Version
as at 12 April 2022

Ngāti Apa (North Island) Claims Settlement Act 2010

Public Act	2010 No 129
Date of assent	15 December 2010
Commencement	see section 2

Contents

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Justice.

Preamble

Background

(1) The Treaty of Waitangi was signed in 1840. The terms of the Treaty of Waitangi in English and Māori are set out in Schedule 1 of the Treaty of Waitangi Act 1975:

(2) Recitals (3) to (40) of this Preamble present, in summary form, the background to the Ngāti Apa (North Island) historical claims and the historical account that are set out in the Deed of Settlement entered into by Ngāti Apa (North Island) and the Crown:

Early engagement, 1840–1848

(3) At 1840, Ngāti Apa (North Island) in the Rangitikei–Manawatū area had land interests stretching from Mōtū Karaka (about midway between the Whanganui and Whangaehu Rivers) south to Omarupapako (just north of the Manawatū River) and inland to the upper Rangitikei area. A number of neighbouring iwi also had interests in parts of this area. In the 1820s and 1830s, Ngāti Apa (North Island) and neighbouring iwi had experienced disruption as a result of movement by other tribes into and through their area during the musket wars. During the 1840s, Ngāti Apa (North Island) sought to obtain the material benefits that European settlement could bring by entering into land transactions and establishing a close relationship with the Crown:

(4) The first major engagement between Ngāti Apa (North Island) and the Crown took place on 21 May 1840, when 3 members of Ngāti Apa (North Island) signed the Treaty of Waitangi at Tawhirihoe pā, a Ngāti Apa kainga near the mouth of the Rangitikei River:

(5) Governor Hobson had promised, both when he arrived in New Zealand and during the Treaty debates, that the Crown would inquire into all existing land transactions between Māori and Pākeha settlers, and that any lands unjustly

held would be returned to Māori. In 1839–1840, the New Zealand Company, which was formed to bring settlers to New Zealand, entered into a transaction to acquire a large area of land in the Whanganui region from local Māori. This purported purchase covered part of Ngāti Apa (North Island)'s tribal area, but they were not involved in the transaction:

(6) In 1842, the New Zealand Company registered with the Government a claim for a smaller area, including part of Ngāti Apa (North Island)'s tribal area. The Crown appointed Land Claims Commissioner William Spain to begin investigating the Company's Whanganui claim and make recommendations. Spain concluded in 1844 that a partial purchase had been made, and recommended that the Company be awarded a block of 40 000-acres, which included some of Ngāti Apa (North Island)'s land interests. He recommended that Māori be paid £1,000 to complete the transaction. Spain was aware that Ngāti Apa (North Island) potentially had interests in the Whanganui block, but there is no record of how he considered their interests, and he did not recognise these in his final report:

(7) In 1846, the Crown attempted to complete the purchase of the Whanganui block in order to secure land for European settlement. Police Inspector Donald McLean, who was appointed to assist with the Whanganui negotiations, noted that it was "most astonishing" that William Spain and his staff had not reported that Ngāti Apa (North Island) had considerable interests in this block, and thought Ngāti Apa (North Island) would "require a large payment" for their interests. After meeting with Ngāti Apa (North Island) at Whangaehu, McLean noted that the rangatira Aperahama Tipae was "most indignant" at not having been consulted during previous attempts to purchase the land. Nevertheless, he negotiated hard with Ngāti Apa (North Island) to secure their consent to the Whanganui purchase in return for a small share of the payment Spain had recommended be made to Māori for their land. McLean described the land in which Ngāti Apa (North Island) had interests as "containing the finest land in the whole district". He wrote in his diary that he was "unusually independent" with Ngāti Apa (North Island) in his approach to negotiating with them. However, the purchase was not completed in 1846 after negotiations with another iwi broke down:

(8) In 1848, McLean completed the Whanganui purchase. Despite Spain's recommendation to the Crown that it pay Māori £1,000 for 40 000-acres, McLean negotiated the sale of a larger 86 200 acre area at the same price of £1,000. Ngāti Apa (North Island) were allocated £100 of the purchase money. Three reserves were set aside for Ngāti Apa (North Island), including over 2 200-acres at Waikupa and 2 smaller reserves at Te Marangai and Omanaia:

Rangitikei–Turakina transaction, 1849

(9) Ngāti Apa (North Island) negotiated a number of informal lease arrangements with Pākeha settlers from the mid-1840s, including several south of the Rangitikei River. In 1848, during the negotiations over the Whanganui purchase,

Ngāti Apa (North Island) offered a large area of land in the Whangaehu and Turakina districts to the Crown. Ngāti Apa (North Island) rangatira spoke of a desire to form close relationships with European settlers. In September 1848, Aperahama Tipae wrote to Governor Grey asking that "there be many Pākeha for me, a multitude, so that my kainga be full". Similarly, the prominent Ngāti Apa (North Island) rangatira Kawana Te Hakeke stated that his considerations in offering to sell land were the same as those of his elders before him, namely to ensure the security and nurturing of his people:

(10) The Government was eager to purchase land in this area to open it up for settlement and pastoral development, exercising its right of pre-emption under the Treaty of Waitangi. It also wanted to extend British influence among Māori in this area, and to cultivate allies among the leading chiefs along the west coast of the lower North Island:

(11) In January 1849, Donald McLean, who was now a Crown purchase agent, began negotiations with Ngāti Apa (North Island) for the acquisition of land between the Rangitikei and Whangaehu rivers. McLean and Ngāti Apa (North Island) met frequently over a period of more than 3 months. The precise content of these discussions is unclear. The only written record of negotiations is the diary kept by McLean at the time. There was some debate over the extent of land to be included in the purchase. In April 1849, when McLean travelled to Mangawhero on the northern banks of the Whangaehu River, Ngāti Apa (North Island) accompanied him as he laid down the purchase boundary to include "all the land worth acquiring in the neighbourhood". A deed was signed for the Rangitikei–Turakina block on 15 May 1849. The deed described the inland boundary as extending as far inland as Ngāti Apa's interior claims extended. The precise delineation of the boundary on the ground was not finally settled between the Government, Ngāti Apa (North Island), and other iwi until 1850. The deed covered almost 260 000-acres between the Rangitikei River and Mōtū Karaka, on the northern side of the Whangaehu River. The deed set aside several land reserves for Ngāti Apa (North Island), totalling approximately 38 000-acres:

(12) The parties agreed on a price of £2,500 for the block (a little under 2 pence per acre). The Crown's land purchase policy at the time was generally to acquire land as cheaply as possible, in the belief that Māori would reap substantial economic advantages from the growth of European settlement around them. Crown agents frequently used this argument to encourage Māori to sell land cheaply. The Government intended to use its profits from the onsale of land to promote European settlement, finance infrastructure, and provide some direct benefits to Māori. Such expenditure would form the "real payments for their lands". Although the purchase price of £2,500 was much lower than Ngāti Apa (North Island)'s initial request for this land, Ngāti Apa (North Island) agreed to the transaction because they wished to obtain various benefits from the establishment of a European settlement in their vicinity, including peace, protection,

and prosperity. In March 1849, one rangatira said, "We have married our land to the Europeans and entirely given our greatest property to the Europeans":

(13) In the negotiations over reserves, some Ngāti Apa (North Island) asked for reserves relating to hapū land holdings. McLean did not agree to all of the reserves that Ngāti Apa (North Island) hapū initially asked for, some of which he described as "extravagant" and "unnecessary". Instead, he negotiated for the creation of a large reserve of around 35 000-acres between the Whangaehu and Turakina rivers. This area would be set aside as "a place for all the members of the Ngātiapa tribe to collect and settle on". As such, it was not solely intended for those hapū who had previously occupied the area. Traditionally, hapū derived rights to land in a number of ways, including ancestral association and occupation. The tribal reserve agreed to in the deed changed Ngāti Apa (North Island)'s previous land-holding arrangements, effectively requiring some sections of Ngāti Apa to accept members of other hapū onto their customary lands. McLean reported to his superiors that the size and location of the Whangaehu–Turakina reserve would make it sufficient and desirable for the eventual settlement of the whole tribe. He later advised that any alienation of this land by way of leases to European farmers would seriously injure their future welfare and prosperity:

(14) Two smaller reserves were set aside near Ngāti Apa (North Island) kainga at Parewanui and Turakina, of 1 600 and 900-acres respectively. It is unclear whether these reserves were intended to be hapū reserves, with ownership based on ancestry and occupation, or tribal reserves for the general benefit of all Ngāti Apa (North Island), like the Whangaehu–Turakina lands. The deed also established a reserve at the small spot where Te Kawana Hakeke was buried, and provided for Ngāti Apa (North Island) to "fish and take eels from the lagoons and other places that have not been (are not) drained by the Europeans". McLean promised verbally during the negotiations that Ngāti Apa (North Island) could continue bird snaring on the land they had sold so long as this did not interfere with the operations of the settlers:

(15) Ngāti Apa (North Island) and the Crown viewed the Rangitikei–Turakina transaction as important not only for the transfer of land, but also for the forming of new political relationships and the future development of Ngāti Apa (North Island). At the signing of the deed, Aperahama Tipae stated that Ngāti Apa (North Island) would look up to the Governors as their guardians, and were now closely united with Europeans as their friends. McLean's official report of the deed signing described Ngāti Apa (North Island) as "a rude, uncultivated race, whose improvement as a tribe has hitherto been much neglected". While he predicted that settlers would encounter initial difficulties with the tribe, McLean thought the "increasing knowledge" and improved circumstances of Ngāti Apa (North Island) following from the cession of their land and their contact with settlers would "soon bring about a perfectly amicable understanding between them and the settler population". Ngāti Apa (North Island) subsequently spent £800 of the purchase money on agricultural implements, live-

stock, and clothing. In 1851, McLean noted that they were living on "most friendly terms with their English neighbours". The following year, when the final instalment of purchase money was paid for the block, Ngāti Apa (North Island) signed a deed receipt in which they promised to "fully unite with and protect the Europeans who are living with us on our lands". In 1854, Ngāti Apa (North Island) rangatira presented prized mere and other taonga to a missionary to give to the Queen as a symbol of their loyalty to the Crown:

Ngāti Apa (North Island)–Crown relationship, 1850–1866

(16) Ngāti Apa (North Island) did not take part directly in any further land transactions with the Crown in the 1850s. In 1859, they were gifted part of the purchase money from a transaction between the Crown and another iwi for the Awahou block, on the southern boundary of their tribal area:

(17) Ngāti Apa (North Island) were mostly supportive of the settler Government during the 1860s, by which time tension over Crown land purchasing was widespread amongst North Island Māori. In 1860, members of Ngāti Apa (North Island) spoke in support of the Governor at the Kohimarama Conference, a large gathering at which Crown and iwi representatives met to discuss issues relating to land sales, law and order, and the Treaty of Waitangi. Kawana Hunia and some of his Rangitikei followers supported the Kingitanga in the early 1860s. However, this chief and 61 Ngāti Apa (North Island) fought alongside Crown forces in the New Zealand Wars in 1865:

(18) From the mid-1860s, there were strong disputes among iwi of the Rangitikei–Manawatū region in relation to leasing revenues, and the nature of the land interests held by the various groups. In 1866, the iwi agreed to resolve these disputes by selling the land between the Rangitikei and Manawatū rivers to the Crown. The Crown paid £25,000 for this 241 000-acre block, with £10,000 going to Ngāti Apa (North Island). Ngāti Apa (North Island) received 4 000 of the approximately 24 000-acres of land reserves set aside in this transaction. They later protested, in 1899, that they had wanted to reserve a larger portion of the block:

(19) Once again, at the signing of the purchase deed, Ngāti Apa (North Island) affirmed their desire for positive relationships with settlers and their loyalty to the Crown. The Rangitikei–Manawatū transaction was specifically excluded from new native land laws introduced by the Crown in the early 1860s:

Introduction of native land laws

(20) Under the Native Land Acts of 1862 and 1865, the Crown established the Native Land Court to determine the owners of Māori land "according to Native Custom" and to convert customary title into title derived from the Crown. The Native Land Acts also set aside the Crown's pre-emptive right of land purchase, to give individual Māori named as owners by the Court the same rights as Pākeha to lease and sell their lands to private parties as well as the Crown:

(21) The Native Land Acts introduced a significant change to the native land tenure system. Customary tenure was able to accommodate the multiple and overlapping interests of different iwi and hapū to the same piece of land. The Court was not designed to accommodate the complex and fluid customary land usages of Māori within its processes, because it assigned permanent ownership. In addition, land rights under customary tenure were generally communal but the new land laws gave land rights to individuals:

Status of Ngāti Apa (North Island) reserves from the Rangitikei–Turakina transaction

(22) From 1867, members of Ngāti Apa (North Island) sought titles for their reserves from the Rangitikei–Turakina purchase through the Native Land Court. The Crown and Ngāti Apa (North Island) had agreed in the 1849 deed that the 35 000 acre reserve between the Whangaehu and Turakina rivers was to be "for all the members of the Ngātiapa tribe to collect and settle on":

(23) The first reserve block to come before the Native Land Court was decided on the basis of the 1849 deed. This was the 8 650 acre Ruatangata block, which the Court, in 1867, awarded to Aperahama Tipae in trust for all of Ngāti Apa (North Island). However, in the years that followed the Court began awarding title to blocks from within the general reserve to hapū and individuals who could demonstrate ancestral and customary interests in the area. In practice, this meant that many Ngāti Apa (North Island) from south of the Whangaehu–Turakina area were excluded from ownership of the tribal reserve lands:

(24) Over the next 2 decades there was considerable tension within Ngāti Apa (North Island) over the basis on which the Court was awarding title to the reserves. Some relied on the provision in the 1849 deed that the Whangaehu–Turakina lands were to be a tribal reserve, while others sought titles based on their ancestral and occupation interests in the block:

(25) The Native Reserves Act 1873 introduced a new regime over lands reserved from Crown purchases. This led to doubt about whether the Native Land Court continued to have jurisdiction to investigate title to the reserves. As a result, the Native Land Court referred the question of jurisdiction over the Maputahi No 2 block to the Supreme Court. In February 1882, the Supreme Court ruled that Maputahi No 2 and other blocks in the Whangaehu–Turakina Reserve were outside the jurisdiction of the Native Land Court. Some Ngāti Apa (North Island) then petitioned Parliament to overturn this decision, while at least one Ngāti Apa (North Island) rangatira urged the Government to uphold the Court's ruling in order to maintain the tribal reserve:

(26) In September 1882, within months of the Supreme Court decision, Parliament passed urgent legislation to place the Whangaehu–Turakina Reserve within the Native Land Court's jurisdiction. Ngāti Apa (North Island) reserves at Parewanui and Turakina were given similar status. The Native Land Court awarded all subsequent titles to the Ngāti Apa (North Island) reserves on the basis of ancestry and occupation, in spite of continued protest from sections of Ngāti Apa (North Island) about the provisions of the 1849 deed:

(27) During the 1870s, some members of Ngāti Apa (North Island) began to show concern about the sale of reserve lands. In 1871, members of Ngāti Apa (North Island) resolved to permanently set aside a large tract of land between the Whanganui and Turakina rivers as a safeguard against future landlessness. Five years later, in 1876, Ngāti Apa (North Island) rangatira Aperahama Tahunuiarangi petitioned Parliament about the insufficiency of the reserves created for him and his tribe as a result of earlier Crown purchases. Parliament took no action. Despite the concerns of Tahunuiarangi and others the reserve lands of Ngāti Apa (North Island) began to be gradually alienated from the 1870s. In 1908, the Stout–Ngata Commission recommended that the remaining land in the Whangaehu–Turakina reserve, as well as Māori land within the original Rangitikei–Turakina block, be reserved for Māori occupation. However, the majority of this land was alienated before 1920 and more still by the mid-20th century:

General impact of native land laws, 1867–1909

(28) Native Land Court hearings sometimes resulted in significant financial and social costs for Māori communities. In some cases, survey charges and other costs involved in securing title through the Native Land Court were considerable. There were some instances after 1872 of Ngāti Apa (North Island) incurring considerable accommodation, food, and legal costs attending hearings which were sometimes held outside their tribal area. Ngāti Apa (North Island) also sometimes experienced hardships relating to cold, hunger, disease, and alcohol:

(29) There was opposition within Ngāti Apa (North Island) to the operation of the Native Land Court as well as to the alienation of their lands. In the 1870s, some Ngāti Apa (North Island) joined the Hawke's Bay-based Repudiation Movement. At a Repudiation Movement hui at Pakowhai in 1876, several Ngāti Apa (North Island) chiefs called for the abolition of the Native Land Court and an end to land sales. Ngāti Apa (North Island) also demonstrated a desire to settle land disputes among their own tribal komiti (committees) and for their decisions to be supported by the Government. Komiti, such as Te Rūnanga o Ngāti Apa, had earlier succeeded in balancing competing interests and settling disputes in regards to some Ngāti Apa (North Island) lands before they came before the Native Land Court. While some awards reflected decisions that had been made within Ngāti Apa (North Island), the Court did not always take into account the wishes of komiti, especially if there were objections by others to the komiti's submissions:

(30) Ngāti Apa (North Island) were not always awarded title to the lands they claimed. In 1879, Ngāti Apa (North Island) disagreed with the Court's decision to exclude them from the title to the 104 000-acre Otamakapua block. Native land legislation at this time did not provide for an appellate court but did provide for Māori who disagreed with a court finding to apply to the Government to order a rehearing. Consequently, Ngāti Apa (North Island) applied to the

Government for a rehearing. One of the judges who heard the original title application wrote a memorandum for the Chief Judge of the Native Land Court, recommending that the application be rejected. The Chief Judge passed the memorandum on to the Government and endorsed the advice within it. The Minister of Native Affairs concurred with this advice. In 1885, the Chief Judge told Parliament's Native Affairs Committee that he regarded the lack of an appellate court as an imperfection in the native land laws. An appellate court was not established until 1894:

(31) The rules of succession as applied by the Court saw an increasing number of individuals placed on titles to increasingly fragmented blocks. Native Land Court awards were made in the names of individuals, and while Ngāti Apa (North Island) managed to retain some of the land blocks awarded to them, over time interests in land were often individualised and partitioned. Crowded titles, indebtedness, and the difficulties of accessing development capital may have left some owners with few other options but to sell:

Alienation of land, 1867–1909

(32) In addition to sales of some Ngāti Apa (North Island) reserves, almost 140 000-acres of Ngāti Apa (North Island) lands were alienated to the Crown or settlers between 1867 and 1909. Crown purchases accounted for 73% of the land alienation in this period, including 2 transactions that totalled in excess of 75 000-acres. The Government's method of negotiating for land before 1879 frequently involved the payment of advances to Māori prior to determination of title:

(33) In November 1899, over 200 members of Ngāti Apa (North Island) hosted a meeting with Premier Richard Seddon and other Government ministers at Turakina. Ngāti Apa (North Island) told Seddon that, despite the provision in the 1849 deed that their fishing rights would cease if their fisheries were drained by settlers, their parents had not appreciated that such things could be affected. They also told Seddon that they had not understood that the Europeans were capable of felling their forests. Ngāti Apa (North Island) asked for the remaining lakes and swamps to be reserved, and also requested compensation for the previous drainages:

(34) Ngāti Apa (North Island) argued in their meeting with Seddon that the lands they had sold to the Crown were fertile, valuable, and yielded considerable taxes and profit to the Government. They asked Seddon to pass an Act to restrict the remaining Ngāti Apa (North Island) lands from being sold, mortgaged, or seized for debt, in order to prevent the iwi from becoming landless. No such legislation was passed:

Twentieth century

(35) Ngāti Apa (North Island) lands continued to be alienated in the 20th century. Following the passage of the Native Land Act 1909, which removed all alienation restrictions on land titles awarded by the Native Land Court, the Aotea

Māori Land Board approved individuals' requests to sell their land. Some of these sales were prompted by the accumulation of debt:

(36) In 1907, some Ngāti Apa (North Island) gifted 2-acres of land at Kauangaroa to the Crown for the establishment of a native school. A school was not established at the site until 1929, despite numerous requests from Ngāti Apa (North Island) in the intervening period:

(37) In the early 20th century, many Ngāti Apa (North Island) were attracted to spiritual leaders and movements. The first of these leaders was the Ngāti Apa (North Island) spiritual healer and prophetess Mere Rikiriki. Her followers showed concerns about their loss of land and mana. Following the First World War, many of Ngāti Apa were also drawn to the spiritual and political leader Tahupotiki Wiremu Ratana, whose tribal origins included Ngāti Apa (North Island). From the early 1920s, the Ratana Movement began campaigning for pan-tribal political objectives, including the ratification of the Treaty of Waitangi. Ratana and his followers took their concerns across the world. In 1924, Ratana and a number of his followers, including some Ngāti Apa (North Island), attempted to present a petition to King George V of Great Britain, but they were refused an audience:

(38) From the 1920s, the Government sought to assist Māori to develop their remaining lands into viable economic units. A development scheme was created in 1937 for Ngāti Apa (North Island) lands near the Whangaehu River, but the scheme was wound up in the early 1950s, encumbered with debt:

(39) After World War II, many members of Ngāti Apa (North Island) moved away from their tribal lands to urban areas, part of a national trend in which economic opportunities appeared to be better in urban areas than in rural areas. In 1962, the Department of Māori Affairs was "pursuing a policy of providing housing in Whanganui and evacuating families from Kauangaroa". The department was trying to encourage Māori to move from remote rural areas to urban districts where more employment and better social amenities existed:

(40) Over the second half of the 20th century, Ngāti Apa (North Island) became even more disconnected from their tribal lands. The last house in Ngāti Apa (North Island)'s traditional kainga at Parewanui was demolished in the 1960s. One rangatira was to remark around the same time that Ngāti Apa (North Island) was "practically landless". Today, Ngāti Apa (North Island) own less than 1% of their traditional lands:

The Parliament of New Zealand therefore enacts as follows:

1 Title

This Act is the Ngāti Apa (North Island) Claims Settlement Act 2010.

2 Commencement

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

Part 1
Preliminary matters

Subpart 1—Preliminary provisions and acknowledgement and apology

3 Purpose

The purpose of this Act is—

(a) to record the acknowledgements and the apology offered by the Crown to Ngāti Apa (North Island) in the deed of settlement dated 8 October 2008 and signed by—

(i) the Minister in Charge of Treaty of Waitangi Negotiations, the Honourable Dr Michael Cullen, the Minister of Māori Affairs, the Honourable Parekura Horomia, and the Associate Minister in Charge of Treaty of Waitangi Negotiations, the Honourable Mita Ririnui for the Crown; and

(ii) Lillian Ruihi Manawaroa Te Aweawe, Ropata Te Hina, Arikihanara Mare Mare, and Mariana Shenton for Ngāti Apa (North Island); and

(b) to give effect to certain provisions of the deed of settlement, which is a deed that settles the Ngāti Apa (North Island) historical claims.

4 Act binds the Crown

This Act binds the Crown.

5 Outline

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

(2) The preamble sets out the historical account given in Part 2 of the deed of settlement.

(3) This Part—

(a) sets out the purpose of this Act, records the acknowledgements and apology given by the Crown to Ngāti Apa (North Island) in the deed of settlement, and specifies that the Act binds the Crown; and

(b) defines terms used in this Act, including key terms such as Ngāti Apa (North Island) and historical claims; and

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

(d) 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) consequential amendments to the Treaty of Waitangi Act 1975; and

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

(iv) the exclusion of the limit on the duration of a trust, the timing of actions or matters provided for in this Act, and access to the deed of settlement.

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

(a) protocols to be issued to the trustees by the Minister of Conservation, the Minister of Fisheries, and the Minister for Arts, Culture and Heritage; and

(b) an acknowledgement by the Crown of the statements made by Ngāti Apa (North Island) of their cultural, spiritual, historical, and traditional association with 9 statutory areas, and the effect of that acknowledgement; and

(c) deeds of recognition between the Crown and the trustees; and

(d) the vesting in the trustees of the fee simple estate in 17 cultural redress properties and subsequent management arrangements in relation to various sites; and

(e) the alteration of place names.

(5) Part 3 provides for commercial redress, including the transfer of the settlement licensed land and public access to wāhi tapu sites on that land.

(6) There are 2 schedules that—

(a) describe the 9 statutory areas to which the statutory acknowledgement relates:

(b) describe the 17 cultural redress properties.

Section 5(3)(d)(iv): amended, on 30 January 2021, by section 161 of the Trusts Act 2019 (2019 No 38).

Acknowledgements and apology

6 Acknowledgements and apology

Sections 7 and 8 record the acknowledgements and the apology offered by the Crown to Ngāti Apa (North Island) in the deed of settlement.

7 Text of acknowledgements

The text of the acknowledgements made by the Crown as set out in the deed of settlement is as follows:

The Crown acknowledges that—

(a) Ngāti Apa (North Island) have been raising grievances with the Crown for over a hundred years:

(b) it has failed to deal with the long-standing grievances of Ngāti Apa (North Island) in an appropriate way and that recognition of the grievances of Ngāti Apa (North Island) is long overdue:

(c) from 1848 the Crown purchased over 400 000 acres of land in which Ngāti Apa (North Island) held interests:

(d) through these land transactions, Ngāti Apa (North Island) endeavoured to establish a relationship with the Crown, and that Ngāti Apa (North Island) sought subsequently to strengthen this relationship by expressing loyalty to the Crown:

(e) the 1849 Rangitikei–Turakina purchase stated that lands between the Whangaehu and Turakina Rivers (approximately 35 000 acres) would be reserved for all of Ngāti Apa (North Island) to collect and settle on. Later native land legislation enabled these reserved lands to pass through the Native Land Court, which awarded land interests to individuals rather than to all the tribe, excluding many Ngāti Apa (North Island) from ownership of the tribal reserve lands. The Crown's failure to ensure that the arrangements recorded in the 1849 deed were given effect was a breach of the Treaty of Waitangi and its principles:

(f) over 100 000 acres of land in which Ngāti Apa (North Island) held interests was subject to native land laws introduced in the 1860s, in addition to reserves from the Rangitikei–Turakina purchase. The operation and impact of the native land laws, in particular the awarding of land to individual Ngāti Apa (North Island) rather than to iwi or hapū, made the lands that Ngāti Apa (North Island) were able to retain more susceptible to partition, fragmentation and alienation. This contributed to the erosion of the traditional tribal structures of Ngāti Apa (North Island), which were based on collective tribal and hapū custodianship of land. The Crown failed to take steps to adequately protect those structures. This had a prejudicial effect on Ngāti Apa (North Island) and was a breach of the Treaty of Waitangi and its principles:

(g) lands transferred by Ngāti Apa (North Island) for settlement purposes have contributed to the development of New Zealand, and that some of the significant benefits that Ngāti Apa (North Island) expected to flow from its relationship with the Crown were not realised:

(h) the cumulative effect of the Crown's actions and omissions, including Crown purchases and the operation and impact of native land laws, left Ngāti Apa (North Island) virtually landless. The Crown's failure to ensure that Ngāti Apa (North Island) retained sufficient lands for its

present and future needs was a breach of the Treaty of Waitangi and its principles:

(i) today most Ngāti Apa (North Island) live outside their rohe, and that the loss of their traditional lands has impacted on the access of Ngāti Apa (North Island) to resources such as rivers, lakes, forests, wetlands, and traditional walking paths:

(j) Ngāti Apa (North Island) have lost control over many of their significant sites, including wāhi tapu, and that this has had an ongoing impact on their physical and spiritual relationship with the land.

8 Text of apology

The text of the apology offered by the Crown as set out in the deed of settlement is as follows:

(1) The Crown recognises the efforts and struggles of the ancestors of Ngāti Apa (North Island) in pursuit of their claims for justice and redress from the Crown and makes this apology to Ngāti Apa (North Island) and their descendants.

(2) The Crown profoundly regrets and unreservedly apologises to Ngāti Apa (North Island) for the breaches of the Treaty of Waitangi, and its principles, acknowledged above.

(3) The Crown regrets and apologises for the cumulative effect of its actions and omissions over the generations to the present day which have had a detrimental impact on the traditional tribal structures of Ngāti Apa (North Island), their access to customary resources and significant sites, economic and social development, and their physical, cultural, and spiritual wellbeing.

(4) Accordingly, with this apology the Crown seeks to atone for its past wrongs, begin the process of healing and make a significant step towards re-building a lasting relationship based on mutual trust and cooperation with Ngāti Apa (North Island).

Subpart 2—Interpretation

9 Interpretation of Act generally

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

10 Interpretation

In this Act, unless the context otherwise requires,—

actual deferred selection settlement date means, in relation to a deferred selection property, the date on which settlement of the property (under paragraph 11 of Part 22 or paragraph 11 of Part 22A of the Schedule of the deed of settlement) takes place

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

area of interest means the area that Ngāti Apa (North Island) identifies as its area of interest, as set out in Part 27 of the Schedule of the deed of settlement

authorised person,—

(a) in respect of a cultural redress property, has the meaning given to it in section 58(7); and

(b) in respect of a commercial redress property, has the meaning given to it in section 72(3) or 86(5), as the case may be

business day means the period from 9 am to 5 pm on a day other than—

(a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; or

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

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

(c) the day observed as the anniversary of the province of Wellington

commercial redress property means—

(a) the settlement licensed land; and

(b) a deferred selection property

consent authority—

(a) has the meaning given to it in section 2(1) of the Resource Management Act 1991; but

(b) does not include the Minister of Conservation

conservation area has the meaning given to it in section 2(1) of the Conservation Act 1987

conservation document means a conservation management plan, conservation management strategy, or national park management plan

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

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

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

Crown forest land has the meaning given to it in section 2(1) of the Crown Forest Assets Act 1989

Crown forestry assets has the meaning given to it in section 2(1) of the Crown Forest Assets Act 1989

Crown forestry licence—

(a) has the meaning given to it in section 2(1) of the Crown Forest Assets Act 1989; and

(b) in relation to the settlement licensed land, means the licence described in the third and fourth columns of the table in Part 14 of the Schedule of the deed of settlement

Crown forestry rental trust means the forestry rental trust referred to in section 34 of the Crown Forest Assets Act 1989

Crown forestry rental trust deed means the trust deed made on 30 April 1990 establishing the Crown forestry rental trust under section 34 of the Crown Forest Assets Act 1989

cultural redress property has the meaning given to it in section 43

deed of recognition means a deed of recognition entered into by the Crown and the trustees in accordance with section 37

deed of settlement and **deed**—

(a) mean the deed of settlement dated 8 October 2008 and signed by—

(i) the Minister in Charge of Treaty of Waitangi Negotiations, the Honourable Dr Michael Cullen, the Minister of Māori Affairs, the Honourable Parekura Horomia, and the Associate Minister in Charge of Treaty of Waitangi Negotiations, the Honourable Mita Ririnui for the Crown; and

(ii) Lillian Ruihi Manawaroa Te Aweawe, Ropata Te Hina, Arikihanara Mare Mare, and Mariana Shenton for Ngāti Apa (North Island); and

(b) include—

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

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

deferred selection property—

(a) means a property described in Part 18 of the Schedule of the deed of settlement; and

(b) includes, for the purposes of subpart 1 of Part 3, any undivided half share in the fee simple estate in the Whanganui (Kaitoke) Prison to be transferred to the trustees under the deed of settlement

Director-General means the Director-General of Conservation

DOC protocol means a protocol issued by the Minister of Conservation under section 20(1)(a), including any amendments made under section 20(1)(b)

DOC protocol area means the area shown on the map attached to the DOC protocol

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

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

fisheries protocol means a protocol issued by the Minister of Fisheries under section 20(1)(a), including any amendments made under section 20(1)(b)

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

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 to it in section 12

land holding agency, in relation to—

(a) the settlement licensed land, means LINZ:

(b) a deferred selection property, means the department of State specified opposite that property in the fourth column of the table in Part 18 of the Schedule of the deed of settlement

licensee means the registered holder for the time being of the Crown forestry licence

licensor means the licensor for the time being of the Crown forestry licence

LINZ means Land Information New Zealand

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

member of Ngāti Apa (North Island) means every individual referred to in section 11(1)(a)

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

protected site has the meaning given to it in section 83

protocol means a protocol issued under section 20(1)(a), including any amendments made under section 20(1)(b)

regional council has the meaning given to it in 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

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

representative entity means—

(a) the trustees; and

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

(i) the collective group referred to in section 11(1)(a); or

(ii) 1 or more of the whānau, hapū, or groups that together form the collective group referred to in section 11(1)(a); or

(iii) 1 or more members of Ngāti Apa (North Island)

reserve land has the meaning given to it in section 62(1)

reserve site has the meaning given to it in section 43

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

responsible department means, as the case may be, one of the following departments of State:

(a) the Department of Conservation:

(b) the Ministry of Fisheries:

(c) the Ministry for Culture and Heritage:

(d) any other department of State authorised by the Prime Minister to exercise powers or perform functions and duties under subpart 1 of Part 2

responsible Minister means, as the case may be, one of the following Ministers:

(a) the Minister of Conservation:

(b) the Minister of Fisheries:

(c) the Minister for Arts, Culture and Heritage:

(d) any other Minister of the Crown authorised by the Prime Minister to exercise powers or perform functions and duties under subpart 1 of Part 2

RFR deed means the deed provided by the Crown to the trustees on the terms and conditions set out in Part 24 of the Schedule of the deed of settlement and signed by the Crown

RFR property means a property described in clause 14 of the RFR deed

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

settlement licensed land—

(a) means the land described in Part 14 of the Schedule of the deed of settlement; but

(b) excludes—

(i) all trees growing, standing, or, in the case of windthrow, lying on the land; and

(ii) all improvements that have been—

(A) acquired by a purchaser of the trees on that land; or

(B) made, after the acquisition of the trees, by the purchaser or the licensee

settlement property means every cultural redress property and commercial redress property

settlement transfer means the transfer of a commercial redress property under Part 3

statements of association has the meaning given to it in section 27(2)

statutory acknowledgement means the acknowledgement made by the Crown in section 27(1) in respect of each statutory area, on the terms set out in subpart 2 of Part 2

statutory area means an area described in Schedule 1, the general location of which is indicated on the SO plan referred to in relation to that area in Schedule 1 (but which does not establish the precise boundaries of the statutory area)

statutory plan—

(a) means a district plan, proposed plan, regional coastal plan, regional plan, or regional policy statement as defined in section 2(1) of the Resource Management Act 1991; and

(b) includes a proposed policy statement provided for in Schedule 1 of the Resource Management Act 1991

taonga tūturu—

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

(b) includes ngā taonga tūturu (which has the meaning given to it in section 2(1) of that Act)

taonga tūturu protocol means a protocol issued by the Minister for Arts, Culture and Heritage under section 20(1)(a), including any amendments made under section 20(1)(b)

Taukoro means the land as shown on SO 402249 for which a deed of recognition applies

Te Runanga o Ngāti Apa means the trust established by the Te Runanga o Ngāti Apa trust deed

Te Runanga o Ngāti Apa trust deed—

(a) means the deed of trust establishing Te Runanga o Ngāti Apa dated 20 July 2009; and

(b) includes—

(i) the schedules to the deed of trust; and

(ii) any amendments to the deed of trust or its schedules

trustees of Te Runanga o Ngāti Apa and **trustees** means the trustees from time to time of Te Runanga o Ngāti Apa

unlicensed Crown forest land means the land described in the table in Part 18 of the Schedule of the deed of settlement as Part Whanganui Forest (including trees) or Part Whanganui Forest (excluding trees) as the case may be

Whanganui (Kaitoke) Prison—

(a) means the land described as—

(i) Whanganui Prison in the table in Part 18 of the Schedule of the deed of settlement; and

(ii) Wanganui (Kaitoke) Prison in clause 3 of the Corrections (Wanganui (Kaitoke) Prison) Notice 2008; and

(b) includes, for the purposes of section 73, an undivided half share in the fee simple estate in the Whanganui (Kaitoke) Prison to be transferred to the trustees

Whitiau Scientific Reserve means the land as shown on SO 402248 for which a deed of recognition applies.

Section 10 **business day** paragraph (a): amended, on 12 April 2022, by wehenga 7 o Te Ture mō te Hararei Tūmatanui o te Kāhui o Matariki 2022/section 7 of the Te Kāhui o Matariki Public Holiday Act 2022 (2022 No 14).

Section 10 **business day** paragraph (ba): inserted, on 1 January 2014, by section 8 of the Holidays (Full Recognition of Waitangi Day and ANZAC Day) Amendment Act 2013 (2013 No 19).

Section 10 **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 10 **Historic Places Trust**: repealed, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

11 Meaning of Ngāti Apa (North Island)

(1) In this Act, **Ngāti Apa (North Island)**—

(a) means the collective group composed of—

(i) individuals who descend from 1 or more Ngāti Apa (North Island) ancestors; and

(ii) individuals who are members of a group referred to in paragraph (c)(i); and

(b) means every individual referred to in paragraph (a); and

(c) includes the following groups:

(i) the groups referred to in Part 2 of the Schedule of the deed of settlement; and

(ii) any whānau, hapū, or group composed of individuals referred to in paragraph (a).

(2) In this section and section 12, **Ngāti Apa (North Island) ancestor** means an individual who—

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

(i) any of the individuals referred to in Part 3 of the Schedule of the deed of settlement; or

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

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

(3) In subsection (2)(a), **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.

(4) For the purposes of subsections (1)(a) and (2)(a), a person is **descended** from another person if descended from the other person by any 1 or more of the following:

(a) birth:

(b) legal adoption:

(c) Māori customary adoption in accordance with Ngāti Apa (North Island) tikanga (customary values and practices).

12 Meaning of historical claims

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

(a) means every claim (whether or not the claim has arisen or been considered, researched, registered, notified, or made by or on the settlement date) that Ngāti Apa (North Island) or a representative entity for Ngāti Apa (North Island) had at, or at any time before, the settlement date, or may have at any time after the settlement date, and that—

(i) is, or is founded on, a right arising—

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

(B) under legislation; or

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

(D) from fiduciary duty; or

(E) otherwise; and

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

(A) by, or on behalf of, the Crown; or

(B) by or under legislation; and

(b) includes every claim to the Waitangi Tribunal to which paragraph (a) applies that relates exclusively to Ngāti Apa (North Island) or a representative entity for Ngāti Apa (North Island) including—

(i) Wai 265; and

(ii) Wai 655.

(2) However, historical claims does not include the following claims:

(a) a claim that a member of Ngāti Apa (North Island), or a whānau, hapū, or group referred to in section 11(1)(c) may have that is, or is founded on, a right arising as a result of being descended from an ancestor who is not a Ngāti Apa (North Island) ancestor; or

(b) a claim that a member of Ngāti Apa (North Island), or a whānau, hapū, or group referred to in section 11(1)(c), may have to the South Island; or

(c) a claim that a representative entity for Ngāti Apa (North Island) may have to the extent that the claim is, or is based on, a claim referred to in paragraph (a) or (b).

(3) To avoid doubt, subsection (1) is not limited by subsection (2).

Subpart 3—Settlement of historical claims

Historical claims settled and jurisdiction of courts, etc, removed

13 Settlement of historical claims final

(1) 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.

(2) Subsection (1) does not limit the acknowledgements expressed in, or the provisions of, the deed of settlement.

(3) Despite any other enactment or rule of law, on and from the settlement date, no court, tribunal, or other judicial body has jurisdiction (including, without limitation, the jurisdiction to inquire or further inquire into, or to make a finding or recommendation) in respect of—

(a) the historical claims; or

(b) the deed of settlement; or

(c) this Act; or

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

(4) Subsection (3) does not exclude the jurisdiction of a court, tribunal, or other judicial body in respect of the interpretation or implementation of the deed of settlement or this Act.

Amendment to Treaty of Waitangi Act 1975

14 Amendment to Treaty of Waitangi Act 1975

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

(2) Schedule 3 is amended by inserting the following item in its appropriate alphabetical order: "Ngāti Apa (North Island) Claims Settlement Act 2010, section 13(3) and (4)".

Protections no longer apply

15 Certain enactments do not apply

(1) Nothing in the enactments listed in subsection (2) applies—

(a) to a settlement property; or

(b) to an RFR property; or

(c) for the benefit of Ngāti Apa (North Island) or a representative entity for Ngāti Apa (North Island).

(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.

(3) However, subsection (1) does not apply to a deferred selection property if—

(a) the trustees do not elect to acquire the property under clause 7.28.2 of the deed of settlement; or

(b) the agreement constituted by clause 7.30 of the deed of settlement is cancelled.

Section 15(2)(c): replaced, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

16 Removal of memorials

(1) The chief executive of LINZ must issue to the Registrar-General a certificate that identifies (by reference to the relevant legal description, certificate of title, or computer register) each allotment that is—

(a) all, or part of, a settlement property or an RFR property; and

(b) contained in a certificate of title or computer register that has a memorial entered under any enactment referred to in section 15(2).

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

(a) the settlement date, in the case of a settlement property that is not a deferred selection property; or

(b) the actual deferred settlement date, in the case of a deferred selection property.

(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),—

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

(b) cancel, in respect of each allotment identified in the certificate, each memorial that is entered (in accordance with any enactment referred to in section 15(2)) on a certificate of title or computer register identified in the certificate.

Subpart 4—Miscellaneous matters

No limit on duration of trusts

Heading: replaced, on 30 January 2021, by section 161 of the Trusts Act 2019 (2019 No 38).

17 Limit on duration of trusts does not apply

(1) No rule of law or provisions of an Act limiting the duration of a trust, including section 16 of the Trusts Act 2019,—

(a) prescribe or restrict the period during which—

(i) Te Runanga o Ngāti Apa may exist in law; or

(ii) the trustees, in their capacity as trustees, may hold or deal with property (including income derived from property); or

(b) apply to a document entered into to give effect to the deed of settlement if the application of that rule or the provisions of that Act would otherwise make the document, or a right conferred by the document, invalid or ineffective.

(2) However, if Te Runanga o Ngāti Apa is, or becomes, a charitable trust, the trust may continue indefinitely under section 16(6)(a) of the Trusts Act 2019.

Section 17 heading: replaced, on 30 January 2021, by section 161 of the Trusts Act 2019 (2019 No 38).

Section 17(1): amended, on 30 January 2021, by section 161 of the Trusts Act 2019 (2019 No 38).

Section 17(2): amended, on 30 January 2021, by section 161 of the Trusts Act 2019 (2019 No 38).

Timing of actions or matters

18 Timing of actions or matters

(1) Actions or matters occurring under this Act occur or take effect on and from the settlement date.

(2) However, if a provision of this Act requires an action or matter to occur or take effect on a date other than the settlement date, that action or matter occurs or takes effect on and from that other date.

Access to deed of settlement

19 Access to deed of settlement

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

(a) for inspection free of charge, and for purchase at a reasonable price, at the head office of the Ministry of Justice in Wellington on any business day; and

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

Part 2
Cultural redress

Subpart 1—Protocols

General provisions

20 Authority to issue, amend, or cancel protocols

(1) Each responsible Minister may—

(a) issue a protocol to the trustees in the form set out in Part 4 of the Schedule of the deed of settlement; and

(b) amend or cancel that protocol.

(2) A protocol may be amended or cancelled under subsection (1) at the initiative of either—

(a) the trustees; or

(b) the responsible Minister.

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

21 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 (without limitation) the ability to—

(i) introduce legislation and change government policy; and

(ii) interact or consult with a person the Crown considers appropriate, including (without limitation) any iwi, hapū, marae, whānau, or other representative of tangata whenua; or

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

(c) the legal rights of Ngāti Apa (North Island) or a representative entity.

22 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 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 trustees in enforcing the protocol under subsection (2).

23 Limitation of rights

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

(a) the public foreshore and seabed (as defined in section 5 of the Foreshore and Seabed Act 2004); or

(b) land held, managed, or administered or flora or fauna managed or administered under the Conservation Act 1987 or an enactment listed in Schedule 1 of that Act.

(2) The 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.

DOC protocol

24 Noting and effect of DOC protocol

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

(2) The noting of the DOC 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.

Fisheries protocol

25 Noting and effect of fisheries protocol

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

(2) The noting of the 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.

Taonga tūturu protocol

26 Effect of taonga tūturu protocol

The 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.

Subpart 2—Statutory acknowledgement and deeds of recognition

Statutory acknowledgement

27 Statutory acknowledgement by the Crown

(1) The Crown acknowledges the statements of association.

(2) In this Act, **statements of association** means the statements—

(a) made by Ngāti Apa (North Island) of their particular cultural, spiritual, historical, and traditional association with each statutory area; and

(b) that are in the form set out in Part 6 of the Schedule of the deed of settlement at the settlement date.

28 Purposes of statutory acknowledgement

(1) The only purposes of the statutory acknowledgement are to—

(a) 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 30 and 31; and

(b) require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 33; and

(c) enable the trustees and any member of Ngāti Apa (North Island) to cite the statutory acknowledgement as evidence of the association of Ngāti Apa (North Island) with the relevant statutory areas, as provided for in section 34.

(2) This section does not limit sections 38 to 40.

Section 28(1)(a): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

29 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 trustees are affected persons in relation to an activity within, adjacent to, or directly affecting the statutory area 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.

30 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 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.

31 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 31: replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

32 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 28 to 31 in full; and

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

(c) any statements of association 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 the information is not—

(a) part of the statutory plan, unless adopted by the relevant consent authority; or

(b) subject to the provisions of Schedule 1 of the Resource Management Act 1991, unless adopted as part of the statutory plan.

33 Resource consent applications must be provided to trustees

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

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

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

(2) 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 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; and

(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 business 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 if the trustees are affected persons in relation to an activity.

34 Use of statutory acknowledgement

(1) The trustees and any member of Ngāti Apa (North Island) may, as evidence of the association of Ngāti Apa (North Island) 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 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 trustees nor members of Ngāti Apa (North Island) are precluded from stating that Ngāti Apa (North Island) 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 34(1): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 34(2)(d): replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

35 Trustees may waive rights

(1) The trustees may waive the right to be forwarded summaries of resource consent applications under section 33 in relation to a statutory area.

(2) Rights may 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.

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

Section 35(2): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

36 Application of statutory acknowledgement to river or stream

If any part of the statutory acknowledgement applies to a river or stream, 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; 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) land that the waters of the river or stream do not cover at its fullest flow without flowing over its banks; or

(iii) an artificial watercourse; or

(iv) a tributary flowing into the river or stream.

Deeds of recognition

37 Authorisation to enter into and amend deeds of recognition

(1) The Minister of Conservation and the Director-General may—

(a) enter into a deed of recognition with the trustees, in the form set out in Part 8 of the Schedule of the deed of settlement, in respect of the land to which the deed applies:

(b) amend the deed of recognition by entering into a deed of amendment with the trustees.

(2) In this section, **deed of recognition** means a deed—

(a) entered into in accordance with clauses 5.14 to 5.21 of the deed of settlement; and

(b) in the form set out in Part 8 of the Schedule of the deed of settlement.

General provisions

38 Exercise of powers and performance of duties and functions

(1) Except as expressly provided in this subpart,—

(a) the statutory acknowledgement and the deed of recognition do not affect, and may not be taken into account by, a person exercising a power or performing a function or duty under legislation or a bylaw; and

(b) no person, in considering a matter or making a decision or recommendation under legislation or a bylaw, may give greater or lesser weight to the association of Ngāti Apa (North Island) with a statutory area (as described in a statement of association) than that person would give under the relevant legislation or bylaw if no statutory acknowledgement or deed of recognition existed in respect of the statutory area or Whitiau Scientific Reserve or Taukoro (as the case may be).

(2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

39 Rights not affected

Except as expressly provided in this subpart, the statutory acknowledgement and the deed of recognition do not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

40 Limitation of rights

Except as expressly provided in this subpart, the statutory acknowledgement and the deed of recognition do not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to,—

(a) a statutory area:

(b) Whitiau Scientific Reserve:

(c) Taukoro.

Amendment to Resource Management Act 1991

41 Amendment to Resource Management Act 1991

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

(2) Schedule 11 is amended by inserting the following item in its appropriate alphabetical order: “Ngāti Apa (North Island) Claims Settlement Act 2010”.

Subpart 3—The Crown not prevented from providing other similar redress

42 The Crown not prevented from providing other similar redress

(1) The provision of the specified cultural redress does not prevent the Crown from doing anything that is consistent with that cultural redress, including—

(a) providing the same or similar redress to a person other than Ngāti Apa (North Island) or the trustees; or

(b) disposing of land.

(2) However, subsection (1) is not an acknowledgement by the Crown or Ngāti Apa (North Island) that any other iwi or group has interests in relation to land or an area to which any of the specified cultural redress relates.

(3) In this section, **specified cultural redress** means the protocols, the statutory acknowledgement, and the deeds of recognition.

Subpart 4—Cultural redress properties

43 Interpretation

In this Act,—

cultural redress property means any of the following sites, and each site means the land described by that name in Schedule 2:

Papakainga properties

(a) AgResearch lands:

(b) Parewanui School:

(c) part of the Santoft Forest:

(d) part of the Lismore Sand Forest:

(e) Kauangaroa School:

Wāhi tapu properties

(f) Pukepuke Lagoon House site:

(g) Waimahora Stream site:

(h) Lake Koitiata site:

(i) Marton Golf Course:

(j) Lake Hickson site:

(k) Lake William site:

(l) Mōtū Karaka:

(m) Ruatangata site:

(n) Pākiki:

(o) Lake Ngaruru site:

(p) Pakapakatea:

(q) Waitapu

reserve site means the following cultural redress properties:

(a) Lake Koitiata site:

(b) Mōtū Karaka:

(c) Pākiki:

(d) Marton Golf Course:

(e) Pakapakatea:

(f) Waitapu.

Sites vesting in fee simple

44 Papakainga properties vest in fee simple

(1) The following sites cease to be Crown forest land:

(a) the part of the Santoft Forest site:

(b) the part of the Lismore Sand Forest site.

(2) Section 23 of the Crown Forest Assets Act 1989 applies in relation to the part of the Santoft Forest site and the part of the Lismore Sand Forest site at all times (including before the settlement date)—

(a) despite the sites not being Crown forest land and not being returned to Māori ownership in accordance with section 36 of that Act; and

(b) as if the reference to licensor were a reference to the owner of the fee simple estate in the sites.

(3) The fee simple estate in the Papakainga properties vests in the trustees.

45 Pukepuke Lagoon House site

(1) The Pukepuke Lagoon House site ceases to be a conservation area under the Conservation Act 1987.

(2) The fee simple estate in the Pukepuke Lagoon House site vests in the trustees.

(3) The Crown must, by or on the settlement date, sign and provide the trustees with a registrable right of way easement that provides the trustees access to the Pukepuke Lagoon House site, over the area shown marked A on SO 428401 (the **Pukepuke Lagoon House site easement**).

(4) To give effect to clause 6.1.9 of the deed of settlement, the Crown must sign, before the settlement date, a registrable variation of the existing easement affecting access to the Pukepuke Lagoon House site.

(5) Landcorp Farming Limited must, by or on the settlement date, sign and provide the trustees with a registrable right of way easement in gross over the areas shown marked A, B, and G on DP 70916 and D and H on SO 428401.

46 Waimahora Stream site

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

(2) The fee simple estate in the Waimahora Stream site vests in the trustees.

(3) Subsections (1) and (2) are subject to the trustees providing to the Crown a registrable covenant in relation to the site—

(a) for the preservation of the reserve and conservation values of that land and public access; and

(b) as set out in Part 11 of the Schedule of the deed of settlement (the **Waimahora Stream site covenant**).

(4) The Waimahora Stream site covenant is to be treated as a conservation covenant for the purposes of—

(a) section 77 of the Reserves Act 1977:

(b) section 27 of the Conservation Act 1987.

47 Lake Hickson site

(1) The fee simple estate in the Lake Hickson site vests in the trustees.

(2) The vesting of the Lake Hickson site in the trustees under subsection (1) does not give any rights to, or impose any obligations on, the trustees in relation to—

(a) the waters of Lake Hickson; or

(b) the aquatic life of Lake Hickson (other than plants attached to the Lake Hickson site).

48 Lake William site

(1) The fee simple estate in the Lake William site vests in the trustees.

(2) The vesting of the Lake William site in the trustees under subsection (1) does not give any rights to, or impose any obligations on, the trustees in relation to—

(a) the waters of Lake William; or

(b) the aquatic life of Lake William (other than plants attached to the Lake William site).

(3) To the extent that the Lake William site has moveable boundaries, those boundaries will be governed by the common rules of accretion, erosion, or avulsion.

49 Ruatangata site

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

(2) Subsection (1) is subject to the trustees providing the Crown with—

(a) a registrable right of way easement in gross in favour of the New Zealand Railways Corporation over the area shown marked B on SO 417422

and on the terms and conditions set out in Part 12 of the Schedule of the deed of settlement (the **Ruatangata site easement**); and

(b) a registrable right to convey electricity in gross in favour of Powerco Limited over the areas shown marked B and G on SO 417422 and on the terms and conditions set out in Part 12A of the Schedule of the deed of settlement (the **Ruatangata electricity easement**).

(3) The unregistered Ruatangata site lease is amended in the form set out in clause 6.1.21 of the deed of settlement.

50 Lake Ngaruru site

(1) Lake Ngaruru site ceases to be a conservation area under the Conservation Act 1987.

(2) The fee simple estate in the Lake Ngaruru site vests in the trustees.

(3) Subsections (1) and (2) are subject to the trustees providing to the Crown a registrable covenant in relation to the Lake Ngaruru site—

(a) for the preservation of the reserve values of that land; and

(b) as set out in Part 11 of the Schedule of the deed of settlement (the **Lake Ngaruru site covenant**).

(4) The Lake Ngaruru site covenant is to be treated as a conservation covenant for the purposes of section 77 of the Reserves Act 1977.

(5) The vesting of the Lake Ngaruru site in the trustees under subsection (2) does not give any rights to, or impose any obligations on, the trustees in relation to—

(a) the waters of Lake Ngaruru; or

(b) the aquatic life of Lake Ngaruru (other than plants attached to the Lake Ngaruru site).

(6) To the extent that the Lake Ngaruru site has moveable boundaries, those boundaries will be governed by the common law rules of accretion, erosion, or avulsion.

Sites vesting in fee simple to be administered as scenic reserve

51 Lake Koitiata site

(1) The reservations of the Lake Koitiata site as a government purpose wildlife management reserve subject to section 22 of the Reserves Act 1977 and as a wildlife management reserve subject to section 14A of the Wildlife Act 1953 are revoked.

(2) The fee simple estate in the Lake Koitiata site vests in the trustees.

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

(4) Despite section 16(10) of the Reserves Act 1977, the name of the reserve created under subsection (3) is Lake Koitiata Scenic Reserve.

(5) The vesting of the Lake Koitiata site in the trustees under subsection (2) does not give any rights to, or impose any obligations on, the trustees in relation to—

(a) the waters of Lake Koitiata; and

(b) the aquatic life of Lake Koitiata (other than plants attached to the Lake Koitiata site).

(6) The trustees may exercise the powers of the Minister of Conservation under section 50 of the Reserves Act 1977 to authorise any person subject to any conditions that it may impose, to carry out the hunting or killing of game or the catching of acclimatised fish in Lake Koitiata Scenic Reserve.

(7) For the purposes of section 17M(2) of the Conservation Act 1987, Te Runanga o Ngāti Apa is an organisation that must be consulted on the preparation, approval, review, or amendment of a sports fish and game management plan affecting or including Lake Koitiata Scenic Reserve.

52 Mōtū Karaka

(1) The reservation of Mōtū Karaka as a scenic reserve subject to section 19 of the Reserves Act 1977 is revoked.

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

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

53 Pākiki

(1) The reservation of Pākiki as a scenic reserve subject to section 19 of the Reserves Act 1977 is revoked.

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

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

(4) Despite section 16(10) of the Reserves Act 1977, the name of the reserve created under subsection (3) is Pākiki Scenic Reserve.

Site vesting in fee simple to be administered as recreation reserve

54 Marton Golf Course

(1) The reservation of the Marton Golf Course as a recreation reserve subject to section 17 of the Reserves Act 1977 is revoked.

(2) The fee simple estate in the Marton Golf Course vests in the trustees.

(3) The Marton Golf Course is declared a reserve and classified as a recreation reserve subject to section 17 of the Reserves Act 1977.

(4) Despite section 16(10) of the Reserves Act 1977, the name of the reserve created under subsection (3) is the Marton Golf Course.

(5) Despite the provisions of the Reserves Act 1977, the lessor under the Marton Golf Course lease is entitled to receive and use the annual rent payable under the lease for any purpose.

Sites vesting in fee simple to be controlled and managed by local authority

55 Pakapakatea

(1) The reservation of Pakapakatea as a local purpose reserve, for the purpose of soil conservation and river control, subject to section 23 of the Reserves Act 1977 is revoked.

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

(3) Pakapakatea is declared a reserve and classified as a local purpose reserve, for the purpose of soil conservation and river control, subject to section 23 of the Reserves Act 1977.

(4) Despite section 16(10) of the Reserves Act 1977, the name of the reserve created under subsection (3) is Pakapakatea Local Purpose Reserve.

(5) The Manawatu-Wanganui Regional Council is the administering body of the reserve for the purposes of the Reserves Act 1977 and has the functions, obligations, and powers of an administering body under that Act, as if the council had been appointed to control and manage the reserve under section 28 of that Act.

56 Waitapu

(1) The reservation of Waitapu as a reserve for soil conservation and river control purposes subject to the Reserves Act 1977 is revoked.

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

(3) Waitapu is declared a reserve and classified as a local purpose reserve, for the purpose of soil conservation and river control, subject to section 23 of the Reserves Act 1977.

(4) Despite section 16(10) of the Reserves Act 1977, the name of the reserve created under subsection (3) is Waitapu Local Purpose Reserve.

(5) The Manawatu-Wanganui Regional Council is the administering body of the reserve for the purposes of the Reserves Act 1977 and has the functions, obligations, and powers of an administering body under that Act, as if the council had been appointed to control and manage the reserve under section 28 of that Act.

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

57 Properties vest subject to, or together with, encumbrances

Each cultural redress property vests under subpart 4 of this Part subject to, or together with, any encumbrances listed in relation to the property in the third column of the table in Schedule 2.

58 Registration of ownership

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

(2) The Registrar-General must, on written application by an authorised person, comply with subsections (3) and (4).

(3) To the extent that a cultural redress property is all of the land contained in a computer freehold register that is not limited as to parcels, the Registrar-General must—

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

(b) make any entries in the register and do all other things that are necessary to give effect to this Part and to Part 6 of the deed of settlement.

(4) To the extent that a cultural redress property is not all of the land contained in a computer freehold register, or the computer freehold register is limited as to parcels, or there is no computer freehold register for all or part of the property, the Registrar-General must, in accordance with an application received from 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; and

(b) enter on the register any encumbrances that are registered, notified, or notifiable and that are described in the application.

(5) Subsection (4) applies subject to the completion of any survey necessary to create the 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 trustees and the Crown.

(7) In subsections (2) and (4), **authorised person** means a person authorised by—

(a) the Secretary for Justice, in the case of—

(i) the Lake Hickson site:

(ii) the Lake William site:

(iii) the AgResearch lands:

(iv) Parewanui School:

(v) Kauangaroa School:

(b) the chief executive of LINZ, in the case of—

(i) the part of the Santoft Forest:

(ii) the part of the Lismore Sand Forest:

(iii) the Ruatangata site:

(c) the Director-General, in all other cases.

59 Application of Part 4A of Conservation Act 1987

(1) The vesting of the fee simple estate in a cultural redress property under subpart 4 of this Part 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) a reserve site under section 51(2), 52(2), 53(2), 54(2), 55(2), or 56(2); or

(b) the Lake Hickson site; or

(c) the Lake William site; or

(d) the Lake Ngaruru site.

(3) If the reservation, under subpart 4 of this Part of a reserve site is revoked in relation to all or part of the site, then the vesting of the site referred to in subsection (2)(a) 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.

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

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

(a) a reserve site—

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

(ii) that the land is subject to sections 59(3) and 62 of this Act; and

(b) each of the following sites that the land is subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply:

(i) the Lake Hickson site; and

(ii) the Lake William site; and

(iii) the Lake Ngaruru site; and

(c) any other cultural redress property that the land is subject to Part 4A of the Conservation Act 1987.

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

(3) If the reservation, under subpart 4 of this Part of a reserve site 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 the computer freehold register for the site the notifications that—

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

(ii) the site is subject to sections 59(3) and 62 of this Act; or

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

(4) The Registrar-General must comply with an application received in accordance with subsection (3)(a).

61 Application of Reserves Act 1977 to reserve sites

(1) Subject to sections 55(5) and 56(5), the trustees are the administering body of a reserve site for the purposes of the Reserves Act 1977.

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

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

(4) If the reservation under subpart 4 of this Part 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 of that Act, except subsection (2) of that provision, does not apply to the revocation.

(5) Subsections (2) and (3) do not apply to the Pakapakatea and Waitapu reserve sites.

62 Subsequent transfer of reserve land

(1) Subsections (2) to (7) apply to all, or the part, of a reserve site that, at any time after vesting in the trustees, remains a reserve under the Reserves Act 1977 (the **reserve land**).

(2) The fee simple estate in the reserve land may be transferred to any other person only in accordance with subsections (3) to (7), despite any other enactment or rule of law.

(3) 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, on written application, the registered proprietors of the reserve land satisfy the Minister of Conservation 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 the Reserves Act 1977.

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

(5) 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 the registration of the transfer instrument.

(6) The new owners, from the time of registration under subsection (4),—

(a) are the administering body of the reserve land for the purposes of the Reserves Act 1977; and

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

(7) Despite subsections (1) and (2), subsections (3) to (6) 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 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.

63 Application of other enactments

(1) Sections 24 and 25 of the Reserves Act 1977 do not apply to the revocation, under subpart 4 of this Part, 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 of this Part; 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 of this Part does not—

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

(b) affect other rights to subsurface minerals.

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

(5) The Minister of Conservation may grant all easements required by the deed in relation to lands held under the Conservation Act 1987 for conservation purposes.

(6) An easement granted under subsection (5)—

(a) is registrable under section 17ZA(2) of the Conservation Act 1987 as if it were a deed to which that provision applied; and

(b) is enforceable in accordance with its terms, despite Part 3B of that Act.

64 Application of certain payments

(1) The Minister of Conservation may direct that any intra-Crown payment for a site listed in subsection (2) be paid and applied in the manner specified in section 82(1)(a) of the Reserves Act 1977.

(2) The sites are—

(a) Mōtū Karaka:

(b) Pākiki:

(c) Marton Golf Course:

(d) the Lake Koitiata site:

(e) Pakapakatea:

(f) Waitapu.

Subpart 6—Place names

65 Interpretation

In this subpart,—

new official geographic name—

(a) means the name to which the existing official geographic name is altered under section 66(1); and

(b) includes any alteration to the new official geographic name under section 68

New Zealand Geographic Board means the board continued by section 7 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

66 New official geographic name

(1) The existing official geographic name specified in the first column of the table set out in Part 9 of the Schedule of the deed of settlement (at the settlement date) is altered to the new official geographic name specified in the second column of that table.

(2) The change made under subsection (1) is to be treated as having been made by the New Zealand Geographic Board in accordance with the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

67 Publication of new official geographic name

The New Zealand Geographic Board must, as soon as practicable after the settlement date, comply with section 21(2) and (3) of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 (which relate to public notice) as if the change under section 66 of this Act were a determination referred to in section 21(1) of that Act.

68 Alteration of new official geographic name

(1) Despite the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008, the New Zealand Geographic Board may, with the consent of the trustees, alter any new official geographic name or its location.

(2) Section 67 applies, with any necessary modifications, to an alteration made under subsection (1).

69 When new official geographic name takes effect

Place names altered under section 66 or 68 take effect on the date of the *Gazette* notice published under section 67.

70 New reserve name

Despite section 16(10) of the Reserves Act 1977, the name of Round Bush Scenic Reserve is altered to be Omarupapako/Round Bush Scenic Reserve.

Part 3
Commercial redress

Subpart 1—Transfer of commercial redress properties

71 Transfer of commercial redress properties

(1) To give effect to Part 7 of the deed of settlement, the Crown (acting by and through the chief executive of the land holding agency) is authorised to do 1 or both of the following:

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

(b) sign a transfer instrument or other document, or do any other thing, to effect a settlement transfer.

(2) Subject to section 76(2) and (3), in exercising its powers under subsection (1), the Crown is not required to comply with any other enactment that would otherwise regulate or apply to a settlement transfer.

72 Registrar-General to create computer freehold register for deferred selection property

(1) This section applies to a deferred selection property (except Whanganui (Kaitoke) Prison) to the extent that it is not all of the land contained in a computer freehold register, or that the computer freehold register is limited as to parcels, or there is no computer freehold register for all or part of the property.

(2) The Registrar-General must, in accordance with a written application by an authorised person, and after completion of any necessary survey, create 1 computer freehold register in the name of the Crown—

(a) subject to, and together with, any encumbrances that are registered, notified, or notifiable and that are described in the written application; but

(b) without any statement of purpose.

(3) In this section and sections 73 to 75, **authorised person** means a person authorised by the chief executive of the land holding agency for the commercial redress property.

73 Registrar-General to create computer freehold registers for Whanganui (Kaitoke) Prison

(1) This section applies in relation to Whanganui (Kaitoke) Prison if clause 7.30A of the deed of settlement applies (which relates to a decision by the trustees to purchase Whanganui (Kaitoke) Prison).

(2) After the completion of any necessary survey, the Registrar-General must, in accordance with a written application by an authorised person, create 2 computer freehold registers in the name of the Crown, each for an undivided one half share of the fee simple estate in the Whanganui (Kaitoke) Prison subject

to, and together with, any relevant encumbrances that are registered, notified, or notifiable and that are described in the application.

(3) The computer freehold registers created under subsection (2) must then be transferred in accordance with clause 7.30A(3) and (4) of the deed of settlement.

74 Registrar-General to create computer freehold register for land subject to single Crown forestry licence

(1) This section applies to land to be transferred to the trustees under Part 7 of the deed of settlement that is subject to a single Crown forestry licence.

(2) The Registrar-General must, in accordance with a written application by an authorised person, and after completion of any necessary survey, create 1 computer freehold register in the name of the Crown—

(a) subject to, and together with, any encumbrances that are registered, notified, or notifiable and that are described in the written application; but

(b) without any statement of purpose.

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

(1) For the purposes of sections 72 to 74, the authorised person may grant a covenant to arrange for the later creation of a computer freehold register for any land that is to be transferred to the trustees under Part 7 of the deed of settlement.

(2) Despite the Land Transfer Act 1952,—

(a) the authorised person may request the Registrar-General to register a covenant (referred to in subsection (1)) under the Land Transfer Act 1952 by creating a computer interest register; and

(b) the Registrar-General must register the covenant in accordance with paragraph (a).

76 Application of other enactments

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

(a) a settlement transfer; or

(b) a matter incidental to, or required for the purpose of, a settlement transfer.

(2) The transfer of a commercial redress property 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 a commercial redress property 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) 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 that may be required to fulfil the terms of Part 7 of the deed of settlement in relation to the transfer of a commercial redress property.

Subpart 2—Settlement licensed land

77 Settlement licensed land ceases to be Crown forest land

(1) The settlement licensed land ceases to be Crown forest land on the registration of the transfer of the fee simple estate in the land to the trustees.

(2) However, although the settlement licensed land does not cease to be Crown forest land until the transfer of the fee simple estate in the land to the trustees is registered, neither the Crown nor any court or tribunal may do any thing, or omit to do any thing, if that act or omission would, between the settlement date and the date of registration, be consistent with the Crown Forest Assets Act 1989, but inconsistent with this Part or Part 7 of the deed of settlement.

78 Trustees confirmed beneficiaries and licensors in relation to settlement licensed land

(1) The trustees are, in relation to the settlement licensed land, the confirmed beneficiaries under clause 11.1 of the Crown forestry rental trust deed.

(2) The effect of subsection (1) is that—

(a) the trustees are entitled to the rental proceeds payable since the commencement of the Crown forestry licence; and

(b) all the provisions of the Crown forestry rental trust deed apply on the basis that the trustees are the confirmed beneficiaries.

(3) The Crown must give notice under section 17(4)(b) of the Crown Forest Assets Act 1989 in respect of each Crown forestry licence, even though the Waitangi Tribunal has not made a recommendation under section 8HB(1)(a) of the Treaty of Waitangi Act 1975 for the return of the settlement licensed land.

(4) Notice given by the Crown under subsection (3) has effect as if—

(a) the Waitangi Tribunal had made a recommendation under section 8HB(1)(a) of the Treaty of Waitangi Act 1975 for the return of the settlement licensed land; and

(b) the recommendation had become final on the settlement date.

(5) The trustees are the licensor under each Crown forestry licence as if the settlement licensed land had been returned to Māori ownership—

(a) on the settlement date; and

(b) under section 36 of the Crown Forest Assets Act 1989.

(6) However, section 36(1)(b) of the Crown Forest Assets Act 1989 does not apply to the settlement licensed land.

79 Effect of transfer of settlement licensed land

(1) Section 78 applies whether or not, by the settlement date,—

(a) the transfer of the fee simple estate in the settlement licensed land has been registered; or

(b) the processes described in clause 17.4 of the Crown forestry licence have been completed.

(2) To the extent that the Crown has not completed the processes referred to in subsection (1)(b) before the settlement date, it must continue those processes—

(a) after the settlement date; and

(b) until the processes are completed.

(3) For the period from the settlement date until the completion of the processes referred to in subsections (1) and (2), the licence fee payable under the Crown forestry licence in respect of the settlement licensed land is the amount calculated in the manner described in clause 7.15 of the deed of settlement.

(4) With effect from the settlement date, the references to the prospective proprietors in clause 17.4 of the Crown forestry licence must, in relation to the settlement licensed land, be read as if they were references to the trustees.

80 Public access to settlement licensed land

(1) Clause 6.2 of each Crown forestry licence (which relates to public entry for recreational purposes) continues to apply even though the Crown is no longer the licensor under the licence because the land has been transferred to the trustees under section 71.

(2) A notification to the same effect as described in subsection (1) must—

(a) be recorded against each computer freehold register for the settlement licensed land; and

(b) on application by the registered proprietor, be removed from each computer freehold register for the settlement licensed land on the expiry of the Crown forestry licence.

81 Public right of way easement may be granted

(1) A public right of way easement may be granted under section 8 of the Crown Forest Assets Act 1989 in relation to the settlement licensed land and is enforceable in accordance with its terms, despite its subject matter.

(2) Sections 26 and 27 of the Crown Forest Assets Act 1989 apply to any variation, renewal, or cancellation under section 8(b) of that Act of a public right of way easement.

(3) The permission of a council under section 348 of the Local Government Act 1974 is not required to lay out, form, grant, or reserve a private road, private way, or right of way under this section.

(4) In this section, **public right of way easement** means an easement in gross granted in relation to the settlement licensed land, as described in clause 7.22 of the deed of settlement.

Subpart 3—Unlicensed Crown forest land

82 Unlicensed Crown forest land

(1) This section applies if the trustees elect to purchase the unlicensed Crown forest land.

(2) On the actual deferred selection settlement date, the unlicensed Crown forest land ceases to be Crown forest land and any Crown forestry assets associated with that land cease to be Crown forestry assets.

(3) However, this section does not apply if, in relation to the unlicensed Crown forest land, the agreement referred to in clause 7.30 of the deed of settlement is cancelled in accordance with paragraph 11 of Part 22 of the Schedule of the deed of settlement.

(4) In this section, **Crown forestry assets** has the same meaning as in section 2(1) of the Crown Forest Assets Act 1989.

Subpart 4—Access to protected sites

83 Meaning of protected site

In this subpart, **protected site** means any area of land situated in the settlement licensed land or the unlicensed Crown forest land that—

(a) is, at any time, entered on the New Zealand Heritage List/Rārangi Kōrero (as defined in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014); and

(b) is wāhi tapu or a wāhi tapu area within the meaning of section 6 of that Act.

Section 83(a): replaced, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Section 83(b): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

84 Right of access to protected site

(1) The owner of the land on which a protected site is situated and any person holding an interest in, or right of occupancy to, that land must allow access

across the land to each protected site to Māori for whom the protected site is of special spiritual, cultural, or historical significance.

(2) The right of access may be exercised by vehicles or by foot over any reasonably convenient routes specified by the owner.

(3) The right of access is subject to the following conditions:

(a) a person intending to exercise the right of access must give the owner reasonable notice 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 of access must observe any reasonable conditions imposed by the owner relating to the time, location, or manner of access as are reasonably required—

(i) for the safety of people; or

(ii) for the protection of land, improvements, flora and fauna, plant and equipment, or livestock; or

(iii) for operational reasons.

85 Right of access subject to Crown forestry licence

(1) The right of access conferred by section 84 is subject to and does not override the terms of any Crown forestry licence, except where the licensee has agreed to an exercise of the right of access.

(2) An amendment to a Crown forestry licence will be of no effect to the extent that it purports to—

(a) delay the date from which a person who has a right of access under section 84 may exercise that right; or

(b) otherwise adversely affect the right of access.

86 Registrar-General must note right of access

(1) This section applies to any settlement licensed land or unlicensed Crown forest land on which a protected site is situated.

(2) The Registrar-General must, in accordance with a written application by an authorised person, make a notation on the computer freehold register for the settlement licensed land and the unlicensed Crown forest land that the land is subject to the right of access set out in section 84.

(3) An application must be made as soon as is reasonably practicable after—

(a) the settlement date, in the case of settlement licensed land; or

(b) the actual deferred selection settlement date, in the case of the unlicensed Crown forest land.

(4) However, if a computer freehold register has not been created by the settlement date or the actual deferred selection settlement date, as the case may be, an

application must be made as soon as is reasonably practicable after the register has been created.

(5) In this section, **authorised person** means—

(a) a person authorised by the chief executive of LINZ, for the settlement licensed land; and

(b) a person authorised by the Director-General of the Ministry of Agriculture and Forestry, for the unlicensed Crown forest land.

87 Limitations on application of subpart

This subpart does not apply to the unlicensed Crown forest land if—

(a) the trustees do not elect to acquire the property under clause 7.28.2 of the deed of settlement; or

(b) the agreement for sale and purchase constituted by clause 7.30 of the deed of settlement is cancelled in accordance with paragraph 11 of Part 22 of the Schedule of the deed of settlement.

Schedule 1
Statutory areas

s 10

Statutory area	Location
Pukepuke Lagoon	As shown on SO 402245
Omarupapako	As shown on SO 402246
Ruakiwi	As shown on SO 402247
Part of Rangitikei River	As shown on SO 402252
Part of Turakina River	As shown on SO 402253
Part of Whangaehu River	As shown on SO 402254
Part of Mangawhero River	As shown on SO 402255
Part of Oroua River	As shown on SO 402256
Ngāti Apa (North Island) Coastal Marine Area	As shown on SO 402250

Schedule 2
Cultural redress properties

ss 43, 57

All cultural redress properties are in the Wellington Land District.

Part 1
Papakainga properties

Name of site	Description	Encumbrances
AgResearch lands	9.2800 hectares, more or less, being Section 2 SO 37105. All Transfer 8540741.1.	Subject to a right to convey water, electricity, and telecommunications and computer media created by Easement Instrument 8505007.1. Subject to an unregistered right of way easement dated 9 July 2010 in favour of section 1 SO 37105 under section 60 of the Land Act 1948 and an appurtenant unregistered licence to take and convey water dated 9 July 2010.
Parewanui School	0.9129 hectares, more or less, being Section 1 SO 419812. All Computer Freehold Register 111346 (limited as to parcels).	Subject to unregistered Deed of Lease between the Crown and Te Runanga o Ngāti Apa Society Incorporated. Subject to a Licence to Occupy dated 1 May 2005 between the Crown and Parewanui Playgroup.
Part of the Santoft Forest	10.0100 hectares, more or less, being Lot 1 DP 420343. Part Computer Freehold Register WN 21B/822 and Part GN 893837.1.	Subject to Protective Covenant Certificate Computer Interest Register WN 1300/13.
Part of the Lismore Sand Forest	10.0090 hectares, more or less, being Lot 1 DP 420342. Part Computer Freehold Register WN 21C/293.	Subject to Protective Covenant Certificate Computer Interest Register WN 1300/12.
Kauangaroa School	1.8123 hectares, more or less, being Kauangaroa Maori Reserve and Kauangaroa 3G9. All Computer Freehold Register WN 52D/658 and All Transfer 213126.	Subject to an unregistered Residential Tenancy Agreement.

Part 2
Wāhi tapu properties

Name of site	Description	Encumbrances
Pukepuke Lagoon House site	0.3036 hectares, more or less, being Section 1 SO 428401. Part B 212575.1.	Together with a right of way easement in gross over C on DP 70917. Created by B 212575.3 (to be varied).

Name of site	Description	Encumbrances
		Together with the right of way easement referred to in section 45(3).
		Together with the right of way easement in gross referred to in section 45(5).
Waimahora Stream site	19.2142 hectares, more or less, being Section 1 SO 419788. Part GN 893837.1.	Subject to the conservation covenant referred to in section 46(3).
Lake Koitiata site	41.4650 hectares, more or less, being Section 492 Rangitikei District. All GN 6143991.1.	Subject to section 19(1)(a) of the Reserves Act 1977 for the purposes of a scenic reserve.
Marton Golf Course	50.8260 hectares, more or less, being Section 356 Rangitikei District. All Computer Freehold Register WN 9D/277.	Subject to section 17 of the Reserves Act 1977 for the purposes of a recreation reserve.
		Subject to the existing lease (B. 193460.1) dated 10 September 1991 between the Marton Golf Club Incorporated and Her Majesty the Queen.
		Subject to unregistered variation of lease B. 193460.1 dated 11 September 2003.
Lake Hickson site	5.3218 hectares, more or less, being Lot 1 DP 403965. Part transfer 7870340.1.	Subject to open space covenant 7557271.1.
		Subject to right to drain sewage created by Transfer B. 287722.1.
		Appurtenant right to convey water and a right of way created by Transfer B. 287722.2.
		Appurtenant pedestrian right of way created by Easement Instrument 7860242.3.
		The easements created by Easement Instrument 7860242.3 are subject to section 243(a) of the Resource Management Act 1991.
		Subject to consent notice pursuant to section 221 of the Resource Management Act 1991– 7860242.2.
Lake William site	5.2511 hectares, more or less, being Lot 2 DP 403965. Part Transfer 7870340.1.	The following encumbrances apply only in relation to Lot 2 DP 403965:
	4.8300 hectares, more or less, being Section 1 SO 421378. Part Transfer 320033.	Subject to open space covenant 7522341.1.
		Subject to right to convey water and right to convey electricity created by Easement Instrument 7860242.5.
		Appurtenant right to convey water created by Transfer B. 287722.2.

Name of site	Description	Encumbrances
		Appurtenant pedestrian right of way created by Easement Instrument 7860242.4.
		The easements created by Easement Instruments 7860242.4 and 7860242.5 are subject to section 243(a) of the Resource Management Act 1991.
		Subject to consent notice pursuant to section 221 of the Resource Management Act 1991– 7860242.2.
		Subject to an unregistered licence to occupy to the Manawatu Water Ski Club.
Mōtū Karaka	28.7000 hectares, more or less, being Section 1 SO 421260. Part *Gazette* Notice 875442.1.	Subject to section 19(1)(a) of the Reserves Act 1977 for the purposes of a scenic reserve.
Ruatangata site	8.4354 hectares, more or less, being Section 5 SO 417422. All computer freehold register 490036.	Subject to the unregistered lease dated 23 February 1972 between Her Majesty the Queen and John Donald Wilkie.
		Subject to the easements referred to in section 49(2)(a) and (b).
		Together with a right of way easement over A on SO 417422 created by Easement Instrument 8468780.1.
Pākiki	19.8480 hectares, more or less, being Lots 1, 2, and 3 DP 47116 and Section 10 Block XI Mangawhero Survey District. All Transfer 416726.4 and all GN 506931.1.	Subject to section 19(1)(a) of the Reserves Act 1977 for the purposes of a scenic reserve.
Lake Ngaruru site	1.5456 hectares, more or less, being Sections 1 and 2 SO 420609. Part *Gazette* 1874 p 692.	Subject to the covenant referred to in section 50(3).
Pakapakatea	14.9526 hectares, more or less, being Section 1 SO 420870. Part *Gazette* 1879 p 469 and all GN 335904.1.	Subject to section 23 of the Reserves Act 1977 for the purposes of a local purpose reserve (soil conservation and river control), being controlled and managed by Manawatu-Wanganui Regional Council.

Name of site	Description	Encumbrances
Waitapu	11.0474 hectares, more or less, being Section 1 SO 420489. All *Gazette* 1974 p 754.	Subject to section 23 of the Reserves Act 1977 for the purposes of a local purpose reserve (soil conservation and river control), being controlled and managed by Manawatu-Wanganui Regional Council.

Notes

1 General

This is a consolidation of the Ngāti Apa (North Island) Claims Settlement Act 2010 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Te Ture mō te Hararei Tūmatanui o te Kāhui o Matariki 2022/Te Kāhui o Matariki Public Holiday Act 2022 (2022 No 14): wehenga 7/section 7

Education and Training Act 2020 (2020 No 38): section 668

Trusts Act 2019 (2019 No 38): section 161

Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26): section 107

Holidays (Full Recognition of Waitangi Day and ANZAC Day) Amendment Act 2013 (2013 No 19): section 8

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2022