Rangitāne o Manawatu Claims Settlement Act 2016

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Rangitāne o Manawatu Claims Settlement Act 2016.

2 Commencement

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

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

Preliminary matters

3 Purpose

The purpose of this Act is—

(a) to record the acknowledgements and apology given by the Crown to Rangitāne o Manawatu in the deed of settlement; and

(b) to give effect to certain provisions of the deed of settlement that settles the historical claims of Rangitāne o Manawatu.

4 Provisions to take effect on settlement date

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

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

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

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

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

5 Act binds the Crown

This Act binds the Crown.

6 Outline

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

(2) This Part—

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

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

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

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

(e) defines terms used in this Act, including key terms such as Rangitāne o Manawatu and historical claims; and

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

(g) provides for—
  (i) the effect of the settlement of the historical claims on the jurisdiction of a court, tribunal, or other judicial body in respect of the historical claims; and
  (ii) a consequential amendment to the Treaty of Waitangi Act 1975; and
  (iii) the effect of the settlement on certain memorials; and
  (iv) the exclusion of the law against perpetuities; and
  (v) access to the deed of settlement.

(3) Part 2 provides for cultural redress, including—
 (a) cultural redress that does not involve the vesting of land, namely,—
  (i) protocols for conservation, Crown minerals, and taonga tūturu on the terms set out in the documents schedule; and
  (ii) a statutory acknowledgement by the Crown of the statements made by Rangitāne o Manawatu of their cultural, historical, spiritual, and traditional association with certain statutory areas and the effect of that acknowledgement, together with deeds of recognition for specified areas; and
  (iii) the establishment of an advisory board to provide advice in relation to freshwater management issues relating to the Manawatu River catchment, to the extent that the catchment is within the jurisdiction of the Manawatu–Wanganui Regional Council; and
  (iv) a whenua rāhui applying to certain areas of land; and
  (v) the provision of official geographic names; and
 (b) cultural redress requiring vesting in the trustees of the fee simple estate in certain cultural redress properties.

(4) Part 3 provides for commercial redress, including the transfer of commercial redress properties and deferred selection properties, access to protected sites, and rights of first refusal in relation to certain land.

(5) There are 4 schedules, as follows:
 (a) Schedule 1 describes the statutory areas to which the statutory acknowledgement relates and, in some cases, for which deeds of recognition are issued:
 (b) Schedule 2 describes the areas to which a whenua rāhui applies:
 (c) Schedule 3 describes the cultural redress properties:
 (d) Schedule 4 sets out provisions that apply to notices given in relation to RFR land.

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

7 Summary of historical account, acknowledgements, and apology

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

(2) Sections 9 and 10 record the text of the acknowledgements and apology given by the Crown to Rangitāne o Manawatu in the deed of settlement.

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

8 Summary of historical account

(1) Rangitāne o Manawatu trace their origins back to Whātonga, 1 of 3 rangatira who commanded the Kurahaupō waka as it sailed from Hawaiki to New Zealand. Their rohe follows the Manawatu River, extending north to the Rangitikei River, from the Tararua and Ruahine Ranges to the West Coast, and south to the Manawatu River mouth.

(2) After the Treaty of Waitangi was signed in 1840 Rangitāne o Manawatu encouraged European settlement in northern Manawatu so they could participate in the developing settler economy. From the 1840s, Rangitāne o Manawatu, alongside other iwi, leased large tracts of land between the Rangitikei and Manawatu Rivers to settlers. In 1863 a dispute over the distribution of rental proceeds threatened to escalate into armed conflict between the iwi. The Crown held hui with the 3 principal disputing iwi, including Rangitāne o Manawatu, but they could not agree on Crown proposals to refer the dispute to the Governor or to resolve the matter through arbitration. In January 1864 all parties agreed that rents from the Rangitikei–Manawatu block would be suspended until the dispute was settled.

(3) In 1864 the Crown purchased approximately 250 000 acres in the Te Ahuaturanga block from Rangitāne o Manawatu for £12,000. The Crown urged Rangitāne o Manawatu to sell as much land as possible and succeeded in reducing the size of the reserves to be made from the sale for Rangitāne o Manawatu from 5 000 acres to 2 570 acres. The reserves that were made did not include several areas of great cultural significance. After the Crown declined requests from Rangitāne o Manawatu to change the reserves, the iwi repurchased several of their kainga in the block. In 1867 the Crown gave 71 acres of the block to another iwi without consulting Rangitāne o Manawatu. The land is now central Palmerston North and valuable commercial and residential real estate.

(4) In April 1866 the Crown purchased approximately 241 000 acres in the Rangitikei–Manawatu block from representatives of the 3 iwi, including Rangitāne o Manawatu, for £25,000. A Crown official called upon the iwi to determine how to divide the money. Rangitāne o Manawatu called for an equal distribution of the purchase money. When this was rejected, Rangitāne o Manawatu felt they had to support a proposal under which they would receive £5,000. After no

consensus could be reached for this proposal either, Rangitāne o Manawatu informed the Crown they had entered an arrangement with one of the other iwi, who would represent Rangitāne interests and allocate them a share of the purchase price.

(5) In December 1866 a large group of Māori signed the deed of sale for the Rangitikei–Manawatu block, including approximately 96 Rangitāne o Manawatu. The Crown paid £15,000 to the iwi from whom Rangitāne o Manawatu had arranged to receive payment. Rangitāne o Manawatu received only £600 despite having consistently sought at least £5,000 for their interests.

(6) No reserves were defined in the Rangitikei–Manawatu deed, as the purchase had been completed on the basis that reserves would be allocated after sale. Rangitāne o Manawatu sought reserves to compensate for their disappointing share of the purchase money. In January 1867 Te Peeti Awe Awe requested the Crown "make good the loss" by giving Rangitāne o Manawatu a reserve of 3 000 acres at Puketotara. The Crown instead offered a reserve of 1 000 acres, which was finally accepted by Te Peeti Te Awe Awe in March 1867. However, over the following decade Rangitāne o Manawatu unsuccessfully petitioned the Crown on more than 12 occasions to have their concerns about the purchase payments addressed.

(7) In 1869 the suspended rents from the Rangitikei–Manawatu block, totalling £4,699, were distributed. Rangitāne o Manawatu received only £525, rather than the equal share they considered they were entitled to. Furthermore, a Crown official told Rangitāne o Manawatu that £300 of the payment was compensation for what the Crown considered the unfair payment they received for the Rangitikei–Manawatu purchase.

(8) In November 1870 Rangitāne o Manawatu rangatira sought an additional 10 000 acres of reserves in lieu of the £4,400 they said had not been received from the Rangitikei–Manawatu purchase. The Minister of Native Affairs conceded that Rangitāne o Manawatu appeared to "have suffered great loss". He awarded further reserves, but these proved unsatisfactory and Rangitāne o Manawatu continued to protest their payment.

(9) By the end of the 1880s Rangitāne o Manawatu held approximately 20 000 acres of land. This included reserves from Crown purchases, land they had been awarded by the Native Land Court, and land they had repurchased in the Te Ahuaturanga block. From the late nineteenth century much of the remaining land of Rangitāne o Manawatu was partitioned by the Native Land Court into blocks that were subsequently purchased by private interests. By 1930 Rangitāne o Manawatu landholdings had been reduced to 2 903 acres. The remaining land was gradually eroded by further sales and, as an iwi, Rangitāne o Manawatu became virtually landless.

9 Acknowledgements

(1) The Crown acknowledges that until now it has failed to address the longstanding grievances of Rangitāne o Manawatu in an appropriate way. The Crown hereby recognises the legitimacy of the historical grievances of Rangitāne o Manawatu and makes the following acknowledgements.

(2) The Crown acknowledges that when it investigated the New Zealand Company claims in Manawatu in 1843–1844, it did not seek the views of Rangitāne o Manawatu about the transactions affecting their land.

(3) The Crown acknowledges that between 1859 and 1866 it acquired most of the land in which Rangitāne o Manawatu held customary interests by purchasing over 500 000 acres in the Te Awahou, Te Ahuaturanga and Rangitikei–Manawatu blocks.

(4) The Crown acknowledges that when it opened negotiations for the Te Ahuaturanga block, Rangitāne o Manawatu sought to have the boundaries of the block surveyed and the purchase conducted on a price-per-acre basis, but the Crown was only prepared to offer a lump sum payment for the land under negotiation.

(5) The Crown acknowledges that—

- (a) in 1865 and 1866, after the sale of the Te Ahuaturanga block, it declined requests from Rangitāne o Manawatu to have sites they used and occupied, such as Raukawa Pā and Awapuni lagoon, included in their reserves; and
- (b) between 1866 and 1873 Rangitāne o Manawatu repurchased several hundred acres of Te Ahuaturanga land, including wāhi tapu and kāinga; and
- (c) when purchasing the Te Ahuaturanga block the Crown failed to adequately protect the interests of Rangitāne o Manawatu by ensuring that adequate reserves were set aside for Rangitāne o Manawatu and this failure was in breach of the Treaty of Waitangi and its principles.

(6) The Crown acknowledges that—

- (a) it did not act on a proposal by Rangitāne o Manawatu in 1865 to add land from the Papaioea clearing to their reserve at Hokowhitu in exchange for their reserve at Te Wi; and
- (b) in 1867 it purchased land from the Papaioea clearing for individuals from another iwi; and
- (c) this purchase has remained a considerable grievance for Rangitāne o Manawatu to the present day.

(7) The Crown acknowledges that—

- (a) the manner in which it conducted its purchase of the Rangitikei–Manawatu block in 1866, including not defining reserves prior to the purchase

deed being signed, gave rise to one of the deepest grievances of Rangitāne o Manawatu; and

(b) Rangitāne o Manawatu repeatedly sought redress from the Crown following the sale for what Rangitāne o Manawatu considered an insufficient payment and the Crown's response to those requests failed to alleviate this major grievance for Rangitāne o Manawatu. In particular, reserves created by the Crown in response to Rangitāne o Manawatu protests did not fully encompass those areas Rangitāne o Manawatu wanted to retain. As a consequence, the Rangitikei–Manawatu purchase has remained a major source of bitterness for Rangitāne o Manawatu down the generations to the present day.

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

(9) The Crown acknowledges that—

(a) by 1900 over half of the land still available to Rangitāne o Manawatu for their support and maintenance following the Te Ahuaturanga and Rangitikei–Manawatu purchases had been alienated, including much of their reserved land from those blocks; and

(b) by 1992 only a fraction of the former lands of Rangitāne o Manawatu remained in their ownership; and

(c) the cumulative effect of the Crown's acts and omissions, including the Te Ahuaturanga and Rangitikei–Manawatu purchases, the operation and impact of the native land laws, and private purchasing has left Rangitāne o Manawatu virtually landless; and

(d) the Crown's failure to ensure that Rangitāne o Manawatu retained sufficient land for their present and future needs was a breach of the Treaty of Waitangi and its principles. This hindered the social, cultural, and economic development of Rangitāne o Manawatu as an iwi.

(10) The Crown acknowledges that its actions have undermined the ability of Rangitāne o Manawatu to access many of their traditional resources, including rivers, lakes, forests, and wetlands. The Crown also acknowledges that Rangitāne o Manawatu has lost control of many of their significant sites, including wāhi tapu that they wished to retain, and that this has had an ongoing impact on their physical and spiritual relationship with the land.

10 Apology

The text of the apology offered by the Crown to Rangitāne o Manawatu, as set out in the deed of settlement, is as follows:

“(a) The Crown recognises the struggles of the ancestors of Rangitāne o Manawatu in pursuit of redress and justice for the Crown’s wrongs and makes this apology to Rangitāne o Manawatu, to their ancestors, and to their descendants.

(b) The Crown is deeply sorry that it has not always lived up to its obligations under the Treaty of Waitangi in its dealings with Rangitāne o Manawatu and unreservedly apologises to Rangitāne o Manawatu for its breaches of the Treaty of Waitangi and its principles.

(c) The Crown sincerely apologises for the cumulative effect of its acts and omissions, which left Rangitāne o Manawatu virtually landless. The Crown greatly regrets that on a number of occasions it failed to protect Rangitāne o Manawatu interests when purchasing land in their rohe. By 1866 Rangitāne o Manawatu had been alienated from many of their traditional kainga, taonga, and wāhi tapu, and were left with insufficient reserves. Despite the efforts of Rangitāne o Manawatu to retain and reacquire these lands, many have been lost forever. The Crown is deeply remorseful about the lasting sense of grievance its acts and omissions have caused Rangitāne o Manawatu.

(d) The Crown profoundly and deeply regrets that over the generations the Crown’s breaches of the Treaty of Waitangi undermined the social and traditional structures of Rangitāne o Manawatu and compromised the autonomy and ability of Rangitāne o Manawatu to exercise its customary rights and responsibilities.

(e) The Crown deeply regrets its failure to appropriately acknowledge the mana and rangatiratanga of Rangitāne o Manawatu. Through this apology and by this settlement, the Crown seeks to atone for its wrongs and begin the process of healing. The Crown looks forward to re-establishing its relationship with Rangitāne o Manawatu based on mutual trust, co-operation, and respect for the Treaty of Waitangi and its principles.”

Interpretation provisions

11 Interpretation of Act generally

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

12 Interpretation

In this Act, unless the context otherwise requires,—

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

attachments means the attachments to the deed of settlement

commercial redress property has the meaning given in section 95

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

computer register—

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

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

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

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

conservation legislation means—

(a) the Conservation Act 1987; and

(b) the enactments listed in Schedule 1 of that Act

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

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

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

cultural redress property has the meaning given in section 68

deed of recognition—

(a) means a deed of recognition issued under section 37 by—

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

   (ii) the Commissioner of Crown Lands; and

(b) includes any amendments made under section 37(4)

deed of settlement—

(a) means the deed of settlement dated 14 November 2015 and signed by—

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

   (ii) Matua Tokatu Moana Te Rangi, Danielle Pikihuia Harris, and Maurice Takarangi, for and on behalf of Rangitāne o Manawatu; and

   (iii) Terrance Whakataki Hapi, Louis Ngatiamu Smith-Te Mete, Tina Marie Kawana, Christopher Noel Whaiapu, Kim Pōtaka Taite, and

Danielle Pikihuia Harris, being the trustees of the Rangitāne o Manawatu Settlement Trust; and

(b) includes—

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

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

deferred selection property has the meaning given in section 95

Director-General means the Director-General of Conservation

documents schedule means the documents schedule of the deed of settlement

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

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

historical claims has the meaning given in section 14

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

LINZ means Land Information New Zealand

member of Rangitāne o Manawatu means an individual referred to in section 13(1)(a)

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

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

Rangitāne o Manawatu Settlement Trust means the trust of that name established by a trust deed dated 15 September 2015

regional council has the meaning given 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

representative entity means—

(a) the trustees; and

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

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

(ii) 1 or more members of Rangitāne o Manawatu; or

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

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

reserve property has the meaning given in section 68

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

RFR means the right of first refusal provided for by subpart 4 of Part 3

RFR land has the meaning given in section 110

settlement date means the date that is 40 working days after the date on which this Act comes into force

statutory acknowledgement has the meaning given in section 28

tikanga means customary values and practices

trustees of the Rangitāne o Manawatu Settlement Trust and **trustees** mean the trustees, acting in their capacity as trustees, of the Rangitāne o Manawatu Settlement Trust

whenua rāhui has the meaning given in section 49

working day means a day other than—

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

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

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

(d) the day observed as the anniversary of the province of Wellington.

13 Meaning of Rangitāne o Manawatu

(1) In this Act, **Rangitāne o Manawatu**—

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

(b) includes those individuals; and

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

(i) Ngāti Hineaute; and

(ii) Ngāti Mairehau; and

(iii) Ngāti Rangitepaia; and

(iv) Ngāti Rangiaranaki; and

(v) Ngāti Te Kapuārangi ki Manawatu; and

(d) to the extent only that descent can be traced from Tanenuiarangi (Rangitāne), includes the hapū of Ngāti Tauira.

(2) In this section and section 14,—

ancestor of Rangitāne o Manawatu means an individual who—

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

(i) Tanenuiarangi (Rangitāne); or

(ii) any other recognised ancestor of a group referred to in part 8 of the deed of settlement; or

(iii) a recognised ancestor of Ngāti Tauira, provided that ancestor descends from Tanenuiarangi (Rangitāne); and

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

area of interest means the area shown as the Rangitāne o Manawatu area of interest in part 1 of the attachments

customary rights means rights exercised according to tikanga Māori, including—

(a) rights to occupy land; and

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

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

(a) birth; or

(b) legal adoption; or

(c) Māori customary adoption in accordance with Rangitāne o Manawatu tikanga.

14 Meaning of historical claims

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

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

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

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

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

(a) is founded on a right arising—

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

(ii) under legislation; or

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

(iv) from a fiduciary duty; or

(v) otherwise; and

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

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

(ii) by or under legislation.

(3) The historical claims include—

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

(i) Wai 182 (Rangitāne o Manawatu claim):

(ii) Wai 631 (Rangitāne ki Manawatu Rohe claim):

(iii) Wai 873 (Rangitāne ki Manawatu (No.2) claim):

(iv) Wai 1627 (Te Awe Awe Hapū claim); and

(b) every other claim to the Waitangi Tribunal to the extent that subsection (2) applies to the claim and the claim relates to Rangitāne o Manawatu or a representative entity, including Wai 1928 (the Gloria Karaitiana claim).

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

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

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

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

Historical claims settled and jurisdiction of courts, etc, removed

15 Settlement of historical claims final

(1) The historical claims are settled.

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

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

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

(a) the historical claims; or

(b) the deed of settlement; or

(c) this Act; or

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

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

Amendment to Treaty of Waitangi Act 1975

16 Amendment to Treaty of Waitangi Act 1975

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

(2) In Schedule 3, insert in its appropriate alphabetical order "Rangitāne o Manawatu Claims Settlement Act 2016, section 15(4) and (5)".

Resumptive memorials no longer to apply

17 Certain enactments do not apply

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

(a) to a cultural redress property; or

(b) to a commercial redress property; or

(c) to a deferred selection property that is not RFR land, on and from the date of its transfer to the trustees; or

(d) to the RFR land; or

(e) for the benefit of Rangitāne o Manawatu or a representative entity.

(2) The enactments are—

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

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

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

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

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

18 Resumptive memorials to be cancelled

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

(a) is all or part of—

(i) a cultural redress property:

(ii) a commercial redress property:

(iii) a deferred selection property that is not RFR land:

(iv) the RFR land; and

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

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

(a) the settlement date, for a cultural redress property, a commercial redress property, or the RFR land; or

(b) the date of transfer of the property to the trustees, for a deferred selection property that is not RFR land.

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

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

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

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

Miscellaneous matters

19 Rule against perpetuities does not apply

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

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

(i) the Rangitāne o Manawatu Settlement Trust may exist in law; or

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

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

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

20 Access to deed of settlement

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

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

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

Part 2
Cultural redress

Subpart 1—Protocols

21 Interpretation

In this subpart,—

protocol—

(a) means each of the following protocols issued under section 22(1)(a):

(i) the conservation protocol:

(ii) the Crown minerals protocol:

(iii) the taonga tūturu protocol; and

(b) includes any amendments made under section 22(1)(b)

responsible Minister means,—

(a) for the conservation protocol, the Minister of Conservation:

(b) for the Crown minerals protocol, the Minister of Energy and Resources:

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

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

General provisions applying to protocols

22 Issuing, amending, and cancelling protocols

(1) Each responsible Minister—

(a) must issue a protocol to the trustees on the terms set out in part 5 of the documents schedule; and

(b) may amend or cancel that protocol.

(2) The responsible Minister may amend or cancel a protocol 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, and having particular regard to the views of, the trustees.

23 Protocols subject to rights, functions, and duties

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, for example, the ability to—

(i) introduce legislation and change Government policy; and

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

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

(c) the legal rights of Rangitāne o Manawatu or a representative entity.

24 Enforcement of protocols

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

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

(3) Despite subsection (2), damages or other forms 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).

Conservation

25 Conservation protocol

(1) The Director-General must note a summary of the terms of the conservation protocol in any conservation management strategy, conservation management plan, freshwater fisheries management plan, or national park management plan that affects the conservation protocol area.

(2) The noting of the summary is—

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

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

(3) The conservation protocol does not have the effect of granting, creating, or providing evidence of—

(a) rights relating to the common marine and coastal area; or

(b) an estate or interest in land held, managed, or administered under the conservation legislation; or

(c) an interest in, or rights relating to, flora or fauna managed or administered under the conservation legislation.

(4) In this section,—

common marine and coastal area has the meaning given in section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011

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

Crown minerals

26 Crown minerals protocol

(1) The chief executive of the department of State responsible for the administration of the Crown Minerals Act 1991 must note a summary of the terms of the Crown minerals protocol in—

(a) a register of protocols maintained by the chief executive; and

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

(2) The noting of the summary is—

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

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

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

(4) In this section,—

Crown mineral means a mineral, as defined in section 2(1) of the Crown Minerals Act 1991,—

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

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

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

minerals programme has the meaning given in section 2(1) of the Crown Minerals Act 1991.

Taonga tūturu

27 Taonga tūturu protocol

(1) 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.

(2) In this section, **taonga tūturu**—

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

(b) includes ngā taonga tūturu, as defined in section 2(1) of that Act.

Subpart 2—Statutory acknowledgement and deeds of recognition

28 Interpretation

In this subpart,—

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

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

(a) made by Rangitāne o Manawatu of their particular cultural, historical, spiritual, and traditional association with the statutory area; and

(b) set out in part 3 of the documents schedule

statutory acknowledgement means the acknowledgement made by the Crown in section 29 in respect of the statutory areas, on the terms set out in this subpart

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

statutory plan—

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

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

Statutory acknowledgement

29 Statutory acknowledgement by the Crown

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

30 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

(a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 31 to 33; and

(b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 34 and 35; and

(c) to enable the trustees and any member of Rangitāne o Manawatu to cite the statutory acknowledgement as evidence of the association of Rangitāne o Manawatu with a statutory area, in accordance with section 36.

31 Relevant consent authorities to have regard to statutory acknowledgement

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

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

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

32 Environment Court to have regard to statutory acknowledgement

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

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

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

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

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

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

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

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

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

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

34 Recording statutory acknowledgement on statutory plans

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

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

(a) a copy of sections 29 to 33, 35, and 36; and

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

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

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

(a) part of the statutory plan; or

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

35 Provision of summary or notice to trustees

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

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

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

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

(3) The summary must be provided—

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

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

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

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

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

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

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

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

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

36 Use of statutory acknowledgement

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

(a) the relevant consent authorities; or

(b) the Environment Court; or

(c) Heritage New Zealand Pouhere Taonga; or

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

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

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

(b) parties to proceedings before those bodies; or

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

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

(4) To avoid doubt,—

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

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

Deeds of recognition

37 Issuing and amending deeds of recognition

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

(2) The Minister of Conservation and the Director-General must issue a deed of recognition in the form set out in part 4 of the documents schedule for the statutory areas administered by the Department of Conservation.

(3) The Commissioner of Crown Lands must issue a deed of recognition in the form set out in part 4 of the documents schedule for the statutory areas administered by the Commissioner.

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

General provisions relating to statutory acknowledgement and deeds of recognition

38 Application of statutory acknowledgement and deed of recognition to river or stream

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

(a) applies only to—

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

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

(b) does not apply to—

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

(ii) an artificial watercourse.

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

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

(b) does not apply to—

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

(ii) the bed of an artificial watercourse.

39 Exercise of powers and performance of functions and duties

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

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

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

(4) This section is subject to—

(a) the other provisions of this subpart; and

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

40 Rights not affected

(1) The statutory acknowledgement and a deed of recognition—

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

(b) do not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, a statutory area.

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

Consequential amendment to Resource Management Act 1991

41 Amendment to Resource Management Act 1991

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

(2) In Schedule 11, insert in its appropriate alphabetical order “Rangitāne o Manawatu Claims Settlement Act 2016”.

Subpart 3—Manawatu River catchment advisory board

42 Advisory board established

(1) An advisory board (the **board**) is established to provide advice to the Manawatu–Wanganui Regional Council (the **Council**) in relation to freshwater management issues concerning the Manawatu River catchment.

(2) If the board and the Council agree in writing, the board may provide advice to the Council on any other matter.

(3) In this subpart,—

freshwater management issues means the issues relevant to freshwater management under the Resource Management Act 1991, to the extent that they relate to the Manawatu River catchment

Manawatu River catchment means the catchment of the Manawatu River to the extent that the catchment is within the jurisdiction of the Council.

43 Appointment of members to advisory board

(1) The board consists of the person or persons appointed under subsections (2) and (3).

(2) The following may appoint 1 member each to the board:

(a) the trustees of the Rangitāne o Manawatu Settlement Trust:

(b) the representatives of an iwi who become entitled to appoint a member under another enactment.

(3) The members appointed under subsection (2) (the **statutory members**) may from time to time appoint interim members of the board.

(4) An interim member may be appointed for an iwi only on and from the day on which the mandated representatives of the iwi accept a written offer from the Crown that, if enacted in accordance with the offer, would entitle representatives of the iwi to appoint a member of the board.

(5) The appointment of an iwi's interim member ceases at the start of the day on which representatives of the iwi appoint a member of the board under another enactment.

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

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

(b) the date on which the appointment takes effect, which must not be earlier than the date of the notice.

44 Advisory board may provide advice

(1) The board may provide written advice to the Council in relation to freshwater management issues, either on the board's own motion or in response to an invitation.

(2) The board may terminate any agreement to provide advice under section 42(2) by giving written notice to the Council.

45 Council to have regard to advice

The Council must—

(a) have regard to the advice of the board provided under section 44(1); and

(b) report back to the board as to how the Council has considered that advice.

46 Procedure of advisory board

The board may regulate its own procedure.

47 Disestablishment of advisory board

(1) The board may be disestablished by a majority vote of its statutory members.

(2) The statutory members must give written notice to the Council of a decision to disestablish the board.

48 Other obligations under Resource Management Act 1991

This subpart does not limit the obligations of the Council under the Resource Management Act 1991.

Subpart 4—Whenua rāhui

49 Interpretation

In this subpart,—

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

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

protection principles, for a whenua rāhui area,—

(a) means the principles set out for the area in part 2 of the documents schedule, as agreed by the trustees and the Minister of Conservation; and

(b) includes those principles, as they are amended by the written agreement of the trustees and the Minister of Conservation

specified actions for a whenua rāhui area, means the actions set out for the area in part 2 of the documents schedule

statement of values, for a whenua rāhui area, means the statement—

(a) made by Rangitāne o Manawatu of their values relating to their cultural, historical, spiritual, and traditional association with the area; and

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

whenua rāhui means the application of this subpart to each whenua rāhui area

whenua rāhui area—

(a) means an area that is declared under section 50(1) to be subject to the whenua rāhui; but

(b) does not include an area that is declared under section 61(1) to be no longer subject to the whenua rāhui.

50 Declaration of whenua rāhui and the Crown's acknowledgement

(1) Each area described in Schedule 2 is declared to be subject to a whenua rāhui.

(2) The Crown acknowledges the statement of values for the whenua rāhui areas.

51 Purposes of whenua rāhui

The only purposes of the whenua rāhui are—

(a) to require the New Zealand Conservation Authority and relevant Conservation Boards to comply with the obligations in section 53; and

(b) to enable the taking of action under sections 54 to 59.

52 Effect of protection principles

The protection principles are intended to prevent the values stated in the statement of values for a whenua rāhui area from being harmed or diminished.

53 Obligations on New Zealand Conservation Authority and Conservation Boards

(1) When the New Zealand Conservation Authority or a Conservation Board considers a conservation management strategy, conservation management plan, or national park management plan that relates to a whenua rāhui area, the Authority or Board must have particular regard to—

(a) the statement of values for the area; and

(b) the protection principles for the area.

(2) Before approving a strategy or plan that relates to a whenua rāhui area, the New Zealand Conservation Authority or a Conservation Board must—

(a) consult the trustees; and

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

(i) any matters in the implementation of the statement of values for the area; and

(ii) any matters in the implementation of the protection principles for the area.

(3) If the trustees advise the New Zealand Conservation Authority in writing that they have significant concerns about a draft conservation management strategy in relation to a whenua rāhui area, the Authority must, before approving the strategy, give the trustees an opportunity to make submissions in relation to those concerns.

54 Noting of whenua rāhui in strategies and plans

(1) The application of the whenua rāhui to a whenua rāhui area must be noted in any conservation management strategy, conservation management plan, or national park management plan affecting the area.

(2) The noting of the whenua rāhui is—

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

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

55 Notification in *Gazette*

(1) The Minister of Conservation must notify in the *Gazette*, as soon as practicable after the settlement date,—

(a) the declaration made by section 50 that the whenua rāhui applies to the whenua rāhui areas; and

(b) the protection principles for each whenua rāhui area.

(2) An amendment to the protection principles, as agreed by the trustees and the Minister of Conservation, must be notified by the Minister in the *Gazette* as soon as practicable after the amendment has been agreed in writing.

(3) The Director-General may notify in the *Gazette* any action (including any specified action) taken or intended to be taken under section 56 or 57.

56 Actions by Director-General

(1) The Director-General must take action in relation to the protection principles that relate to a whenua rāhui area, including the specified actions.

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

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

57 Amendment to strategies or plans

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

(2) The Director-General must consult relevant Conservation Boards before initiating the amendment.

(3) The amendment is an amendment for the purposes of section 17I(1) to (3) of the Conservation Act 1987 or section 46(1) to (4) of the National Parks Act 1980.

58 Regulations

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

(a) to provide for the implementation of objectives included in a strategy or plan under section 57(1):

(b) to regulate or prohibit activities or conduct by members of the public in relation to a whenua rāhui area:

(c) to create offences for breaches of regulations made under paragraph (b):

(d) to prescribe the following fines for an offence referred to in paragraph (c):

(i) a fine not exceeding $5,000; and

(ii) if the offence is a continuing one, an additional amount not exceeding $500 for every day on which the offence continues.

59 Bylaws

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

(a) to provide for the implementation of objectives included in a strategy or plan under section 57(1):

(b) to regulate or prohibit activities or conduct by members of the public in relation to a whenua rāhui area:

(c) to create offences for breaches of bylaws made under paragraph (b):

(d) to prescribe the following fines for an offence referred to in paragraph (c):

(i) a fine not exceeding $5,000; and

(ii) if the offence is a continuing one, an additional amount not exceeding $500 for every day on which the offence continues.

60 Effect of whenua rāhui on whenua rāhui areas

(1) This section applies if, at any time, the whenua rāhui applies to any land in—

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

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

(c) a reserve under the Reserves Act 1977.

(2) The whenua rāhui does not affect—

(a) the status of the land as a national park, conservation area, or reserve; or

(b) the classification or purpose of a reserve.

61 Termination of whenua rāhui

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Conservation, declare that all or part of a whenua rāhui area is no longer subject to the whenua rāhui.

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

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

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

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

(3) The Crown must take reasonable steps to ensure that the trustees continue to have input into the management of a relevant area if—

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

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

62 Exercise of powers and performance of functions and duties

(1) The whenua rāhui does not affect, and must not be taken into account by, any person exercising a power or performing a function or duty under an enactment or a bylaw.

(2) A person, in considering a matter or making a decision or recommendation under legislation or a bylaw, must not give greater or lesser weight to the values stated in the statement of values for a whenua rāhui area than that person would give if the area were not subject to the whenua rāhui.

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

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

63 Rights not affected

(1) The whenua rāhui does not—

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

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

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

Subpart 5—Official geographic names

64 Interpretation

In this subpart,—

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

Board has the meaning given in section 4 of the Act

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

65 Official geographic names

(1) A name specified in the second column of the table in clause 5.19 of the deed of settlement is the official geographic name of the feature described in the third and fourth columns of that table.

(2) Each official geographic name is to be treated as if it were an official geographic name that takes effect on the settlement date by virtue of a determination of the Board made under section 19 of the Act.

66 Publication of official geographic names

The Board must, as soon as practicable after the settlement date, give public notice, in accordance with section 21(2) and (3) of the Act, of each official geographic name specified under section 65.

67 Subsequent alteration of official geographic names

(1) In making a determination to alter the official geographic name of a feature named under this subpart, the Board—

(a) need not comply with sections 16, 17, 18, 19(1), or 20 of the Act; but

(b) must have the written consent of the trustees.

(2) To avoid doubt, the Board must give public notice of a determination made under subsection (1) in accordance with section 21(2) and (3) of the Act.

Subpart 6—Vesting of cultural redress properties

68 Interpretation

In this subpart,—

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

Properties vested in fee simple

(a) Awapuni:

(b) Pukepuke Lagoon property:

(c) Tangimoana Beach property:

Property vested in fee simple subject to conservation covenant

(d) Wharite Peak property:

Property vested in fee simple subject to terms of use

(e) Moutoa property:

Properties vested in fee simple to be administered as reserves

(f) Aruwaru Peak property:

(g) Mairehau Peak property:

(h) Mārima Peak property:

(i) Moutoa Reserve property:

(j) Ngāwhakaraua Peak property:

(k) Pohangina property

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

Properties vested in fee simple

69 Awapuni

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

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

70 Pukepuke Lagoon property

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

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

(3) The Minister of Conservation must provide the trustees with a registrable right of way easement on the terms and conditions set out in part 6.1 of the documents schedule.

(4) The easement referred to in subsection (3) is—

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

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

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

(5) Landcorp Farming Limited must provide the trustees with a registrable right of way easement in gross on the terms and conditions set out in part 6.2 of the documents schedule.

(6) The Crown must execute a registrable variation of the easement created by application B212575.3 on the terms and conditions set out in part 6.3 of the documents schedule.

71 Tangimoana Beach property

(1) The Tangimoana Beach property ceases to be a conservation area under the Conservation Act 1987.

(2) The fee simple estate in the Tangimoana Beach property vests in the trustees.

Property vested in fee simple subject to conservation covenant

72 Wharite Peak property

(1) The Wharite Peak property (being part of Ruahine Forest Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987.

(2) The fee simple estate in the Wharite Peak property vests in the trustees.

(3) Subsections (1) and (2) do not take effect until the trustees have provided the Crown with a registrable covenant in relation to the Wharite Peak property on the terms and conditions set out in part 6.4 of the documents schedule.

(4) The covenant is to be treated as a conservation covenant for the purposes of section 27 of the Conservation Act 1987.

Property vested in fee simple subject to terms of use

73 Moutoa property

(1) The Moutoa property ceases to be a conservation area under the Conservation Act 1987.

(2) The fee simple estate in the Moutoa property site vests in the trustees.

74 Conditions on use and management of Moutoa property

(1) The trustees must ensure that, in relation to the Moutoa property,—

(a) the risk of fire is minimised; and

(b) the introduction of domestic animals is prevented other than is provided for in paragraph (c); and

(c) any areas containing domestic animals that are farmed are fenced in accordance with the requirements of the Fencing Act 1978 to prevent the animals from accessing surrounding wetlands, native vegetation, and other farm land; and

(d) diverse use of the property is promoted; and

(e) the presence and spread of weeds are minimised; and

(f) the presence and spread of wild animals are minimised.

(2) To avoid doubt, the following activities are inconsistent with the obligations described in subsection (1):

(a) clearing indigenous vegetation or clear-felling indigenous trees:

(b) draining wetlands or increasing the size of existing drains:

(c) converting any more of the property to pasture than exists at the settlement date:

(d) open cast mining:

(e) farming wild animals that are required to be controlled under the Wild Animal Control Act 1977.

(3) In this section, **domestic animal** and **wild animal** have the meanings given in section 2(1) of the Wild Animal Control Act 1977.

75 Application of income from Moutoa property

(1) The trustees must ensure that any income received by the trustees as payment for the use of the Moutoa property is used for the purposes of conservation in relation to 1 or more of—

(a) Aruwaru Peak property:

(b) Mairehau Peak property:

(c) Mārima Peak property:

(d) Moutoa Reserve property:

(e) Ngāwhakaraua Peak property:

(f) Pohangina property:

(g) Wharite Peak property:

(h) any other land owned or administered by the trustees.

(2) Despite subsection (1), the trustees may apply so much of the income as is needed to meet the reasonable expenses incurred in relation to the Moutoa property.

(3) In this section, **conservation**—

(a) means the preservation and protection of natural and historic resources for the purposes of—

(i) maintaining their intrinsic value; and

(ii) providing for their appreciation and recreational enjoyment by the public; and

(iii) safeguarding the options of future generations; and

(b) includes providing educational services in relation to the matters described in paragraph (a).

Properties vested in fee simple to be administered as reserves

76 Aruwaru Peak property

(1) The Aruwaru Peak property (being part of Tararua Forest Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987.

(2) The fee simple estate in the Aruwaru Peak property vests in the trustees.

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

(4) The reserve is named Aruwaru Scenic Reserve.

77 Mairehau Peak property

(1) The Mairehau Peak property (being part of Tararua Forest Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987.

(2) The fee simple estate in Mairehau Peak property vests in the trustees.

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

(4) The reserve is named Mairehau Scenic Reserve.

78 Mārima Peak property

(1) The Mārima Peak property (being part of Tararua Forest Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987.

(2) The fee simple estate in the Mārima Peak property vests in the trustees.

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

(4) The reserve is named Mārima Scenic Reserve.

79 Moutoa Reserve property

(1) The Moutoa Reserve property ceases to be a conservation area under the Conservation Act 1987.

(2) The fee simple estate in the Moutoa Reserve property vests in the trustees.

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

(4) The reserve is named Moutoa Scenic Reserve.

80 Ngāwhakaraua Peak property

(1) The Ngāwhakaraua Peak property (being part of Tararua Forest Park) ceases to be part of the Park and a conservation area under the Conservation Act 1987.

(2) The fee simple estate in the Ngāwhakaraua Peak property vests in the trustees.

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

(4) The reserve is named Ngāwhakaraua Scenic Reserve.

81 Pohangina property

(1) The Pohangina property ceases to be a conservation area under the Conservation Act 1987.

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

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

(4) The reserve is named Pohangina Recreation Reserve.

General provisions applying to vesting of cultural redress properties

82 Properties vest subject to or together with interests

Each cultural redress property vested under this subpart is subject to, or has the benefit of, any interests listed for the property in the third column of the table in Schedule 3.

83 Interests that are not interests in land

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

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

(3) The interest applies—

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

(b) with any other necessary modifications; and

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

84 Registration of ownership

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

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

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

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

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

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

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

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

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

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

(7) A computer freehold register must be created under this section as soon as is reasonably practicable after the settlement date, but no later than—

(a) 24 months after the settlement date; or

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

85 Application of Part 4A of Conservation Act 1987

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

(2) Section 24 of the Conservation Act 1987 does not apply to the vesting of a reserve property.

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

(4) Subsections (2) and (3) do not limit subsection (1).

86 Matters to be recorded on computer freehold register

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

(a) for a reserve property,—

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

(ii) that the land is subject to sections 85(3) and 90; and

(b) for 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) For a reserve property, if the reservation of the property under this subpart is revoked for—

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

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

(ii) the property is subject to sections 85(3) and 90; or

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

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

87 Application of other enactments

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

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

(b) affect other rights to subsurface minerals.

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

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

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

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

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

88 Names of Crown protected areas discontinued

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

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

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

Further provisions applying to reserve properties

89 Application of other enactments to reserve properties

(1) The trustees are the administering body of a reserve property.

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

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

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

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

90 Subsequent transfer of reserve land

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

(2) The fee simple estate in the reserve land may be transferred, but only in accordance with section 91 or 92.

(3) In this section and sections 91 to 93, **reserve land** means the land that remains a reserve as described in subsection (1).

91 Transfer of reserve land to new administering body

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

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

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

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

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

(4) The required documents are—

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

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

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

(5) The new owners, from the time of their registration under this section,—

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

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

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

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

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

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

93 Reserve land not to be mortgaged

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

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

(1) This section applies to any bylaw, or any prohibition or restriction on use or access, that an administering body or the Minister of Conservation made or imposed under the Conservation Act 1987 or the Reserves Act 1977 in relation to a reserve property before the property was vested in the trustees under this subpart.

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

Part 3
Commercial redress

95 Interpretation

In subparts 1 to 3,—

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

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

Crown forestry licence—

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

(b) in relation to the licensed land, means the licence described in the third column of the table in part 3 of the property redress schedule

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

deferred selection property means a property described in part 4 of the property redress schedule for which the requirements for transfer under the deed of settlement have been satisfied

land holding agency means the land holding agency specified,—

(a) for a commercial redress property, in part 3 of the property redress schedule; or

(b) for a deferred selection property, in part 4 of the property redress schedule

licensed land—

(a) means the property described as licensed land in part 3 of the property redress schedule; but

(b) excludes—

(i) trees growing, standing, or lying on the land; and

(ii) improvements that have been—

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

(B) made by the purchaser or the licensee after the purchaser has acquired the trees on the land

licensee means the registered holder of the Crown forestry licence

licensor means the licensor of the Crown forestry licence

protected site means any area of land situated in the licensed land that—

(a) is wāhi tapu or a wāhi tapu area within the meaning of section 6 of the Heritage New Zealand Pouhere Taonga Act 2014; and

(b) is, at any time, entered on the New Zealand Heritage List/Rārangi Kōrero as defined in section 6 of that Act

right of access means the right conferred by section 106.

Subpart 1—Transfer of commercial redress properties and deferred selection properties

96 The Crown may transfer properties

(1) To give effect to part 6 of the deed of settlement, the Crown (acting by and through the chief executive of the land holding agency) is authorised—

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

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

(2) Subsection (3) applies to a deferred selection property that is subject to a resumptive memorial recorded under any enactment listed in section 17(2).

(3) As soon as is reasonably practicable after the date on which a deferred selection property is transferred to the trustees, the chief executive of the land holding agency must give written notice of that date to the chief executive of LINZ for the purposes of section 18 (which relates to the cancellation of resumptive memorials).

97 Minister of Conservation may grant easements

(1) The Minister of Conservation may grant any easement over a conservation area or reserve that is required to fulfil the terms of the deed of settlement in relation to a commercial redress property or deferred selection property.

(2) Any such easement is—

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

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

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

98 Computer freehold registers for commercial redress property and deferred selection properties

(1) This section applies to each of the following properties that is to be transferred to the trustees under section 96:

(a) the commercial redress property that is not licensed land:

(b) a deferred selection property.

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

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

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

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

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

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

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

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

(5) In this section and sections 99 and 100, **authorised person** means a person authorised by the chief executive of the land holding agency for the relevant property.

99 Computer freehold register for licensed land subject to single Crown forestry licence

(1) This section applies to licensed land that is subject to a single Crown forestry licence and is to be transferred to the trustees under section 96.

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

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

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

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

(3) Subsection (2) is subject to the completion of any survey necessary to create a computer freehold register.

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

(1) For the purposes of sections 98 and 99, the authorised person may grant a covenant for the later creation of a computer freehold register for any commercial redress property or deferred selection property.

(2) Despite the Land Transfer Act 1952,—

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

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

101 Application of other enactments

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

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

(3) The transfer does not—

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

(b) affect other rights to subsurface minerals.

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

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

(6) In exercising the powers conferred by section 96, the Crown is not required to comply with any other enactment that would otherwise regulate or apply to the transfer.

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

102 Transfer of certain deferred selection properties

(1) This section applies to the transfer to the trustees of the following deferred selection properties:

(a) Pohangina Field Centre (being part of the Ruahine Forest Park); and

(b) Takapari Conservation Area.

(2) Immediately before the transfer of—

(a) the Pohangina Field Centre, the property ceases to be part of the Ruahine Forest Park and a conservation area under the Conservation Act 1987; and

(b) the Takapari Conservation Area, the property ceases to be a conservation area under the Conservation Act 1987.

(3) If the land, or any part of the land, in either property is, immediately before the transfer, all or part of a Crown protected area, then on transfer the official geographic name of the Crown protected area is discontinued in respect of the land and the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa must amend the Gazetteer accordingly.

Subpart 2—Licensed land

103 Licensed land ceases to be Crown forest land

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

(2) However, the Crown, courts, and tribunals must not do or omit to do anything if that act or omission would, between the settlement date and the date of registration, be permitted by the Crown Forest Assets Act 1989 but be inconsistent with this subpart, part 6 of the deed of settlement, or part 6 of the property redress schedule.

104 Trustees are confirmed beneficiaries and licensors of licensed land

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

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

(a) the trustees are entitled to the rental proceeds payable for the licensed land to the trustees of the Crown forestry rental trust under a Crown forestry licence since the commencement of the licence; and

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

(3) The Crown must give notice under section 17(4)(b) of the Crown Forest Assets Act 1989 in respect of a 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 licensed land.

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

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

(b) the recommendation became final on the settlement date.

(5) The trustees are the licensors under each Crown forestry licence as if the licensed land were 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 licensed land.

105 Effect of transfer of licensed land

Section 104 applies whether or not the transfer of the fee simple estate in the licensed land has been registered.

Subpart 3—Access to protected sites

106 Right of access to protected sites

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

the protected site is of special cultural, historical, or spiritual significance to have access across the land to each protected site.

(2) The right of access may be exercised by vehicle 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 in writing of his or her intention to exercise that right; and

(b) the right of access may be exercised only at reasonable times and during daylight hours; and

(c) a person exercising the right of access must observe any conditions imposed by the owner relating to the time, location, or manner of access that 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.

107 Right of access over licensed land

(1) A right of access over licensed land is subject to the terms of any Crown forestry licence.

(2) However, subsection (1) does not apply if the licensee has agreed to the right of access being exercised.

(3) An amendment to a Crown forestry licence is of no effect to the extent that it would—

(a) delay the date from which a person may exercise a right of access; or

(b) adversely affect a right of access in any other way.

108 Right of access to be recorded on computer freehold register

(1) This section applies to the transfer to the trustees of the licensed land.

(2) The transfer instrument for the transfer must include a statement that the land is subject to a right of access to any protected sites on the land.

(3) The Registrar-General must, upon the registration of the transfer of the land, record on the computer freehold register for the land that the land is subject to a right of access to protected sites on the land.

Subpart 4—Right of first refusal over RFR land

Interpretation

109 Interpretation

In this subpart and Schedule 4,—

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

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

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

Crown body means—

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

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

(c) the New Zealand Railways Corporation; and

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

 (i) the Crown:

 (ii) a Crown entity:

 (iii) a State enterprise:

 (iv) the New Zealand Railways Corporation; and

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

dispose of, in relation to RFR land,—

(a) means—

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

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

(b) to avoid doubt, does not include—

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

 (ii) to grant an easement over the land; or

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

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

expiry date, in relation to an offer, means its expiry date under sections 112(2)(a) and 113

notice means a notice given under this subpart

offer means an offer by an RFR landowner, made in accordance with section 112, to dispose of RFR land to the trustees

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

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

RFR land has the meaning given in section 110

RFR land schedule means the RFR land schedule in part 3 of the attachments

RFR landowner, in relation to RFR land,—

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

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

(c) includes a local authority to which RFR land has been disposed of under section 118(1); but

(d) to avoid doubt, does not include an administering body in which RFR land is vested after the settlement date under section 119(1)

RFR period means the period of 171 years on and from the settlement date

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

110 Meaning of RFR land

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

(a) the land described in the RFR land schedule that, on the settlement date,—

(i) is vested in the Crown; or

(ii) is held in fee simple by the Crown; and

(b) any land obtained in exchange for a disposal of RFR land under section 123(1)(c) or 124.

(2) Land ceases to be RFR land if—

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

(i) the trustees or their nominee (for example, under section 96 in the case of a deferred selection property or under a contract formed under section 116); or

(ii) any other person (including the Crown or a Crown body) under section 111(d); or

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

(i) under any of sections 120 to 126 (which relate to permitted disposals of RFR land); or

(ii) under any matter referred to in section 127(1) (which specifies matters that may override the obligations of an RFR landowner under this subpart); or

(c) the fee simple estate in the land transfers or vests from the RFR landowner in accordance with a waiver or variation given under section 135; or

(d) the RFR period for the land ends.

Restrictions on disposal of RFR land

111 Restrictions on disposal of RFR land

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

(a) under any of sections 117 to 126; or

(b) under any matter referred to in section 127(1); or

(c) in accordance with a waiver or variation given under section 135; or

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

(i) made in accordance with section 112; and

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

(iii) not withdrawn under section 114; and

(iv) not accepted under section 115.

Trustees' right of first refusal

112 Requirements for offer

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

(2) The notice must include—

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

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

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

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

113 Expiry date of offer

(1) The expiry date of an offer must be on or after the date that is 20 working days after the date on which the trustees receive notice of the offer.

(2) However, the expiry date of an offer may be on or after the date that is 10 working days after the date on which the trustees receive notice of the offer if—

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

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

(c) the earlier offer was not withdrawn.

114 Withdrawal of offer

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

115 Acceptance of offer

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

(a) it has not been withdrawn; and

(b) its expiry date has not passed.

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

116 Formation of contract

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

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

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

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

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

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

(5) The notice must specify—

(a) the full name of the nominee; and

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

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

Disposals to others but land remains RFR land

117 Disposal to the Crown or Crown bodies

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

(a) the Crown; or

(b) a Crown body.

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

118 Disposal of existing public works to local authorities

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

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

(a) the RFR landowner of the land; and

(b) subject to the obligations of an RFR landowner under this subpart.

119 Disposal of reserves to administering bodies

(1) An RFR landowner may dispose of RFR land in accordance with section 26 or 26A of the Reserves Act 1977.

(2) To avoid doubt, if RFR land that is a reserve is vested in an administering body under subsection (1), the administering body does not become—

(a) the RFR landowner of the land; or

(b) subject to the obligations of an RFR landowner under this subpart.

(3) However, if RFR land vests back in the Crown under section 25 or 27 of the Reserves Act 1977, the Crown becomes—

(a) the RFR landowner of the land; and

(b) subject to the obligations of an RFR landowner under this subpart.

Disposals to others where land may cease to be RFR land

120 Disposal in accordance with obligations under enactment or rule of law

An RFR landowner may dispose of RFR land in accordance with an obligation under any enactment or rule of law.

121 Disposal in accordance with legal or equitable obligations

An RFR landowner may dispose of RFR land in accordance with—

(a) a legal or an equitable obligation that—

(i) was unconditional before the settlement date; or

(ii) was conditional before the settlement date but became unconditional on or after the settlement date; or

(iii) arose after the exercise (whether before, on, or after the settlement date) of an option existing before the settlement date; or

(b) the requirements, existing before the settlement date, of a gift, an endowment, or a trust relating to the land.

122 Disposal under certain legislation

An RFR landowner may dispose of RFR land in accordance with—

(a) section 54(1)(d) of the Land Act 1948; or

(b) section 34, 43, or 44 of the Marine and Coastal Area (Takutai Moana) Act 2011; or

(c) section 355(3) of the Resource Management Act 1991; or

(d) an Act that—

(i) excludes the land from a national park within the meaning of the National Parks Act 1980; and

(ii) authorises that land to be disposed of in consideration or part consideration for other land to be held or administered under the Conservation Act 1987, the National Parks Act 1980, or the Reserves Act 1977.

123 Disposal of land held for public works

(1) An RFR landowner may dispose of RFR land in accordance with—

(a) section 40(2) or (4) or 41 of the Public Works Act 1981 (including as applied by another enactment); or

(b) section 52, 105(1), 106, 114(3), 117(7), or 119 of the Public Works Act 1981; or

(c) section 117(3)(a) of the Public Works Act 1981; or

(d) section 117(3)(b) of the Public Works Act 1981 if the land is disposed of to the owner of adjoining land; or

(e) section 23(1) or (4), 24(4), or 26 of the New Zealand Railways Corporation Restructuring Act 1990.

(2) To avoid doubt, RFR land may be disposed of by an order of the Māori Land Court under section 134 of Te Ture Whenua Maori Act 1993, after an application by an RFR landowner under section 41(e) of the Public Works Act 1981.

124 Disposal for reserve or conservation purposes

An RFR landowner may dispose of RFR land in accordance with—

(a) section 15 of the Reserves Act 1977; or

(b) section 16A or 24E of the Conservation Act 1987.

125 Disposal for charitable purposes

An RFR landowner may dispose of RFR land as a gift for charitable purposes.

126 Disposal to tenants

The Crown may dispose of RFR land—

(a) that was held on the settlement date for education purposes to a person who, immediately before the disposal, is a tenant of the land or all or part of a building on the land; or

(b) under section 67 of the Land Act 1948, if the disposal is to a lessee under a lease of the land granted—

(i) before the settlement date; or

(ii) on or after the settlement date under a right of renewal in a lease granted before the settlement date; or

(c) under section 93(4) of the Land Act 1948.

RFR landowner obligations

127 RFR landowner’s obligations subject to other matters

(1) An RFR landowner’s obligations under this subpart in relation to RFR land are subject to—

(a) any other enactment or rule of law except that, in the case of a Crown body, the obligations apply despite the purpose, functions, or objectives of the Crown body; and

(b) any interest or legal or equitable obligation—

(i) that prevents or limits an RFR landowner’s disposal of RFR land to the trustees; and

(ii) that the RFR landowner cannot satisfy by taking reasonable steps; and

(c) the terms of a mortgage over, or security interest in, RFR land.

(2) Reasonable steps, for the purposes of subsection (1)(b)(ii), do not include steps to promote the passing of an enactment.

Notices about RFR land

128 Notice to LINZ of RFR land with computer register after settlement date

(1) If a computer register is first created for RFR land after the settlement date, the RFR landowner must give the chief executive of LINZ notice that the register has been created.

(2) If land for which there is a computer register becomes RFR land after the settlement date, the RFR landowner must give the chief executive of LINZ notice that the land has become RFR land.

(3) The notice must be given as soon as is reasonably practicable after a computer register is first created for the RFR land or after the land becomes RFR land.

(4) The notice must include the legal description of the land and the reference for the computer register.

129 Notice to trustees of disposal of RFR land to others

(1) An RFR landowner must give the trustees notice of the disposal of RFR land by the landowner to a person other than the trustees or their nominee.

(2) The notice must be given on or before the date that is 20 working days before the day of the disposal.

(3) The notice must include—

(a) the legal description of the land, including any interests affecting it; and

(b) the reference for any computer register for the land; and

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

(d) the name of the person to whom the land is being disposed of; and

(e) an explanation of how the disposal complies with section 111; and

(f) if the disposal is to be made under section 111(d), a copy of any written contract for the disposal.

130 Notice to LINZ of land ceasing to be RFR land

(1) This section applies if land contained in a computer register is to cease being RFR land because—

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

(i) the trustees or their nominee (for example, under section 96 in the case of a deferred selection property or under a contract formed under section 116); or

(ii) any other person (including the Crown or a Crown body) under section 111(d); or

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

(i) under any of sections 120 to 126; or

(ii) under any matter referred to in section 127(1); or

(c) the fee simple estate in the land is to transfer or vest from the RFR landowner in accordance with a waiver or variation given under section 135.

(2) The RFR landowner must, as early as practicable before the transfer or vesting, give the chief executive of LINZ notice that the land is to cease being RFR land.

(3) The notice must include—

(a) the legal description of the land; and

(b) the reference for the computer register for the land; and

(c) the details of the transfer or vesting of the land.

131 Notice requirements

Schedule 4 applies to notices given under this subpart by or to—

(a) an RFR landowner; or

(b) the trustees.

Right of first refusal recorded on computer registers

132 Right of first refusal to be recorded on computer registers for RFR land

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

(a) the RFR land for which there is a computer register on the settlement date; and

(b) the RFR land for which a computer register is first created after the settlement date; and

(c) land for which there is a computer register that becomes RFR land after the settlement date.

(2) The chief executive must issue a certificate as soon as is reasonably practicable—

(a) after the settlement date, for RFR land for which there is a computer register on the settlement date; or

(b) after receiving a notice under section 128 that a computer register has been created for the RFR land or that the land has become RFR land, for any other land.

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

(4) The chief executive must provide a copy of each certificate to the trustees as soon as is reasonably practicable after issuing the certificate.

(5) The Registrar-General must, as soon as is reasonably practicable after receiving a certificate issued under this section, record on each computer register for the RFR land identified in the certificate that the land is—

(a) RFR land, as defined in section 110; and

(b) subject to this subpart (which restricts disposal, including leasing, of the land).

133 Removal of notifications when land to be transferred or vested

(1) The chief executive of LINZ must, before registration of the transfer or vesting of land described in a notice received under section 130, issue to the Registrar-General a certificate that includes—

(a) the legal description of the land; and

(b) the reference for the computer register for the land; and

(c) the details of the transfer or vesting of the land; and

(d) a statement that the certificate is issued under this section.

(2) The chief executive must provide a copy of each certificate to the trustees as soon as is reasonably practicable after issuing the certificate.

(3) If the Registrar-General receives a certificate issued under this section, he or she must, immediately before registering the transfer or vesting described in the certificate, remove from the computer register identified in the certificate any notification recorded under section 132 for the land described in the certificate.

134 Removal of notifications when RFR period ends

(1) The chief executive of LINZ must, as soon as is reasonably practicable after the RFR period ends in respect of any RFR land, issue to the Registrar-General a certificate that includes—

(a) the reference for each computer register for that RFR land that still has a notification recorded under section 132; and

(b) a statement that the certificate is issued under this section.

(2) The chief executive must provide a copy of each certificate to the trustees as soon as is reasonably practicable after issuing the certificate.

(3) The Registrar-General must, as soon as is reasonably practicable after receiving a certificate issued under this section, remove any notification recorded under section 132 from any computer register identified in the certificate.

General provisions applying to right of first refusal

135 Waiver and variation

(1) The trustees may, by notice to an RFR landowner, waive any or all of the rights the trustees have in relation to the landowner under this subpart.

(2) The trustees and an RFR landowner may agree in writing to vary or waive any of the rights each has in relation to the other under this subpart.

(3) A waiver or an agreement under this section is on the terms, and applies for the period, specified in it.

136 Disposal of Crown bodies not affected

This subpart does not limit the ability of the Crown, or a Crown body, to sell or dispose of a Crown body.

137 Assignment of rights and obligations under this subpart

(1) Subsection (3) applies if the RFR holder—

(a) assigns the RFR holder's rights and obligations under this subpart to 1 or more persons in accordance with the RFR holder's constitutional document; and

(b) has given the notices required by subsection (2).

(2) The RFR holder must give notices to each RFR landowner that—

(a) state that the RFR holder's rights and obligations under this subpart are being assigned under this section; and

(b) specify the date of the assignment; and

(c) specify the names of the assignees and, if they are the trustees of a trust, the name of the trust; and

(d) specify the street address, postal address, and fax number or electronic address for notices to the assignees.

(3) This subpart and Schedule 4 apply to the assignees (instead of to the RFR holder) as if the assignees were the trustees, with any necessary modifications.

(4) In this section,—

constitutional document means the trust deed or other instrument adopted for the governance of the RFR holder

RFR holder means the 1 or more persons who have the rights and obligations of the trustees under this subpart, because—

(a) they are the trustees; or

(b) they have previously been assigned those rights and obligations under this section.

Schedule 1
Statutory areas

ss 28, 37

Part 1
Area subject only to statutory acknowledgement

Statutory area	Location
Coastal area	As shown on OTS-182-25

Part 2
Areas subject to both statutory acknowledgement and deed of recognition

Statutory area	Location
Manawatu Gorge Scenic Reserve	As shown on OTS-182-15
Manawatu River and tributaries	As shown on OTS-182-20
Mangahao River	As shown on OTS-182-24
Omarupapako / Round Bush Scenic Reserve	As shown on OTS-182-16
Oroua River	As shown on OTS-182-23
Pohangina River	As shown on OTS-182-22
Pukepuke Lagoon Conservation Area	As shown on OTS-182-14
Rangitikei River	As shown on OTS-182-21
Ruahine Forest Park	As shown on OTS-182-18
Tararua Forest Park	As shown on OTS-182-19
Tawhirihoe Scientific Reserve	As shown on OTS-182-17

Schedule 2
Whenua rāhui

s 50

Whenua rāhui area	Location	Description
Part Himatangi Bush Scientific Reserve	As shown on OTS-182-12.	*Wellington Land District—Horowhenua District* Part Lot 1 DP 31846.
Makurerua Swamp Wildlife Management Reserve (being Makerua Swamp Wildlife Management Reserve)	As shown on OTS-182-13.	*Wellington Land District—Horowhenua District* Section 24 Block VIII Mount Robinson Survey District and Marginal Strip adjoining Section 24 Block VIII Mount Robinson Survey District.

Schedule 3
Cultural redress properties

ss 68, 82

Properties vested in fee simple

Name of property	Description	Interests
Awapuni	*Wellington Land District—Palmerston North City* 1.5808 hectares, more or less, being Section 1 SO 23491. Balance Proclamation 440342. 2.2335 hectares, more or less, being Section 1 SO 36761, Sections 1723 and 1724 Town of Palmerston North. Part *Gazette* 1866, p 291.	Subject to an unregistered grazing concession with concession number TW-31996-GRA to C L Eales (affects Section 1 SO 23491). Subject to the unregistered right of way held in concession number WA-18690-OTH in favour of Manawatu Racing Club (affects Section 1 SO 23491). Subject to an unregistered concession with concession number WA-18689-OTH to Manawatu Racing Club (affects Section 1 SO 23491). Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated. Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited. Subject to an unregistered high impact, research and collection permit with national permit number AK-31321-FAU to Adriean J Mayor. Subject to an unregistered low impact, research and collection permit with national permit number WK-33705-FLO to Gillian Rapson. Subject to an unregistered low impact, research and collection permit with national permit number WE-32716-FAU to Auckland Museum. Subject to an unregistered low impact, research and collection permit with national permit number BP-25358-FLO to Graeme Jane. Subject to an unregistered concession (permit) with

Name of property	Description	Interests
		concession number CA-31615-OTH to Landcare Research New Zealand Limited. Subject to an unregistered Wildlife Act Authority permit with national permit number 35196-FAU to Marieke Lettink. Subject to an unregistered Wildlife Act Authority permit with national permit number 35130-FAU to Wildlife Consultants Limited. Subject to an unregistered Wildlife Act Authority permit with national permit number AK-32415-FAU to Auckland Museum.
Pukepuke Lagoon property	*Wellington Land District—Manawatu District* 0.2500 hectares, more or less, being Section 1 SO 496201. Part Proclamation 488374.	Together with the right of way easement referred to in section 70(3).
Tangimoana Beach property	*Wellington Land District—Manawatu District* 3.0004 hectares, more or less, being Section 2 SO 495698. Part *Gazette* 1869, p 544.	

Property vested in fee simple subject to conservation covenant

Name of property	Description	Interest
Wharite Peak property	*Wellington Land District—Tararua District* 2.0042 hectares, more or less, being Section 1 SO 495452. Part *Gazette* 1982, p 3268.	Subject to the conservation covenant referred to in section 72(3).

Property vested in fee simple subject to terms of use

Name of property	Description	Interests
Moutoa property	*Wellington Land District—Horowhenua District* 48.2766 hectares, more or less, being Section 2 SO 495077, Section 2 SO 36803, and Section 136 Motoa District. Part *Gazette* notices 062330.1 and B016611.1, and part computer freehold register WN426/12.	Subject to an unregistered grazing concession with concession number WE-39554-GRA to Waingaru Farms Limited (affects Part Section 2 SO 36803). Subject to an unregistered grazing concession with concession number WA-23216-GRA to Waingaru Farms Limited (affects Section 136 Motoa District and Part Section 2 SO 36803). Subject to an unregistered grazing concession with concession number TW-34255-GRA to

Name of property	Description	Interests
		Landcorp Farming Limited (affects Part Sections 1 and 2 SO 36800, and Part Section 2 SO 36803).
		Subject to an unregistered permit with national permit number 35818-FAU to Animal Health Board Incorporated.
		Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited.
		Subject to an unregistered high impact, research and collection permit with national permit number AK-31321-FAU to Adriean J Mayor.
		Subject to an unregistered low impact, research and collection permit with national permit number WK-33705-FLO to Gillian Rapson.
		Subject to an unregistered low impact, research and collection permit with national permit number WE-32716-FAU to Auckland Museum.
		Subject to an unregistered low impact, research and collection permit with national permit number BP-25358-FLO to Graeme Jane.
		Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.
		Subject to an unregistered Wildlife Act Authority permit with national permit number 35196-FAU to Marieke Lettink.
		Subject to an unregistered Wildlife Act Authority permit with national permit number 35130-FAU to Wildlife Consultants Limited.
		Subject to an unregistered Wildlife Act Authority permit with national permit number AK-32415-FAU to Auckland Museum.

Properties vested in fee simple to be administered as reserves

Name of property	Description	Interests
Aruwaru Peak property	*Wellington Land District—Horowhenua and Tararua District* 10.0000 hectares, more or less, being Section 1 SO 495074. Part *Gazette* 1967, p 1551.	Subject to being a scenic reserve, as referred to in section 76(3).
Mairehau Peak property	*Wellington Land District—Horowhenua District* 10.0000 hectares, more or less, being Section 1 SO 495052. Part *Gazette* 1967, p 1551.	Subject to being a scenic reserve, as referred to in section 77(3).
Mārima Peak property	*Wellington Land District—Tararua District* 9.9999 hectares, more or less, being Sections 1 and 3 SO 495075. Part *Gazette* 1967, p 1551.	Subject to being a scenic reserve, as referred to in section 78(3).
Moutoa Reserve property	*Wellington Land District—Horowhenua District* 0.1452 hectares, more or less, being Section 1 SO 37810. All *Gazette* notice 5247173.1. 3.3000 hectares, more or less, being Lot 1 DP 340966. All computer freehold register 168316. 148.2527 hectares, more or less, being Section 1 SO 36799, Section 1 SO 495077, Section 1 SO 36801, Section 1 SO 36802, and Section 1 SO 36803. Part *Gazette* notices 062330.1, 824340.1, and B016611.1.	Subject to being a scenic reserve, as referred to in section 79(3). Subject to an unregistered grazing concession with concession number TW-34255-GRA to Landcorp Farming Limited (affects Part Section 1 SO 36799, Part Sections 1 and 2 SO 36800, Section 1 SO 36801 and Section 1 SO 36802). Subject to an unregistered right of way easement in gross with agreement number WA-174 to Manawatu–Wanganui Regional Council. Subject to an unregistered permit with national permit number 35818–FAU to Animal Health Board Incorporated. Subject to an unregistered permit with national permit number 35818-FAU and assignment with concession number 36927-DAM to TBfree New Zealand Limited. Subject to an unregistered high impact, research and collection permit with national permit number AK-31321-FAU to Adriean J Mayor. Subject to an unregistered low impact, research and collection permit with national permit number WK-33705-FLO to Gillian Rapson.

Name of property	Description	Interests
		Subject to an unregistered low impact, research and collection permit with national permit number WE-32716-FAU to Auckland Museum.
		Subject to an unregistered low impact, research and collection permit with national permit number BP-25358-FLO to Graeme Jane.
		Subject to an unregistered concession (permit) with concession number CA-31615-OTH to Landcare Research New Zealand Limited.
		Subject to an unregistered Wildlife Act Authority permit with national permit number 35196-FAU to Marieke Lettink.
		Subject to an unregistered Wildlife Act Authority permit with national permit number 35130-FAU to Wildlife Consultants Limited.
		Subject to an unregistered Wildlife Act Authority permit with national permit number AK-32415-FAU to Auckland Museum.
Ngāwhakaraua Peak property	*Wellington Land District—Horowhenua District* 10.0000 hectares, more or less, being Section 2 SO 495052. Part *Gazette* 1967, p 1551.	Subject to being a scenic reserve, as referred to in section 80(3).
Pohangina property	*Wellington Land District—Manawatu District* 3.2578 hectares, more or less, being Sections 1 and 2 SO 495274. Part *Gazette* 1866, p 291.	Subject to being a recreation reserve, as referred to in section 81(3).

Schedule 4
Notices in relation to RFR land

ss 109, 131, 137(3)

1 Requirements for giving notice

A notice by or to an RFR landowner or the trustees under subpart 4 of Part 3 must be—

(a) in writing and signed by—

 (i) the person giving it; or

 (ii) at least 2 of the trustees for a notice given by the trustees; and

(b) addressed to the recipient at the street address, postal address, fax number, or electronic address,—

 (i) for a notice to the trustees, specified for the trustees in accordance with the deed of settlement, or in a later notice given by the trustees to the RFR landowner, or identified by the RFR landowner as the current address, fax number, or electronic address of the trustees; or

 (ii) for a notice to an RFR landowner, specified by the RFR landowner in an offer made under section 112, or in a later notice given to the trustees, or identified by the trustees as the current address, fax number, or electronic address of the RFR landowner; and

(c) for a notice given under section 128 or 130, addressed to the chief executive of LINZ at the Wellington office of LINZ; and

(d) given by—

 (i) delivering it by hand to the recipient's street address; or

 (ii) posting it to the recipient's postal address; or

 (iii) faxing it to the recipient's fax number; or

 (iv) sending it by electronic means such as email.

2 Use of electronic transmission

Despite clause 1, a notice given in accordance with clause 1(a) may be given by electronic means as long as the notice is given with an electronic signature that satisfies section 22(1)(a) and (b) of the Electronic Transactions Act 2002.

3 Time when notice received

(1) A notice is to be treated as having been received—

(a) at the time of delivery, if delivered by hand; or

(b) on the fourth day after posting, if posted; or

(c) at the time of transmission, if faxed or sent by other electronic means.

(2) However, a notice is to be treated as having been received on the next working day if, under subclause (1), it would be treated as having been received—

(a) after 5 pm on a working day; or

(b) on a day that is not a working day.

Legislative history

7 December 2015	Introduction (Bill 108–1)
15 March 2016	First reading and referral to Māori Affairs Committee
1 September 2016	Reported from Māori Affairs Committee (Bill 108–2)
22 September 2016	Second reading
6 December 2016	Third reading
12 December 2016	Royal assent

This Act is administered by the Ministry of Justice.

Wellington, New Zealand:

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