

Reprint
as at 16 September 2011

Maori Purposes Act 1943

Public Act 1943 No 24
Date of assent 26 August 1943

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

This Act administered by Te Puni Kōkiri.

An Act to amend the laws relating to Maoris and Maori land, to adjust certain claims and disputes in relation to Maori land, to confer jurisdiction upon the Maori Land Court, and for other purposes

1 Short Title

This Act may be cited as the Maori Purposes Act 1943.

2 Provisions of Maori Land Act 1931 to apply to this Act

Words and expressions used in this Act shall, unless the contrary intention appears, have the same meaning as in the Maori Land Act 1931 (hereinafter referred to as the principal Act), and the provisions of the principal Act, so far as applicable, shall extend and apply to the cases provided for by this Act in as full and ample a manner as if this Act had been incorporated with and formed part of the principal Act.

**Part 1
Amendment of laws**

3

Sections 3 to 9 were repealed by section 473(1) of the Maori Affairs Act 1953.

4

Sections 3 to 9 were repealed by section 473(1) of the Maori Affairs Act 1953.

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Sections 3 to 9 were repealed by section 473(1) of the Maori Affairs Act 1953.

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Sections 3 to 9 were repealed by section 473(1) of the Maori Affairs Act 1953.

10

Section 10 was repealed by section 7(3)(a) of the Land and Income Tax Amendment Act 1968.

Part 2

Miscellaneous powers

11

Sections 11 to 13 were repealed by section 6(1) of the Maori Purposes Act 1956.

12

Sections 11 to 13 were repealed by section 6(1) of the Maori Purposes Act 1956.

13

Sections 11 to 13 were repealed by section 6(1) of the Maori Purposes Act 1956.

14

Section 14 was repealed by section 93(1) of the Maori Reserved Land Act 1955.

15

Sections 15 and 16 were repealed by section 6(1) of the Maori Purposes Act 1956.

16

Sections 15 and 16 were repealed by section 6(1) of the Maori Purposes Act 1956.

17 Estate of Pukepuke Tangiora, deceased

To give effect to the recommendation of the Maori Affairs Committee of the House of Representatives upon Petition numbered 52 of 1942, of Tahatera Mohi Tomlins and others, concerning the estate of Pukepuke Tangiora, of Pakipaki, deceased, probate of whose will (hereinafter in this section referred to as **the will**) was granted by the Maori Land Court on the 8th day of December 1936: Be it enacted as follows:

- (1) In this section, **trustees** means the trustees of the estate of Pukepuke Tangiora referred to in the Māori Purposes Act 2011.
- (2) *[Repealed]*
- (3) *[Repealed]*
- (4) *[Repealed]*
- (5) *[Repealed]*
- (6) *[Repealed]*
- (7) For the purpose of providing a residential building site for any beneficiary under the will, the Court may from time to time, on the application of the trustees or of a beneficiary, order that any part of the land comprised in the trust estate, including the lands known as Kakiraawa 2B1 and Kakiraawa 2B 2F, and not for the time being subject to any lease, licence, mortgage, or charge, shall be transferred to such beneficiary upon or subject to such terms and conditions as the Court thinks equitable, and upon any land being so transferred it shall be deemed to be freed and discharged from the trust:
Provided that no land comprised in the trust estate shall be so transferred to any beneficiary under the will, not being a child of Te Akonga Mohi or a person presumptively entitled to an absolute interest in the residuary trust estate referred to in the will, save that any part of the aforesaid lands known as Kakiraawa 2B 1 and Kakiraawa 2B 2F may be transferred to any of the persons who are presently entitled to those lands as the joint tenants thereof.
- (8)
 - (a) For the purpose of providing a home for any of the persons presumptively entitled to the fund referred to in the will as the accumulated fund, the trustees may, to the extent of that person's interest in the accumulated fund, expend any money in the fund or the income arising from the investment thereof for the purchase of land, for the erection and repair of houses, and otherwise for the purpose hereinbefore mentioned:
 - (b) The interest of any person entitled as aforesaid to the accumulated fund shall be deemed to be a vested interest and not a contingent interest, but shall not be available for any purpose other than that mentioned in the last preceding paragraph un-

less the Court otherwise orders, and the person owning that interest shall not be capable of making any assignment, charge, or any other disposition whatsoever of that interest otherwise than in favour of the Crown.

- (9) Out of the income of the estate the Court may from time to time appoint to the widow of Te Akonga Mohi for life or during her widowhood such an annual sum as the Court thinks necessary for her proper maintenance and support.
- (10) In respect of the annuity payable to any of the life tenants of the residuary trust estate under the will or to the widow of Te Akonga Mohi, the trustees shall, notwithstanding anything contained in any Act or any rule of law, pay to the annuitant such a sum as will, as nearly as may be, produce, after the deduction therefrom of any tax or other charge thereon, a sum equal to the full amount of the annuity.
- (11) Notwithstanding anything contained in the principal Act, or in any other Act, or in the will, any beneficiary under the will may give in favour of the Crown an order on or an assignment of the whole or any part of the annuity payable to him.
- (12) The trustees may lease any lands comprised in the trust estate, whether to the beneficiaries under the will or to any other persons, for such terms and subject to such conditions as they think fit, but so that the term of any such lease (including any term or terms of renewal to which the lessee may be entitled) shall not be greater than 21 years; and the trustees may, upon or subject to such conditions as they think fit, permit any of the beneficiaries to occupy any part or parts of lands aforesaid and carry on any agricultural, pastoral, or other business thereon.
- (13) To the extent that the provisions of this section are repugnant to the provisions of the will, the provisions of this section shall prevail over and supersede the provisions of the will, but otherwise the powers and authorities conferred by this section are in addition to the powers and authorities conferred by the will.

Section 17(1): substituted, on 16 September 2011, by section 7(2) of the Māori Purposes Act 2011 (2011 No 73).

Section 17(2): repealed, on 16 September 2011, by section 7(2) of the Māori Purposes Act 2011 (2011 No 73).

Section 17(3): repealed, on 16 September 2011, by section 7(2) of the Māori Purposes Act 2011 (2011 No 73).

Section 17(4): repealed, on 16 September 2011, by section 7(2) of the Māori Purposes Act 2011 (2011 No 73).

Section 17(5): repealed, on 16 September 2011, by section 7(2) of the Māori Purposes Act 2011 (2011 No 73).

Section 17(6): repealed, on 16 September 2011, by section 7(2) of the Māori Purposes Act 2011 (2011 No 73).

18

Section 18 was repealed by section 473(1) Maori Affairs Act 1953.

19

Section 19 was repealed by section 6(1) Maori Purposes Act 1956.

Schedule

[Repealed]

The Schedule was repealed by section 6(1) Maori Purposes Act 1956.

[Repealed]

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Notes

1 *General*

This is an eprint of the Maori Purposes Act 1943. The eprint incorporates all the amendments to the Act as at 16 September 2011. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

2 *About this eprint*

This eprint has not been officialised. For more information about eprints and officialisation, please *see* <http://www.pco.parliament.govt.nz/eprints/>.

3 *List of amendments incorporated in this eprint (most recent first)*

Māori Purposes Act 2011 (2011 No 73): section 7(2)
