement for Ngāti Kuia.

80 Picton Recreation Reserve

(1) The reservation of Picton Recreation Reserve as a recreation reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Picton Recreation Reserve then vests in the trustees of the Rangitāne o Wairau Settlement Trust.

81 Tuamatene Marae, Grovetown

The fee simple estate in Tuamatene Marae, Grovetown, vests in the trustees of the Rangitāne o Wairau Settlement Trust.

82 Rārangi

(1) Rārangi ceases to be a conservation area under the Conservation Act 1987.

(2) The fee simple estate in Rārangi then vests in the trustees of the Rangitāne o Wairau Settlement Trust.

83 Wairau Lagoons (reinterment)

(1) The reservation of Wairau Lagoons (reinterment) (being part of Wairau Lagoons Wetland Management Reserve) as a government purpose reserve for wetland management purposes subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Wairau Lagoons (reinterment) then vests in the trustees of the Rangitāne o Wairau Settlement Trust.

Site that vests in fee simple subject to conservation covenant

84 Tītīrangi Bay site

(1) The reservation of the Tītīrangi Bay site (being part of Titirangi Farm Park) as a recreation reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in the Tītīrangi Bay site then vests in the trustees of the Te Runanga o Ngāti Kuia Trust.

(3) The Minister of Conservation must provide the trustees of the Te Runanga o Ngāti Kuia Trust with a registrable right of way easement over the area shown as A on SO 433149 in favour of the Tītīrangi Bay site on the terms and conditions set out in part 5.4 of the documents schedule of the deed of settlement for Ngāti Kuia.

(4) The easement—

(a) is enforceable in accordance with its terms, despite Part 3B of the Conservation Act 1987; and

(b) is to be treated as having been granted in accordance with Part 3B of that Act; and

(c) is registrable under section 17ZA(2) of that Act, as if it were a deed to which that provision applied.

(5) Subsections (1) to (4) do not take effect until the trustees of the Te Runanga o Ngāti Kuia Trust have provided the Crown with a registrable covenant in relation to the Tītīrangi Bay site on the terms and conditions set out in part 5.3 of the documents schedule of the deed of settlement for Ngāti Kuia.

(6) The covenant is to be treated as a conservation covenant for the purposes of—

(a) section 77 of the Reserves Act 1977; and

(b) section 27 of the Conservation Act 1987.

Sites that vest in fee simple to be administered as reserves

85 Aorere Scenic Reserve

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

(2) The fee simple estate in Aorere Scenic Reserve then vests in the trustees of the Ngāti Apa ki te Rā Tō Trust.

(3) Aorere Scenic Reserve is then 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 Aorere Scenic Reserve.

(5) Despite anything in the Reserves Act 1977,—

(a) the trustees of the Ngāti Apa ki te Rā Tō Trust may construct a building on Aorere Scenic Reserve, with a floor area of no more than 100 m^2, to be used for private non-commercial purposes; and

(b) the building may be used for those purposes.

(6) However, the building must—

(a) be constructed and used in a manner that is consistent with any management plan for Aorere Scenic Reserve prepared and approved under section 41 of the Reserves Act 1977; and

(b) comply with all other lawful requirements (for example, under the Resource Management Act 1991 or the Building Act 2004).

86 Cullen Point (Havelock)

(1) The reservation of Cullen Point (Havelock) (being part of Cullen Point Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Cullen Point (Havelock) then vests in the trustees of the Te Runanga o Ngāti Kuia Trust.

(3) Cullen Point (Havelock) is then 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 Poho-a-Kuia Scenic Reserve.

87 Moenui

(1) The reservation of Moenui (being Moenui Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Moenui then vests in the trustees of the Te Runanga o Ngāti Kuia Trust.

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

(4) The reserve is named Moenui / Priestly Recreation Reserve.

(5) Subsections (1) to (4) do not take effect until the trustees of the Te Runanga o Ngāti Kuia Trust have provided Moenui Community Association Incorporated with—

(a) a registrable right of way easement in gross over the areas shown as A, B, and C on SO 433118 on the terms and conditions set out in part 5.6 of the documents schedule of the deed of settlement for Ngāti Kuia; and

(b) a registrable easement in gross for a right to convey water over the areas shown as A, C, and D on SO 433118 and A on SO 436369 on the terms

and conditions set out in part 5.7 of the documents schedule of the deed of settlement for Ngāti Kuia; and

(c) a registrable easement in gross for a right to convey electricity over the area shown as A on SO 436369 on the terms and conditions set out in part 5.8 of the documents schedule of the deed of settlement for Ngāti Kuia.

(6) Each easement—

(a) is enforceable in accordance with its terms, despite the provisions of the Reserves Act 1977; and

(b) is to be treated as having been granted in accordance with that Act.

88 Tarakaipa Island urupā

(1) The reservation of the Tarakaipa Island urupā (being part of Tarakaipa Island Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in the Tarakaipa Island urupā then vests in the trustees of the Te Runanga o Ngāti Kuia Trust.

(3) The Tarakaipa Island urupā is then 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 Oaie Scenic Reserve.

89 Agreement relating to Te Pokohiwi

The Minister of Conservation may, before the settlement date, grant an unregistered agreement for access over Te Pokohiwi in favour of the registered proprietors of the land contained in computer freehold register 546587 at the time of the grant, despite any other enactment or rule of law.

90 Te Pokohiwi

(1) The reservation of Te Pokohiwi (being part of Wairau Lagoons Wetland Management Reserve) as a government purpose reserve for wetland management purposes subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Te Pokohiwi then vests in the trustees of the Rangitāne o Wairau Settlement Trust.

(3) Te Pokohiwi is then declared a reserve and classified as a historic reserve subject to section 18 of the Reserves Act 1977.

(4) The reserve is named Te Pokohiwi Historic Reserve.

(5) Subsections (1) to (4) do not take effect until the trustees of the Rangitāne o Wairau Settlement Trust have provided the Crown with a registrable right of way easement in gross over the area shown as A on SO 437606 on the terms and conditions set out in part 5.1 of the documents schedule of the deed of settlement for Rangitāne o Wairau.

(6) The easement—

(a) is enforceable in accordance with its terms, despite the provisions of the Reserves Act 1977; and

(b) is to be treated as having been granted in accordance with that Act.

(7) Immediately after the vesting of Te Pokohiwi under subsection (2), the boulder bank site is changed in classification to be a historic reserve subject to section 18 of the Reserves Act 1977.

(8) The Registrar-General must, as soon as is reasonably practicable after subsection (7) takes effect, record on any computer register that contains all or part of the boulder bank site that, under this section, the land in the boulder bank site is classified as a historic reserve subject to section 18 of the Reserves Act 1977.

(9) To avoid doubt, the boulder bank site remains vested in the Crown.

(10) In this section, **boulder bank site** means 180 hectares of land, approximately, being Part Section 4 SO 437606 as shown as B on OTS–099–68, subject to survey, and being part *Gazette* 1994, p 2481.

91 Waikutakuta / Robin Hood Bay

(1) The reservation of Waikutakuta / Robin Hood Bay (being part of Robin Hood Bay Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Waikutakuta / Robin Hood Bay then vests in the trustees of the Rangitāne o Wairau Settlement Trust.

(3) Waikutakuta / Robin Hood Bay is then declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.

(4) The reserve is named Waikutakuta Recreation Reserve.

92 Ngākuta Bay

(1) The reservation of Ngākuta Bay (being part of Ngakuta Bay Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Ngākuta Bay then vests in the trustees of the Rangitāne o Wairau Settlement Trust.

(3) Ngākuta Bay is then declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.

(4) The reserve is named Te Whakamana Recreation Reserve.

93 Momorangi

(1) The reservation of Momorangi (being part of Momorangi Bay Scenic Reserve) as a scenic reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Momorangi then vests in the trustees of the Rangitāne o Wairau Settlement Trust.

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

(4) The reserve is named Rangitāne Recreation Reserve.

94 Endeavour Inlet site

(1) The Endeavour Inlet site ceases to be a conservation area under the Conservation Act 1987.

(2) The fee simple estate in the Endeavour Inlet site then vests in the trustees of the Rangitāne o Wairau Settlement Trust.

(3) The Endeavour Inlet site is then 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 Punaruawhiti Scenic Reserve.

95 Mātangi Āwhio (Nelson)

(1) The reservation of Mātangi Āwhio (Nelson) as a recreation reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Mātangi Āwhio (Nelson) then vests as undivided seventh shares in the specified groups of trustees as tenants in common, as follows:

(a) under this paragraph,—

(i) a share vests in the trustees of the Ngāti Apa ki te Rā Tō Trust; and

(ii) a share vests in the trustees of the Te Runanga o Ngāti Kuia Trust; and

(iii) a share vests in the trustees of the Rangitāne o Wairau Settlement Trust; and

(b) under section 114(2)(a) of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014,—

(i) a share vests in the trustees of Te Pātaka a Ngāti Kōata; and

(ii) a share vests in the trustees of the Ngāti Rārua Settlement Trust; and

(iii) a share vests in the trustees of the Ngāti Tama ki Te Waipounamu Trust; and

(iv) a share vests in the trustees of the Te Ātiawa o Te Waka-a-Māui Trust.

(3) Mātangi Āwhio (Nelson) is then declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.

(4) The reserve is named Mātangi Āwhio (Nelson) Recreation Reserve.

(5) Nelson City Council is the administering body of the reserve, and the Reserves Act 1977 applies to the reserve, as if the reserve were vested in the Council under section 26 of that Act.

(6) Subsection (5) continues to apply despite any subsequent transfer under section 108.

(7) Any improvements in or on Mātangi Āwhio (Nelson) do not vest in any of the trustees, despite the vestings referred to in subsection (2).

96 Pukatea / Whites Bay

(1) The reservation of Pukatea / Whites Bay (being part of Whites Bay Recreation Reserve) as a recreation reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Pukatea / Whites Bay then vests as undivided third shares in the specified groups of trustees as tenants in common, as follows:

(a) a share vests in the trustees of the Rangitāne o Wairau Settlement Trust under this paragraph; and

(b) a share vests in the trustees of the Ngāti Rārua Settlement Trust under section 115(2)(a) of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014; and

(c) a share vests in the trustee of the Toa Rangatira Trust under section 76(2)(a) of the Ngati Toa Rangatira Claims Settlement Act 2014.

(3) Pukatea / Whites Bay is then declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.

(4) The reserve is named Pukatea / Whites Bay Recreation Reserve.

(5) The joint management body established by section 106(1) 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 in trustees) under section 26 of that Act.

(6) Subsection (5) continues to apply despite any subsequent transfer under section 108.

97 Horahora-kākahu

(1) The reservation of Horahora-kākahu (being Horahora-kakahu Historic Reserve) as a historic reserve subject to the Reserves Act 1977 is revoked.

(2) The fee simple estate in Horahora-kākahu then vests as undivided third shares in the specified groups of trustees as tenants in common, as follows:

(a) a share vests in the trustees of the Rangitāne o Wairau Settlement Trust under this paragraph; and

(b) a share vests in the trustees of the Ngāti Rārua Settlement Trust under section 116(2)(a) of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014; and

(c) a share vests in the trustee of the Toa Rangatira Trust under section 77(2)(a) of the Ngati Toa Rangatira Claims Settlement Act 2014.

(3) Horahora-kākahu is then declared a reserve and classified as a historic reserve subject to section 18 of the Reserves Act 1977.

(4) The reserve is named Horahora-kākahu Historic Reserve.

(5) The joint management body established by section 106(1) 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 in trustees) under section 26 of that Act.

(6) Subsection (5) continues to apply despite any subsequent transfer under section 108.

(7) The historic monument at Horahora-kākahu does not vest in any of the trustees, despite the vestings referred to in subsection (2).

Subpart 5—General provisions relating to vesting of cultural redress properties

General provisions

98 Properties are subject to, or benefit from, interests

Each cultural redress property vested in the relevant trustees under subpart 4 is subject to, or benefits from, any interests listed for the property in Schedule 3.

99 Interests in land for reserve sites that are jointly vested sites

(1) This section applies to a jointly vested site while the site has an administering body that is treated as if the site were vested in it.

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

(3) 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.

(4) Subsection (3) continues to apply despite any subsequent transfer of the reserve land under section 108.

100 Interests that are not interests in land

(1) This section applies if a cultural redress property is subject to an interest listed for the property in Schedule 3 that is not an interest in land and for which there is a grantor, whether or not the interest also applies to land outside the property.

(2) The interest applies as if the owners of the cultural redress property were the grantor of the interest in respect of the property.

(3) The interest applies—

(a) until the interest expires or is terminated, but any subsequent transfer of the cultural redress property must be ignored in determining whether the interest expires or is or may be terminated; and

(b) with any other necessary modifications; and

(c) despite any change in status of the land in the property.

101 Registration of ownership

(1) This section applies in relation to the fee simple estate in a cultural redress property vested in any trustees under subpart 4.

(2) To the extent that a cultural redress property (other than Waikutakuta / Robin Hood Bay, Tuamatene Marae, Grovetown, or a jointly vested site) is all of the land contained in a computer freehold register, the Registrar-General must, on written application by an authorised person,—

(a) register the trustees in whom the property is vested under subpart 4 as the proprietors of the fee simple estate in the land; and

(b) record anything in the register, and do anything else, that is necessary to give effect to this Part and to part 5 of the relevant deed of settlement.

(3) To the extent that subsection (2) does not apply to a cultural redress property (other than a jointly vested site), or in the case of Waikutakuta / Robin Hood Bay or Tuamatene Marae, Grovetown, the Registrar-General must, in accordance with a written application by an authorised person,—

(a) create 1 or more computer freehold registers for the fee simple estate in the property in the names of the trustees in whom the property is vested under subpart 4; and

(b) record on the relevant registers any interests that are registered, notified, or notifiable and that are described in the application.

(4) For a jointly vested site, the Registrar-General must, in accordance with written applications by an authorised person,—

(a) create 1 or more computer freehold registers for each undivided equal share of the fee simple estate in the property in the names of the trustees in whom the share is vested under subpart 4; and

(b) record on the relevant registers any interests that are registered, notified, or notifiable and that are described in the applications.

(5) Subsections (3) and (4) are subject to the completion of any survey necessary to create a computer freehold register.

(6) A computer freehold register must be created under this section as soon as is reasonably practicable after the settlement date, but no 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 in whom the property is vested under subpart 4.

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

(a) the Secretary for Justice, for Tuamatene Marae, Grovetown; or

(b) the Secretary for Education, for the following properties:

(i) Waimea Pā (Appleby School):

(ii) Te Hora (Canvastown School); or

(c) the Director-General, for all other properties.

102 Application of Part 4A of Conservation Act 1987

(1) The vesting of the fee simple estate in a cultural redress property in any trustees under subpart 4 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) Despite subsection (1), the rest of section 24 of the Conservation Act 1987 does not apply to the vesting of a reserve site in any trustees under subpart 4.

(3) If the reservation, under subpart 4, of a reserve site is revoked in relation to all or part of the site, then the vesting of the site in any trustees under subpart 4 is no longer exempt from the rest of section 24 of the Conservation Act 1987 in relation to all or that part of the site (as the case may be).

103 Recording application of Part 4A of Conservation Act 1987 and sections of this Act

(1) The Registrar-General must record on any computer freehold register for a reserve site (other than a jointly vested site)—

(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 102(3) and 107.

(2) The Registrar-General must record on any computer freehold register created under section 101 for a jointly vested site—

(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 99(3), 102(3), and 108.

(3) The Registrar-General must record on any computer freehold register for any other cultural redress property that the land is subject to Part 4A of the Conservation Act 1987.

(4) A notification made under any of subsections (1) to (3) 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.

(5) For a reserve site other than a jointly vested site, if the reservation of the site under subpart 4 is revoked in relation to—

(a) all of the site, then the Director-General must apply in writing to the Registrar-General to remove from any computer freehold register for the site—

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

(ii) the notifications that the site is subject to sections 102(3) and 107; or

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

(6) For a jointly vested site, if the reservation of the site under subpart 4 is revoked in relation to—

(a) all of the site, then the Director-General must apply in writing to the Registrar-General to remove from any computer freehold register created under section 101 for the site—

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

(ii) the notification that the site is subject to sections 99(3), 102(3), and 108; or

(b) part of the site, then the Registrar-General must ensure that the notifications referred to in paragraph (a) remain only on any computer freehold register, created under section 101 or derived from a computer freehold register created under section 101, for the part of the site that remains a reserve.

(7) The Registrar-General must comply with an application received in accordance with subsection (5)(a) or (6)(a).

104 Application of other enactments

(1) Sections 24 and 25 of the Reserves Act 1977 do not apply to the revocation, under subpart 4, of the reserve status of a cultural redress property.

(2) 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 subpart 4; or

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

(3) The vesting of the fee simple estate in a cultural redress property under subpart 4 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 a deed of settlement in relation to a cultural redress property.

Provisions relating to reserve sites

105 Application of Reserves Act 1977 to reserve sites

(1) The trustees in whom a reserve site is vested under subpart 4 are the administering body of the reserve site, except as provided by sections 95(5), 96(5), and 97(5).

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

(3) Sections 78(1)(a), 79 to 81, and 88 of the Reserves Act 1977 do not apply in relation to a reserve site (other than Mātangi Āwhio (Nelson)).

(4) If the reservation, under subpart 4, of a reserve site is revoked under section 24 of the Reserves Act 1977 in relation to all or part of the site, section 25 (except subsection (2)) of that Act does not apply to the revocation.

106 Joint management body for Pukatea / Whites Bay and Horahora-kākahu

(1) A joint management body is established for Pukatea / Whites Bay and Horahora-kākahu.

(2) Each of the following 3 groups of trustees may appoint 2 members to the joint management body:

(a) the trustees of the Rangitāne o Wairau Settlement Trust; and

(b) the trustees of the Ngāti Rārua Settlement Trust; and

(c) the trustee of the Toa Rangatira Trust.

(3) An appointer may appoint a member only by giving a written notice with the following details to the 1 or more other appointers:

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

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

(4) An appointment ends after 5 years or when the appointer replaces the member by appointing another member (whichever comes first).

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

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

(7) Subsection (6) applies subject to subsections (8) and (9).

(8) The first meeting of the body must be held no later than 2 months after the settlement date.

(9) If the 3 groups of trustees referred to in subsection (2) agree to adopt alternative provisions about meetings of the body,—

(a) those provisions apply; and

(b) section 32 of the Reserves Act 1977 does not apply.

107 Subsequent transfer of reserve sites (other than jointly vested sites)

(1) This section applies to a reserve site (other than a jointly vested site).

(2) This section applies to all, or only the part, of the reserve site that remains a reserve under the Reserves Act 1977 after the site has vested in any trustees under subpart 4 (the **reserve land**).

(3) The fee simple estate in the reserve land may be transferred to any other person only in accordance with this section, despite any other enactment or rule of law.

(4) The Minister of Conservation must give written consent to the transfer of the fee simple estate in the reserve land to another person or persons (the **new owners**) if, upon written application, the registered proprietors of the reserve land 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.

(5) The Registrar-General must, upon receiving the documents specified in subsection (6), register the new owners as the proprietors of the fee simple estate in the reserve land.

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

(7) The new owners, from the time of registration under subsection (5),—

(a) are the administering body of the reserve land; and

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

(8) However, subsections (3) to (7) do not apply to the transfer of the fee simple estate in the reserve land if—

(a) the transferors of the reserve land are or were the trustees of a 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.

108 Subsequent transfer of jointly vested sites

(1) This section applies to all, or only the part, of a jointly vested site that remains a reserve under the Reserves Act 1977 after the site has vested in any trustees under subpart 4 of this Part, subpart 4 of Part 2 of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014, or subpart 3 of Part 2 of the Ngati Toa Rangatira Claims Settlement Act 2014 (the **reserve land**).

(2) The fee simple estate in the reserve land may be transferred only if—

(a) the transferors of the reserve land are or were the trustees of a 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.

109 No mortgage of reserve land

(1) This section applies to all, or only the part, of a reserve site that remains a reserve under the Reserves Act 1977 after the site has vested in any trustees under subpart 4 (the **reserve land**).

(2) The owners of the reserve land must not mortgage, or give a security interest in, all or part of the land.

110 Saving of bylaws, etc, in relation to reserve sites

(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 has made or imposed under the Reserves Act 1977 or the Conservation Act 1987 in relation to a reserve site before the site vests in any trustees under subpart 4.

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

Names of Crown protected areas and reserve sites

111 Names of Crown protected areas and reserve sites

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

(4) A reserve site 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 site, and section 16(10A) of that Act does not apply to the proposed name.

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

Subpart 6—Vesting and gifting back of properties

112 Vesting and gifting back of alpine tarns

(1) The trustees of the Ngāti Apa ki te Rā Tō Trust may give written notice to the Minister of Conservation of the date on which the alpine tarns are to vest in the trustees.

(2) The proposed date must be no later than 9 months after the settlement date.

(3) The trustees must give the Minister of Conservation at least 40 working days' notice of the proposed date.

(4) The Minister of Conservation must publish a notice in the *Gazette*—

(a) specifying the proposed date given by the trustees in accordance with subsections (1) to (3) (the **vesting date**); and

(b) stating that the fee simple estate in the alpine tarns vests in the trustees of the Ngāti Apa ki te Rā Tō Trust on the vesting date.

(5) The notice must be published as early as practicable before the vesting date.

(6) The fee simple estate in the alpine tarns vests in the trustees of the Ngāti Apa ki te Rā Tō Trust on the vesting date.

(7) On the seventh day after the vesting date, the fee simple estate in the alpine tarns vests in the Crown as a gift back to the Crown by the trustees for the people of New Zealand.

(8) Despite the vestings,—

(a) the alpine tarns remain part of the Nelson Lakes National Park under the National Parks Act 1980, and that Act continues to apply to the national park, as if the vestings had not occurred; and

(b) any other enactment or any instrument that applied to the alpine tarns immediately before the vesting date continues to apply to them as if the vestings had not occurred; and

(c) any interest that affected the alpine tarns immediately before the vesting date continues to affect them as if the vestings had not occurred; and

(d) to the extent that the statutory acknowledgement, a deed of recognition, or the overlay classification applied to the alpine tarns immediately before the vesting date, it continues to apply to them as if the vestings had not occurred; and

(e) the Crown retains all liability for the alpine tarns as if the vestings had not occurred.

(9) The vestings are not affected by Part 4A of the Conservation Act 1987, section 11 and Part 10 of the Resource Management Act 1991, or any other enactment.

(10) In this section, **alpine tarns** means the areas shown as A, B, C, D, E, and F on SO 432660.

113 Vesting and gifting back of Te Tai Tapu

(1) The fee simple estate in Te Tai Tapu vests jointly in—

(a) the trustees of the Ngāti Apa ki te Rā Tō Trust under this paragraph; and

(b) the trustees of the Ngāti Rārua Settlement Trust, the trustees of the Ngāti Tama ki Te Waipounamu Trust, and the trustees of the Te Ātiawa o Te Waka-a-Māui Trust under section 139(1)(a) of the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014.

(2) On the seventh day after the settlement date, the fee simple estate in Te Tai Tapu vests in the Crown as a gift back to the Crown by the trustees for the people of New Zealand.

(3) Despite the vestings,—

(a) Te Tai Tapu remains part of the North-west Nelson Forest Park under the Conservation Act 1987, and that Act continues to apply to the site, as if the vestings had not occurred; and

(b) any other enactment or any instrument that applied to Te Tai Tapu immediately before the settlement date continues to apply to it as if the vestings had not occurred; and

(c) any interest that affected Te Tai Tapu immediately before the settlement date continues to affect it as if the vestings had not occurred; and

(d) the Crown retains all liability for Te Tai Tapu as if the vestings had not occurred.

(4) The vestings are not affected by Part 4A of the Conservation Act 1987, section 11 and Part 10 of the Resource Management Act 1991, or any other enactment.

(5) To the extent that the statutory acknowledgement or a deed of recognition applies to Te Tai Tapu, it applies only after the site vests back in the Crown.

(6) In this section, **Te Tai Tapu** means 28 600 hectares, approximately, being Lot 1 DP 11694, Section 5 SO 426795, and Sections 2, 4, and 6 and Parts Section 1 Square 17, Nelson Land District (as shown on SO 433299).

Subpart 7—Geographic names

114 Interpretation

In this subpart,—

New Zealand Geographic Board has the meaning given to Board by section 4 of the NZGB Act

NZGB Act means the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008

official geographic name has the meaning given by section 4 of the NZGB Act.

115 New names of features

(1) A name specified in the first column of the table in the following clauses is assigned to the feature described in the second and third columns of the table:

(a) clause 5.26.1 of the deed of settlement for Ngāti Apa ki te Rā Tō:

(b) clause 5.19.1 of the deed of settlement for Ngāti Kuia:

(c) clause 5.18.1 of the deed of settlement for Rangitāne o Wairau.

(2) A name specified in the first column of the table in the following clauses for the feature described in the third and fourth columns of the table is altered to the name specified in the second column of the table:

(a) clause 5.26.2 of the deed of settlement for Ngāti Apa ki te Rā Tō:

(b) clause 5.19.2 of the deed of settlement for Ngāti Kuia:

(c) clause 5.18.2 of the deed of settlement for Rangitāne o Wairau.

(3) Each assignment or alteration is to be treated as if it were an assignment or alteration of the official geographic name by a determination of the New Zealand Geographic Board, under section 19 of the NZGB Act, that takes effect on the settlement date.

116 Publication of new names

(1) The New Zealand Geographic Board must, as soon as practicable after the settlement date, give public notice of each assignment or alteration of a name under section 115 in accordance with section 21(2) and (3) of the NZGB Act.

(2) However, the notices must state that the assignments and alterations took effect on the settlement date.

117 Alteration of new names

(1) The New Zealand Geographic Board need not comply with the requirements of sections 16, 17, 18, 19(1), and 20 of the NZGB Act in making a determination to alter the official geographic name of a feature named by this subpart.

(2) Instead, the Board may make the determination as long as it has the written consent of the following trustees:

(a) the trustees of the settlement trusts; and

(b) the trustees of the related settlement trusts; and

(c) the trustee of the Toa Rangatira Trust.

(3) To avoid doubt, the Board must give public notice of the determination in accordance with section 21(2) and (3) of the NZGB Act.

Subpart 8—Customary use of eels

118 Acknowledgement of association

(1) The Crown acknowledges the association of Ngāti Apa ki te Rā Tō with eels in the eels redress area.

(2) In this section and section 119, **eels redress area** means the part of the Nelson Lakes National Park within the area shown on the map attached to the proposed conservation protocol set out in part 4 of the documents schedule of the deed of settlement for Ngāti Apa ki te Rā Tō.

119 Customary use of eels

(1) The trustees of the Ngāti Apa ki te Rā Tō Trust may apply to the Minister of Conservation, on behalf of members of Ngāti Apa ki te Rā Tō who are specified in the application, for consent under section 5(2) of the National Parks Act 1980 to take eels for customary use from the eels redress area.

(2) The Minister of Conservation may grant the consent to take eels only if he or she is satisfied that—

(a) there is no other reasonably accessible source of eels; and

(b) the eels are to be used for an extraordinary cultural event; and

(c) the taking of the eels will not adversely affect the preservation of the eel population and habitat in Nelson Lakes National Park.

(3) If the Minister of Conservation is deciding whether to grant a consent, and information about the eel population or the adverse effects of the proposed taking of eels is absent, uncertain, unreliable, or inadequate, the Minister—

(a) must be cautious in deciding whether the requirement in subsection (2)(c) is met; and

(b) must not use the absence, uncertainty, unreliability, or inadequacy of the information as a reason for granting the consent.

(4) This section does not affect any provisions of the National Parks Act 1980 that relate to granting a consent, except as provided in subsections (2) and (3).

(5) A person who takes eels under a consent referred to in this section must also comply with any requirements of the Fisheries Act 1996 and any regulations made under that Act.

Subpart 9—Pakohe removal and consultation

120 Interpretation

In this subpart,—

mineral has the meaning given by section 2(1) of the Crown Minerals Act 1991

pakohe means metamorphosed indurated mudstone (otherwise known as argillite) that is grey-to-black in colour and associated with the Nelson/Marlborough region

relevant pakohe area, for Ngāti Kuia or Rangitāne o Wairau, means an area shown on a deed plan in part 2.5 of the attachments schedule of the deed of settlement for that iwi

riverbed means the land that the waters of a river or other natural watercourse cover at its fullest flow without flowing over its banks.

121 Acknowledgement of association

The Crown acknowledges—

(a) the long-standing cultural, historical, and traditional association of Ngāti Kuia and Rangitāne o Wairau with pakohe; and

(b) the statements of association of Ngāti Kuia and Rangitāne o Wairau with pakohe, in the forms set out in part 2.2 of the documents schedule of the deed of settlement for each iwi.

122 Authorisation to search for and remove pakohe

(1) A member of Ngāti Kuia who has written authorisation from the trustees of the Te Runanga o Ngāti Kuia Trust, or a member of Rangitāne o Wairau who has written authorisation from the trustees of the Rangitāne o Wairau Settlement Trust, may, by hand,—

(a) search for pakohe in any part of a riverbed in a relevant pakohe area; and

(b) remove pakohe from that part of the riverbed.

(2) A person who removes pakohe from a riverbed under subsection (1) may also remove from the riverbed, by hand, any other minerals that are—

(a) bound to the pakohe; or

(b) reasonably necessary for working the pakohe by traditional methods.

(3) A person who removes pakohe or minerals under subsection (1) or (2) must,—

(a) each day, remove no more than the person can carry by hand in 1 load without assistance; and

(b) not use machinery or cutting equipment to remove the pakohe or minerals.

123 Access to riverbed to search for and remove pakohe

A person who is authorised to search for pakohe in, and remove pakohe from, a riverbed under section 122 may access the riverbed over conservation land for that purpose, but only—

(a) on foot; or

(b) by any means that are available to the public; or

(c) by any other means, and subject to any conditions, specified in writing by the Director-General.

124 Obligations if accessing riverbed

A person who accesses a riverbed under section 122 or 123 must take all reasonable care to do no more than minor damage to vegetation on, and other natural features of, the riverbed and surrounding areas.

125 Relationship with other enactments

(1) A person exercising a right under section 122 or 123 must comply with all other lawful requirements (for example, under the Resource Management Act 1991).

(2) However,—

(a) a person may exercise a right under section 122 or 123 despite not having any authorisation required by the conservation legislation; and

(b) a permit is not required under section 8(1)(a) of the Crown Minerals Act 1991 to exercise a right under section 122(1).

(3) To avoid doubt, an activity that is not performed by exercising a right under section 122(1) may require a permit under section 8(1)(a) of the Crown Minerals Act 1991.

(4) The rights under sections 122 and 123 do not apply in relation to any part of a riverbed that is—

(a) an ecological area declared under section 18 of the Conservation Act 1987; or

(b) an archaeological site (as defined by section 6 of the Heritage New Zealand Pouhere Taonga Act 2014).

Section 125(4)(b): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

126 Consultation in relation to pakohe

(1) This section applies if the Director-General exercises powers, or performs functions or duties, under conservation legislation in a manner likely to affect the relationship of Ngāti Kuia or Rangitāne o Wairau with pakohe located—

(a) in any part of a riverbed in a relevant pakohe area; or

(b) on land in a relevant pakohe area that the Director-General knows is land from which pakohe is traditionally gathered.

(2) The Director-General must, in exercising the powers, or performing the functions or duties,—

(a) have regard to the statements of association of Ngāti Kuia and Rangitāne o Wairau with pakohe referred to in section 121(b); and

(b) consult the trustees of the Te Runanga o Ngāti Kuia Trust and the trustees of the Rangitāne o Wairau Settlement Trust; and

(c) have regard to the trustees' views.

127 Relevant pakohe area may be added to, or removed from, deed of settlement

(1) Part 2.5 of the attachments schedule of the deed of settlement for Ngāti Kuia, or of the deed of settlement for Rangitāne o Wairau, may be amended by adding a deed plan showing another relevant pakohe area for that iwi, with the amendment having legal effect under this subpart, but only if—

(a) the area is conservation land that contains a riverbed; and

(b) the area is in the conservation protocol area for that iwi; and

(c) the amendment is agreed to by the Director-General and the trustees of that iwi's settlement trust.

(2) If a relevant pakohe area is proposed to be added to the deed of settlement for either Ngāti Kuia or Rangitāne o Wairau under subsection (1), and the relevant protocol area is wholly or partly in the conservation protocol area of the other of those 2 iwi, then the Director-General must give written notice of the proposal to that other iwi.

(3) Part 2.5 of the attachments schedule of the deed of settlement for Ngāti Kuia, or of the deed of settlement for Rangitāne o Wairau, may be amended by removing a deed plan showing a relevant pakohe area for that iwi, with the

amendment having legal effect under this subpart, but only if the amendment is agreed to by the Director-General and the trustees of that iwi's settlement trust.

Subpart 10—Minerals fossicking right

128 Interpretation

In this subpart,—

relevant fossicking area, for a settlement iwi, means an area shown on the deed plan in part 2.4 of the attachments schedule of the deed of settlement for that iwi

riverbed means the land that the waters of a river or other natural watercourse cover at its fullest flow without flowing over its banks.

129 Authorisation to search for and remove sand, shingle, or other natural material

(1) A member of a settlement iwi who has written authorisation from the trustees of that iwi's settlement trust may, by hand,—

(a) search for any sand, shingle, or other natural material in any part of a riverbed that is, or is bounded on either side by, conservation land in a relevant fossicking area; and

(b) remove the material from that part of the riverbed.

(2) A person who removes sand, shingle, or other natural material under subsection (1) must,—

(a) each day, remove no more than the person can carry by hand in 1 load without assistance; and

(b) not use machinery or cutting equipment to remove the material.

130 Access to riverbed to search for and remove sand, shingle, or other natural material

A person who is authorised to search for sand, shingle, or other natural material in, and remove the material from, a riverbed under section 129 may access the riverbed over conservation land for that purpose, but only—

(a) on foot; or

(b) by any means that are available to the public; or

(c) by any other means, and subject to any conditions, specified in writing by the Director-General or the Commissioner of Crown Lands.

131 Obligations if accessing riverbed

A person who accesses a riverbed under section 129 or 130 must take all reasonable care to do no more than minor damage to vegetation on, and other natural features of, the riverbed and surrounding areas.

132 Relationship with other enactments

(1) A person exercising a right under section 129 or 130 must comply with all other lawful requirements (for example, under the Resource Management Act 1991).

(2) However,—

(a) a person may exercise a right under section 129 or 130 despite not having any authorisation required by the conservation legislation; and

(b) a person may exercise a right under section 129 despite not having any authorisation required by the Land Act 1948.

(3) The rights under sections 129 and 130 do not apply in relation to any part of a riverbed that is—

(a) an ecological area declared under section 18 of the Conservation Act 1987; or

(b) an archaeological site (as defined by section 6 of the Heritage New Zealand Pouhere Taonga Act 2014); or

(c) land described in Schedule 4 of the Crown Minerals Act 1991.

Section 132(3)(b): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Subpart 11—Statutory kaitiaki and customary use of tītī

133 Interpretation

In this subpart,—

Chetwode Islands means Chetwode Island Nature Reserve, being 323.7485 hectares, more or less, Nature Reserve, Block XXVI Gore Survey District (part *Gazette* 1904, p 2119, all *Gazette* 1934, p 878, and part *Gazette* 1975, p 922)

tītī means the young of the species *Puffinus griseus* (sooty shearwater), commonly known as a muttonbird

Tītī Island means Titi Island Nature Reserve, being 32.3748 hectares, more or less, Nature Reserve, Block XXIII Gore Survey District (part *Gazette* 1901, p 2034, and part *Gazette* 1975, p 922).

134 Statutory kaitiaki may advise Minister of Conservation and Director-General

(1) The trustees of the Te Runanga o Ngāti Kuia Trust are appointed as statutory kaitiaki of Tītī Island and the Chetwode Islands.

(2) The trustees, as statutory kaitiaki of the islands, may provide written advice to the Minister of Conservation or the Director-General about—

(a) the management of the tītī population on the islands; and

(b) applications under section 57 of the Reserves Act 1977 for access to the islands.

(3) The Minister of Conservation or the Director-General must have regard to written advice received from the trustees on a matter referred to in subsection (2) when making a decision on the matter.

135 Customary use of tītī by Ngāti Kuia

(1) The trustees of the Te Runanga o Ngāti Kuia Trust may apply to the Minister of Conservation, on behalf of members of Ngāti Kuia who are specified in the application, for—

(a) an authorisation under section 50(1) of the Reserves Act 1977 to take and kill tītī on Tītī Island and the Chetwode Islands for customary use; and

(b) a permit under section 57(1) of the Reserves Act 1977 to access the islands for the purposes described in paragraph (a).

(2) The trustees of the Te Runanga o Ngāti Kuia Trust may apply to the Director-General, on behalf of members of Ngāti Kuia who are specified in the application, for an authorisation under section 53(1) of the Wildlife Act 1953 to kill tītī on Tītī Island and the Chetwode Islands for customary use.

(3) The Minister of Conservation or the Director-General may grant an authorisation or permit referred to in subsection (1) or (2), in relation to tītī, only if he or she is satisfied that the killing of those tītī will not adversely affect the long-term survival of the tītī population on the islands.

(4) This section does not affect any provisions of the Reserves Act 1977 or the Wildlife Act 1953 that relate to granting an authorisation or permit, except as provided in subsection (3).

136 Customary use of tītī by Rangitāne o Wairau

(1) The trustees of the Rangitāne o Wairau Settlement Trust may apply to the Minister of Conservation, on behalf of members of Rangitāne o Wairau who have traditionally used tītī from Tītī Island and the Chetwode Islands and who are specified in the application, for—

(a) an authorisation under section 50(1) of the Reserves Act 1977 to take and kill tītī on the islands for customary use; and

(b) a permit under section 57(1) of the Reserves Act 1977 to access the islands for the purposes described in paragraph (a).

(2) The trustees of the Rangitāne o Wairau Settlement Trust may apply to the Director-General, on behalf of members of Rangitāne o Wairau who have traditionally used tītī from Tītī Island and the Chetwode Islands and who are specified in the application, for an authorisation under section 53(1) of the Wildlife Act 1953 to kill tītī on the islands for customary use.

(3) The Minister of Conservation or the Director-General may grant an authorisation or permit referred to in subsection (1) or (2), in relation to tītī, only if he or

she is satisfied that killing those tītī will not adversely affect the long-term survival of the tītī population on the islands.

(4) This section does not affect any provisions of the Reserves Act 1977 or the Wildlife Act 1953 that relate to granting an authorisation or permit, except as provided in subsection (3).

Subpart 12—Recognition of historical association with Endeavour Inlet

137 Recognition of historical association with Endeavour Inlet

The Crown recognises the historical association of Rangitāne o Wairau with Endeavour Inlet.

Subpart 13—River and freshwater advisory committee

138 Advisory committee established

An advisory committee is established to provide advice in relation to the management of rivers and fresh water within the regions of the following councils (the **relevant councils**):

(a) Marlborough District Council; and

(b) Nelson City Council; and

(c) Tasman District Council.

139 Appointment of members to advisory committee

(1) The advisory committee consists of no more than 8 members.

(2) One member may be appointed by the trustees of each of the 3 settlement trusts, the 4 related settlement trusts, and the Toa Rangatira Trust.

(3) The trustees of a trust may appoint a member only by giving a written notice with the following details to the trustees of the 7 other trusts:

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

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

140 Advisory committee may provide advice

(1) The advisory committee may provide written advice, in reply to an invitation under section 141, in relation to the management of rivers and fresh water within the region of a relevant council before the council—

(a) makes any decisions on the review of a policy statement or plan under section 79 of the Resource Management Act 1991; or

(b) starts to prepare or change a policy statement or plan under Part 1 of Schedule 1 of that Act; or

(c) notifies a proposed policy statement or plan under clause 5 of Schedule 1 of that Act.

(2) If the committee and a relevant council agree in writing, the committee may provide written advice to the council on any other matter in relation to the Resource Management Act 1991.

(3) The committee or the council may terminate any agreement to provide advice under subsection (2) by giving written notice to the other party.

141 Council must invite and have regard to advice

(1) A relevant council must comply with this section before performing any action referred to in section 140(1)(a) to (c).

(2) The council must provide a written invitation to the advisory committee to provide written advice in relation to the action.

(3) The council must have regard to advice received from the committee under section 140(1) in reply to an invitation if the advice is received—

(a) before the day that is 2 months after the day on which the committee received the invitation; or

(b) before any other day agreed to by the council and the committee.

(4) The council must have regard to any advice received from the committee under section 140(2) if it is reasonably practicable to do so.

142 Procedure and meetings of advisory committee

(1) The advisory committee must—

(a) regulate its own procedure; and

(b) make decisions only with the agreement of all of the members who are present and who vote at a meeting; and

(c) conduct proceedings with a quorum of a majority of the members who have been appointed to the committee; and

(d) provide the relevant councils with an address to which the councils must send notices to the committee.

(2) The committee may request that a relevant council have 1 or more representatives attend a meeting of the committee.

(3) In making the request, the committee must—

(a) give the council 10 working days' notice of the meeting in writing; and

(b) provide the council with an agenda for the meeting.

(4) The council must have 1 or more representatives attend the meeting if it is reasonably practicable to do so, but the council may decide on the number of representatives at its discretion.

(5) Each relevant council need not have representatives attend more than 4 meetings each year.

143 Advisory committee may request information

(1) The advisory committee may make a written request for information from a relevant council in relation to an action or a proposed action of a council referred to in section 140(1)(a) to (c).

(2) The council must provide the requested information to the committee if it is reasonably practicable to do so.

144 Other obligations under Resource Management Act 1991

This subpart does not limit the obligations of a relevant council under the Resource Management Act 1991.

Subpart 14—Wairau Boulder Bank conservation management plan

145 Preparation of conservation management plan

(1) The Director-General must prepare a conservation management plan that applies to—

(a) the boulder bank site; and

(b) Te Pokohiwi.

(2) The plan is a conservation management plan for the purposes of section 40B of the Reserves Act 1977.

(3) The Director-General must start to prepare a draft of the plan under section 17G of the Conservation Act 1987 no later than 18 months after the settlement date.

(4) In preparing any draft of the plan, the Director-General must consult the trustees of the Rangitāne o Wairau Settlement Trust and the trustees of the Ngāti Rārua Settlement Trust under section 17F(a) of the Conservation Act 1987.

(5) Any decision on what to do with the plan under section 17G(2) of the Conservation Act 1987 must be made jointly by the Nelson/Marlborough Conservation Board and the trustees of the Rangitāne o Wairau Settlement Trust.

(6) The plan must, among other things,—

(a) include a separate chapter for Te Pokohiwi; and

(b) address issues with vehicle access for the land contained in computer freehold register 546587.

(7) In this section, **boulder bank site** has the meaning given by section 90(10).

Part 3
Commercial redress

Subpart 1—Transfer of commercial properties, deferred selection properties, and Woodbourne land

146 The Crown may transfer properties

(1) To give effect to part 6 of a deed of settlement, and any of parts 3 to 6 of the property redress schedule of a 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 property, deferred selection property, or any Woodbourne land to the trustees of a settlement trust; and

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

(2) However, if any Woodbourne land is to transfer to the trustees of 2 or more settlement trusts, then, to give effect to part 6 of a deed of settlement, and any of parts 4 to 6 of the property redress schedule of a deed of settlement, the Crown (acting by and through the chief executive of the land holding agency) is authorised to—

(a) transfer an undivided share of the fee simple estate in the land to the trustees of each trust as tenants in common; and

(b) sign 1 or more transfer instruments or other documents, or do anything else, to effect the transfer.

147 Registrar-General to create computer freehold register

(1) To the extent that a commercial property, a deferred selection property, or any Woodbourne land is not all of the land contained in a computer freehold register, or there is no computer freehold register for all or part of the property, 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; and

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

(2) However, for any Woodbourne land that is to transfer to the trustees of 2 or more settlement trusts, the Registrar-General must, in accordance with written applications by an authorised person,—

(a) create, in the name of the Crown, a computer freehold register for each undivided share of the fee simple estate in the land; and

(b) record on the relevant registers any interests that are registered, notified, or notifiable and that are described in the applications; and

(c) omit any statement of purpose from the registers.

(3) Subsections (1) and (2) are subject to the completion of any survey necessary to create a computer freehold register.

(4) The authorised person may grant a covenant for the later creation of a computer freehold register for any land that is to be transferred to the trustees of a settlement trust.

(5) Despite the Land Transfer Act 1952,—

(a) the authorised person may request the Registrar-General to register the covenant under the Land Transfer Act 1952 by creating a computer interest register; and

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

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

148 Application of other enactments

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

(a) the transfer of the fee simple estate in a commercial property, a deferred selection property, or any Woodbourne land to the trustees of a settlement trust; or

(b) a leaseback of the property to the Crown or another lease for a public work, in accordance with part 6 of a deed of settlement; or

(c) any matter incidental to, or required for the purpose of, the transfer or lease.

(2) The transfer of the fee simple estate in a commercial property, a deferred selection property, or any Woodbourne land to the trustees of a settlement trust does not—

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

(b) affect other rights to subsurface minerals.

(3) The transfer of the fee simple estate in a commercial property, a deferred selection property, or any Woodbourne land to the trustees of a settlement trust 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.

(4) In exercising the powers conferred by section 146, the Crown is not required to comply with any other enactment that would otherwise regulate or apply to the transfer of a commercial property, a deferred selection property, or any Woodbourne land.

(5) Subsection (4) is subject to subsections (2) and (3).

(6) 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 part 6 of a deed of settlement, and any of parts 3 to 6 of the property redress schedule of a deed of settlement, in relation to a commercial property, a deferred selection property, or any Woodbourne land.

149 Transfer of certain deferred selection properties

(1) This section applies to—

(a) each of the following properties described in part 3.6 of the property redress schedule of the deed of settlement for Ngāti Apa ki te Rā Tō if the property transfers to the trustees of the Ngāti Apa ki te Rā Tō Trust in accordance with part 3 of that schedule:

(i) Melville Cove / Port Gore:

(ii) Tunnel Bay / Port Gore:

(b) each of the following properties described in part 3.6 of the property redress schedule of the deed of settlement for Ngāti Kuia if the property transfers to the trustees of the Te Runanga o Ngāti Kuia Trust in accordance with part 3 of that schedule:

(i) Anakoha / Outer Sounds:

(ii) Manaroa:

(c) each of the following properties described in part 3.6 of the property redress schedule of the deed of settlement for Rangitāne o Wairau if the property transfers to the trustees of the Rangitāne o Wairau Settlement Trust in accordance with part 3 of that schedule:

(i) Inner Endeavour Inlet (Section 28):

(ii) Inner Endeavour Inlet (Section 29).

(2) Immediately before the transfer,—

(a) any part of the property that is a conservation area under the Conservation Act 1987 ceases to be a conservation area; and

(b) the reservation of any part of the property as any class of 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 reserve status under subsection (2)(b).

150 Transfer of Nelson High/District Courthouse

(1) This section applies if the property described as Nelson High/District Courthouse (the **courthouse site**) in part 3.6 of the property redress schedule of the deed of settlement for Ngāti Apa ki te Rā Tō transfers to the trustees of the Ngāti Apa ki te Rā Tō Trust in accordance with part 3 of that schedule.

(2) Immediately before the transfer, the reservation of the courthouse site as any class of 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 reserve status under subsection (2).

(4) Immediately after the transfer, the courthouse site is declared a reserve and classified as a historic reserve subject to section 18 of the Reserves Act 1977.

(5) The reserve is named Nelson Courthouse Historic Reserve.

(6) The trustees of the Ngāti Apa ki te Rā Tō Trust are the administering body of the reserve.

(7) Any lease granted to the Crown over the courthouse site in accordance with the deed of settlement for Ngāti Apa ki te Rā Tō—

(a) is enforceable in accordance with its terms, despite the provisions of the Reserves Act 1977; and

(b) is to be treated as having been granted in accordance with that Act.

(8) From the time of the transfer,—

(a) sections 48A, 114, and 115 of the Reserves Act 1977 apply to the courthouse site, despite sections 48A(6), 114(5), and 115(6) of that Act; and

(b) sections 78(1)(a), 79 to 81, and 88 of the Reserves Act 1977 do not apply in relation to the courthouse site; and

(c) if the reservation under subsection (4) is revoked under section 24 of the Reserves Act 1977 in relation to all or part of the courthouse site, section 25 (except subsection (2)) of that Act does not apply to the revocation; and

(d) section 107 applies to the courthouse site as if it were a reserve site that vested in trustees under subpart 4 of Part 2.

(9) The Registrar-General must, upon the registration of the transfer of the courthouse site, record on any computer freehold register for the site that the land is subject to subsection (8)(d).

(10) If the reservation under subsection (4) is revoked in relation to—

(a) all of the courthouse site, then the Director-General must apply in writing to the Registrar-General to remove from any computer freehold register for the site the notification that the site is subject to subsection (8)(d); or

(b) part of the courthouse site, then the Registrar-General must ensure that the notification referred to in paragraph (a) remains only on any computer freehold register for the part of the site that remains a reserve.

(11) The Registrar-General must comply with an application received in accordance with subsection (10)(a).

151 Transfer of properties subject to lease

(1) This section applies to a commercial property or deferred selection property—

(a) for which the land holding agency is the Ministry of Education; and

(b) the ownership of which is to transfer to the trustees of a settlement trust in accordance with part 3 of the property redress schedule of a deed of settlement; and

(c) that, after the transfer, is to be subject to a lease back to the Crown.

(2) This section also applies to any Woodbourne land—

(a) the ownership of which is to transfer to the trustees of a settlement trust in accordance with part 6 of a deed of settlement, and any of parts 4 to 6 of the property redress schedule of a deed of settlement; and

(b) that, after the transfer, is to be subject to a lease for a public work.

(3) Despite section 148(3) (which refers to section 24(2A) of the Conservation Act 1987), the rest of section 24 of that Act does not apply to the transfer of the property.

(4) The transfer instrument for the transfer of the property must include a notification that the land is to become subject to subsections (7) and (8) upon the registration of the transfer.

(5) The Registrar-General must, upon the registration of the transfer of the property, record on any computer freehold register for the property—

(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 subsections (7) and (8).

(6) A notification made under subsection (5) 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.

(7) If the lease referred to in subsection (1)(c) or (2)(b) (or a renewal of that lease) terminates, or expires without being renewed, in relation to all or part of the property, the transfer of the property is no longer exempt from the rest of section 24 of the Conservation Act 1987 in relation to all or that part of the property, as the case may be.

(8) If the lease referred to in subsection (1)(c) or (2)(b) (or a renewal of that lease) terminates, or expires without being renewed, in relation to all or part of the property, then the registered proprietors of the property must apply in writing to the Registrar-General to,—

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

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

(ii) the land is subject to subsections (7) and (8); or

(b) if only part of the property remains subject to such a lease (the **leased part**), amend any notifications on the computer freehold register for the property to record that, in relation to only the leased part,—

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

(ii) that part is subject to subsections (7) and (8).

(9) The Registrar-General must comply with an application received in accordance with subsection (8) free of charge to the applicant.

Subpart 2—Unlicensed land

152 Transfer of unlicensed land as deferred selection RFR land

(1) This section applies if the unlicensed land is to transfer to the trustees of the Ngāti Apa ki te Rā Tō Trust under a contract formed under section 168.

(2) Sections 146(1) and 148(2) to (5) apply to the unlicensed land as if—

(a) the land were a deferred selection property; and

(b) section 146(1) were able to be applied to give effect to the contract; and

(c) the land holding agency were the Ministry for Primary Industries.

153 Application of rest of subpart

The rest of this subpart applies if the unlicensed land transfers to the trustees of the Ngāti Apa ki te Rā Tō Trust—

(a) in accordance with part 3 of the property redress schedule of the deed of settlement for Ngāti Apa ki te Rā Tō; or

(b) under a contract formed under section 168.

154 Effect of transfer of unlicensed land

Immediately before the transfer referred to in section 153, the unlicensed land ceases to be Crown forest land, and any Crown forestry assets associated with that land cease to be Crown forestry assets, under the Crown Forest Assets Act 1989.

155 Management of marginal strips

(1) After the transfer referred to in section 153, any lessee of the unlicensed land under registered lease 134699A is to be treated as if it had been appointed, under section 24H(1) of the Conservation Act 1987, to be the manager of any marginal strip within the unlicensed land.

(2) The lessee may do 1 or more of the following things in relation to the marginal strip:

(a) exercise the powers of a manager under section 24H of the Conservation Act 1987:

(b) establish, develop, grow, manage, replant, and maintain a forest on the marginal strip as if the marginal strip were subject to the lease of the unlicensed land:

(c) exercise the lessee's rights under the lease of the unlicensed land as if the marginal strip were subject to the lease.

Subpart 3—Right of access to protected sites

156 Application of subpart

This subpart applies only if the unlicensed land transfers to the trustees of the Ngāti Apa ki te Rā Tō Trust—

(a) in accordance with part 3 of the property redress schedule of the deed of settlement for Ngāti Apa ki te Rā Tō; or

(b) under a contract formed under section 168.

157 Interpretation

(1) In this subpart, **protected site** means any area of land situated in the unlicensed land that—

(a) is a wāhi tapu or wāhi tapu area within the meaning of section 6 of the Heritage New Zealand Pouhere Taonga Act 2014; and

(b) is, at any time, entered on the New Zealand Heritage List/Rārangi Kōrero as defined in section 6 of that Act.

(2) *[Repealed]*

Section 157(1) **protected site** paragraph (a): replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 157(1) **protected site** paragraph (b): replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 157(2): repealed, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

158 Right of access to protected site

(1) The owner of land on which a protected site is situated and any person holding an interest in, or a right of occupancy to, the land must allow the people referred to in subsection (2) to have access across the land to each protected site.

(2) The people are Māori for whom the protected site is of special cultural, spiritual, or historical significance.

(3) The right of access may be exercised by vehicle or by foot over any reasonably convenient routes specified by the owner, and is subject to the following conditions:

(a) a person intending to exercise the right of access must give the owner reasonable notice, in writing, of his or her intention to exercise that right; and

(b) the right of access may be exercised only at reasonable times and during daylight hours; and

(c) a person exercising the right must observe any reasonable conditions imposed by the owner that—

(i) relate to the time, location, or manner of access; and

(ii) are reasonably required for the safety of people, for the protection of land, improvements, flora, fauna, plant, equipment, or livestock, or for operational reasons.

159 Right of access subject to registered lease

(1) The right of access under section 158 is subject to the terms of any registered lease of the unlicensed land—

(a) granted before the time of the transfer referred to in section 156; or

(b) granted on or after that time under a right of renewal contained in a registered lease granted before that time.

(2) However, subsection (1) does not apply if the lessee has agreed to an exercise of the right.

(3) An amendment to a registered lease is of no effect to the extent that it would—

(a) delay the date from which a person may exercise a right of access under section 158; or

(b) adversely affect the right of access in any other way.

160 Notation on computer freehold register

(1) The Registrar-General must, in accordance with a written application by an authorised person, record on the computer freehold register for any unlicensed land that the land is subject to this subpart.

(2) An application must be made as soon as is reasonably practicable after—

(a) the date of the transfer referred to in section 156; or

(b) a computer freehold register has been created for the land, if the computer freehold register has not been created by that date.

(3) In this section, **authorised person** means a person authorised by the chief executive of the Ministry for Primary Industries.

Subpart 4—Right of first refusal in relation to RFR land

Interpretation

161 Interpretation

In this subpart and Schedule 4, unless the context requires another meaning,—

deferred selection RFR land means a property—

(a) that is listed in part 3.6 or 3.7 of the property redress schedule of the deed of settlement for a settlement iwi, or in part 4 of the property redress schedule of the deed of settlement for a related settlement iwi, other than the property described as Nelson High/District Courthouse in the deed of settlement for Ngāti Apa ki te Rā Tō; and

(b) that has not been transferred, and is no longer able to be transferred,—

(i) for a settlement iwi, to the trustees of that iwi's settlement trust in accordance with part 3 of the relevant property redress schedule; or

(ii) for a related settlement iwi, to the trustees of that iwi's related settlement trust in accordance with parts 5 and 6 of the relevant property redress schedule

dispose of, for 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), for 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, for an offer, means its expiry date under sections 164(2)(a) and 165

general RFR land means land described in part 3 of the attachments schedule of the deed of settlement for a settlement iwi if, on the settlement date, the land is—

(a) vested in the Crown; or

(b) held in fee simple by the Crown or Housing New Zealand Corporation

notice means a notice under this subpart

offer means an offer by an RFR landowner to dispose of RFR land to the trustees of an offer trust

offer trust means, for each of the following types of RFR land (or land obtained in exchange for the disposal of that land), the trust specified or each of the trusts specified:

(a) for general RFR land, the settlement trust of the iwi whose deed of settlement describes the land:

(b) for deferred selection RFR land, the 3 settlement trusts and the 4 related settlement trusts:

(c) for specified area RFR land, the 3 settlement trusts, the 4 related settlement trusts, and the Toa Rangatira Trust

recipient trust means, for each of the following types of RFR land (or land obtained in exchange for the disposal of that land), the trust specified:

(a) for general RFR land, the settlement trust of the iwi whose deed of settlement describes the land:

(b) for deferred selection RFR land or specified area RFR land, the 1 offer trust whose trustees accept an offer to dispose of the land under section 167

RFR landowner, for 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 170(1); but

(d) to avoid doubt, does not include an administering body in which RFR land is vested under section 171(1)

RFR period means,—

(a) for general RFR land,—

(i) the period of 169 years starting on the settlement date; or

(ii) the period of 60 years starting on the settlement date, for the land described as the Tītīrangi Bay RFR area, or the land described as the Waitaria Bay RFR area, in part 3 of the attachments schedule of the deed of settlement for Ngāti Kuia:

(b) for deferred selection RFR land or specified area RFR land, the period of 100 years starting on the settlement date

specified area RFR land means land in the South Island within the area shown on deed plan OTS–099–91 (in part 2 of the attachments schedule of the deed of settlement for a settlement iwi) that, on the settlement date,—

(a) is vested in the Crown or held in fee simple by the Crown; and

(b) is not land that is to, or may, transfer to or vest in trustees in accordance with the deed of settlement for a settlement iwi, a related settlement iwi, or Ngati Toa Rangatira; and

(c) is not conservation land; and

(d) is not subject to a pastoral lease under Part 1 of the Crown Pastoral Land Act 1998.

162 Meaning of RFR land

(1) In this Act, **RFR land** means—

(a) the general RFR land; and

(b) the deferred selection RFR land; and

(c) the specified area RFR land; and

(d) land obtained in exchange for a disposal of RFR land under section 175(1)(c) or 176.

(2) However, land ceases to be RFR land if—

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

(i) the trustees of a recipient trust or their nominee (for example, under a contract formed under section 168); or

(ii) any other person (including the Crown or a Crown body) under section 163(3); 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 under—

(i) any of sections 172 to 179; or

(ii) anything referred to in section 180(1); or

(c) the land's RFR period ends.

Restrictions on disposal of RFR land

163 Restrictions on disposal of RFR land

(1) An RFR landowner must not dispose of RFR land to any person other than the trustees of a recipient trust or their nominee unless the land is disposed of under subsection (2) or (3).

(2) The RFR land may be disposed of under any of sections 169 to 179 or under anything referred to in section 180(1).

(3) The RFR land may be disposed of within 2 years after the expiry date of an offer by the RFR landowner to dispose of the land to the trustees of an offer trust, if the offer to those trustees was—

(a) made in accordance with section 164; and

(b) made on terms that were the same as, or more favourable to the trustees than, the terms of the disposal to the person referred to in subsection (1); and

(c) not withdrawn under section 166; and

(d) not accepted under section 167.

Trustees' right of first refusal

164 Requirements for offer

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

(2) The notice must include—

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

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

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

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

(e) a statement that the RFR land is general RFR land, deferred selection RFR land, or specified area RFR land (whichever applies).

165 Expiry date of offer

(1) The expiry date of an offer must be on or after the 40th working day after the day on which the trustees of the 1 or more offer trusts receive notice of the offer.

(2) However, subsections (3) and (4) override subsection (1).

(3) The expiry date of an offer may be on or after the 20th working day after the day 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 no earlier than 6 months before the expiry date of the later offer; and

(c) the earlier offer was not withdrawn.

(4) For an offer of deferred selection RFR land or specified area RFR land, if the RFR landowner has received notice of acceptance from the trustees of 2 or more offer trusts at the end of the expiry date specified in the notice of offer given under section 164, the expiry date is extended only for the trustees of

those 2 or more offer trusts to the 20th working day after the day on which the trustees receive the landowner's notice given under section 167(4).

166 Withdrawal of offer

The RFR landowner may, by notice to the trustees of the 1 or more offer trusts, withdraw an offer at any time before it is accepted.

167 Acceptance of offer

(1) The trustees of an offer trust 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.

(3) For an offer of deferred selection RFR land or specified area RFR land,—

(a) the offer is accepted only if the RFR landowner has received notice of acceptance from the trustees of only 1 offer trust at the end of the expiry date; and

(b) if the landowner has received notice of acceptance from the trustees of 2 or more offer trusts at the end of the expiry date specified in the notice of offer given under section 164, the landowner has 10 working days to give notice under subsection (4) to the trustees of those 2 or more offer trusts.

(4) The notice must—

(a) specify the offer trusts from whose trustees notices of acceptance have been received; and

(b) state that the offer may be accepted by the trustees of only 1 of those offer trusts before the end of the 20th working day after the day on which they receive the landowner's notice under this subsection.

168 Formation of contract

(1) If the trustees of an offer trust accept, under section 167, an offer by an RFR landowner to dispose of RFR land, a contract for the disposal of the land is formed between the landowner and the trustees on the terms in the offer, including the terms set out in subsections (3) to (6).

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

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

(4) The trustees may nominate a nominee only by giving notice to the 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 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 where land remains RFR land

169 Disposals 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 563 of the Education and Training Act 2020.

Section 169(2): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

170 Disposals 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 by 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.

171 Disposals 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

172 Disposals in accordance with 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.

173 Disposals in accordance with legal or equitable obligation

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.

174 Disposals 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 355(3) of the Resource Management Act 1991; or

(c) subpart 3 of Part 2 of the Marine and Coastal Area (Takutai Moana) Act 2011.

175 Disposals 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.

176 Disposals 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.

177 Disposals for charitable purposes

An RFR landowner may dispose of RFR land as a gift for charitable purposes.

178 Disposals to tenants

The Crown may dispose of RFR land—

(a) that was held for education purposes on the settlement date to a person who, immediately before the disposal, is a tenant of the land or of 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—

(i) granted before the settlement date; or

(ii) granted on or after the settlement date under a right of renewal contained in a lease granted before the settlement date; or

(c) under section 93(4) of the Land Act 1948.

179 Disposals by Housing New Zealand Corporation

Housing New Zealand Corporation, or any of its subsidiaries, may dispose of RFR land to any person if the Corporation has given notice to the trustees of the 1 or more offer trusts that, in the Corporation's opinion, the disposal is to give effect to, or assist in giving effect to, the Crown's social objectives in relation to housing or services related to housing.

180 RFR landowner's obligations subject to other things

(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 but, for 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,—

(i) that prevents or limits an RFR landowner's disposal of RFR land to the trustees of an offer trust; and

(ii) that 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

181 Notice to LINZ of certain RFR land with computer register

(1) 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.

(2) 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.

(3) The notice must be given as soon as is reasonably practicable after—

(a) the land for which there is a computer register becomes RFR land; or

(b) the computer register is first created for the RFR land.

(4) The notice must specify the legal description of the land and identify the computer register that contains the land.

182 Notice to trustees of potential disposal of RFR land

(1) This section applies if an RFR landowner is considering whether to dispose of deferred selection RFR land or specified area RFR land that, in order to be disposed of, may ultimately require the landowner to offer to dispose of the land to the trustees of an offer trust.

(2) The landowner must give the trustees of the 1 or more offer trusts notice that, if the landowner decides to dispose of the land, the landowner may be required to offer to dispose of the land to the trustees of an offer trust.

(3) The notice must—

(a) specify the legal description of the land and identify any computer register that contains the land; and

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

(c) if the land does not have a street address, include a narrative or diagrammatic description of the land with enough information so that a person who is not familiar with the land can locate and inspect it; and

(d) state that the RFR land is deferred selection RFR land or specified area RFR land (whichever applies).

(4) The giving of the notice does not, of itself, mean that an obligation has arisen under—

(a) section 564(3) of the Education and Training Act 2020; or

(b) section 23(1) or 24(4) of the New Zealand Railways Corporation Restructuring Act 1990; or

(c) section 40 of the Public Works Act 1981 or that section as applied by another enactment.

Section 182(4)(a): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

183 Notice to trustees of disposals of RFR land to others

(1) An RFR landowner must give the trustees of the 1 or more offer trusts notice of the disposal of RFR land by the landowner to a person other than the trustees of an offer trust or their nominee.

(2) The notice must be given on or before the day that is 20 working days before the day of the disposal.

(3) The notice must—

(a) specify the legal description of the land (including any interests affecting it) and identify any computer register that contains the land; and

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

(c) identify the person to whom the land is being disposed of; and

(d) explain how the disposal complies with section 163; and

(e) if the disposal is being made under section 163(3), include a copy of the written contract for the disposal.

184 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 of a recipient trust or their nominee (for example, under a contract formed under section 168); or

(ii) any other person (including the Crown or a Crown body) under section 163(3); 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 under—

(i) any of sections 172 to 179; or

(ii) anything referred to in section 180(1).

(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—

(a) specify the legal description of the land and identify the computer register that contains the land; and

(b) specify the details of the transfer or vesting of the land.

185 Notice requirements

Schedule 4 applies to notices given under this subpart by or to—

(a) an RFR landowner; or

(b) the trustees of an offer trust or a recipient trust.

Memorials for RFR land

186 Recording memorials 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 that contain,—

(a) the RFR land for which there is a computer register on the settlement date; and

(b) the land for which there is a computer register that becomes RFR land after the settlement date; and

(c) the RFR land for which a computer register is first created after the settlement date.

(2) The chief executive must issue a certificate as soon as is reasonably practicable after—

(a) the settlement date, for RFR land for which there is a computer register on the settlement date; or

(b) receiving a notice under section 181 that the land has become RFR land or that a computer register has been created for 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 of the 1 or more offer trusts 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 identified in the certificate that the land described in the certificate (and contained in the computer register) is—

(a) RFR land as defined by section 162; and

(b) subject to this subpart (which restricts disposal, including leasing, of the land).

187 Removal of memorials 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 184, issue to the Registrar-General a certificate that—

(a) specifies the legal description of the land and identifies the computer register that contains the land; and

(b) specifies the details of the transfer or vesting of the land; and

(c) states that it is issued under this section.

(2) The chief executive must provide a copy of each certificate to the trustees of the 1 or more offer trusts 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 memorial recorded under section 186 for the land described in the certificate.

188 Removal of memorials when RFR period ends

(1) The chief executive of LINZ must, as soon as is reasonably practicable after the RFR period ends for any RFR land, issue to the Registrar-General a certificate that—

(a) identifies each computer register for the RFR land for which the RFR period has ended that still has a memorial recorded on it under section 186; and

(b) states that it is issued under this section.

(2) The chief executive must provide a copy of each certificate to the trustees of the 1 or more offer trusts 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 a memorial recorded under section 186 from any computer register identified in the certificate.

General provisions

189 Waiver and variation

(1) The trustees of the 1 or more offer trusts may, by notice to an RFR landowner, waive any of the rights the trustees have in relation to the landowner under this subpart.

(2) The trustees of the 1 or more offer trusts 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.

190 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.

191 Assignment of rights and obligations under this subpart

(1) Subsection (3) applies if an 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 documents; and

(b) has given the notices required by subsection (2).

(2) Notices must be given 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, or fax number 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 of the relevant offer trust, with all necessary modifications.

(4) In this section, **RFR holder** means the 1 or more persons who have the rights and obligations of the trustees of an offer trust under this subpart, either because—

(a) they are the trustees of the offer trust; or

(b) they have previously been assigned those rights and obligations under this section.

Schedule 1
Statutory areas

ss 37(2), 47(1)

Statutory area	Location	Iwi with association
Lake Rotoiti, Nelson Lakes National Park	As shown on OTS–099–34	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau
Lake Rotoroa, Nelson Lakes National Park	As shown on OTS–099–35	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau
Te Ope-a-Kupe (Te Anamāhanga / Port Gore)	As shown on OTS–099–65	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau
Mt Furneaux (Puhikereru)	As shown on OTS–099–66	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau
Mt Stokes (Parororangi)	As shown on OTS–099–38	Ngāti Kuia and Rangitāne o Wairau
Kohi te Wai (Boulder Bank Scenic Reserve)	As shown on OTS–099–39	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau
Kaiteriteri Scenic Reserve	As shown on OTS–099–41	Ngāti Apa ki te Rā Tō
Tarakaipa Island	As shown on OTS–099–42	Ngāti Apa ki te Rā Tō and Ngāti Kuia
Titi Island Nature Reserve and Chetwode Island Nature Reserve (Ngā Motutapu Titi)	As shown on OTS–099–43	Ngāti Kuia
Wairau Lagoons and Te Pokohiwi / Boulder Bank Historic Reserve	As shown on OTS–099–69	Rangitāne o Wairau
Farewell Spit	As shown on OTS–099–45	Ngāti Apa ki te Rā Tō
The Brothers	As shown on OTS–099–46	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau
Pelorus Sound / Te Hoiere	As shown on OTS–099–47	Ngāti Kuia
Maungatapu (Parikarearea)	As shown on OTS–099–48	Ngāti Kuia
Stephens Island (Pouwhakarewarewa)	As shown on OTS–099–49	Ngāti Kuia
Te Aumiti (French Pass Scenic Reserve)	As shown on OTS–099–50	Ngāti Kuia
Big River site (Te Tai Tapu)	As shown on OTS–099–32	Ngāti Apa ki te Rā Tō
Westhaven (Te Tai Tapu) Marine Reserve and Westhaven (Whanganui Inlet) Wildlife Management Reserve	As shown on OTS–099–33	Ngāti Apa ki te Rā Tō
Tītīrangi Bay	As shown on OTS–099–64	Ngāti Kuia
Separation Point / Te Matau	As shown on OTS–099–63	Ngāti Kuia
Maitai (Mahitahi) River and its tributaries	As shown on OTS–099–52	Ngāti Kuia and Rangitāne o Wairau
Wairau, Omaka, and Ōpaoa Rivers and their tributaries	As shown on OTS–099–53	Rangitāne o Wairau
Waimea, Wai-iti, and Wairoa Rivers and their tributaries	As shown on OTS–099–54	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau
Anatori River and its tributaries	As shown on OTS–099–55	Ngāti Apa ki te Rā Tō

Statutory area	Location	Iwi with association
Kaituna River and its tributaries	As shown on OTS–099–56	Ngāti Kuia and Rangitāne o Wairau
Motupiko River and its tributaries	As shown on OTS–099–57	Ngāti Apa ki te Rā Tō and Rangitāne o Wairau
Te Hoiere / Pelorus River and its tributaries	As shown on OTS–099–58	Ngāti Kuia
Anatoki River and its tributaries	As shown on OTS–099–73	Ngāti Kuia
Buller (Kawatiri) River and its tributaries (northern portion)	As shown on OTS–099–74	Ngāti Apa ki te Rā Tō
Tākaka River and its tributaries	As shown on OTS–099–72	Ngāti Apa ki te Rā Tō
Alpine Tarns, Nelson Lakes National Park	As shown on OTS–099–76	Ngāti Apa ki te Rā Tō
Motueka and Motupiko Rivers and their tributaries	As shown on OTS–099–70	Ngāti Kuia
Coastal marine area	As shown on OTS–099–51	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau

Schedule 2
Overlay sites

ss 53(2), 54

Overlay site	Location	Description	Iwi with association
Alpine Tarns, Nelson Lakes National Park	As shown on OTS–099–28	*Nelson Land District—Tasman District* Rotomairewhenua / Blue Lake, Rotopōhueroa / Lake Constance, Rotomaninitua / Lake Angelus, Paratītahi Tarns, and Paraumu Tarn.	Ngāti Apa ki te Rā Tō
Heaphy Track (northern portion)	As shown on OTS–099–67	*Nelson Land District—Buller District/Tasman District* Heaphy Track.	Ngāti Apa ki te Rā Tō
Titi Island Nature Reserve and Chetwode Island Nature Reserve (Ngā Motutapu Titi)	As shown on OTS–099–29	*Marlborough Land District—Marlborough District* Nature Reserve Block XXIII and Nature Reserve Block XXVI Gore Survey District, and associated rocks.	Ngāti Kuia
Wairau Lagoons and Te Pokohiwi / Boulder Bank Historic Reserve	As shown as A and B on OTS–099–68	*Marlborough Land District—Marlborough District* Section 4 SO 437606, Section 3 Block I and Section 3 Block II Clifford Bay Survey District, Sections 3, 4, 5, and 6 Wairau District, Lot 1 DP 6087, Sections 9, 10, and 21 Opawa District, Part Sections 11 and 22 Opawa District, and Lot 1 DP 6162.	Rangitāne o Wairau
Lakes Rotoiti and Rotoroa, Nelson Lakes National Park	As shown on OTS–099–31	*Nelson Land District—Tasman District* Lake Rotoiti and Lake Rotoroa.	Ngāti Apa ki te Rā Tō and Rangitāne o Wairau
Maud Island (Tom Shand Scientific Reserve) (Te Pākeka)	As shown on OTS–099–77	*Marlborough Land District—Marlborough District* Lots 1 and 2 DP 4034 and Section 1 Block	Ngāti Kuia

Overlay site	Location	Description	Iwi with association
		XV Orieri Survey District.	

Schedule 3
Cultural redress properties

ss 72, 98, 100

Sites that vest in fee simple

Name of site	Description	Interests
St Arnaud	*Nelson Land District—Tasman District* 0.1000 hectare, more or less, being Section 1 SO 426794. Part *Gazette* notice 337629.1.	
Te Tai Tapu (Tombstone)	*Nelson Land District—Tasman District* 10.7419 hectares, more or less, being Section 2 SO 426795. Part computer freehold register NL7B/167.	Together with a right of way easement created by transfer 193282.2. Together with a right of way easement created by transfer 20989.
Port Gore	*Marlborough Land District—Marlborough District* 1.5000 hectares, more or less, being Section 1 SO 430551. Part computer freehold register MB55/62.	Together with a right of way easement created by transfer 114811. Together with a right of way easement created by transfer 162935. Subject to an unregistered grazing licence with concession number LAN 009C to D J and R S Drake.
Titiraukawa (Pelorus Bridge)	*Marlborough Land District—Marlborough District* 5.0055 hectares, more or less, being Section 1 SO 427361. All Proclamation 778 and part computer freehold register MB50/234.	Subject to the right of way easement referred to in section 76(3)(a). Subject to the easement in gross for a right to convey water referred to in section 76(3)(b). Subject to an easement in gross for a right to convey electricity, in favour of Transpower New Zealand Limited, created by deed of easement 8515093.1. Subject to an unregistered grazing licence with concession number PAC 10–01–056 to P E, R J, and J P Bryant. Together with water rights and incidental rights created by transfer 22889 (which affects former Part Section 63 Block VIII Heringa Survey District).
Ngā Tai Whakaū (Kawai, World's End)	*Marlborough Land District—Marlborough District* 1.6921 hectares, more or less, being Sections 1, 2, 3, and 4 SO 427401. Part *Gazette* 1923, p 1859.	

Name of site	Description	Interests
Waimea Pā (Appleby School)	*Nelson Land District—Tasman District* 0.3946 hectares, more or less, being Lot 1 DP 1989. All computer freehold register 530444. 0.2023 hectares, more or less, being Lot 2 DP 1989. All computer freehold register NL67/233. 0.2023 hectares, more or less, being Part Section 10 Waimea West District as defined on DP 4494. All computer freehold register NL112/19. 0.6100 hectares, more or less, being Section 1 SO 10170. All Proclamation 73043.	Subject to the lease to the Crown referred to in section 78(2).
Te Hora (Canvastown School)	*Marlborough Land District—Marlborough District* 1.6125 hectares, more or less, being Section 1 SO 426938. Part *Gazette* 1897, p 8.	Subject to the lease to the Crown referred to in section 79(5).
Picton Recreation Reserve	*Marlborough Land District—Marlborough District* 0.2090 hectares, more or less, being Section 1 SO 427071. Part *Gazette* 1887, p 578.	
Tuamatene Marae, Grovetown	*Marlborough Land District—Marlborough District* 0.3907 hectares, more or less, being Section 1 SO 6002. All computer freehold register MB4D/1109.	Subject to *Gazette* notice 84820 declaring adjoining State Highway 1 to be a limited access road.
Rārangi	*Marlborough Land District—Marlborough District* 0.2500 hectares, more or less, being Section 2 SO 426990. Part transfer 123115.	
Wairau Lagoons (reinterment)	*Marlborough Land District—Marlborough District* 2.0165 hectares, more or less, being Sections 1 and 2 SO 437606. Part *Gazette* 1994, p 2481.	Subject to an unregistered guiding concession with concession number NM–26404–GUI to Driftwood Ecotours Limited.

Site that vests in fee simple subject to conservation covenant

Name of site	Description	Interests
Tītīrangi Bay site	*Marlborough Land District—Marlborough District* 1.2471 hectares, more or less, being Section 1 SO 433149. Part computer freehold register MB55/62.	Together with the right of way easement referred to in section 84(3). Subject to the conservation covenant referred to in section 84(5).

Name of site	Description	Interests
		Together with a right of way easement created by transfer 114811. Together with a right of way easement created by transfer 162935.

Sites that vest in fee simple to be administered as reserves

Name of site	Description	Interests
Aorere Scenic Reserve	*Nelson Land District—Tasman District* 17.6370 hectares, more or less, being Lot 11 DP 14875. Part computer freehold register NL9C/1364.	Scenic reserve subject to section 19(1)(a) of the Reserves Act 1977. Subject to the resolution under section 321(3)(b) of the Local Government Act 1974 in document 314247.3. Subject to section 308(4) of the Local Government Act 1974. Subject to section 3 of the Petroleum Act 1937. Subject to section 8 of the Atomic Energy Act 1945. Subject to section 3 of the Geothermal Energy Act 1953. Subject to sections 6 and 8 of the Mining Act 1971. Subject to sections 5 and 261 of the Coal Mines Act 1979.
Cullen Point (Havelock)	*Marlborough Land District—Marlborough District* 3.3560 hectares, more or less, being Section 1 SO 429494. Part computer freehold register MB38/278.	Scenic reserve subject to section 19(1)(a) of the Reserves Act 1977.
Moenui	*Marlborough Land District—Marlborough District* 0.2327 hectares, more or less, being Lot 24 DP 2198. All computer freehold register MB3D/1218.	Recreation reserve subject to section 17 of the Reserves Act 1977. Subject to the right of way easement in gross referred to in section 87(5)(a). Subject to the easement in gross for a right to convey water referred to in section 87(5)(b). Subject to the easement in gross for a right to convey electricity referred to in section 87(5)(c).
Tarakaipa Island urupā	*Marlborough Land District—Marlborough District* 1.1640 hectares, more or less, being Section 1 SO 429304. Part *Gazette* notice 132289.1.	Scenic reserve subject to section 19(1)(a) of the Reserves Act 1977.

Name of site	Description	Interests
Te Pokohiwi	*Marlborough Land District—Marlborough District* 10.6140 hectares, more or less, being Section 3 SO 437606. Part *Gazette* 1994, p 2481.	Historic reserve subject to section 18 of the Reserves Act 1977. Subject to any unregistered access agreement granted under section 89. Subject to the right of way easement in gross referred to in section 90(5). Subject to an unregistered guiding concession with concession number NM–26404–GUI to Driftwood Ecotours Limited.
Waikutakuta / Robin Hood Bay	*Marlborough Land District—Marlborough District* 2.0769 hectares, more or less, being Section 1 SO 428338. All computer freehold register MB3E/912 and part computer freehold register MB5A/271.	Recreation reserve subject to section 17 of the Reserves Act 1977. Subject to an easement in gross for a right to convey electricity and telecommunications in favour of Transpower New Zealand Limited with concession number NM–28568–TEL, registered as deed of easement 9021918.1. The following affect the part formerly held in computer freehold register MB5A/271: Subject to section 3 of the Petroleum Act 1937. Subject to section 8 of the Atomic Energy Act 1945. Subject to section 3 of the Geothermal Energy Act 1953. Subject to sections 6 and 8 of the Mining Act 1971. Subject to sections 5 and 261 of the Coal Mines Act 1979.
Ngākuta Bay	*Marlborough Land District—Marlborough District* 0.0667 hectares, more or less, being Section 1 SO 428892. Part *Gazette* notice 69676.	Recreation reserve subject to section 17 of the Reserves Act 1977.
Momorangi	*Marlborough Land District—Marlborough District* 0.1770 hectares, more or less, being Lot 2 DP 1557. Part *Gazette* 1982, p 3016.	Recreation reserve subject to section 17 of the Reserves Act 1977.
Endeavour Inlet site	*Marlborough Land District—Marlborough District* 1.1923 hectares, more or less, being Section 1 SO 428870.	Scenic reserve subject to section 19(1)(a) of the Reserves Act 1977.

Name of site	Description	Interests
Mātangi Āwhio (Nelson)	*Nelson Land District—Nelson City* 0.2061 hectares, more or less, being Section 1212 City of Nelson. All *Gazette* 1952, p 1290.	Recreation reserve subject to section 17 of the Reserves Act 1977.
Pukatea / Whites Bay	*Marlborough Land District—Marlborough District* 1.3160 hectares, more or less, being Section 1 SO 429266. Part *Gazette* notice 30056 and part *Gazette* notice 54787.	Recreation reserve subject to section 17 of the Reserves Act 1977.
Horahora-kākahu	*Marlborough Land District—Marlborough District* 2.3470 hectares, more or less, being Section 1 SO 447529. All *Gazette* 1913, p 2821.	Historic reserve subject to section 18 of the Reserves Act 1977.

Schedule 4
Notices in relation to RFR land

ss 185, 191(3)

1 Requirements for giving notice

A notice by or to an RFR landowner, or the trustees of an offer trust or recipient trust, under subpart 4 of Part 3 must be—

(a) in writing and signed by—

(i) the person giving it; or

(ii) at least 2 of the trustees of the trust, or the 1 trustee of the trust if it has only 1 trustee, for a notice given by the trustees; and

(b) addressed to the recipient at the street address, postal address, or fax number—

(i) specified for the trustees in accordance with the relevant deed of settlement, for a notice to the trustees; or

(ii) specified by the RFR landowner in an offer made under section 164, specified in a later notice given to the trustees, or identified by the trustees as the current address or fax number of the RFR landowner, for a notice by the trustees to an RFR landowner; or

(iii) of the national office of LINZ, for a notice given to the chief executive of LINZ under section 181 or 184; and

(c) 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.

2 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.

(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 Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau 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

Education and Training Act 2020 (2020 No 38): section 668

Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26): section 107

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