

Maori Schools Sites Act Extension Act 1890

Public Act 1890 No 33
Date of assent 17 September 1890

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An Act to extend the Provisions of The Maori Schools Sites Act 1880. *[Repealed]*

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title

The Short Title of this Act is The Maori Schools Sites Act Extension Act 1890.

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

2 Maoris may grant to the Queen sites for Maori schools out of inalienable lands

[Repealed]

Section 2 was repealed, as from 31 March 1910, by section 431 Maori Land Act 1909 (1909 No 15).

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

3 With consent of Maori donors site for Maori school may be vested in Education Board for general school purposes

Wherever any Maoris under the provisions of The Maori Schools Sites Act 1880, *[Repealed]* or the trustees of Maoris under the provisions of this Act, have given or may give any land as a site for a school as aforesaid, and it may be desired to utilise such land for general school purposes under The Education Act 1877, the Governor, on obtaining the consent to the conversion of such land for such last-mentioned purposes from the original donors of the land, or their legal representatives, or from the trustees for the time being of the Maoris from whom such land was originally acquired, as the case may be, may notify in the *Gazette* and Kahiti the fact of having obtained such consent.

From the date of such notification such land shall vest for an estate in fee-simple, for general school purposes, in the Education Board of the district where the land is situate.

There shall be paid by the aforesaid Education Board, out of their funds, to the aforesaid Maoris, or their legal representatives, or to the aforesaid trustees, as the case may be, as a consideration for the acquisition of the said land, such sum as the Governor may direct, not in any case, however, to exceed the assessed value of such land when unimproved, and without buildings or erections of any sort thereon; such value to be ascertained by any person whom the Governor shall appoint for that purpose.

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

4 Consent of Maoris, how ascertained

[Repealed]

Section 4 was repealed, as from 31 March 1910, by section 431 Maori Land Act 1909 (1909 No 15).

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

5 Public Trustee may sell portion of reserves for school purposes to Education Board

The Public Trustee, in addition to the powers conferred by The West Coast Settlement Reserves Act 1881, *[Repealed]* is hereby authorised and empowered, on the request of the Minister of Education, to sell to the Governor or to the Education Board of the district any portion of a reserve within his administration, and whether or not such reserve is made subject to any conditions in restriction of alienation, which may be required for the purpose of a school site and playground, and to execute a transfer thereof to the said Board in fee-simple accordingly.

The purchase-money shall be paid to the several persons for whom the land sold was held in trust, in such proportions as the Public Trustee thinks fit.

The power herein contained shall only be exercised after not less than one month’s notice of the intention to sell shall be given in the Kahiti, and, if any objection shall be made by any owner, such objection shall be considered by a Judge of the Maori Land Court, who shall have power to decide whether, and upon what terms, such sale may be made, and no sale shall be made of more than ten acres in respect of one school. But no such sale shall be effected if a majority of Maori owners, after inquiry by the Judge, object to the same.

The words “Maori Land Court” were substituted, as from 27 November 1947, for the words “Native Land Court” pursuant to section 4(2) Maori Purposes Act 1947 (1947 No 59).

6 Consent of lessee required

No such sale shall be made of any portion of a reserve subject to a lease without the consent in writing of the lessee for the time being, who shall be entitled to be paid for his interest such

sum or to receive a reduction of rent as may be agreed upon between him and the Public Trustee.

The District Land Registrar shall, upon the execution of any such transfer as aforesaid, and upon the same being presented for registration, cause any lease which includes the land sold as aforesaid to be partially cancelled accordingly, and, on ascertaining the same from the Public Trustee, note upon such lease the reduced rental (if any) thereafter payable, and such partial cancellation shall operate as a surrender of the lease so far as relates to the said school site and playground.