



NGĀ MAHI A NGĀ KAITIAKI

TETURE WHENUA MĀORI ACT 1993

Te Kooti Whenua Māori



Māori Land Court

Ko te whakakape

I pau te manawa me te kaha ki te whai i te tika me te pono o tēnei puka pānui, i tuhia, i whakatikaina, ā, i pānuitia i runga tonu i te mōhiotanga ko ōna kaituhi me ōna kaiwhakatika, kaipānui hoki kei te wātea mai i ngā herenga i mahia, kāhore rānei i oti i tētahi tangata te katoa, ētahi wāhanga rānei, ngā kupu me ngā kaupapa kōrero o tēnei puka pānui te mahi. Ko ngā kaititiro i ēnei tū āhuatanga me aro atu ki te tino pukapuka o te Ture, o ngā Ture rānei e pā ana ki tēnei take, kaupapa, te whai rānei i ētahi tohunga kaitohu i ēnei take kaupapa, ā, me te kore hoki e piripono ki ngā kupu kaupapa o tēnei pukapuka anake.

Tāhū o te Ture: he kupu mana tārua.

Ko ngā puka pānui ka tukua e te Tāhū o te Ture, ka noho tonu i raro i ngā ritenga maru o te mana tārua Karauna, ā, mēnā kāhore, ka whakamōhiotia anō hoki. Ko ngā rauemi mana tārua e whakamaru nei i tukua hoki e te Karauna, ka āheitia te whakamahia, te kape, te tuku, ahakoa pēhea nei te āhua, ā, kāhore he utu, kāhore hoki he tuku tonu kia whakaetia i te tuatahi. Kei te aro hoki tēnei ki te rauemi o ngā kupu me ngā kōrero kaupapa e whakamahia ana kia tika, kia pono hoki te tuku me te mahi. Ki te whakamahia, ki te hoatu rānei i tēnei rauemi ki tētahi atu tangata, me hoki tonu ngā kōrero ritenga i te tuatahi ki te kaituhi, ki te mana tārua hoki.

Ko te whakaaetanga ki te kape i te rauemi o te Karauna, kei raro nei i te maru o te mana tārua, kāhore e tika ana mō ngā rauemi mana tārua o tētahi atu tangata tuatoru. Ko te whakaaetanga mō te kape i ngā kupu kōrero o te tangata kē atu me whai anō i te mana tārua o taua ake tangata, rōpū rānei.

Kia mōhio ai: Ko ngā pukapuka pānui o te Tāhū o te Ture, ko aua pukapuka anō e tukua nei e te Tāhū o te Ture i roto anō i āna ake mahi. Kāhore hoki tēnei e pā atu ana ki ngā kupu pānui kōrero me ngā whakataunga mai i ngā Kooti me ngā kaimahi āpiha hoki o te Kooti.

Poutūterangi 2010



MINISTRY OF
JUSTICE
Tābu o te Ture

Te Kāwanatanga o Aotearoa

Ko te Kooti Whenua Māori te kooti o Aotearoa e rongohia ai ngā take katoa e pā ana ki ngā whenua Māori. E matatau ana te Kooti Whenua Māori ki te hononga motuhake i waenga i te iwi Māori me te whenua, me ngā rekoata e purihia ana e tēnei kooti e hāngai ana ki ngā whakapapa o ngā Māori katoa. Ko te mana whakahaere o te Kooti Whenua Māori, ko Te Ture Whenua Māori 1993.

Ngā Mahi a ngā Kaitiaki, koia nei tētahi o ngā kohinga pukapuka a te Kooti Whenua Māori he mea hanga hei āwhina i ngā Māori – me ētahi atu iwi – e hiahia ana ki te whai mōhiotanga e pā ana ki ngā take whenua. He ārahitanga hōhonu tēnei e pā ana ki te tino mahi a te kaitiaki whenua Māori.

Ko ēnei tino mahi i takea mai i Te Ture Whenua Māori 1993 me te Ture Kaitiaki 1956.

Ngā mahi a te kaitiaki

Me whai ngā kaitiaki¹ i ngā ture Kooti Whenua Māori 1993 me Te Ture Kaitiaki 1956. Ko ā rātou tino mahi “he whakapiki i ngā rawa, he whakaiti i ngā nama a ngā kaitiaki whenua Māori, ki tā rātou e taea ai i raro i te ture. Ko te teiteitanga o tō rātou mana kua rārangihia ki roto i te kawenata kaitiaki.

Me kauhā ngā kaitiaki e whakapau moni noa iho, mēnā kāore anō kia whakaaetia, he takahi tēnei i ngā tikanga o te kawenata. Ka āhei ngā kaiwhiwhi hua² ki te hāmene i a rātou mō te mahi tinihanga me te whakapau moni noa. Ka āhei rātou ki te kawē i ā rātou hāmene ki te Kooti Whenua Māori, Kooti Teitei rānei. He take tino mōrikarika tēnei ki ngā kooti, ā, he utu nui te whiu mēnā ka kitea te hē a te kaitiaki. Ka āheitia te whakarārangi i ngā mahi a te kaitiaki mā ngā mātāpono tekau mā rua e whai nei:

1. Mōhioranga

Me mōhio rawa ngā kaitiaki:

- ki ngā whenua kei raro i a ia
- ki ngā tikanga o te kawenata
- ki ngā take katoa e pā ana ki te tiaki whenua.

2. Mau pono

Me mau pono rawa ngā kaitiaki ki ngā tikanga o te kawenata.

3. Ngākau māhaki

Me ōrite te aro atu o ngā kaitiaki ki te katoa o ngā kaiwhiwhi hua. Ko rātou he māngai mō ngā kaiwhiwhi hua katoa.

4. Moni whakangao

Me hāngai pū ngā whakangao ki ngā tikanga o te kawenata kaitiaki, ki te Ture Kaitiaki 1956 me tōna whakahoutanga 1988.

Kāhore he whakaoati a te Kāwanatanga ki runga i ngā whakangao. Me āta whai whakaaro ngā kaitiaki whakangao mai i ngā tohunga whakamahi pūtea.

5. Me pukumahi, me tūpato hoki

Me aro ngā kaitiaki ki te whakahaere i ngā take a ētahi atu, i runga i te pukumahi, te tūpatotanga, me te whakaaro tōtika. Hei tauira, me kauhā rawa e moumou moni noa iho, mēnā kāhore i whakaaetia. Kāore rawa i pai mēnā ka tāpaehia ngā nama, nā runga i te kūare o ngā kaitiaki.

6. Te tohatoha i ngā mahi

Kāhore te kaitiaki e āhei ana ki te tohatoha i ana mahi ki tētahi atu, mēnā kāhore i roto i tana kawenata, kāhore rānei e whakaaetia e te ture. Engari ka āhei te whakamahi i tētahi tohunga hei āwhina i te trust.

7. Mahitahi

Me mahitahi ngā kaitiaki. Me kawē e rātou katoa ngā hē me ngā hapa. Ko ngā kaitiaki katoa ka taka ki raro i te mana o ngā kaiwhiwhi hua.

8. Me kauhā te kaitiaki e mahi moni

Me kauhā te kaitiaki e whiwhi moni nui rawa i roto i tōna tūranga. Mēnā ka whakaaetia e te kawenata, ka āhei te whakahoki atu i ngā pūtea a te trust kua whakapauhia i roto i ngā mahi a te kaitiaki.

9. Utua ngā tāngata tika

Ko ngā pūtea a te trust me utu anake ki ngā tāngata kei runga i te kawenata. He hara nui ki te utua te pūtea ki tangata kē, mēnā i runga i te kūare, ahakoa rānei i rapua he whakaaro mai i tētahi tohunga moni.

10. Pukapuka pūtea a te trust

Me hanga tōtika ngā pukapuka kaute a te trust. Me whai wāhi ngā kaiwhiwhi hua,

ko tō rātou māngai rānei ki te titiro ki ngā pukapuka i te wā e hiahiatia ana e rātou. Me wātea tonu ngā mōhiotanga ki ngā kaiwhiwhi hua i ngā wā katoa.

11. Whakaputaina ngā take tukituki

Mā te kaitiaki e ārai he wāhanga e pupū ake ai he take tukituki. Engari, mēnā kāhore he huarahi atu, me whakaputa ngā take tukituki, ā, me kua te kaitiaki e āhei ki te pōti, ki te whakawhiti whakaaro rānei. Hei tauria, e kore te kaitiaki e āhei ki te pōti i roto i ngā kaupapa a te trust, mēnā ko rātou tonu ka whai hua, mēnā koia tonu ka whai hua i roto i ngā rīhi whenua a te trust.

12. Hui whakamārama

Me āta whakamārama ngā kaitiaki i ngā nekeneke a te trust, te āhua o te pūtea, me ētahi atu whakahaere. Me whiriwhiri rawa rātou i ngā kaupapa tōrangapū, ā, me whai whakaaetanga mai i ngā kaiwhiwhi hua i mua i te whakarerekē i ngā tikanga o te kawenata.

Hui kaitiaki

Hui kaitiaki tuatahi

I te hui kaitiaki tuatahi, me tohu he heamana, he hēkeretari, he kaupupuri pūtea. Mā ngā kaitiaki hei tohu ēnei, ā, me whakaae rawa ngā tāngata kua whakaingoatia, kia tohua rātou.

Heamana

Ko ngā mahi a te heamana:

- whakatū hui i raro i ngā āwhina a te hēkeretari

- kia tika te whakahaere i ngā hui, me tutuki tika ngā kaupapa katoa
- he rongo i ngā kōrero me ngā nawe a te katoa
- me mahi i runga i te ngāwari me te hūmārie
- he whakamana i ngā mēneti o te hui
- he kawē tōtika i ana mahi i runga i tōna mana kaitiaki, me te mana o tōna tūnga heamana
- me kua e whakamahi i tōna tūnga hei whakakoti i ngā pōti a ngā kaitiaki.

Hēkeretari

Mēnā he kaitiaki, kāhore rānei, ka āhei te tū hei hēkeretari. Anei āna mahi:

- he rekoata i ngā mēneti o ngā hui (hui kaitiaki, hui kaiwhiwhi hua)
- he whakamana i ngā mēneti hui
- he tohatoha i ngā mēneti hui
- he tono i ngā kāinga noho o ngā kaitiaki ki te Kooti Whenua Māori
- he pupuri rārangi kāinga noho a ngā kaitiaki
- he pupuri ki ngā reta katoa a te trust
- he whakaatu i ngā reta hei whiriwhiri ki ngā hui
- he tuku i ngā pānui me ngā reta a te trust
- he whakarite i ngā mōhiotanga katoa, ka whakaatu mai ki ngā kaitiaki me ngā kaiwhiwhi hua, i ngā wā e hiahiatia ana.

He whakamārama

1 He tangata whai mana ki te whakahaere i ngā whenua o ngā kaupupuri, ngā kaiwhiwhi hua. Ko te kaitiaki ka huri hei kaupupuri whenua i raro i te ture mēnā ka

rēhitatia tōna ingoa ki te taha o te taitara. Ka kiā ko ngā kaiwhiwhi hua, he kaupupuri whiwhi hua.

2 Ko rātou ka whai hua mai i ngā ritenga kaitiaki.

Mēnā he kaitiaki, te hēkeretari, me tōtika tonu tana whakahaere i ana mahi i raro i tōna anō mana. Mēnā ehara te hēkeretari i te kaitiaki, me kua a ia e whai mana ki ngā whiriwhiringa me ngā whakarite a te trust.

Kaipupuri pūtea

Ko te mahi a te kaipupuri pūtea he rekoata i ngā nekeneke pūtea katoa a te trust. Māna hei tohu:

- kia whai mana ngā kaihaina haki mō te pūtea a te trust, ā, kia whakauruhia taua mana ki te whare pupuri moni
- te whakarite i ngā nekeneke o ngā pūtea mō te ripoata pūtea ā-tau
- kia mārama ngā kaitiaki ki te taumata o tō rātou mana whakapau pūtea, ā, me kua e hipa i taua taumata
- pupuri i ngā rekoata katoa o ngā nekeneke pūtea, pēnei i ngā tonu utu, me ngā rihiti
- ka hāngai ngā pukapuka pūtea ki ngā kaute moni
- he whakaatu i ngā pukapuka pūtea ki ngā hui kaitiaki katoa
- he whakarite i ngā pepa me ngā pukapuka katoa, ā, ka whakaatu mai ki ngā kaitiaki me ngā kaiwhiwhi hua i te wā e hiahiaatia ana.

Mēnā he kaitiaki te kaipupuri pūtea, me āta mahi tōtika a ia i runga i tōna anō mana.

Hanga whāinga mō te trust

Mā te kaitiaki hei hanga whāinga mō te trust i raro tonu i ngā tikanga a te kawenata kaitiaki. Mā aua whāinga e tohu ngā kaupapa mahi a te kaitiaki, i raro i tētahi marautanga.

Āwhina tohunga

Ka āhei te kaitiaki ki te whai āwhina mai i ngā tohunga rōia, tohunga pūtea hoki mēnā e hiahiaatia ana.

Ngā huihuinga kaitiaki

Kia hia ngā hui

Mā ngā nekeneke pakihī kaitiaki e tohu kia hia ngā hui, mēnā kāhore he tohutohu a te kawenata kaitiaki. Hei te tīmatanga o tētahi trust, he whakahoutanga rānei, me āhua rahi tonu ngā hui. Mēnā he iti noa ngā take hei whiriwhiri, kāhore rānei, he moumou rauemi noa iho te hui i ngā wā katoa.

Te tuku pānui

Ka āhei te kaitiaki, ahakoa ko wai, ki te karanga he hui. Engari me āta pānui e rua, e toru wiki rānei i mua o te hui, kia whai wā ngā kaitiaki ki te whakatika i a rātou anō mō te haerenga mai. Me āta whakamārama anō te kaupapa o te hui i roto i te pānui.

Kohinga kaitiaki

Mā te kohinga kaitiaki e whakatau kaupapa (wāhanga 227 o te ture). Ko te iti o te kohinga³ mō tētahi hui kaitiaki me tae ki te hui, me neke rawa atu i te hāwhe o ngā kaitiaki, nā reira mā te neke atu o te hāwhe o ngā kaitiaki e whakaae, e whakatau hoki ngā kaupapa. Mēnā ka eke te rahi o te kohinga kaitiaki mō te hui, engari neke atu i te hāwhe o rātou kāhore i tautoko i tētahi kaupapa, ka hinga taua kaupapa, i raro i te wāhanga 227 e kī ana me whakaae katoa te nuinga.

He rerekē te whakapiki a te kawenata i te kohinga kaitiaki, engari me āta tiro e ngā kaitiaki te pono o tēnei take. Me āta whakaaro anō te tikanga pōti a te heamana, arā me tautoko rawa a ia i te nuinga.

Te Pōti

Ko ngā kaitiaki tōtika anake ka āhei ki te pōti i ngā hui kaitiaki.

Mēnā he kaitiaki papa kāinga Māori, ā, kei te ōrite te wehe o ngā pōti, kei te heamana te pōti whakatau, i raro i te ture 17(h) o te ture papa kāinga Māori 1994. Ka mana tēnei ture ki ētahi atu kaitiaki mēnā kei roto i tā rātou kawenata.

Te haere ki ngā hui

Ka āhei ngā kaitiaki ki te hari manuhiri ki ngā hui mēnā e tika ana, arā, mēnā e whai āwhina ana mai i tētahi tohunga. Heoi ko te tikanga, he hui ēnei mō ngā kaitiaki anake, engari ka āhei tonu ngā kaiwhiwhi hua ki te haere ki ngā hui.

Me tae rawa ngā kaitiaki ki ngā hui katoa mō ngā kaupapa a te kaitiaki. Mēnā, he maha ngā hui ka karohia e tētahi kaitiaki, ākene ka panaia ia e te Kooti Whenua Māori.

Hui a ngā kaiwhiwhi hua

Kia hia ngā hui

Ko te tikanga, mā te kawenata kaitiaki e tohu kia hia ngā hui kaiwhiwhi hua. Mēnā kāhore he tohutohu a te kawenata, ka taka mai te mana ki ngā kaitiaki. Ka wātea anō hoki ngā kaitiaki ki te haere ki ngā hui a ngā kaiwhiwhi hua.

Me āta whakamārama ngā kaitiaki ki ngā kaiwhiwhi hua, he aha ngā nekeneke a te trust, me rapu anō i tā rātou tautoko mō ngā take katoa ka whakatauhia.

Ka āhei te karanga hui a ngā kaiwhiwhi hua, i raro i ngā kaupapa e whai ake nei:

- te pōti kaitiaki
- te whakaatu i ngā pukapuka pūtea

- moni whakangao
- te hoko whenua tāpiri
- he hokonga nui, pēnei i te whare tāpae wūru
- mōkete
- ngā whakarerekētanga ki ngā ture o te trust
- te whakakore i te trust.

Me āta karanga he hui, mēnā kua hainatia e te kohinga kaiwhiwhi hua tētahi hokonga, i raro i ngā tikanga o te kawenata kaitiaki.

Pānui

Me pānui rawa. E tika ana kia pānuihia te hui ki ngā kaiwhiwhi hua me ngā kaitiaki, e rua, e toru wiki rānei i mua o te hui. Mēnā ka taea, me tuku he pānui hui, ki ia kaiwhiwhi hua, ki ia kaitiaki. Me tonu anō he pānui me te hōtaka, ki ngā nūpepa.

Kohinga kaihui

Ko ētahi kawenata kaitiaki ka tohu te rahi o te kohinga kaihui mō ngā hui kaiwhiwhi hua. Mēnā kāhore he kohinga i whakaritea, me pono rawa te kooti i whakaritea ngā kaupapa o te hui i raro i ngā tikanga e whai ake nei:

- i whai wā ngā kaupupuri ki te kite i te pānui
- i whai wā ngā kaupupuri ki te whiriwhiri, ki te whakaaro hoki i ngā kaupapa
- kei te tino rahi te tautoko a ngā kaupupuri
- kāhore he whakahē a te Kooti.

Ngā pōti me ngā pōti māngai

Ko ngā kaiwhiwhi hua anake ka āhei ki te pōti i ngā hui kaiwhiwhi hua. Ko te tikanga, mā te kawenata kaitiaki e tohu me pēhea te whakahaere i ngā pōti. Mēnā kāhore he

tohotohu a te kawenata, ka taka mai te mana ki ngā kaihui, arā ki tā rātou e hiahia ana.

Kāhore e whakaaetia he pōti māngai⁴ nā reira me kaua e whakamahi, me kaua hoki e tūpono. Heoi, ki te whakaaetia e te kawenata kaitiaki, ka āhei tētahi kaiwhiwhi hua ki te tuku i tōna mana kaipupuri ki tētahi atu hei māngai mōna.

Mēnā ka whakaaetia he māngai pōti e te kawenata kaitiaki, ka āhei te kaiwhiwhi hua, kāhore i tae ki te hui, ki te tuku ā-tuhi i te mana ki tētahi atu, māna hei pōti mōna. Me 20 tau te pakeke o te māngai pōti. Ka taea ngā pepa māngai mai i ngā kaitiaki. Ko ngā hea ka pōtihia ā-māngai nei, ka taka ki raro i ngā tikanga kohinga kaihui.

E kore ngā pōti a ngā kaiwhiwhi hua e here i ngā kaitiaki, engari anō, mēnā kua whakaritea kētia i roto i te kawenata kaitiaki. Heoi, mā ngā pōti e mārama ai ngā kaitiaki ki ngā hiahia o ngā kaiwhiwhi hua. E kore ngā whakatau o te hui e here i ngā kooti - ko te take o ngā mēneti, he tohu noa iho i ngā whakahaere me ngā kaupapa kua whakaritea.

Ngā whakahaere o te trust

Te mana o te kaitiaki

Ko ngā tikanga o te trust me te mana o ngā kaitiaki, kei roto katoa i te kawenata o te trust. Nā reira he tino taonga ēnei pepa a te trust, ā, me whai kape katoa ia kaitiaki kia mārama ai ia. Hei tā ētahi kaiwhakawā koinei tā te kaitiaki 'whakamārama mahi'.

Ko ētahi atu mana kua whakatōngia ki runga i ngā kaitiaki:

- te Ture Whenua Māori 1993
- te Ture Kaitiaki 1956

- te Ture Tāke 2004
- te Ture Rauemi 1991
- te Ture Kaitiaki Tuku Koha 1957
- te Ture Āwhina 2005.

Te whakarerekē i ngā tikanga o te trust

Mēnā ka hiahia ngā kaitiaki ki te titiro anō ki tō rātou mana, ngā tikanga, me ngā mahi, ki tā te kawenata i tohu ai, me whai tautoko rātou mai i ngā kaiwhiwhi hua, ā, me huitahi hoki rātou.

Ka āhei te whakamana i ngā rerekētanga a te hui, mā te tuku tonu ki te Kooti Whenua Māori, kia whakarerekēhia te kawenata o te trust.

Me whakapono rawa te kooti, i whai wā ngā kaiwhiwhi hua ki te pānui i te tono, ā, ki te wherawhera me te whai whakaaro hoki mō taua tono kia whakarerekēhia te kawenata o te trust. Me whakapono anō te kooti, kei te tautokohia te tono e te nuinga o ngā kaiwhiwhi rawa.

Rārangi kaiwhiwhi hua

Ko ngā rārangi kaiwhiwhi hua ka puritia e te Kooti Whenua Māori. Me tonu ngā kaitiaki i tētahi kape i mua o te hui i te taha i a rātou. Heoi me pupuri tonu ngā kaitiaki i ngā nama waea a ngā kaiwhiwhi hua.

Rīpoata ā-tau

Me tuhi rīpoata ā-tau ngā kaitiaki, engari anō, mēnā kāhore e tohua e te kawenata o te trust. Me tohu anō te kawenata o te trust. Ko te rīpoata ā-tau me :

- tonu atu ki te Kooti Whenua Māori, ka tāpiri atu i te rīpoata pūtea ā-tau.
- whakaatu ki ngā kaiwhiwhi hua ki tā rātou hui whai ake kua whakaritea mai.

Mēnā kāhore he hui ā tau, ko ngā rīpoata mō ngā tau o mua atu i taua hui, me whakaatu.

Whakahaere pūtea

Me rekoata katoa ngā whakahaere pūtea, ā, me whakatika mai he rīpoata pūtea ā tau. Ka āhei ngā kaitiaki me ngā kaiwhiwhi hua ki te kuhu atu ki ngā pukapuka pūtea.

Tirohia ngā pukapuka

Me āta titiro ki ngā pukapuka kaute pūtea ia tau. Ko ētahi, me whai noa i tēnei ki te eke noa te pūtea ā tau⁵ i te \$10,000.

Ka tohu pea te kawenata kia:

- tuku tētahi kape o te rīpoata mahinga pūtea ki te Kooti Whenua Māori pupuri ai.
- whakaatu mai i te rīpoata mahinga pūtea ki te hui a ngā kaiwhiwhi hua e heke mai nei.

Ngā nama tāpae

Mā ngā kaitiaki e whai kia utua ngā nama katoa a te trust, kia ea.

Ngā utu kaitiaki

Mēnā kua tuhia ki te kawenata o te trust, kua whakaaetia rānei e te Kooti Whenua Māori, ka āhei te whakahoki i ngā moni kua whakapauhia e te kaitiaki i roto i te whakahaere o āna mahi, pērā i ngā mahi whakatika hui, te whakamahi i tōna anō waka me ērā āhuatanga.

Ka āhei ngā kaitiaki ki te mahi mō te trust, te whai wāhi ki tētahi kawenata⁶ i raro i te trust, engari kāhore e whakaaetia kia pōti e rātou, kia kōrero rānei i roto i ngā whiriwhiringa kaupapa, e pā ana ki ā rātou

utu, ā rātou tikanga mahi, me ngā take e pā ana ki te mahi kawenata.

Moni tāpae

Whai muri i te utu o ngā nama katoa a te trust, ka āhei te whakamahi i ngā moni tāpae i raro i ngā tohutohu a te kawenata kaitiaki. Anei e whai ake nei:

- hei utu i ngā nama whakahaere tari ia rā
- te tohatoha i ngā moni ki ngā kaiwhiwhi hua
- te whai whakangao
- whakahou i ngā rawa a te trust
- te hoko whenua, whare rānei
- te utu i ngā tāke hokohoko (GST).

Ka noho wehe tonu ia kaitiaki i raro i te ture, nā reira me whiwhi rātou i tā rātou ake nama mai i te Tari Tāke. Me rēhita rawa ngā kaitiaki mō te tāke hokohoko GST ki te Tari Tāke. Pēnā he pātai, me whakapā atu ngā kaitiaki ki tētahi Kaitakawaenga Māori o te Tari Tāke, mā te paetukutuku nei (www.ird.govt.nz/online-services/keyword/advice-assistance/online-business-advisory-visit.html). Kāhore he utu mō tēnei ratonga, ā, i whakatūhia hei āwhina i ngā iwi Māori, rōpū Māori me ngā pakihī hoki.

Te whakahaere i te trust

Ngā here o ngā kaitiaki

Ko ngā taonga me ngā rawa katoa a te trust, ka taka mai ki raro i ngā manaakitanga a ngā kaitiaki.

4 Ko te tuku i te mana pōti a tētahi atu, hei māngai mōu.

5 Ko ngā moni i ahu mai i te tiaki (he mau hua) engari kāore i hokona (whenua hoko).

6 He whakaaetanga ā-waha, ā-ture rānei e hāngai ana ki te ture.

Ka āhei ngā kaiwhiwhi hua ki te hāmene i ngā kaitiaki mēnā ka mahi kūare rātou, ka mahi tinihanga rānei. Whakamahi i ngā rawa a te trust, ki te Kooti Whenua Māori, te Kooti teitei rānei. Heoi, i raro i te wāhanga 227(6) o te ture, ko te kaitiaki i whakahē i te pōti, e kore ia e hāmenetia.

He take tino mōrikarika te titiro a te Kooti Whenua Māori ki ēnei mahi takahi mana, ā, he whakawhiu tino nui te utu i tētahi kaitiaki, mēnā ka kitea nāna i hapa.

Te haina pepa

Ka whakamanahia ngā kaitiaki ki te haina pepa rīhi, mōkete, me ētahi atu pepa a te kaitiaki. Mēnā e toru, neke atu rānei ngā kaitiaki, kei te nuinga te mana, engari anō, mēnā ka tohu te kawenata o te trust me whakaae te katoa (tirohia te wāhanga 227 o te Ture).

Mēnā kāhore tētahi kaitiaki e whakaae ki te whakatau a te katoa, me kaua a ia e haina i te whakaata. Kia kore e hoki mai ki te ngau i a ia, me āta whakamōhio ā-tuhi, ki ngā kaitiaki me te Kooti Whenua Māori.

Hei tā te tari Toitū te Whenua (i mua ko te tari Whakawhiti Whenua) me haina katoa ngā kaitiaki i tētahi pepa, kātahi anō ka whai mana taua pepa.

Mēnā he pepa e tika ana kia hainatia e te katoa o ngā kaitiaki, ā, kua whakaaetia e te nuinga kia haina, ā, ko te tikanga me haina e te katoa. Mēnā ka whakahē tētahi, ka āhei te whakamōhio ki te katoa, ā, me rekoata tana whakahē. Mēnā ka tino whakahē tētahi ki te hainatanga a te katoa ki tētahi pepa, ka āhei ia ki te tono āwhina mai i te Kooti Whenua Māori. Mēnā tētahi ka kore e hiahia ki te haina, koia ka uru ki te raruraru mēnā ka hinga te tono a te trust.

Te whakatutuki i ngā kawenga

Kei te Kooti Whenua Māori te mana ki te whakatutuki i ngā mahi me ngā tono a ngā kaitiaki. Ka āhei te kooti ki te tono i te kaitiaki kia tuhi rīpoata e pā ana ki ngā whakahaere me ngā nekeneke a te trust, mō ngā mahi kua oti i te kaitiaki. Me wātea anō te kaitiaki ki te tū ki mua o te kooti ki te whakautu pātai.

Ngā kaupapa whakangao

Ka āhei ngā kaitiaki ki te whakamahi pūtea, ki te whakangao hoki, hei hiki i ngā rawa hei whakaiti i ngā nama i roto i āna nei mahi i raro i te ture. Ko ngā whakangao me whakatutuki i raro i ngā ture a te kawenata o te trust me te Ture Kaitiaki 1956 me tōna whakahoutanga 1988.

Kāhore he whakaoati a te kāwanatanga ki ngā whakangao. Me āta whai whakaaro ngā kaitiaki whakangao ki ngā tohunga whakamahi pūtea.

Mō ētahi mōhiotanga

Mō ētahi atu mōhiotanga e pā ana ki te papa kāinga Māori, me tuhi, waea, waea whakaahua, īmēra, haere rānei ki ngā tari o te Kooti Whenua Māori. Kei reira ngā kaimahi o te tari hei āwhina i a koe.

www.maorilandcourt.govt.nz

Ngā Tari o te Kooti Whenua Māori

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He rite tonu te whakamahi i ngā nama X i te mahi i
ngā nama pouaka poutāpeta.