

Occupation of the Waste Lands of the Crown in the said Colony, and for appropriating the Revenue arising from such Disposal, and that the Surplus not so appropriated should be distributed among the several Provinces of New Zealand in the Proportion therein described, and that the said Waste Lands should be taken to include all Lands wherein the Title of Natives should be extinguished as thereafter was mentioned; and it was further enacted, that it should not be lawful for any Person other than Her Majesty, Her Heirs or Successors, to purchase or in anywise acquire or accept from the Aboriginal Natives Land of or belonging to or used or occupied by them in common as Tribes or Communities, or to accept any Release or Extinguishment of the Rights of such Aboriginal Natives in any such Land as aforesaid; and that no Conveyance or Transfer, or Agreement for the Conveyance or Transfer, of any such Land, either in perpetuity or for any Term or Period, either absolutely or conditionally and either in Property or by way of Lease or Occupancy, and no such Release or Extinguishment as aforesaid, should be of any Validity or Effect unless the same were made or entered into with, and accepted by Her Majesty, Her Heirs or Successors: Provided always, that it should be lawful for Her Majesty, Her Heirs and Successors, in manner therein mentioned, to delegate Her Powers of accepting such Conveyances or Agreements, Releases or Relinquishments, and to prescribe or regulate the Terms on which the same should be accepted: And whereas in the said Act no Provision is made in respect of Land belonging to any of the said Aboriginal Natives otherwise than as Tribes or Communities: And whereas it is expedient to make more effectual Provision for ascertaining, recording, and amending such Native Laws, Customs, or Usages as aforesaid, and for declaring the Districts within which the same shall be maintained, and for ascertaining and recording the Rights of the said Aboriginal Natives in Lands held by or in trust for them (otherwise than in virtue of any Crown Grant), whether in common or in severalty, and for regulating the Management of such Lands, and for facilitating the Extinguishment of such Rights: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:—

Interpretation of Terms.

I. In the Construction of this Act the Term "Native Law shall be deemed to mean the Laws, Customs, and Usages of the Aboriginal Inhabitants of any Part of New Zealand, so far as the same are not repugnant to the general Principles of Humanity.

The Term "Native Lands" shall include all Lands, not being comprised in any Crown Grant which shall at any Time belong to, or be held in trust for, the said Aboriginal Inhabitants, or any of them, or which shall have been used or customarily occupied in common by such Inhabitants as Tribes or Communities:

The Term "Native Title" shall mean the Rights of the said Inhabitants to any "Native Lands":

The Term "Native Owners" shall mean the Possessors of such Title.

Appointment of Native Council.

II. It shall be lawful for Her Majesty, by any Letters Patent to be issued under the Great Seal of the United Kingdom, to constitute a Council, to be called the "Native Council of New Zealand," to consist of not more than Persons, and by such Letters Patent from Time to Time to appoint and remove the Members of such Council.

Presidency of Council.

III. The Officer administering the Government of the Colony, or in his Absence any Councillor designated by him in Writing under his Hand and Seal, shall be President of the said Council, and shall have a Veto on all its Proceedings.

Rules to be made by Royal Instructions.

IV. It shall be lawful for Her said Majesty, Her Heirs and Successors, by Instructions under the Signet and Royal Sign Manual, or signified through One of Her Majesty's Principal Secretaries of State, to make Rules respecting the Suspension or provisional Appointment of such Councillors as aforesaid, and respecting the Execution of their Functions and the Exercise by them of the Powers hereinafter conferred upon them.

Powers of Council:

V. It shall be lawful for the said Council, subject to such Instructions as aforesaid, or for the Governor, in case and so far as he shall be authorised by such Instructions,—

To declare Native Districts;

1. To declare and set apart Districts within which Native Law shall be maintained; provided always, that Native Law shall not be maintained in any District or Part thereof after the Native Title to the same shall have been extinguished:

To declare Native Law.

2. To declare, record, and amend the Native Law; provided that the Declaration and Amendment of any such Law shall be made with the consent of the Native Inhabitants subject to the same, such Consent being ascertained and signified in such Manner as the said Council shall appoint; provided also, that all Regulations made and established by the Governor of New Zealand in Council, for the Guidance of such Native Inhabitants, under Authority of an Act passed by the General Assembly of New Zealand, intituled No. 41, of 1858, "An Act to regulate the "Local Affairs of Native Districts," shall remain in operation until altered or revoked by Authority of the said Native Council:

To make Rules respecting Native Lands.

3. To make Rules respecting the Use, Occupation, and Devolution of Native Lands: