

**THE DESCENDANTS OF THE ORIGINAL OWNERS OF MARAEROA  
A AND B BLOCKS**

**and**

**THE CROWN**

---

**DEED OF SETTLEMENT:  
ATTACHMENTS**

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*GB*

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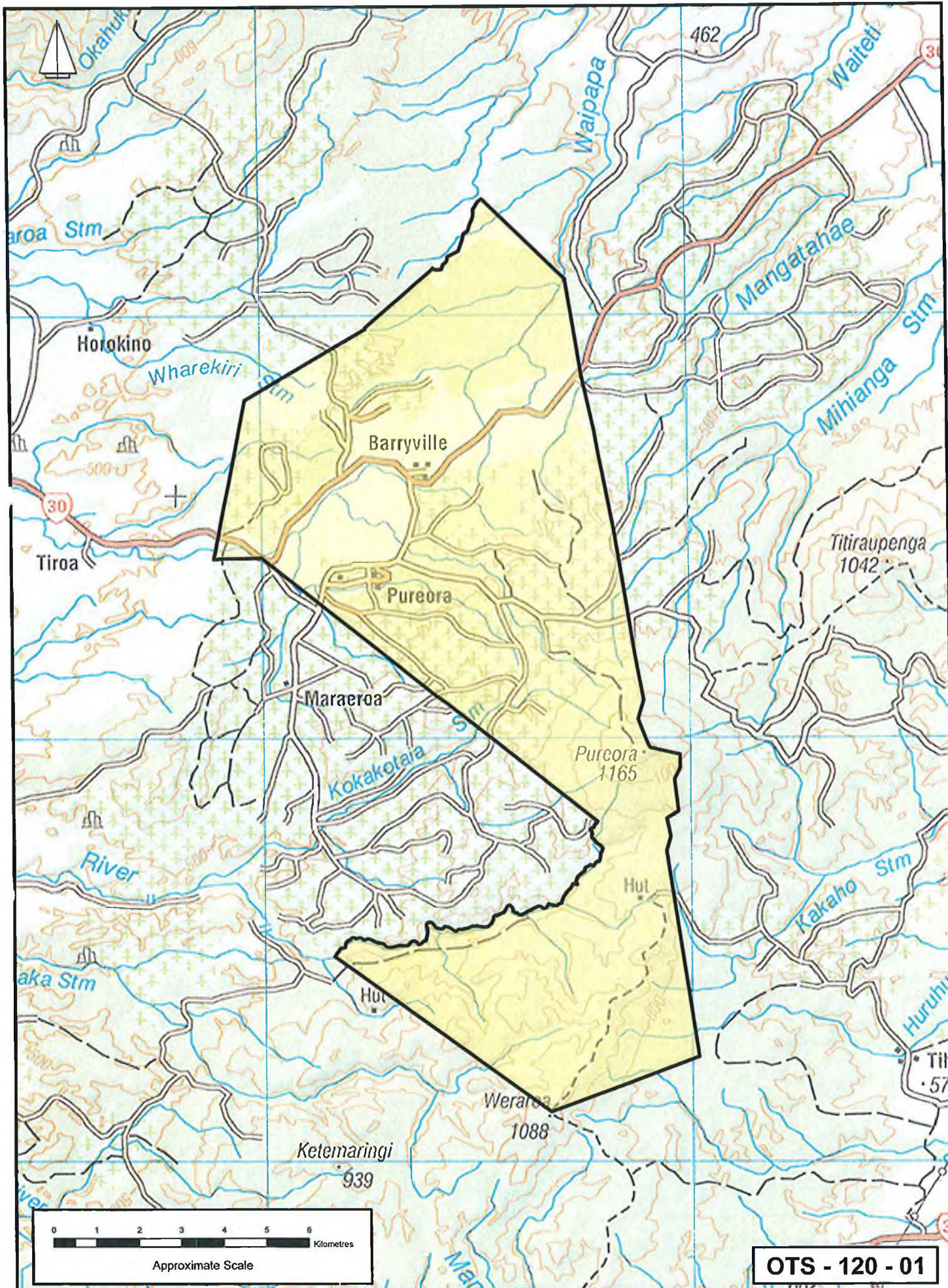
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ATTACHMENTS

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1 DEED PLANS

SAB



**OTS - 120 - 01**



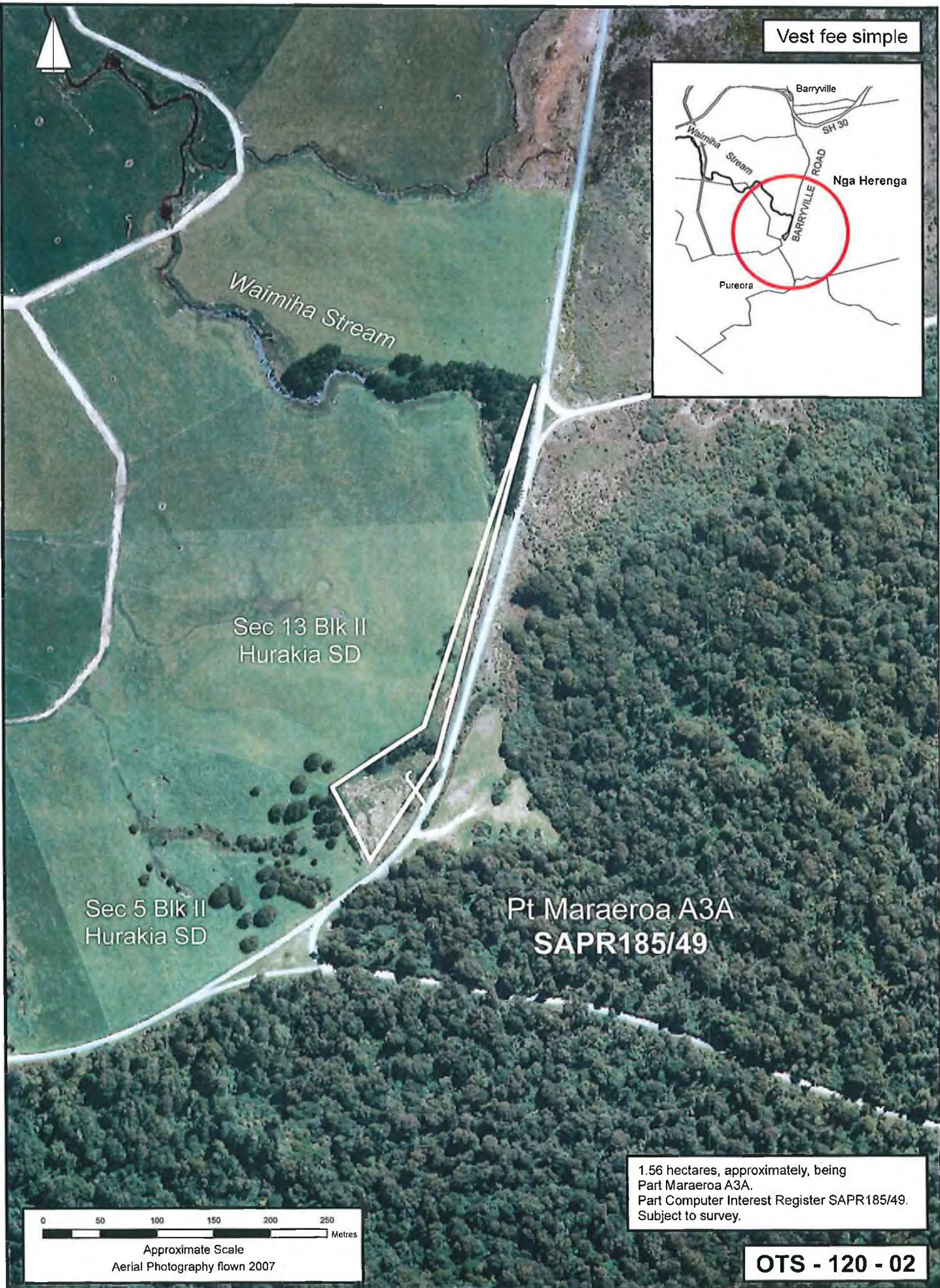
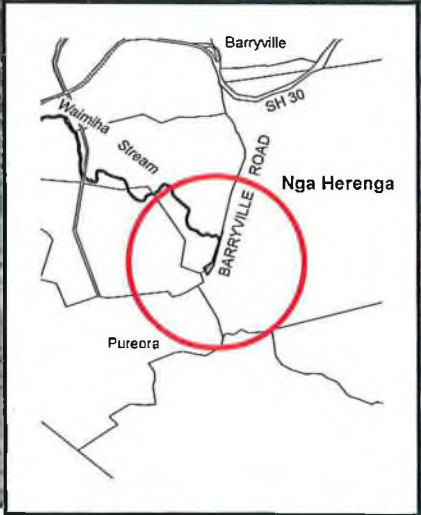
South Auckland  
Land District  
Territorial Authority:  
Otorohanga, Waikato, Taupo  
& Ruapehu Districts  
Compiled as a graphic  
representation. Boundaries  
are indicative only.

**Area of Interest**

**Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
*[Signature]* 17.2.11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17.2.11  
for and on behalf of the Crown

Vest fee simple

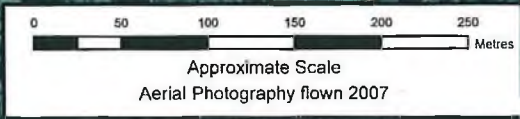


Sec 5 Blk II  
Hurakia SD

Sec 13 Blk II  
Hurakia SD

Pt Maraeroa A3A  
SAPR185/49

1.56 hectares, approximately, being  
 Part Maraeroa A3A.  
 Part Computer Interest Register SAPR185/49.  
 Subject to survey.



**OTS - 120 - 02**



South Auckland  
 Land District  
 Territorial Authority:  
 Waitomo District  
 Compiled as a graphic  
 representation. Boundaries  
 are indicative only

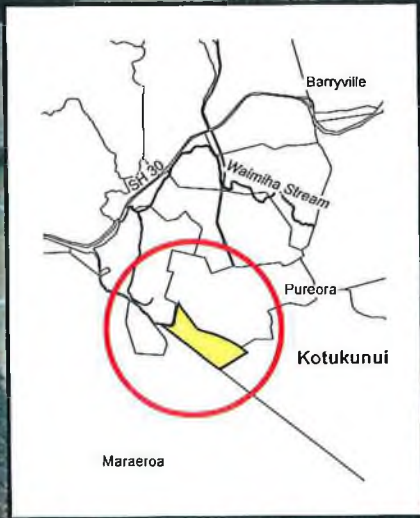
### Nga Herenga

**Areas referred to in the Deed of Settlement between the descendants  
 of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
*[Signature]* 17/2/10  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
*[Signature]* 17/2/10  
 for and on behalf of the Crown

Imagery sourced from TerraSat International Limited (TIL) 2007 and is the property of TIL and the Waikato Regional Aerial Photography Service (WRAPS) 2007. Copyright Reserved.

Vest fee simple



Pt Sec 1 Blk II  
Hurakia SD

Pt Maraeroa B2  
**SAPR185/135**

MARAEROA  
ROAD

BARRYVILLE  
ROAD

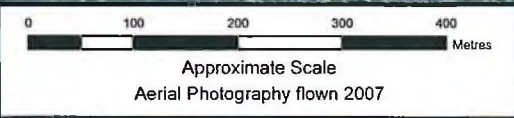
ROW

A

Lot 2  
DP 355898

Sec 2  
SO 311007

37.48 hectares, approximately, being  
Part Maraeroa B2.  
Part Computer Interest Register SAPR185/135.  
Subject to survey.



**OTS - 120 - 03**



South Auckland  
Land District  
Territorial Authority:  
Waikato District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

**Kotukunui**

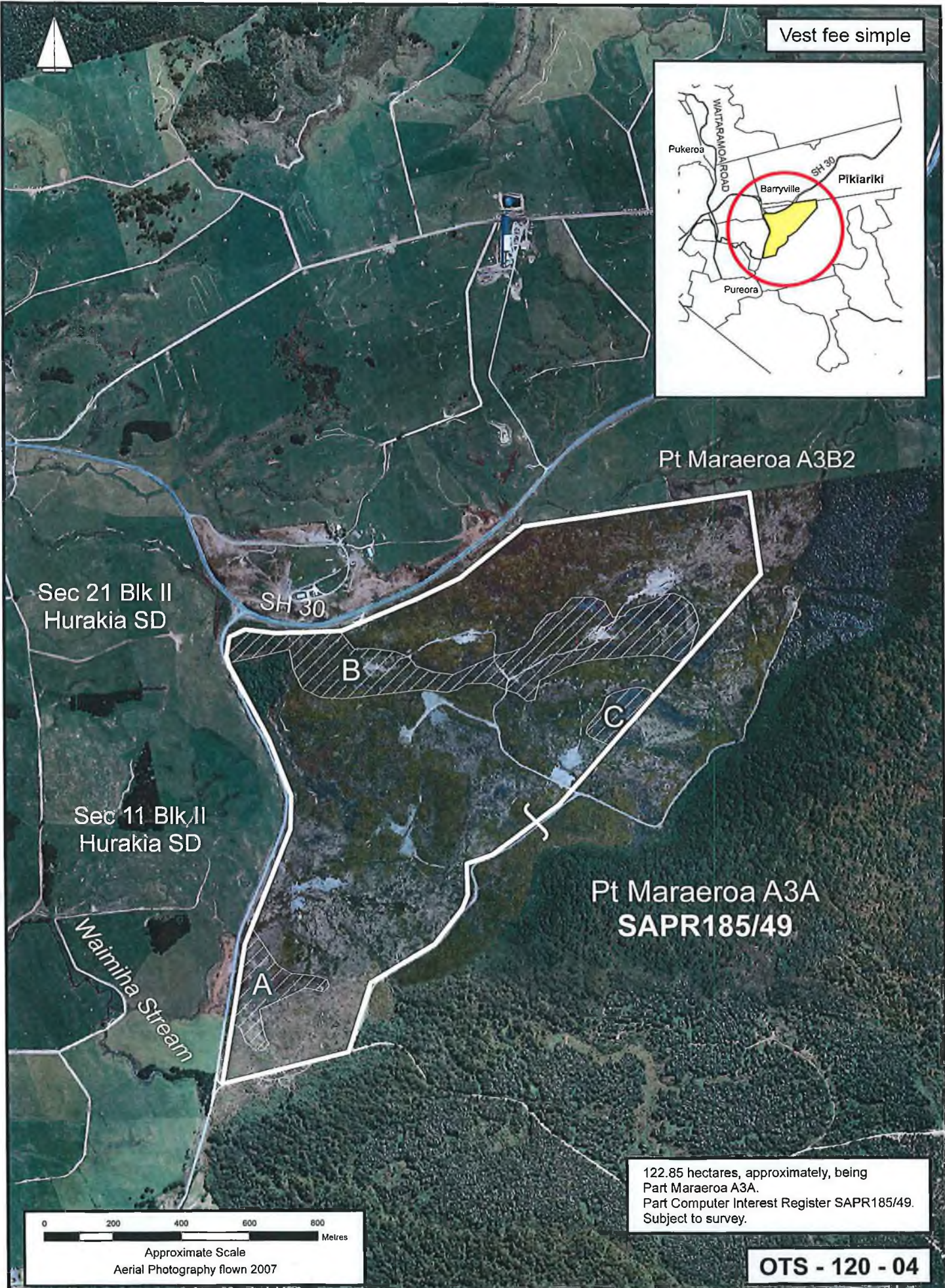
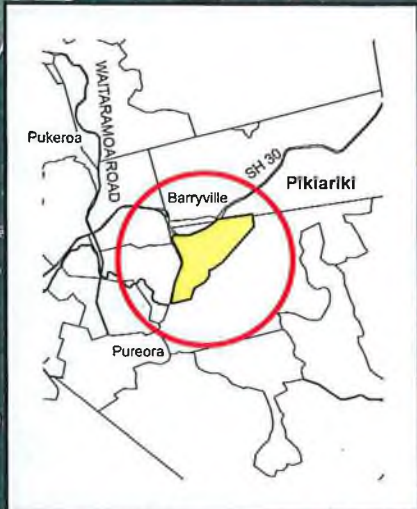
**Areas referred to in the Deed of Settlement between the descendants  
of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:

*[Signature]* ..... 17.12.11  
for the descendants of the original  
owners of the Maraeroa A and B blocks

*[Signature]* ..... 17.12.11  
for and on behalf of the Crown

Vest fee simple



Sec 21 Blk II  
Hurakia SD

Sec 11 Blk II  
Hurakia SD

Pt Maraeroa A3B2

Pt Maraeroa A3A  
SAPR185/49

Waimiha Stream

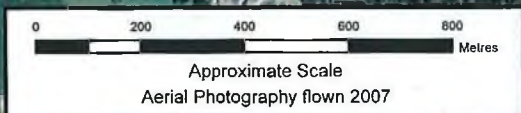
SH 30

B

C

A

122.85 hectares, approximately, being  
Part Maraeroa A3A.  
Part Computer Interest Register SAPR185/49.  
Subject to survey.



Approximate Scale  
Aerial Photography flown 2007

**OTS - 120 - 04**



South Auckland  
Land District  
Territorial Authority:  
Waitomo District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

### Pikiariki

**Areas referred to in the Deed of Settlement between the descendants  
of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
*[Signature]* 17/2/11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17/2/11  
for and on behalf of the Crown

Imagery sourced from TerraLink International Limited (TIL) 2007 and in the property of TIL and the Waikato Regional Aerial Photography Syndicate (WRAPS) 2007. Copyright Reserved.

Vest fee simple



Pt Sec 1 Blk II  
Hurakia SD

Sec 4 Blk II  
Hurakia SD

Pt Maraeroa B2  
**SAPR185/135**

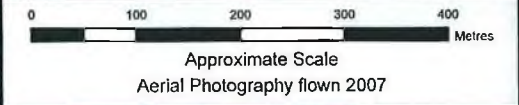
VILLAGE ROAD

MARAEROA ROAD

BARRYVILLE ROAD

A

21.49 hectares, approximately, being  
Part Maraeroa B2.  
Part Computer Interest Register SAPR185/135.  
Subject to survey.



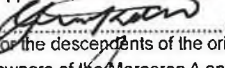
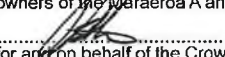
**OTS - 120 - 05**



South Auckland  
Land District  
Territorial Authority:  
Waitomo District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

### Koromiko

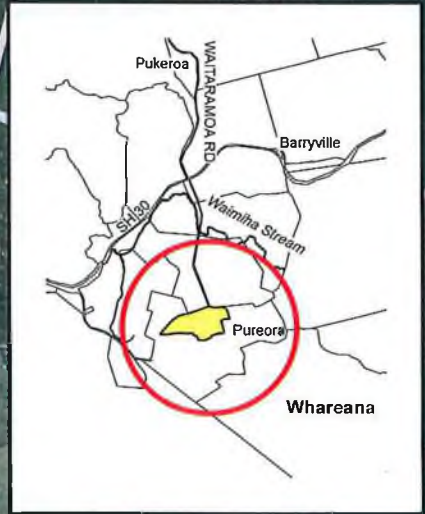
**Areas referred to in the Deed of Settlement between the descendants  
of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
 17/2/11  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
 17/2/11  
 for and on behalf of the Crown

File 2007 scanned from Terralink International Online (TIL) 2007 and is the property of TIL and the Waikato Regional Aerial Photography 5yr cycle (1/NAAP) 2007. Copyright Reserved.



Vest fee simple

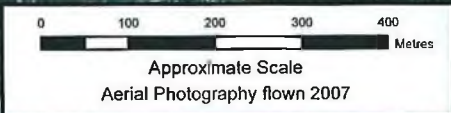


BARRYVILLE ROAD

VILLAGE ROAD

Pt Maraeroa B2  
SAPR185/135

32.00 hectares, approximately, being  
Part Maraeroa B2.  
Part Computer Interest Register SAPR185/135.  
Subject to survey.



Approximate Scale  
Aerial Photography flown 2007

OTS - 120 - 06



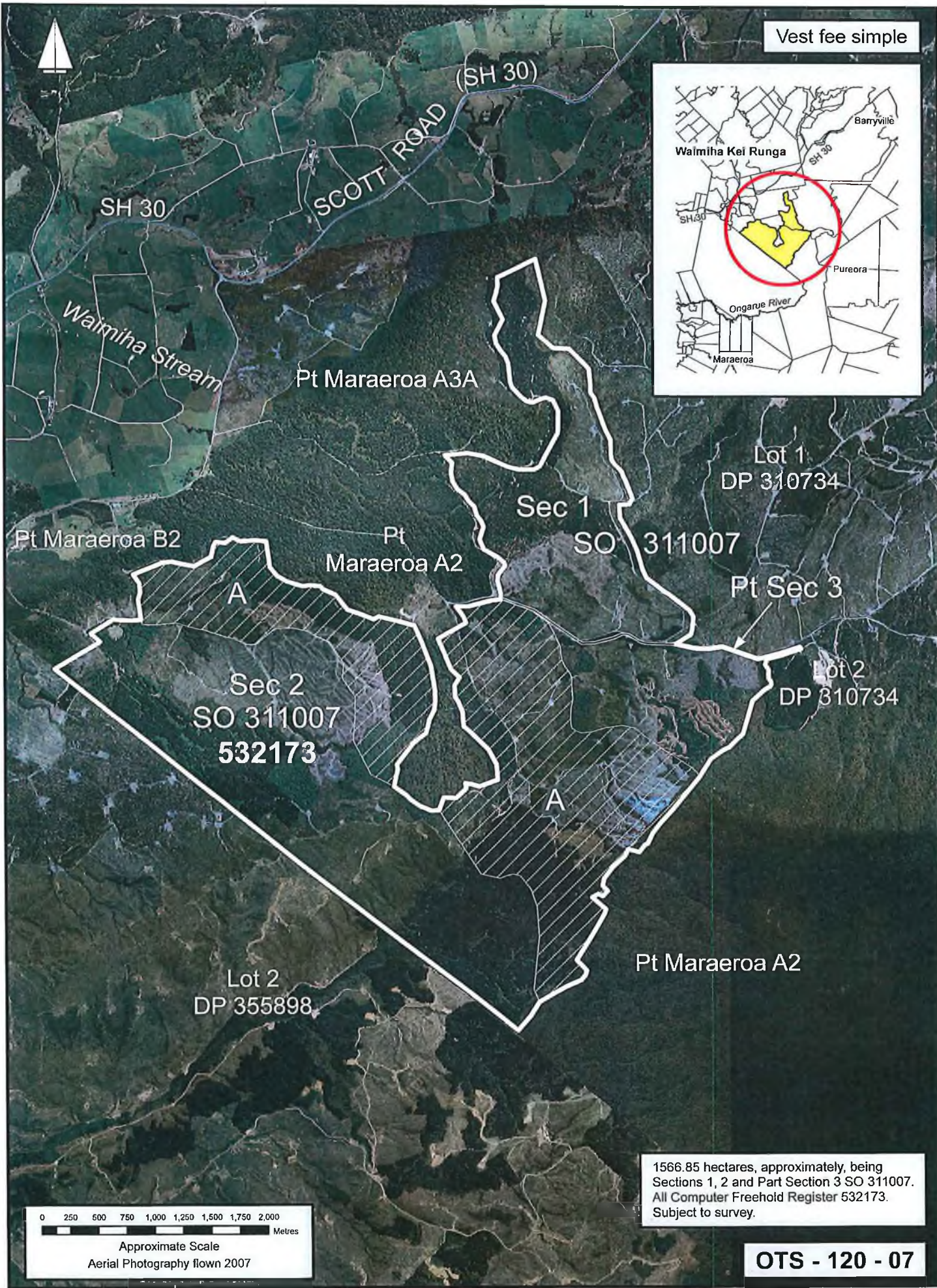
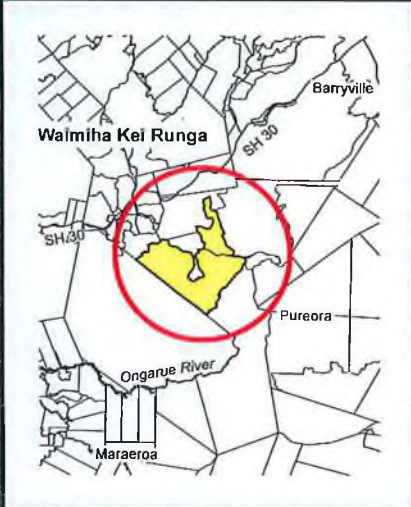
South Auckland  
Land District  
Territorial Authority:  
Waikato District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

### Whareana

Areas referred to in the Deed of Settlement between the descendants  
of the original owners of the Maraeroa A and B blocks and the Crown

Approved as-to boundaries:  
*[Signature]* 17/2/11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17/2/11  
for and on behalf of the Crown

Vest fee simple



Approximate Scale  
Aerial Photography flown 2007

1566.85 hectares, approximately, being Sections 1, 2 and Part Section 3 SO 311007. All Computer Freehold Register 532173. Subject to survey.

**OTS - 120 - 07**



South Auckland Land District  
Territorial Authority:  
Waitomo and Taupo Districts  
Compiled as a graphic representation. Boundaries are indicative only

### Waimiha Kei Runga

**Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
*[Signature]* (1, 2, 3, 4)  
for the descendants of the original owners of the Maraeroa A and B blocks  
*[Signature]* (1, 2, 3, 4)  
for and on behalf of the Crown

Statutory Acknowledgement

Lot 1  
DPS 64922

618

Otamaroa

594

604

575

560

River

572

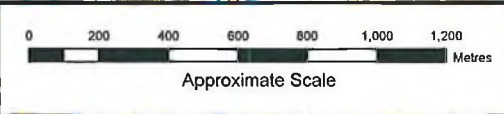
Waipa

560

609

SW boundary of  
Rangitoto B

Pt Rangitoto B



OTS - 120 - 08



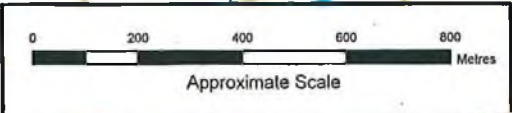
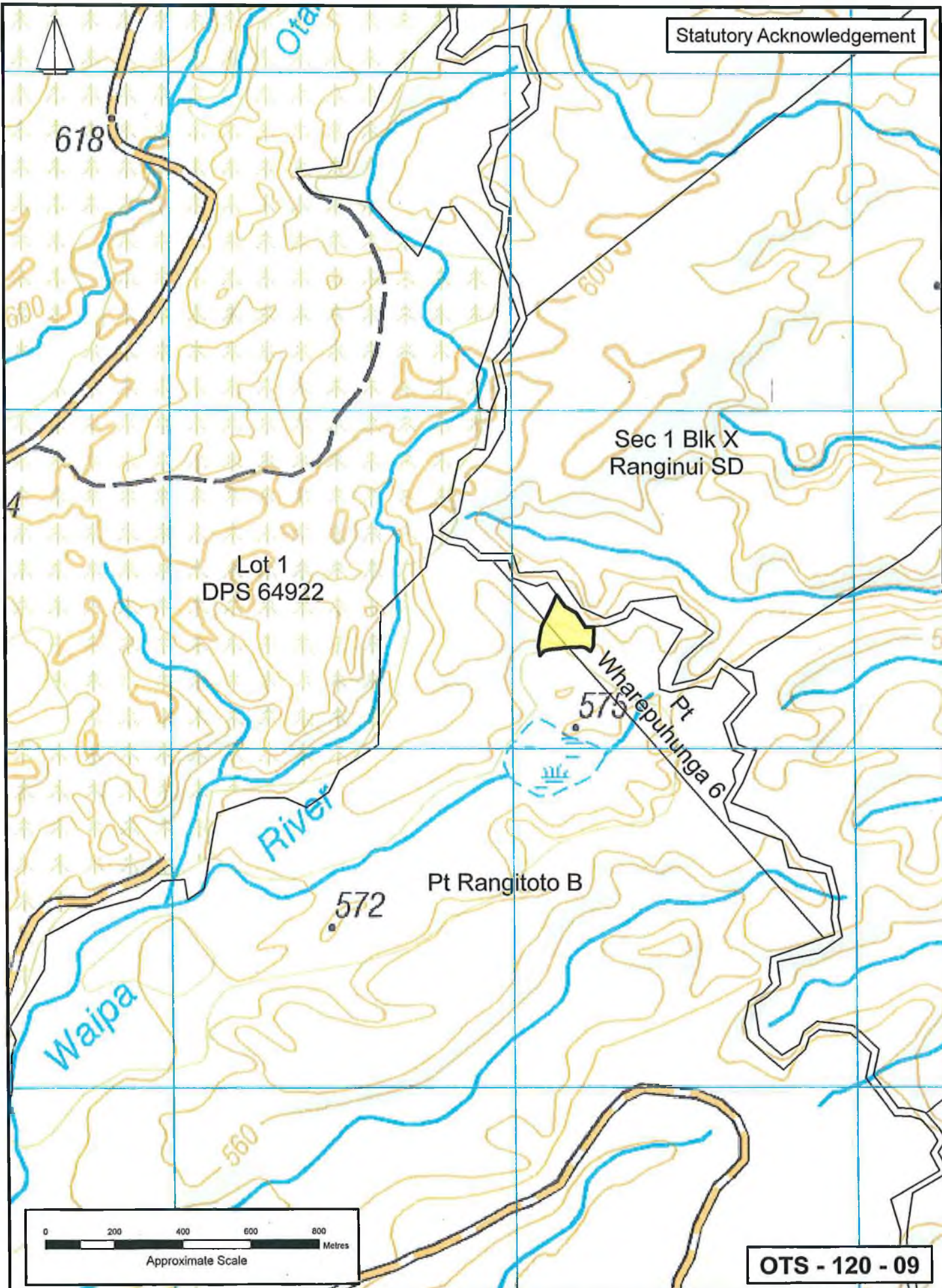
South Auckland  
Land District  
Territorial Authority:  
Otorohanga District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

### Commencement of the Waipa River

Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
*[Signature]* ..... (7.12.11)  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
*[Signature]* ..... (7.2.11)  
 for and on behalf of the Crown

Statutory Acknowledgement



OTS - 120 - 09

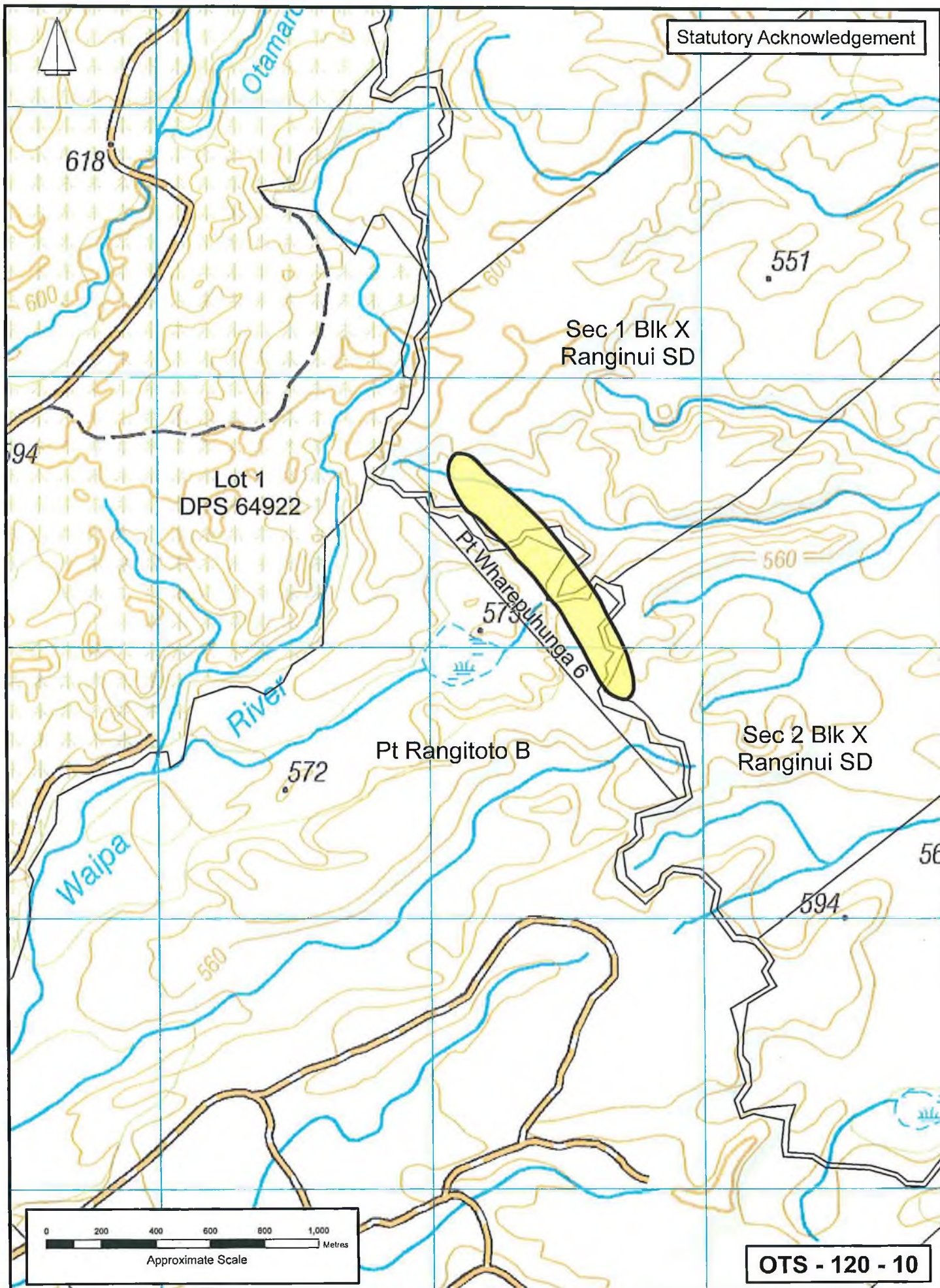


South Auckland  
Land District  
Territorial Authority:  
Otorohanga District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

### Tikiwhenua

Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
*[Signature]* 17.12.11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17.12.11  
for and on behalf of the Crown



Statutory Acknowledgement



618

551

Sec 1 Blk X  
Ranginui SD

Lot 1  
DPS 64922

Pt Wharepūhanga 6

560

Sec 2 Blk X  
Ranginui SD

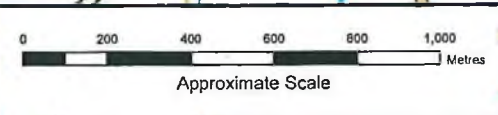
Pt Rangitoto B

572

Waipa  
River

560

594



**OTS - 120 - 10**

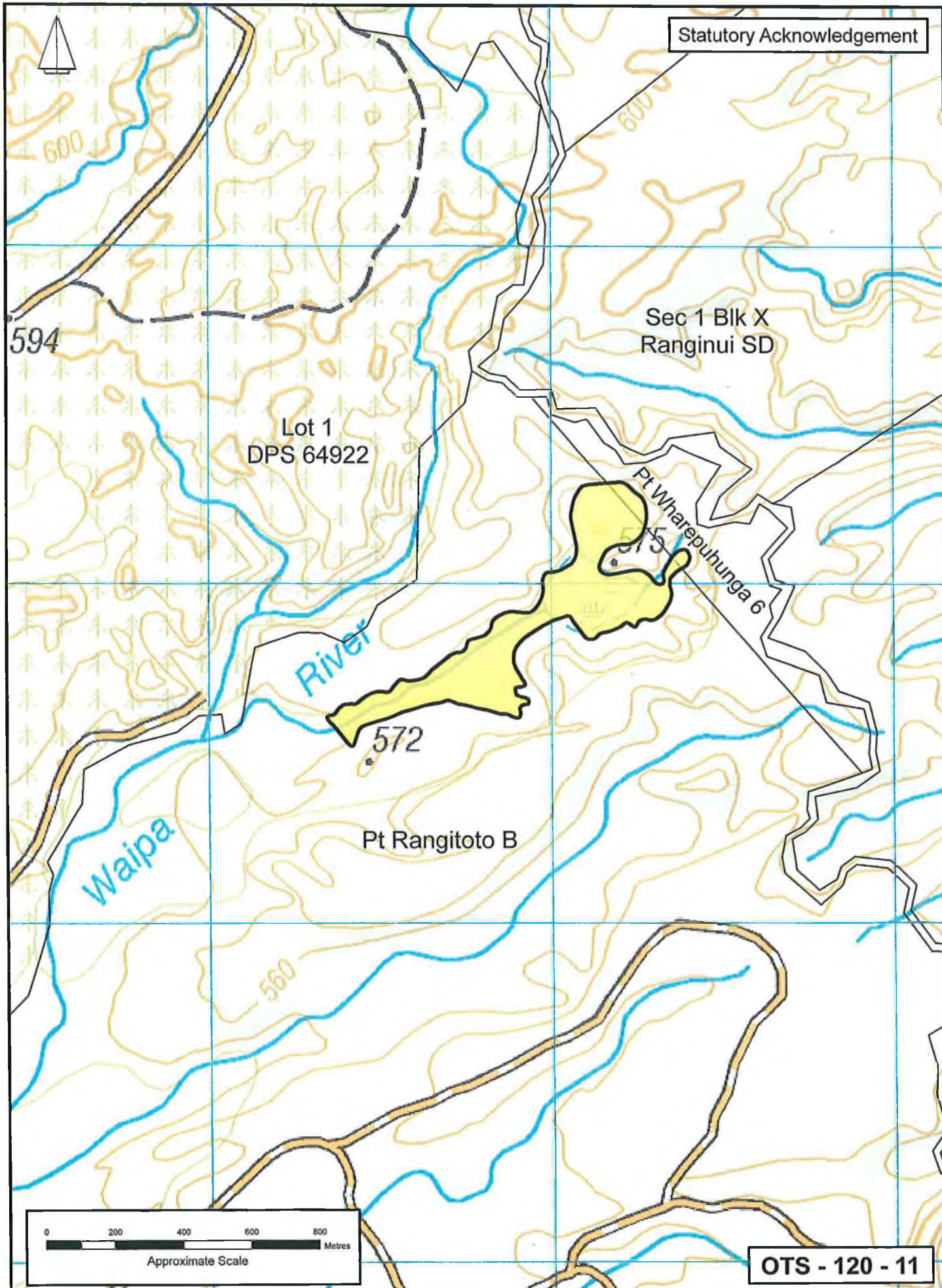


South Auckland  
Land District  
Territorial Authority:  
Otorohanga District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

**Tomotomo Ariki**

**Areas referred to in the Deed of Settlement between the descendants  
of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
*[Signature]* 17/2/11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17/2/11  
for and on behalf of the Crown



Statutory Acknowledgement

594

Lot 1  
DPS 64922

Sec 1 Blk X  
Ranginui SD

Pt Wharepuhunga 6

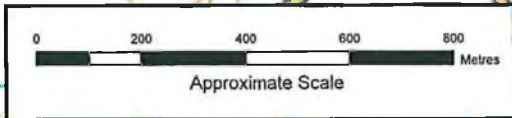
River

Pt Rangitoto B

Waipa

572

560



OTS - 120 - 11



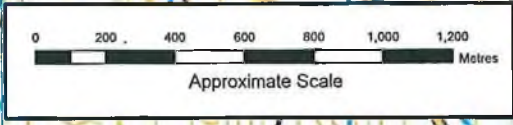
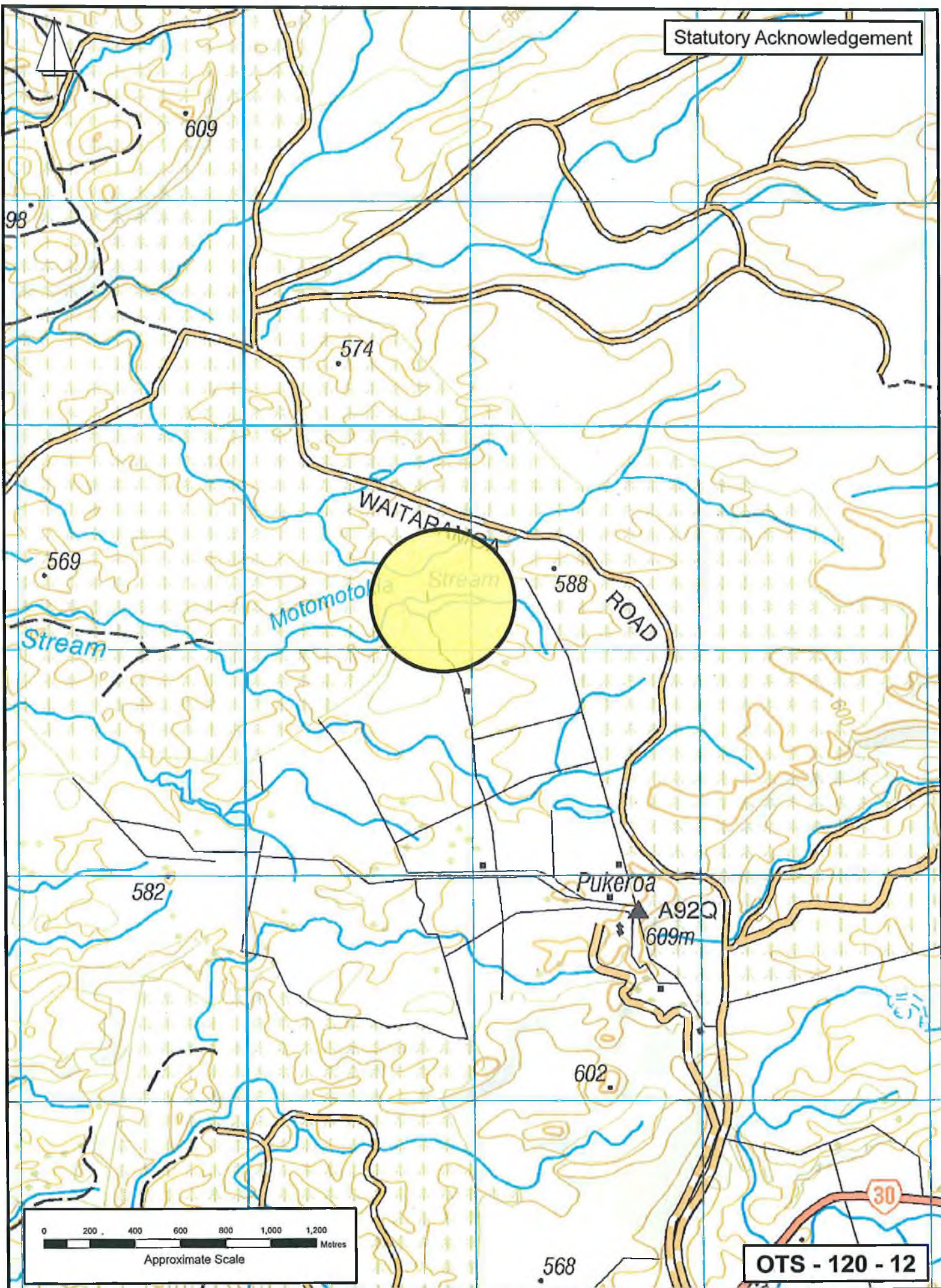
South Auckland  
Land District  
Territorial Authority:  
Otorohanga District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

**Waimoanaiti**

**Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
*[Signature]* 17.12.11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17.2.11  
for and on behalf of the Crown

Statutory Acknowledgement



OTS - 120 - 12



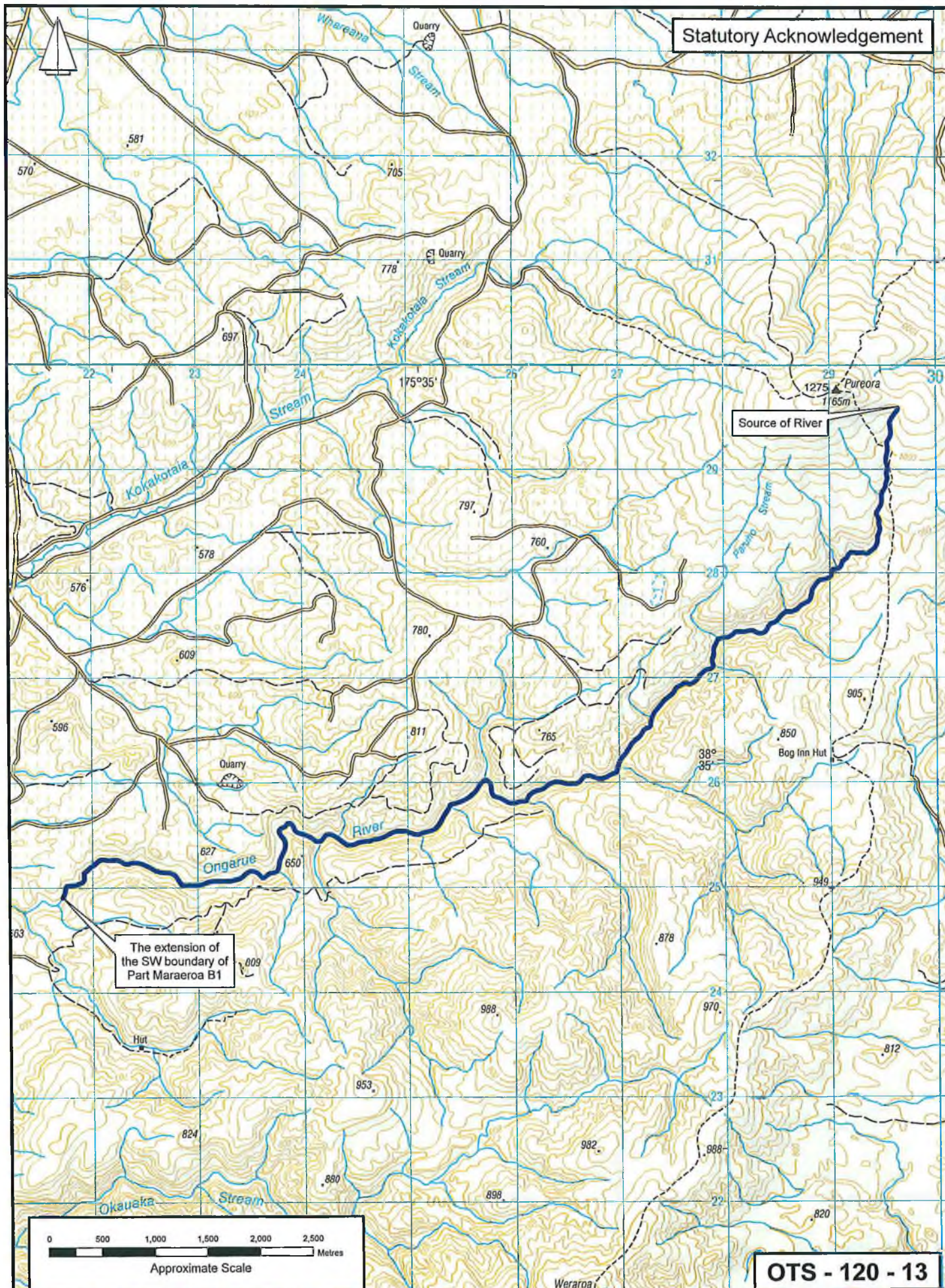
South Auckland  
Land District  
Territorial Authority:  
Waitomo District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

### Waitaramoa Pa

Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown

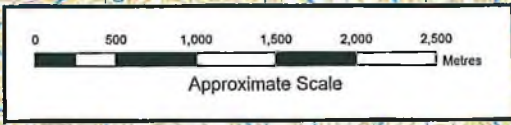
Approved as to boundaries:  
*[Signature]* (17.12.11)  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
*[Signature]* (17.12.11)  
 for and on behalf of the Crown

Statutory Acknowledgement



The extension of the SW boundary of Part Maraeroa B1

Source of River



OTS - 120 - 13



South Auckland Land District  
 Territorial Authority: Waitomo and Ruapehu Districts  
 Compiled as a graphic representation. Boundaries are indicative only

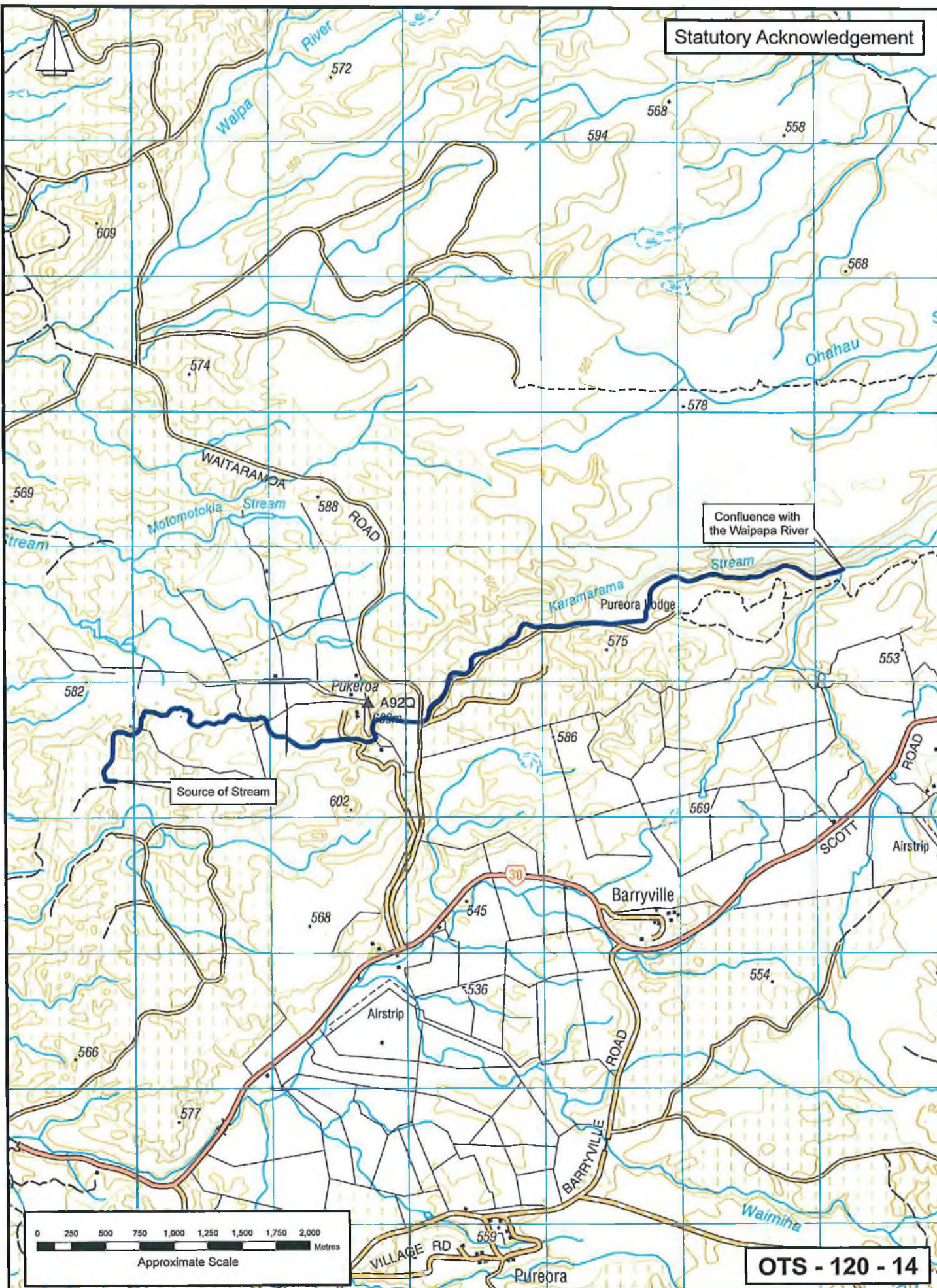
### Ongarue River

Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
*[Signature]* 12/2/11  
 for the descendants of the original owners of the Maraeroa A and B blocks  
*[Signature]* 12/2/11  
 for and on behalf of the Crown

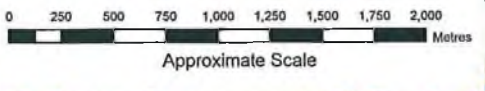


Statutory Acknowledgement



Source of Stream

Confluence with the Waipapa River



OTS - 120 - 14



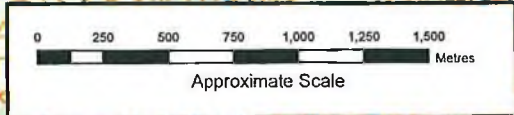
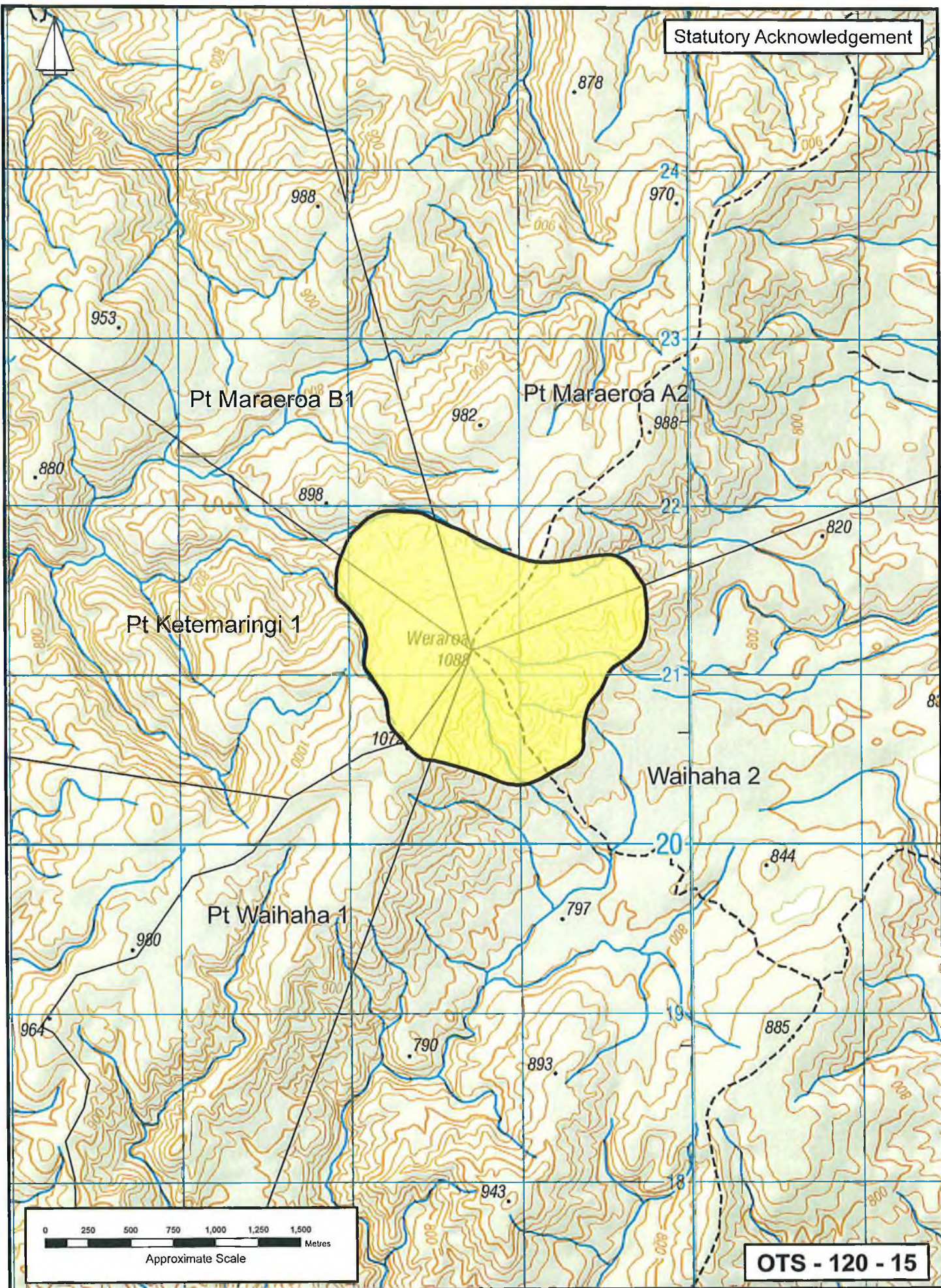
South Auckland  
Land District  
Territorial Authority: Waitomo  
& Otorohanga Districts  
Compiled as a graphic  
representation. Boundaries  
are indicative only

### Karamarama Stream


Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries  
*[Signature]* 1.7.2.11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 1.7.2.11  
for and on behalf of the Crown

Statutory Acknowledgement

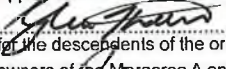



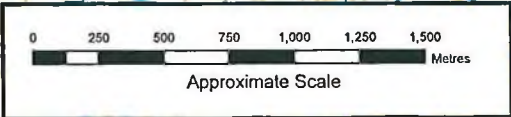
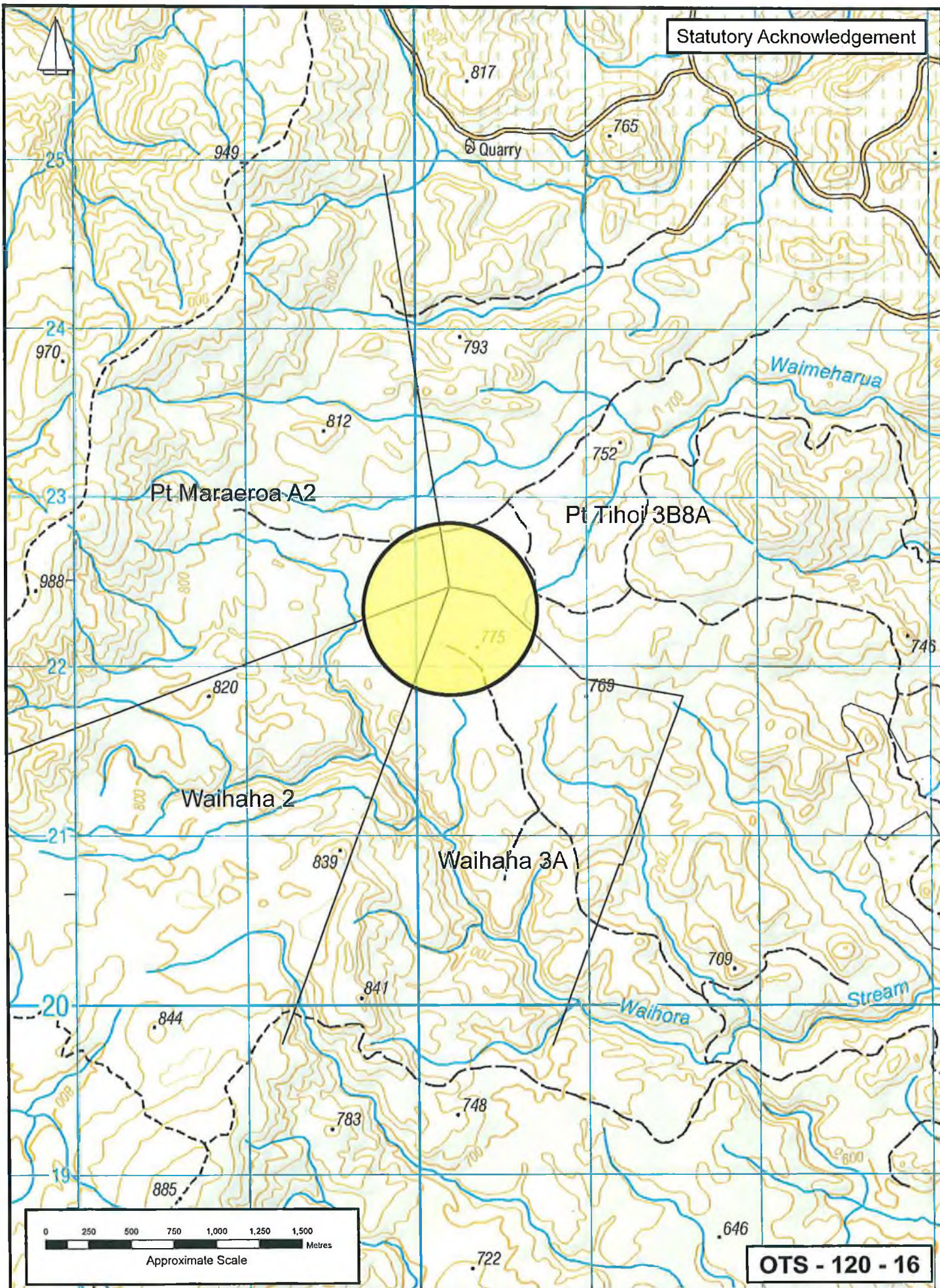
OTS - 120 - 15


 South Auckland  
 Land District  
 Territorial Authority: Taupo  
 and Ruapehu Districts  
 Compiled as a graphic  
 representation. Boundaries  
 are indicative only

### Weraroa

**Areas referred to in the Deed of Settlement between the descendants  
 of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
 17.12.11  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
 17.12.11  
 for and on behalf of the Crown



OTS - 120 - 16

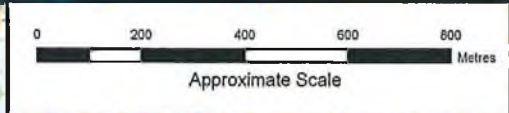
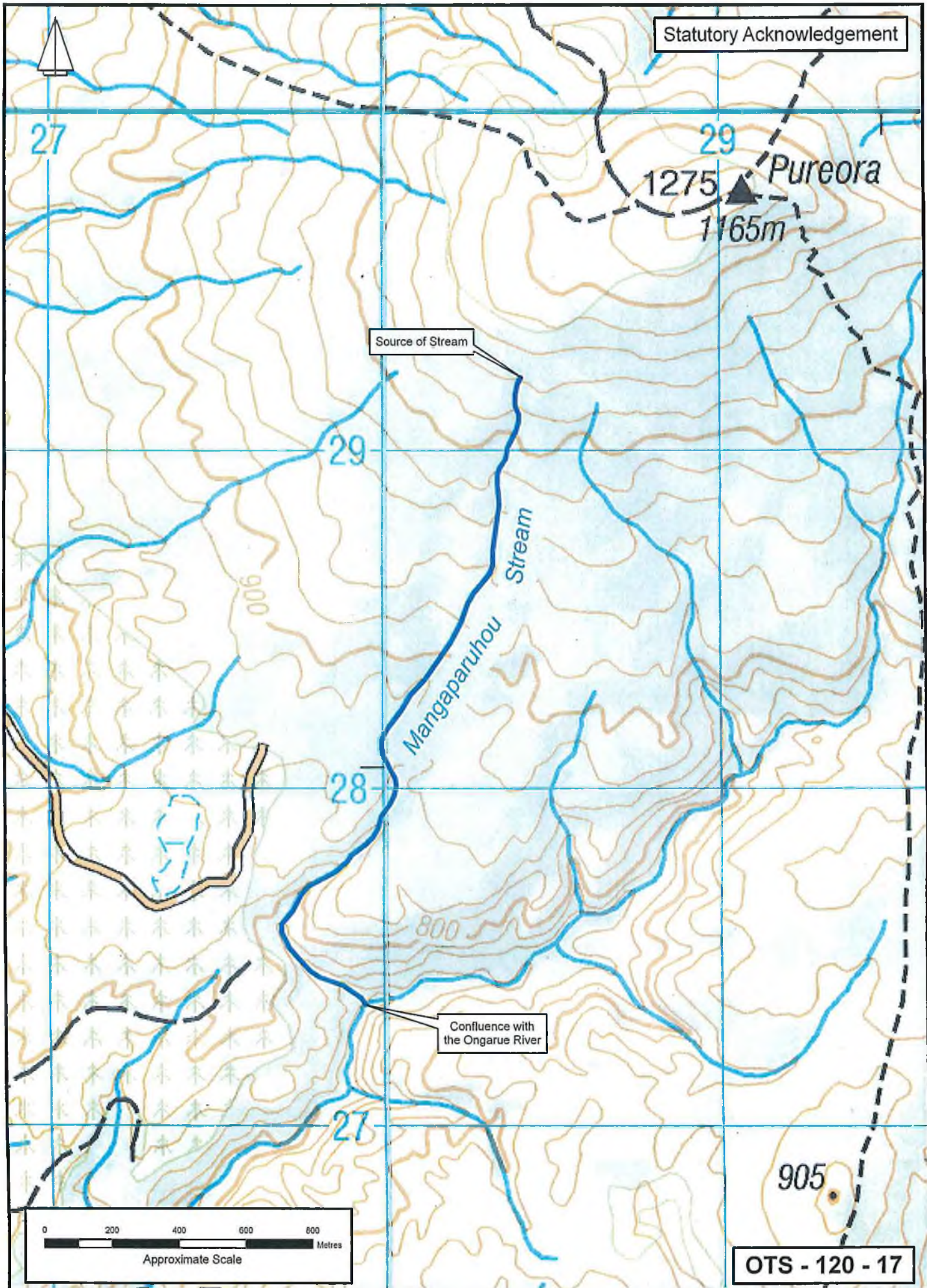


South Auckland  
Land District  
Territorial Authority:  
Taupo District  
Compiled as a graphic  
representation. Boundaries  
are indicative only


### Tahorakarewarewa

Areas referred to in the Deed of Settlement between the descendants  
of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
*[Signature]* 17.2.11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17.2.11  
for and on behalf of the Crown

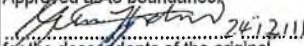
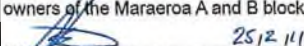


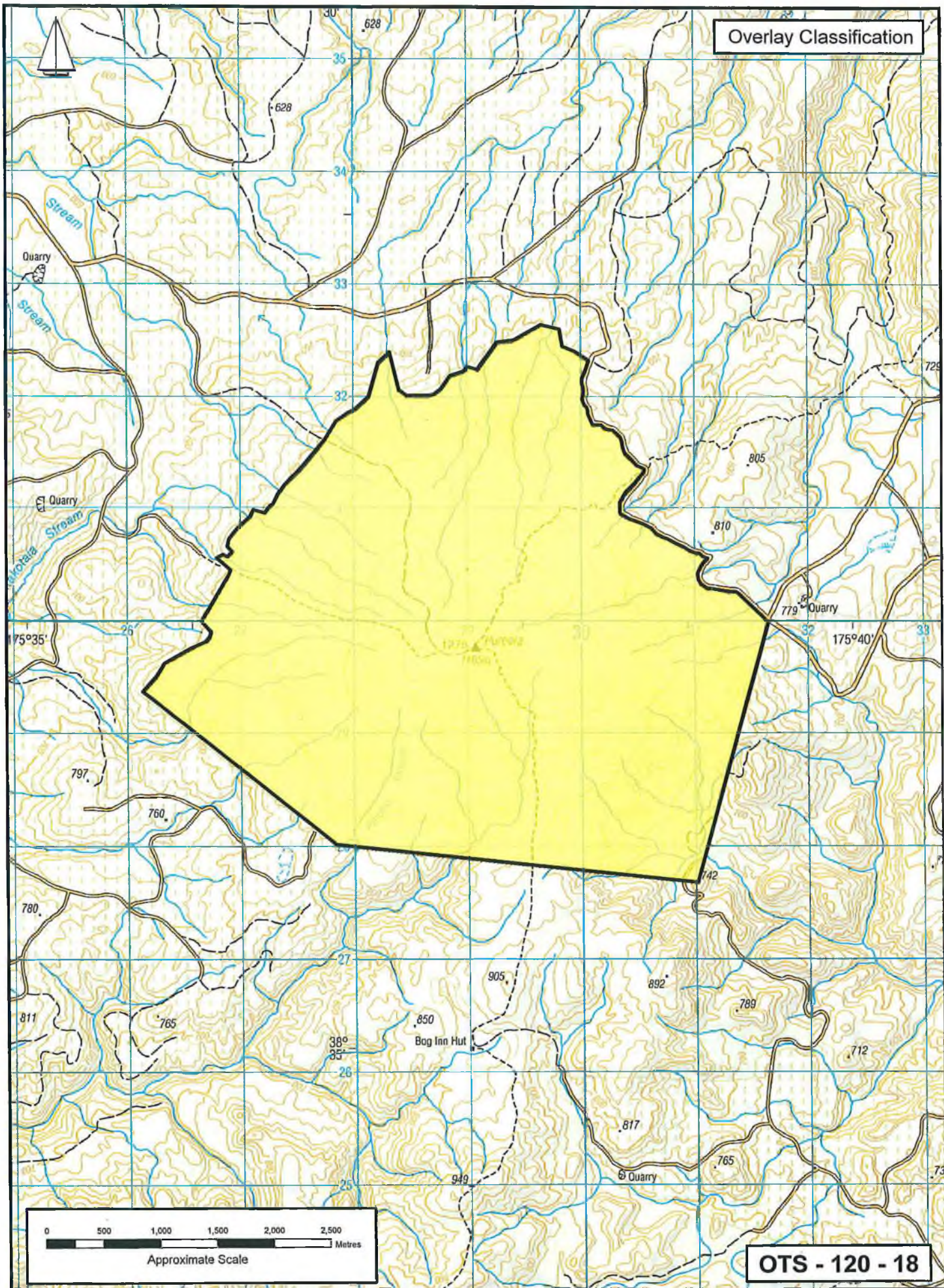
OTS - 120 - 17


 South Auckland  
 Land District  
 Territorial Authority:  
 Waitomo District  
 Compiled as a graphic  
 representation. Boundaries  
 are indicative only

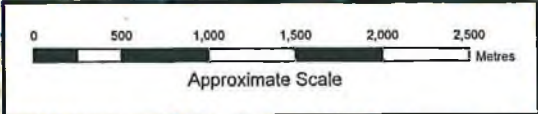
**Mangaparuhou Stream**

Areas referred to in the Deed of Settlement between the descendants  
 of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
 24.12.11  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
 25.12.11  
 for and on behalf of the Crown



Overlay Classification



OTS - 120 - 18

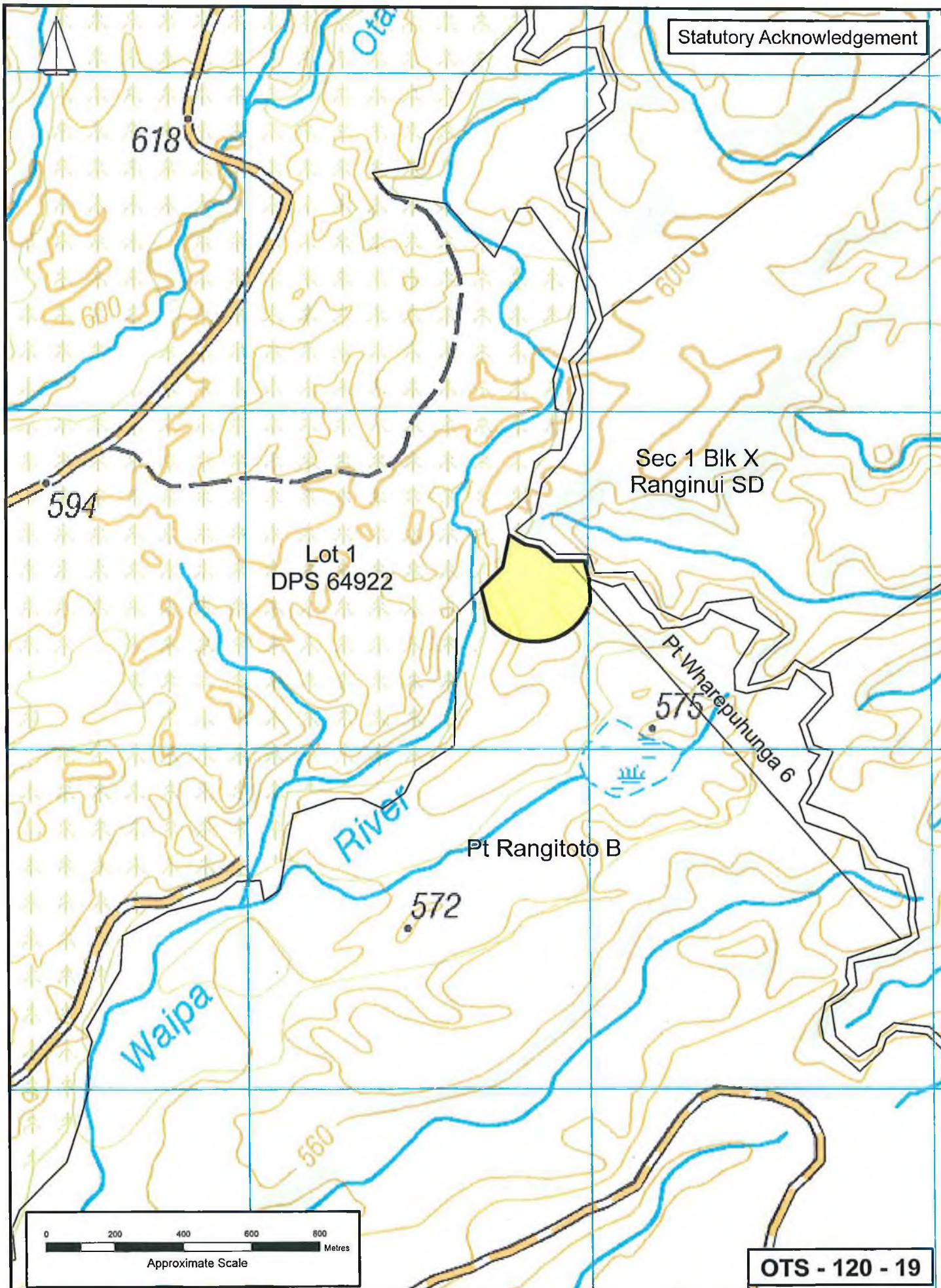


South Auckland  
Land District  
Territorial Authority: Waitomo,  
Taupo and Ruapehu Districts  
Compiled as a graphic  
representation. Boundaries  
are indicative only

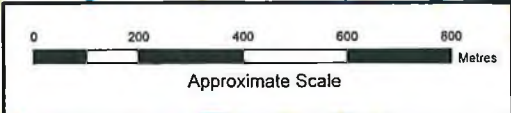
Pureora o Kahu

Areas referred to in the Deed of Settlement between the descendants  
of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
*[Signature]* 17.2.11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17.2.11  
for and on behalf of the Crown



Statutory Acknowledgement



OTS - 120 - 19

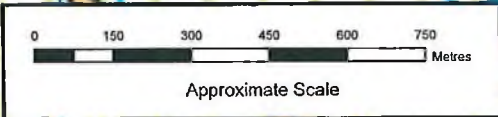
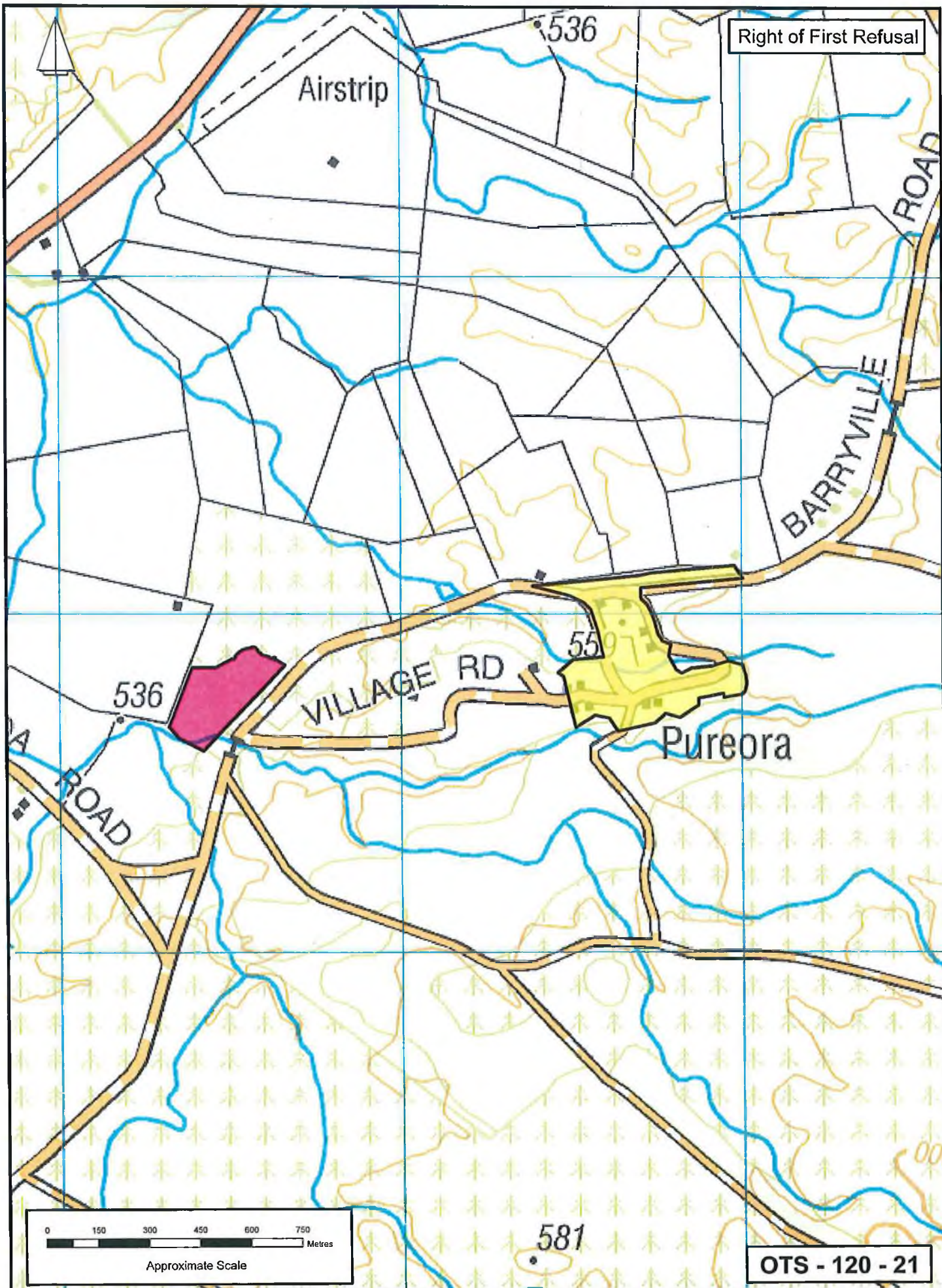



South Auckland  
Land District  
Territorial Authority:  
Otorohanga District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

**Taporaroa Pa**

**Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown**

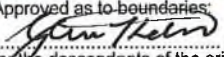

Approved as to boundaries:  
*[Signature]* 17/12/11  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
*[Signature]* 17/12/11  
 for and on behalf of the Crown



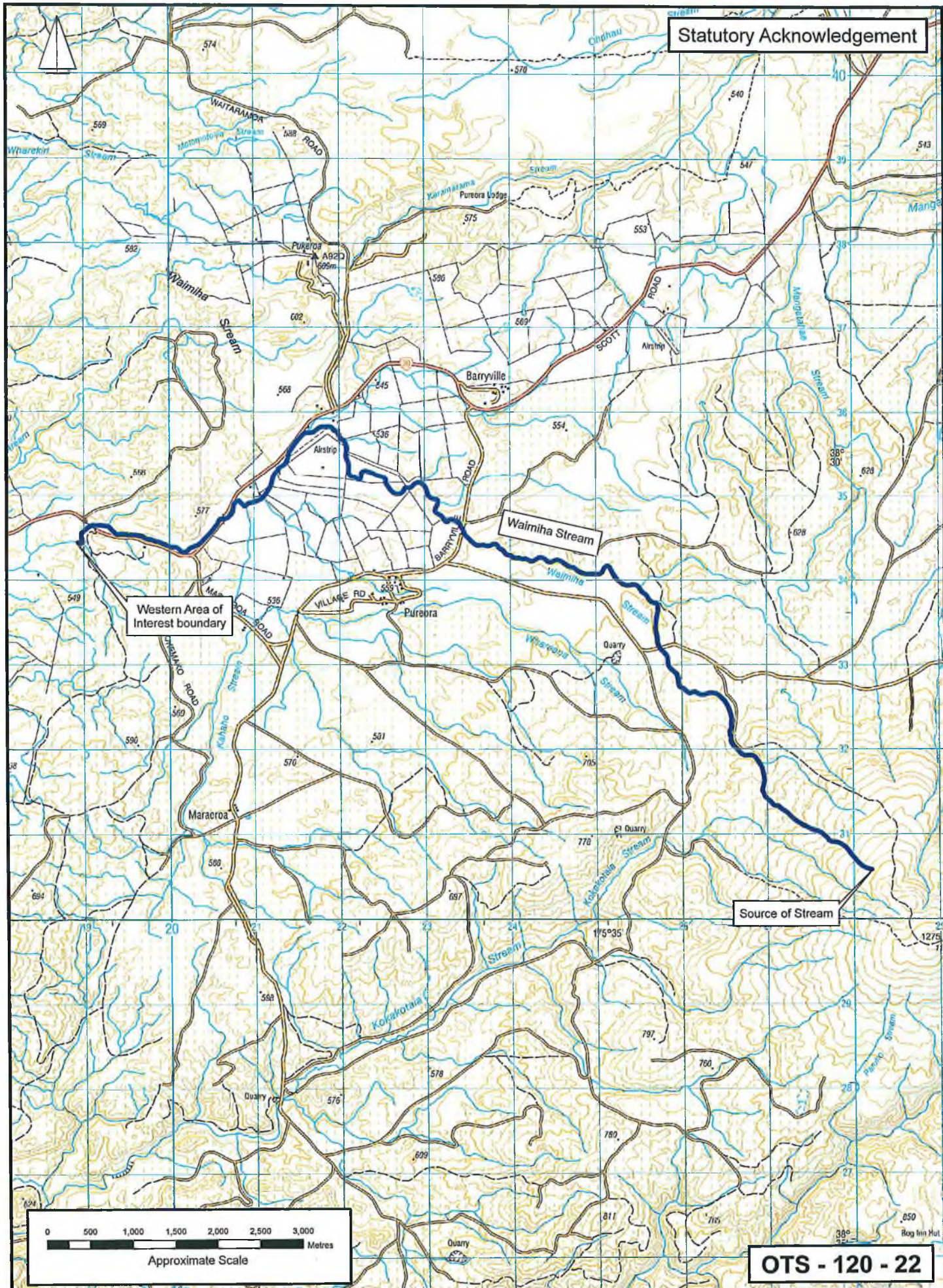

 South Auckland  
 Land District  
 Territorial Authority:  
 Waitomo District  
 Compiled as a graphic  
 representation. Boundaries  
 are indicative only  
AE092723

**Right of First Refusal**

**Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
 17.12.11  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
 17.12.11  
 for and on behalf of the Crown

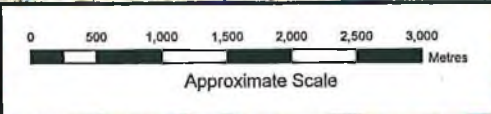
**OTS - 120 - 21**



Western Area of Interest boundary

Waimiha Stream

Source of Stream



OTS - 120 - 22



South Auckland  
Land District  
Territorial Authority:  
Waitomo District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

### Waimiha Stream

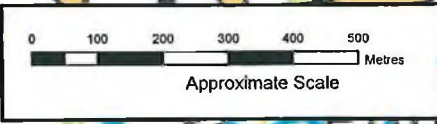
Areas referred to in the Deed of Settlement between the descendants  
of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
*[Signature]* 17.12.11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17.12.11  
for and on behalf of the Crown






Private Land Acknowledgement



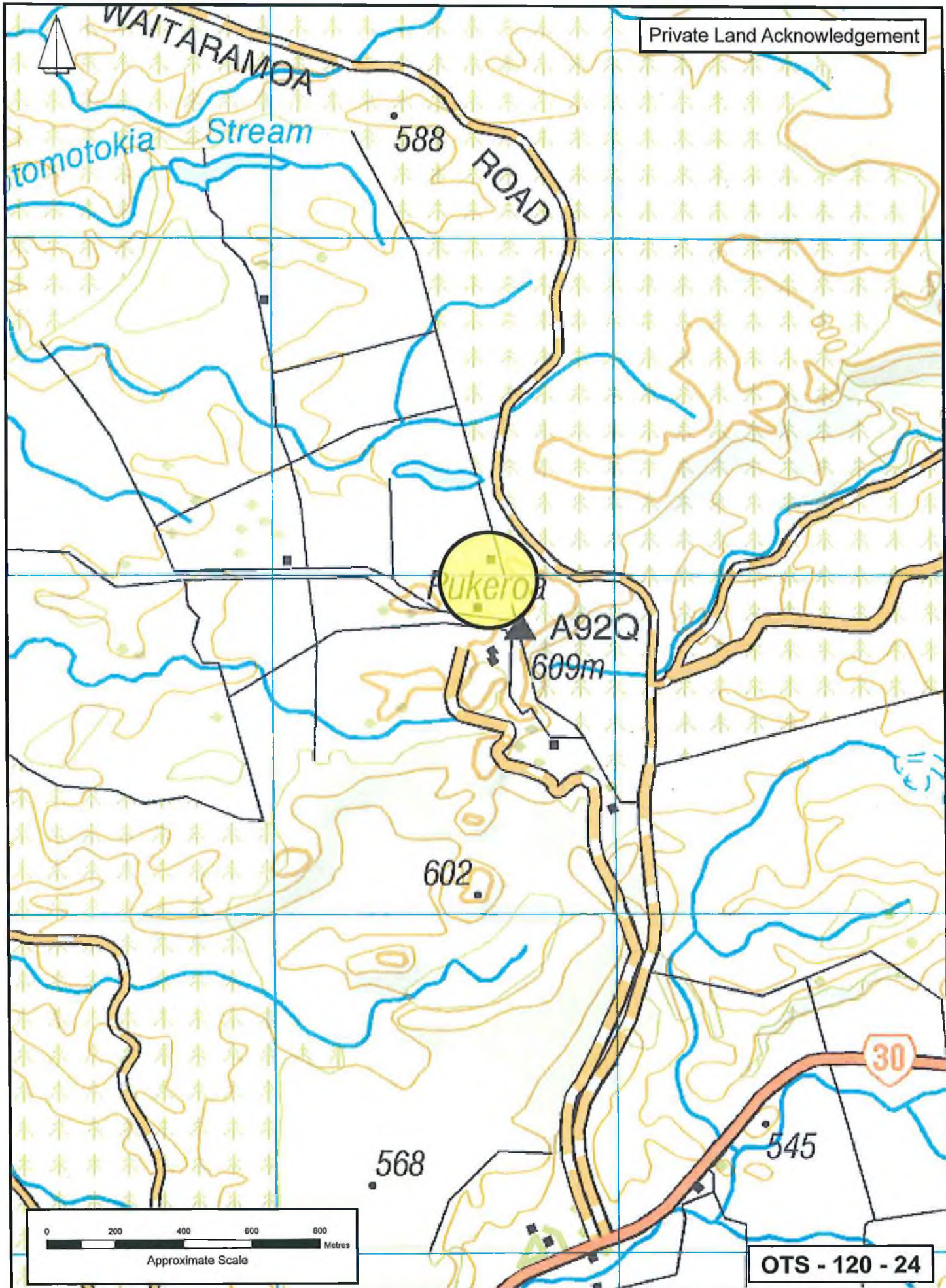
OTS - 120 - 23


 South Auckland  
 Land District  
 Territorial Authority:  
 Waitomo District  
 Compiled as a graphic  
 representation. Boundaries  
 are indicative only

**Ngaherenga Pa site**

**Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
*Glen Kern* 12.12.11!!  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
 ..... 12.12.11!!  
 for and on behalf of the Crown

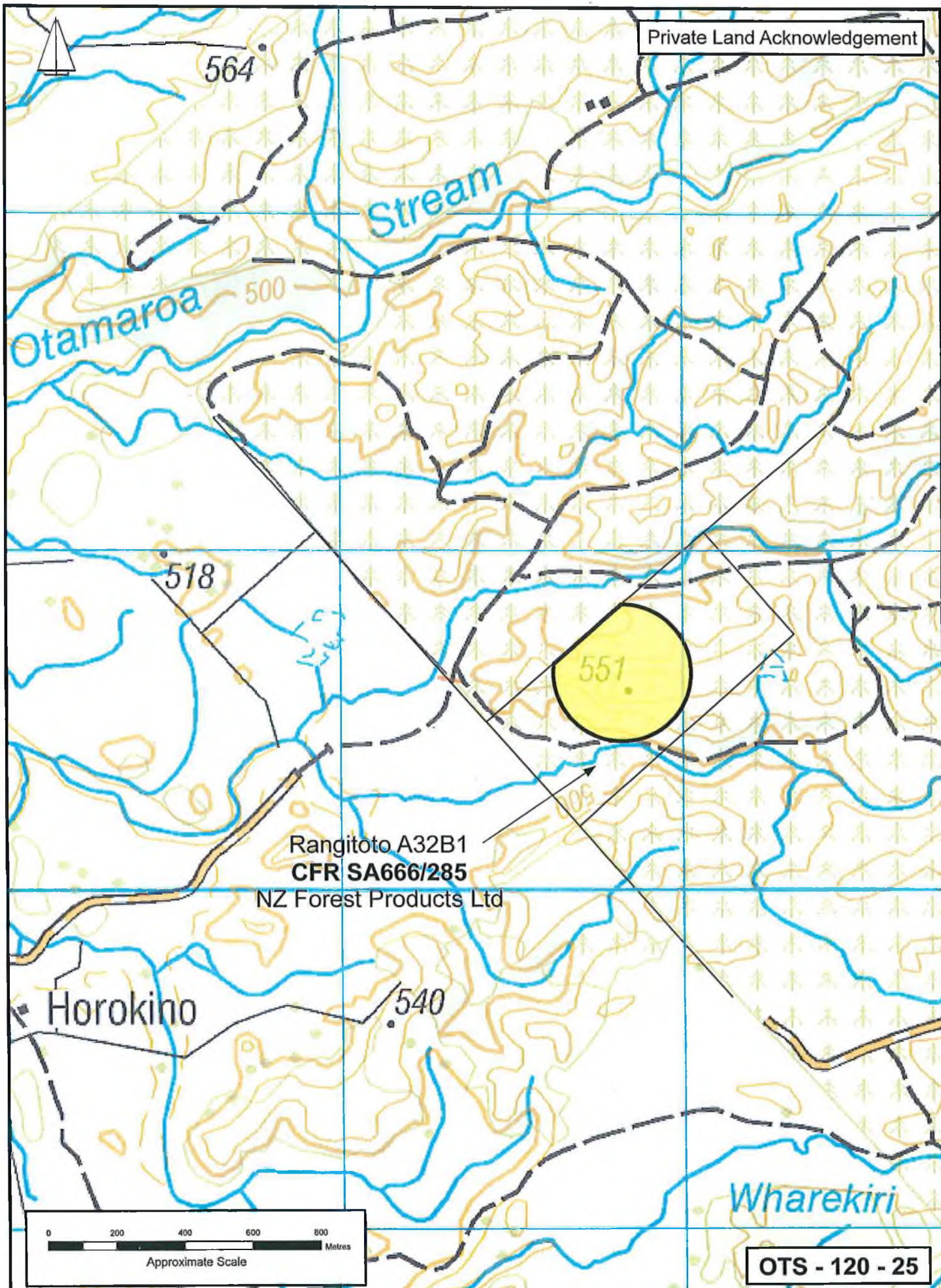


South Auckland  
Land District  
Territorial Authority:  
Waitomo District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

### Te Arero Pa site

Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
*[Signature]* 17.12.11  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
*[Signature]* 17.12.11  
 for and on behalf of the Crown



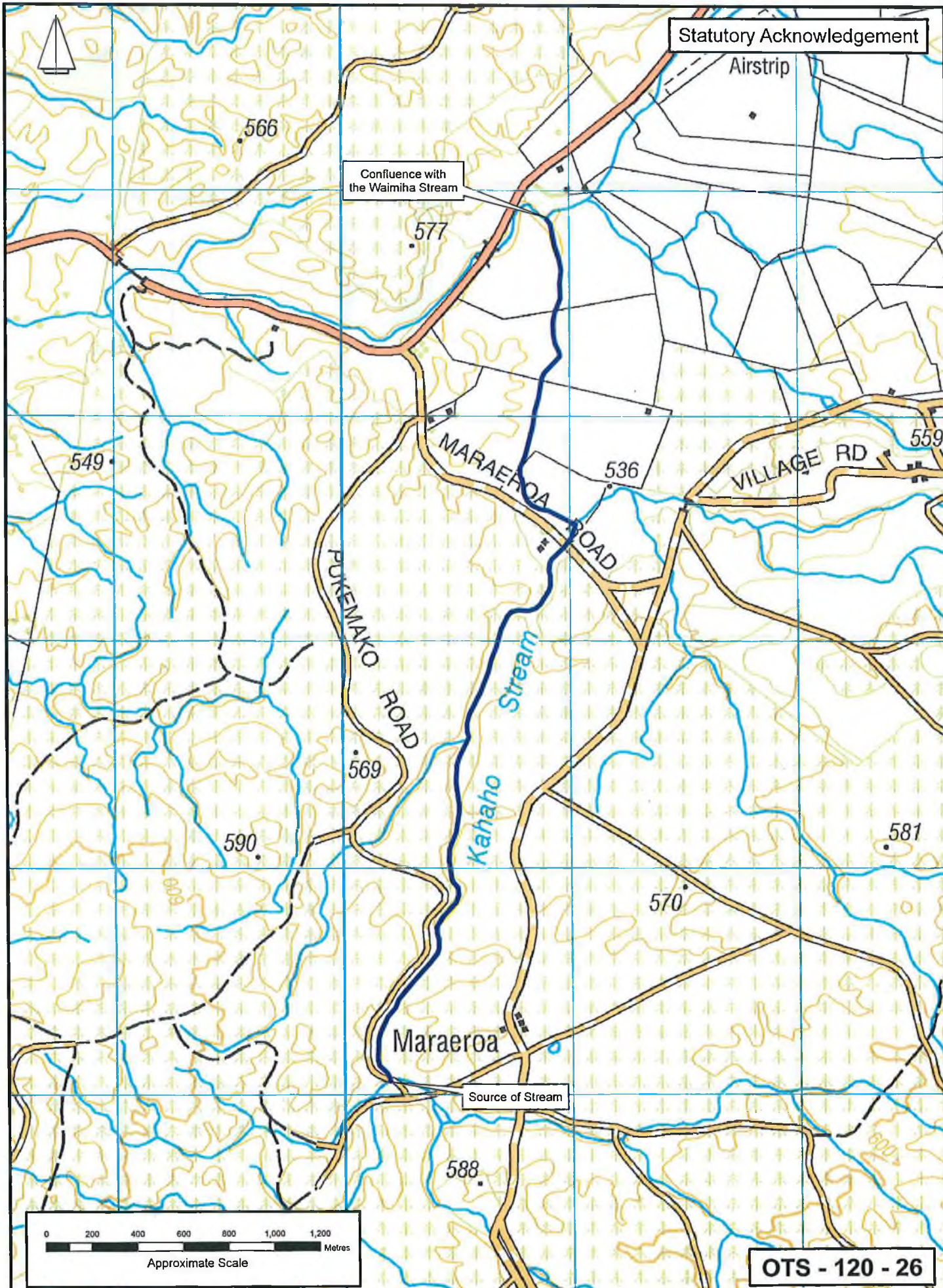
South Auckland  
Land District  
Territorial Authority:  
Waitomo District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

AE030211

### Nga Turi o Hinetu

Areas referred to in the Deed of Settlement between the descendants  
of the original owners of the Maraeroa A and B blocks and the Crown

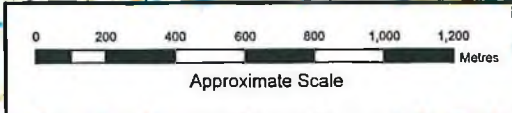
Approved as to boundaries:  
*[Signature]* 12/2/11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 12/2/11  
for and on behalf of the Crown




Statutory Acknowledgement

Confluence with the Waimiha Stream

Source of Stream

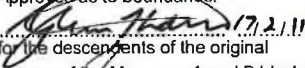
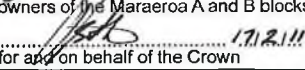


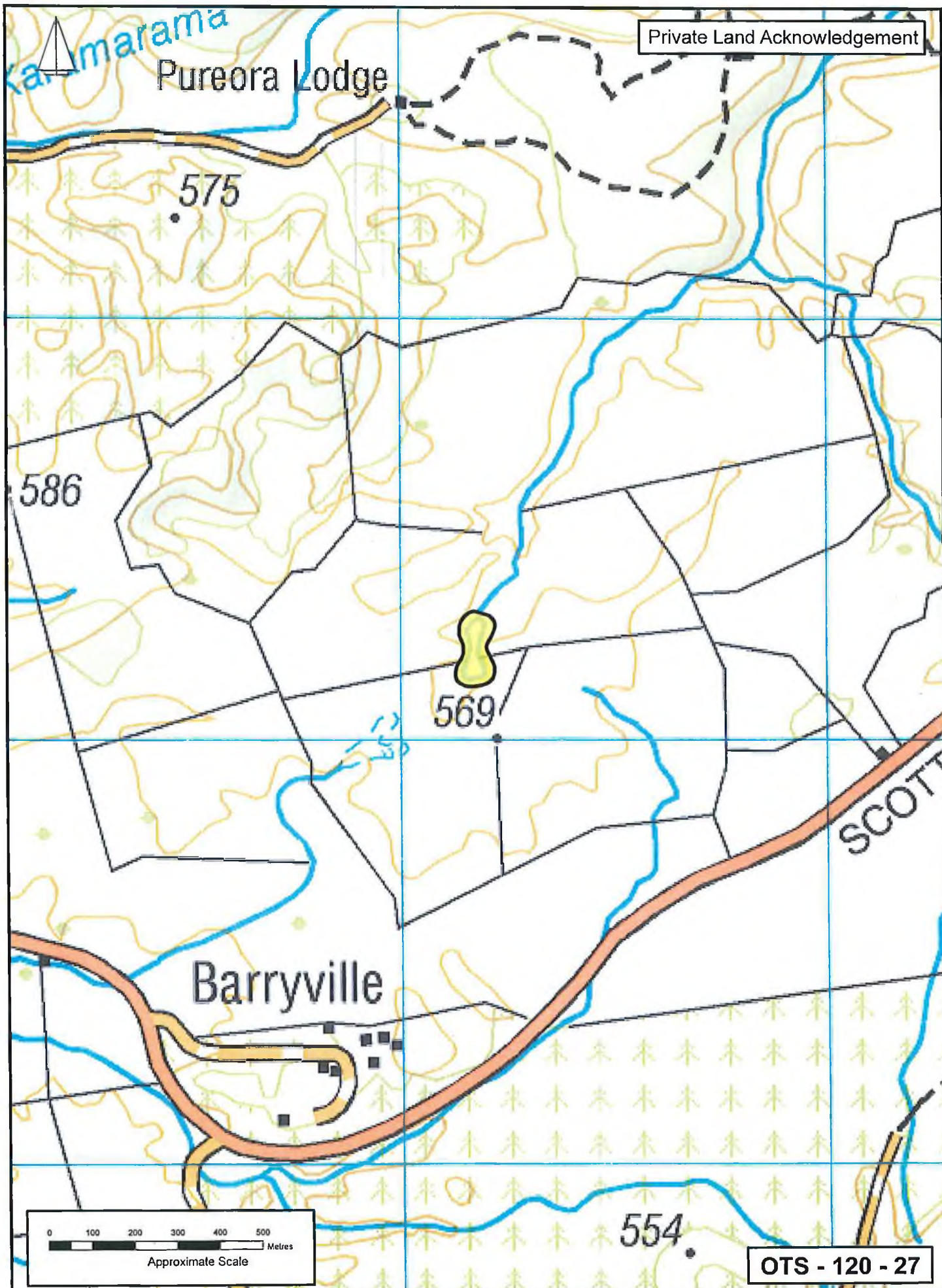
OTS - 120 - 26


 South Auckland  
 Land District  
 Territorial Authority:  
 Waitomo District  
 Compiled as a graphic  
 representation. Boundaries  
 are indicative only

### Kahaho Stream

Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
 17.2.11  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
 17.2.11  
 for and on behalf of the Crown



Private Land Acknowledgement

Pureora Lodge

575

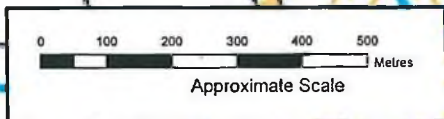
586

569

Barryville

SCOTT

554



OTS - 120 - 27



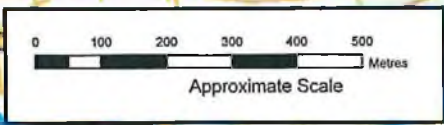
South Auckland  
Land District  
Territorial Authority:  
Waikato District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

**Te Punawai a Waipapa**

**Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
*[Signature]* 17/2/11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17/2/11  
for and on behalf of the Crown

Private Land Acknowledgement



OTS - 120 - 28



South Auckland  
Land District  
Territorial Authority:  
Waitomo District  
Compiled as a graphic  
representation. Boundaries  
are indicative only

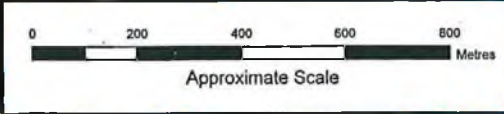
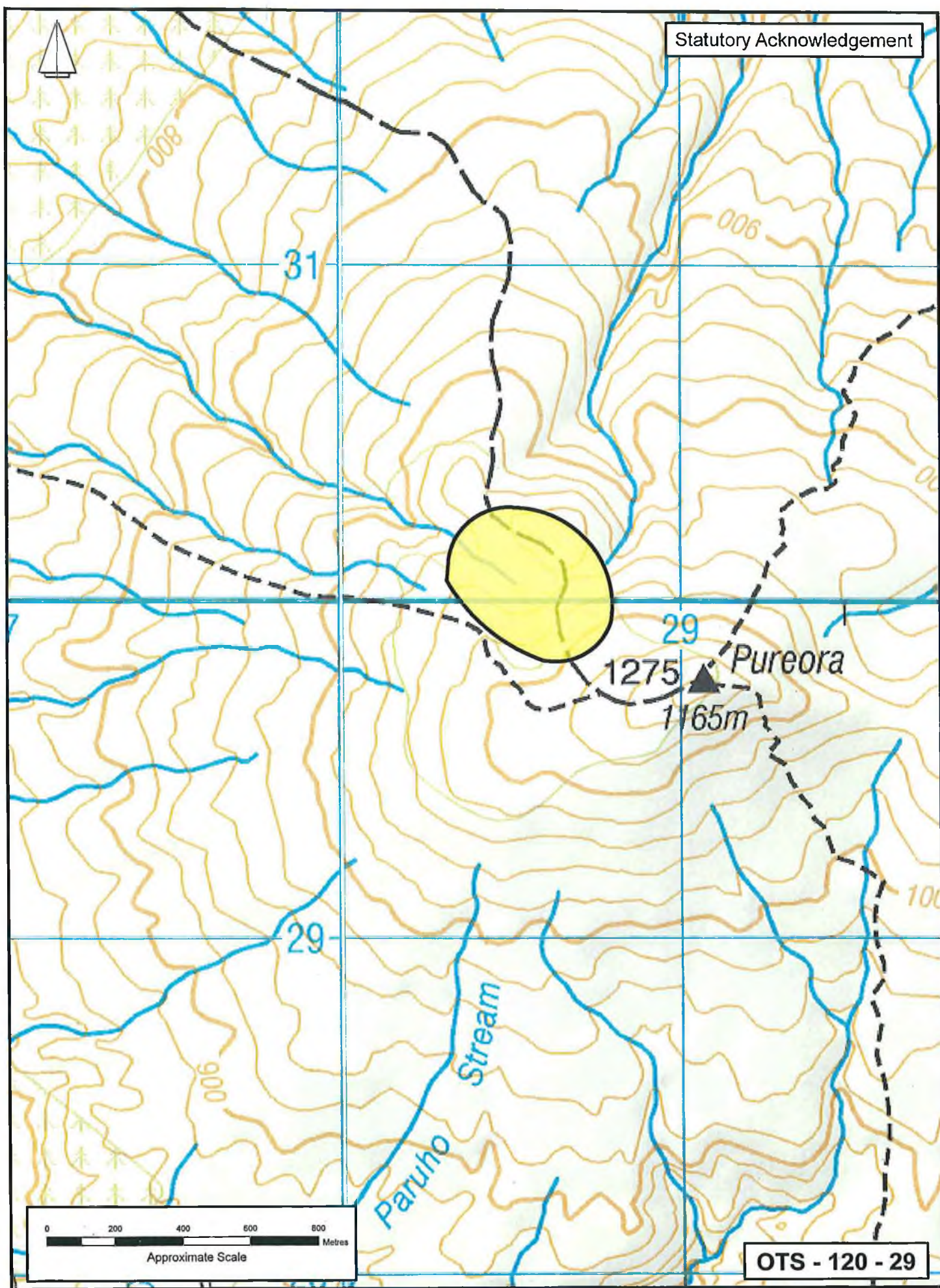
A600028.14

### Opaku

Areas referred to in the Deed of Settlement between the descendants  
of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
*Robert Hester* 17/2/11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17/2/11  
for and on behalf of the Crown

Statutory Acknowledgement



OTS - 120 - 29

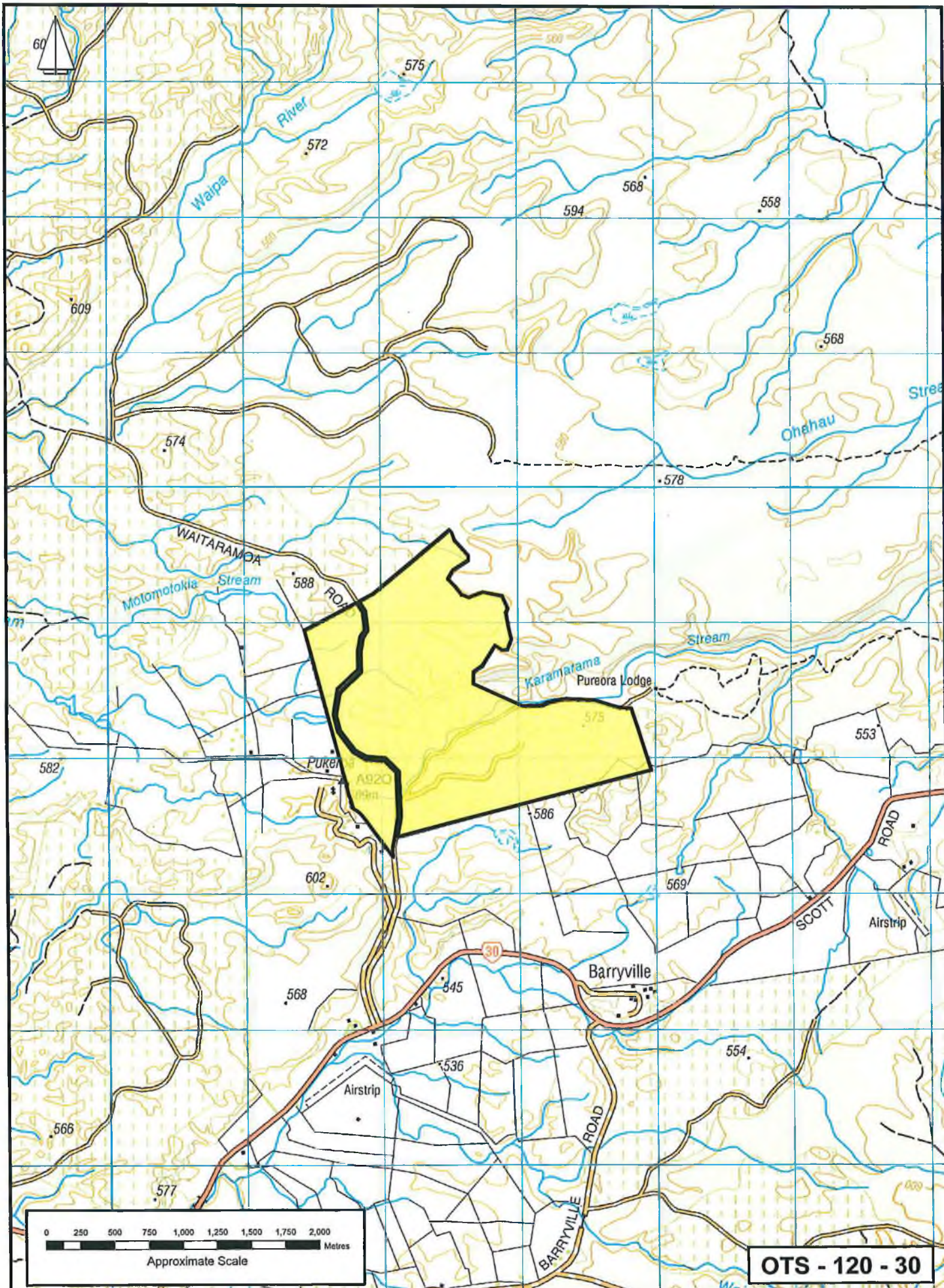


South Auckland  
Land District  
Territorial Authority:  
Waitomo District  
Compiled as a graphic  
representation. Boundaries  
are indicative only


### Waimiha o Kahu

Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown

Approved as to boundaries:  
*[Signature]* 17/12/11  
for the descendants of the original  
owners of the Maraeroa A and B blocks  
*[Signature]* 17/12/11  
for and on behalf of the Crown



**OTS - 120 - 30**


 South Auckland  
 Land District  
 Territorial Authority: Waitomo,  
 and Otorohanga Districts  
 Compiled as a graphic  
 representation. Boundaries  
 are indicative only.

**Pureora North Forest**

**Areas referred to in the Deed of Settlement between the descendants of the original owners of the Maraeroa A and B blocks and the Crown**

Approved as to boundaries:  
*[Signature]* 17.12.11  
 for the descendants of the original  
 owners of the Maraeroa A and B blocks  
 and on behalf of the Crown  
*[Signature]* 17.12.11



**2 ACKNOWLEDGEMENT OF VALUES – ACKNOWLEDGEMENT AREAS**

**ATTACHMENTS**

	<b>Name of Site</b>	<b>Name of area/Reserve</b>	<b>Location</b>	<b>Description</b>	<b>Protection Mechanism</b>
1.	Nga Herenga Pa	Maraeroa B2	As shown on deed plan OTS-120-23	Nga Herenga Pa. The site of Rereahu's village and his last home where he died.	Crown Acknowledgement
2.	Nga Turi o Hinetu	Maraeroa B3B	As shown on deed plan OTS-120-25	Nga Turi o Hinetu he Pou Rakau tawhito. An ancient boundary marker, marking the north western boundary point of the Maraeroa block	Crown Acknowledgement
3.	Opaku	Maraeroa B3B	As shown on deed plan OTS-120-28	Opaku, He wai whakarite A sacred spring/lagoon where cleansing ceremonies were performed	Crown Acknowledgement
4.	Te Arero Pa Site	Maraeroa B3B	As shown on deed plan OTS-120-24	Te Arero Pa, an historic Rereahu Pa site.	Crown Acknowledgement
5.	Te Punawai a Waipapa	Maraeroa A3B	As shown on deed plan OTS-120-27	Te Punawai a Waipapa. A sacred spring/lagoon where the Waipapa river commences and which is sacred to both Rereahu and Raukawa	Crown Acknowledgment

ATTACHMENTS

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**3 PLACE NAME CHANGE**

Existing Name	New Name	Location – Map and Grid Reference	Feature Type
Kokakotaia Stream	Mangakōkakotaea Stream	BF35 285301 BG34 185265	Stream
Paruho Stream	Mangaparuhou Stream	BG35 283292 BG34 279274	Stream

## 4 PSGE PROVISIONS FOR SETTLEMENT LEGISLATION

### [1] Interpretation

In this part, unless the context otherwise requires:

**Te Ture Whenua Act** means Te Ture Whenua Maori Act 1993;

**Deed of Settlement** means the deed of settlement between the Crown, the Descendants and the Settlement Trust dated *[insert date]*;

**Descendant** means *[refer to definition of settling group from the deed of settlement]*;

**long-term lease** means a lease—

- (a) for a term of more than 52 years; or
- (b) for a term that would be more than 52 years if 1 or more rights of renewal were exercised;

**Maori incorporation** means the governance entity incorporation as that term is defined in the Deed of Settlement;

**Preferred classes of alienees** means *[insert classes]*;

**Protected Land** means –

- (a) land vested in or transferred to the incorporation pursuant to or in accordance with the Deed of Settlement; and
- (b) land subject to an order of the Maori Land Court pursuant to section 256(2) of Te Ture Whenua Act; and

**Settlement Trust** means the governance entity trust as that term is defined in the Deed of Settlement.

### Subpart 1 – Maori Land Court jurisdiction

### [2] Settlement Trust subject to jurisdiction of the Maori Land Court

- (1) Section 237 of Te Ture Whenua Act applies to the Settlement Trust as if it were a trust to which part 12 of that Act applies.
- (2) Nothing in subsection (1) of this section shall limit or affect the jurisdiction of the High Court.

### [3] Enforcement of obligations

- (1) The Maori Land Court may at any time, on application by a Descendant, require any trustee of the Settlement Trust to file in the Court a written report, and to appear before the Court for questioning on the report, or on any matter relating to the administration of the Settlement Trust or the performance of his or her duties as a trustee.
- (2) The Maori Land Court may at any time, in respect of any trustee of the Settlement Trust, enforce the obligations of his or her trust (whether by way of injunction or otherwise).

## ATTACHMENTS

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### Subpart 2 – Sale, gift or long-term lease of Protected Land

#### **[4] Sale, gift or long-term lease of Protected Land**

- (1) Subject to this part:
  - (a) the trustees of the Settlement Trust have the capacity to sell, gift or lease by way of long-term lease the whole or any part of the Protected Land, in accordance with section [ ].
  - (b) the Maori incorporation has the capacity to sell, gift or lease by way of long-term lease the whole or any part of the Protected Land, in accordance with section [ ].
- (2) For the avoidance of doubt, the trustees of the Settlement Trust and the Maori incorporation have the capacity to dispose of any land other than Protected Land in a manner they see fit.

#### **[5] Right of first refusal for sale or gift**

A person referred to in section [4] who seeks to sell or gift Protected Land must give the first right of refusal to prospective purchasers or donees who belong to one or more of the preferred classes of alienees, ahead of those who do not belong to any of those classes.

#### **[6] Sale, gift or long-term lease by the trustees of the Settlement Trust**

- (1) The trustees of the Settlement Trust must not sell or gift Protected Land unless the sale or gift has been approved by at least 75% of the Descendants who vote on the issue.
- (2) The trustees of the Settlement Trust must not lease Protected Land by way of a long-term lease unless [the Court, in its discretion, approves and] the long-term lease has been approved by at least 50% of the Descendants who vote on the issue.
- (3) Subsection (1) does not apply if the Court is satisfied that it is necessary for the trustees of the Settlement Trust to sell part of the Protected Land to make minor boundary adjustments.
- (4) The trustees of the Settlement Trust who execute an instrument for the sale or gifting of Protected Land must get the instrument confirmed by the Court under subpart 3.

#### **[7] Sale, gift or long-term lease by Maori Incorporation**

- (1) The Maori Incorporation must not sell or gift Protected Land unless the sale or gift has been approved by at least 75% of the shareholders.
- (2) The Maori Incorporation must not lease the Protected Land by way of a long-term lease unless [the Court, in its discretion, approves and] that lease has been approved by at least 50% of the shareholders.
- (3) Subsection (1) does not apply if the Court is satisfied that it is necessary for the Maori Incorporation to sell part of the Protected Land to make minor boundary adjustments.
- (4) Where the Maori Incorporation executes an instrument for the sale or gifting of Protected Land it must get the instrument confirmed by the Court under subpart 3.

### Subpart 3 – Confirmation

[Replicate Part 8 of the Te Ture Whenua Act as appropriate. We note that some provisions will not need to be included in the settlement legislation, such as any repealed provisions (eg. sections 153, 154, 161 and 168) or inappropriate provisions (eg. sections 152(1)(e) and (f), 159 and 160).] The terminology in the Te

SAT

## ATTACHMENTS

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Ture Whenua Act will need to be changed for inclusion in the settlement legislation to reflect the PSGE structure. Relevant definitions will also need to be inserted.]

### Subpart 4 – Maori incorporation

#### **[8] Maori Incorporation deemed to be a Maori Incorporation for the purposes of Part 13 of the Te Ture Whenua Act**

- (1) Subject to section [8] the Maori Incorporation is deemed to be a Maori incorporation for the purposes of Part 13 of Te Ture Whenua Maori Act 1993.
- (2) There shall be one share in the Maori Incorporation, which shall be held on trust by the trustees from time to time of the Settlement Trust, for the benefit of the Descendants.
- (3) For the avoidance of doubt, trustees from time to time of the Settlement Trust are deemed to be the shareholders of the Maori Incorporation for the purposes of Part 13 of Te Ture Whenua Act.
- (4) The constitution set out in [Schedule 2 of this Act] is deemed to be the constitution of the Maori Incorporation.
- (5) The Protected Land held by the Maori Incorporation is deemed to be Maori freehold land, as that term is defined in the Te Ture Whenua Act, for the purposes of Part 6 and Part 13 of that Act.

#### **[9] Application of Part 13 of the Te Ture Whenua Act to the Maori Incorporation**

- (1) Sections 147, 247, 248, 249, 266, 269(1), 269(5), [269(7)], 276(7), 276(8), 279(2)(f), 279(2)(g), 280(7), [281], 282 and 283 and of the Te Ture Whenua Act do not apply to the Maori Incorporation.
- (2) The Descendants are deemed to be the "several owners" for the purposes of section 250(2) of Te Ture Whenua Act.
- (3) The Descendnts are deemed to be the "incorporated owners" for the purposes of section 250(4) of Te Ture Whenua Act.
- (4) Despite any provision in the Te Ture Whenua Act, the shares in the Maori Incorporation cannot be succeeded to.

SAB