

Comparison between the New Zealand Geographic Board Act 1946 and the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008

Section	2008	Section	1946
1	<p><i>Short Title</i></p> <ul style="list-style-type: none"> • New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 or • New Zealand Geographic Board Act 2008 or • Ngā Pou Taunaha o Aotearoa Act 2008 	1	<p><i>Title</i></p> <ul style="list-style-type: none"> • New Zealand Geographic Board Act 1946
2	<p><i>Commencement</i></p> <ul style="list-style-type: none"> • By Order in Council on 1 November 2008 (except for Sections 32 and 33) 		
3	<p><i>Purpose</i></p> <ul style="list-style-type: none"> • provides for the continuation of the New Zealand Geographic Board as the same body established under the new Zealand Geographic Board Act 1946 (the 1946 Act) • provides for membership and administration of the Board • establish the jurisdiction of, and set out the powers, function and duties of the Board • provides effective notification, consultation and decision making procedures for naming geographic features. • provides for recognition of cultural and heritage values associated with geographic features. • enables certain administrative needs of government (including local government) to be met. • provides for the Board's role of reviewing a proposal to assign an official geographic name to Crown protected area. • ensures the provision of public access to an authoritative record of official geographic names • repeals the 1946 Act 		
4	<p><i>Interpretation</i></p> <ul style="list-style-type: none"> • defines Antarctica, Board, Crown protected area, department, district, document, Gazetteer, GEBCO Gazetteer, geographic feature and feature, local authority, locality, Minister, official chart and official map, official document, official geographic name, place, public office, recorded name, region, suburb, te reo Māori, tikanga Māori, undersea feature, and ward. 	2 9(2)	<p><i>Interpretation</i></p> <ul style="list-style-type: none"> • defines Board, Department, Minister, territorial authority, and town. • <i>Board may assign or alter certain place names</i> • defines the term place.
5	<p><i>Act to bind the Crown</i></p> <ul style="list-style-type: none"> • the new Act shall bind the Crown. 		
6	<p><i>Treaty of Waitangi (Te Tiriti o Waitangi)</i></p> <ul style="list-style-type: none"> • collecting original Māori names 		

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	<ul style="list-style-type: none"> encouraging the use of original Māori names two persons to be appointed to the Board, on the recommendation of the Minister of Māori Affairs 		
7	<p><i>Continuation of Board</i></p> <ul style="list-style-type: none"> provides for the continuation of the Board. 	3(1)	<p><i>New Zealand Geographic Board established</i></p> <ul style="list-style-type: none"> New Zealand Geographic Board established
8	<p><i>Extent of Board's jurisdiction</i></p> <ul style="list-style-type: none"> provides that the Board will carry out its statutory functions, powers and duties in relation to geographic features and Crown protected areas within the territorial limits of New Zealand, the Continental Shelf and the Ross Dependency. No jurisdiction to alter the name of New Zealand. 		
9	<p><i>General powers of Board</i></p> <ul style="list-style-type: none"> the Board has full capacity to undertake any activity, do any act, or enter into any transaction; and full rights, powers, and privileges. 		
10	<p><i>Principle functions of Board</i></p> <ul style="list-style-type: none"> describes the principal functions of the Board, which are generally to assign, approve, alter, or discontinue the use of, official geographic names and in some instances, recorded names, for geographic features within its jurisdiction, so as to achieve a standardised approach to official geographic names. provides that the Board must review naming proposals from the Minister of Conservation, which relate to Crown protected areas in accordance with the process set out in this Act. 	9	<p><i>Board may assign or alter certain place names</i></p> <ul style="list-style-type: none"> assign a place name alter a place name
11	<p><i>Other functions of Board</i></p> <ul style="list-style-type: none"> adopt policies, rules, standards, protocols, guidelines, or similar instruments examine cases of doubtful spelling investigate and determine the priority of the discovery collect original Māori names encourage the use of original Māori names seek advice from Te Taura Whiri i te Reo Māori (the Māori Language Commission) undertake research undertake other functions may alter the name of a district or region 	8 10	<p><i>Functions of Board</i></p> <p><i>Board may alter name of district with consent of territorial authority</i></p> <ul style="list-style-type: none"> adopt rules of orthography and nomenclature examine cases of doubtful spelling investigate and determine the priority of the discovery collect original Māori place names encourage the use of original Māori place names investigate and determine any proposed alteration shall have such other functions alter name of district <p>Section 8(e) repealed – “to determine what alien names appearing on official maps should be replaced by Māori or British names.”</p>
12	<p><i>Duties of Board</i></p> <ul style="list-style-type: none"> administer the Gazetteer develop rules, standards, or guidelines for naming Crown protected areas 	8	<p><i>Functions of Board</i></p> <ul style="list-style-type: none"> make inquiries and recommendations on any matters referred to it by the Minister

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	<ul style="list-style-type: none"> • make inquiries and recommendations on any matters referred to it by the Minister • carry out any other functions or duties 		<ul style="list-style-type: none"> • shall have such other functions
13	<p><i>Gazetteer to be created by Board</i></p> <ul style="list-style-type: none"> • establish and maintain a publicly available record • records all official geographic names and the relevant <i>Gazette</i> or statutory reference • includes a record of the type of geographic feature or Crown protected area • includes a record of the positional reference • may include any background information relevant to the history and name • may include information on the spatial extent 		
14	<p><i>Annual report</i></p> <ul style="list-style-type: none"> • provides that the Board submit an annual report to the Minister on its performance. 		
15	<p><i>Proposals may be submitted to Board</i></p> <ul style="list-style-type: none"> • any person may submit a proposal to assign or alter or discontinue • a proposal must be in the form provided for the purpose • meet the requirements • include the evidence necessary to support the proposal 		
16	<p><i>Notification of proposal</i></p> <ul style="list-style-type: none"> • the Board must give public notice of the proposal in the <i>Gazette</i>; and as soon as practicable after it has been gazetted, at least once in a newspaper, periodical publication, or other news publication that circulates nationally, or by any other practicable means (including electronic media); and in a publication that circulates particularly in the area relevant to the proposal. • the notices must specify the geographic feature and the name proposed for it; and the date by which submissions must be received by the Board (which must not be sooner than 1 month after the date of the public notice); and the manner in which submissions must be given; and the contact details of the Board. 	12	<p><i>Notice of intention to assign or alter name</i></p> <ul style="list-style-type: none"> • intended name or alteration published in the <i>Gazette</i> notice • as soon as is practicable afterwards, cause a copy of the notice to be published in daily newspapers circulating in the cities of Auckland, Hamilton, Wellington, Christchurch, and Dunedin; and in at least two local newspapers, but if only one newspaper, then just that newspaper.
17	<p><i>Submissions</i></p> <ul style="list-style-type: none"> • a person making a submission on a proposal must state, with reasons, whether that person supports or objects to the proposal. • a person may, if that person objects to the proposal, set out an alternative proposal or support the existing name, if any. 	13(1)	<p><i>Objection to proposed name or alteration</i></p> <ul style="list-style-type: none"> • any person objecting to proposed name or alteration may, at any time within 3 months of the publication in the <i>Gazette</i> of notice of the Board's intention to assign or alter the name concerned, give to the Secretary of the Board notice in writing of his objection, setting out the grounds of the objection.

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18	<p><i>Board to consider submissions and decide on objections</i></p> <ul style="list-style-type: none"> as soon as is reasonably practicable after the closing date for submissions on a proposal, the Board must consider any submissions; and decide whether to uphold those objections or reject them. the Board may obtain any further information necessary to enable it to decide on an objection. 	13(2)	<p><i>Objection to proposed name or alteration</i></p> <ul style="list-style-type: none"> as soon as practicable after the expiration of the aforesaid period of 3 months the Board shall inquire into and dispose of all objections made pursuant to this section, and shall report in writing to the Minister, setting out the grounds of the objections, and its decision thereon.
19	<p><i>Determination by Board</i></p> <ul style="list-style-type: none"> the Board must make a determination on a proposal if it receives no objections on the proposal within the time notified; or receives objections on a proposal and agrees with the objections. the Board may obtain any further information necessary to enable it to determine a proposal. the Board's determination of a proposal is final. 	13(2)	<p><i>Objection to proposed name or alteration</i></p> <ul style="list-style-type: none"> as soon as practicable after the expiration of the aforesaid period of 3 months the Board shall inquire into and dispose of all objections made pursuant to this section, and shall report in writing to the Minister, setting out the grounds of the objections, and its decision thereon.
20	<p><i>Determination by Minister</i></p> <ul style="list-style-type: none"> if the Board does not make a determination, it must report in writing to the Minister, setting out a summary of submissions; and its decision on the proposal, together with its reasons for that decision. the Minister, after making any inquiry he or she thinks fit, may determine the proposal by confirming, modifying, or rejecting the decision of the Board. the Minister's determination on a proposal is final. 	13(2)	<p><i>Objection to proposed name or alteration</i></p> <ul style="list-style-type: none"> as soon as practicable after the expiration of the aforesaid period of 3 months the Board shall inquire into and dispose of all objections made pursuant to this section, and shall report in writing to the Minister, setting out the grounds of the objections, and its decision thereon.
21	<p><i>Publication of official geographic names</i></p> <ul style="list-style-type: none"> apart from district and region names, the Board must give public notice of a determination in the Gazette; and as soon as practicable after it has been gazetted, at least once in a newspaper, periodical publication, or other news publication that circulates nationally, or by any other practicable means (including electronic media); and in a publication that circulates particularly in the area relevant to the proposal. the notices must state that the name is the official geographic name for the specified geographic feature; and the date when the determination takes effect, which must be the date of the <i>Gazette</i> notice; or a date specified in the Gazette notice, which must be as soon as practicable after the date of the Gazette notice. 	13(3)	<ul style="list-style-type: none"> the Minister, after such inquiry as he thinks fit, may confirm, modify, or reverse the decision of the Board, and his decision shall be final.
		15	<p><i>Publication of final decision as to name or alteration</i></p> <ul style="list-style-type: none"> final name or alteration decided by Minister or Board published in the Gazette notice as soon as is practicable afterwards, cause a copy of the notice to be published in daily newspapers circulating in the cities of Auckland, Hamilton, Wellington, Christchurch, and Dunedin; and in at least two local newspapers, but if only one newspaper, then just that newspaper. decision takes effect on date specified in the Gazette, being a date not earlier than 6 months after the date of publication in the Gazette of the intention to assign or alter the name. a copy of the final Gazette containing shall be conclusive evidence that the name or alteration has been duly assigned or made on the date specified in the notice.

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22	<p><i>Alteration of name of local authority</i></p> <ul style="list-style-type: none"> before the Board may give public notice of a determination to alter the name of a district or region, it must request the Minister to recommend to the Governor-General to make an Order in Council to amend the name of the relevant local authority, to give effect to the alteration. an Order in Council must specify the date when the amendment takes effect, which must allow the Board sufficient time to give public notice. 	10	<p><i>Board may alter name of district with consent of territorial authority</i></p> <ul style="list-style-type: none"> the Board may, at the request or with the consent of the territorial authority of any district, to be signified to the Board by resolution of the territorial authority passed at an ordinary meeting thereof, alter the name of that district.
23	<p><i>Notification of alteration of name of district or region</i></p> <ul style="list-style-type: none"> the Board must give public notice of the determination to alter the name of the relevant district or region as soon as possible after the Order in Council. the Board must give public notice of a determination in the Gazette; and as soon as practicable after it has been gazetted, at least once in a newspaper, periodical publication, or other news publication that circulates nationally, or by any other practicable means (including electronic media); and in a publication that circulates particularly in the area relevant to the proposal. 	11	<p><i>Two or more boroughs, etc, with similar names</i></p> <p>Section 11 repealed.</p>
24	<p><i>Discretion not to give public notice</i></p> <ul style="list-style-type: none"> provides that where no public objection is likely, the notice and consultation requirements under Sections 16-20 do not apply in relation to proposals to approve a recorded name (for which there is no known alternative) as the official geographic name for a geographic feature; and in relation to discontinuing the use of an official geographic name for a geographic feature. the Board must give public notice of the decision in the Gazette; and as soon as practicable after it has been gazetted, at least once in a newspaper, periodical publication, or other news publication that circulates nationally, or by any other practicable means (including electronic media); and in a publication that circulates particularly in the area relevant to the proposal. 		
25	<p><i>Geographic features outside territorial limits</i></p> <ul style="list-style-type: none"> provides that the requirements to publicly notify and consult under Sections 16-20 do not apply in relation to geographic features outside New Zealand's territorial limits. however, alternative consultation requirements apply in relation to those features. the Board must give public notice of the official geographic name in the Gazette; and as soon as practicable after it has been gazetted, at least once in a newspaper, periodical publication, or other news publication that circulates nationally, or by any other practicable means (including 		

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	<p>electronic media); and in a publication that circulates particularly in the area relevant to the proposal.</p>		
26	<p><i>Geographic features outside territorial limits</i></p> <ul style="list-style-type: none"> • provides that the Board may review and adopt as official geographic names the names of undersea feature names (that are within the Board’s jurisdiction) and published for example in the GEBCO Gazetteer or on official charts or maps. • provides that the requirements to publicly notify and consult under Sections 16-20 do not apply in relation to geographic features outside New Zealand’s territorial limits. • the Board must give public notice of the official geographic name in the Gazette; and as soon as practicable after it has been gazetted, at least once in a newspaper, periodical publication, or other news publication that circulates nationally, or by any other practicable means (including electronic media); and in a publication that circulates particularly in the area relevant to the proposal. 		
27	<p><i>Process for review</i></p> <ul style="list-style-type: none"> • applies to proposals for Crown Protected Area names that have been consulted under the relevant legislation administered by the Department of Conservation. • provides for the Department of Conservation to propose a Crown Protected Area name, as per their legislation, which is referred to the Board for review in terms of the agreed policies, rules, standards, or guidelines. 		
28	<p><i>Process if Board concurs</i></p> <ul style="list-style-type: none"> • if the Board concurs that the Crown Protected Area name conforms with the agreed policies, rules, standards, or guidelines, then it will either notify the reviewed and concurred CPA name in both the gazette and other newspapers/publications, or just the other newspapers/publications, depending on whether DOC is required to do the gazetting of the reviewed and concurred name under there own legislation. 		
29	<p><i>Process if Board does not concur</i></p> <ul style="list-style-type: none"> • if the Board does not concur with the Crown Protected Area name, then the Board must make recommendation to the Minister of Conservation for final determination. • The Minister of Conservation must advise the Board of his/her final determination. • the Board must give public notice of the Minister of Conservation’s 		

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	<p>determination in the Gazette; and as soon as practicable after it has been gazetted, at least once in a newspaper, periodical publication, or other news publication that circulates nationally, or by any other practicable means (including electronic media); and in a publication that circulates particularly in the area relevant to the proposal.</p> <ul style="list-style-type: none"> the notices must state that the name is the official geographic name for the specified geographic feature; and the date when the determination takes effect, which must be the date of the <i>Gazette</i> notice; or a date specified in the Gazette notice, which must be as soon as practicable after the date of the Gazette notice. 		
30	<p><i>Process for review if public notice not given</i></p> <ul style="list-style-type: none"> applies to proposals for Crown Protected Area names that have not been consulted under the relevant legislation administered by the Department of Conservation. the Board must give public notice of the proposed Crown Protected Area name in the Gazette; and as soon as practicable after it has been gazetted, at least once in a newspaper, periodical publication, or other news publication that circulates nationally, or by any other practicable means (including electronic media); and in a publication that circulates particularly in the area relevant to the proposal. the notices must specify the geographic feature and the name proposed for it; and the date by which submissions must be received by the Board (which must not be sooner than 1 month after the date of the public notice); and the manner in which submissions must be given; and the contact details of the Board. the Board must receive any submissions for the proposed Crown Protected Area name, whether objecting or supporting. the Board must send any submissions for the proposed Crown Protected Area name, to the Department of Conservation. the Department of Conservation must consider any submissions and decide whether to proceed, either with the original proposed name or with a different name. if the Department of Conservation decides to proceed, then it refers the proposed name, with supporting documentation, to the Board for review in accordance with Section 27. 		
31	<p><i>Names of Crown protected areas</i></p> <ul style="list-style-type: none"> provides for an assigned or altered Crown Protected Area name to be the official geographic name of that area. 		

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32	<p><i>Official geographic names must be used</i></p> <ul style="list-style-type: none"> Official documents must use official geographic name (for a geographic feature or Crown Protected Area), unless stated that the particular name is not the official geographic name. 	18(1)	<p><i>Names in maps, scientific manuscripts, or tourist publications</i></p> <ul style="list-style-type: none"> Only official names assigned or approved are to be used on certain publications, unless the name appears on a map previously published by or under the direction or control of the Surveyor-General Proviso being that unofficial names can be used if it stated that the name has not been approved by the Board.
33	<p><i>Injunction may be granted by Court</i></p> <ul style="list-style-type: none"> A person may be prevented from publishing a name on an official document by injunction granted by the High Court, on application by the Board. 	18(2)	<p><i>Names in maps, scientific manuscripts, or tourist publications</i></p> <ul style="list-style-type: none"> Penalty was a fine of \$10.
34	<p><i>Rights of local authorities not affected</i></p> <ul style="list-style-type: none"> the rights and obligations of local authorities in respect of a geographic feature are not affected by the Board exercising any of its functions in relation to the naming of geographic features. legal proceedings are not invalidated because of the Board's function, and may be continued or commenced under the official geographic name approved, assigned, or altered under the Act. 	16	<p><i>Rights or obligations of local authority not affected</i></p> <ul style="list-style-type: none"> no altered names shall affect any rights or obligations of any city, borough, county, town district, road district, town, or other district or place, or of any Council, Board, authority, or person, or render defective any legal proceedings; and any legal proceedings may be continued or commenced under the altered name.
35	<p><i>Validation of certain names</i></p> <ul style="list-style-type: none"> applies to Antarctic names whether or not gazetted. applies to and Crown Protected Area names under their enactment, whether or not publicly notified and consulted, or whether or not gazetted. these names are considered to be official geographic names and as valid as if they had been assigned or altered in accordance with this Act. these names, if not previously gazetted, must be gazetted by the Board. 	17	<p><i>Previous decisions of Honorary Geographic Board not affected</i></p> <ul style="list-style-type: none"> provided for all decisions of the Honorary Geographic Board to be considered official. the names approved by the Honorary Geographic Board must be gazetted by the Board.
36	<p><i>Publication in Gazette</i></p> <ul style="list-style-type: none"> the Gazette notice is conclusive evidence of the official geographic name of the geographic feature or Crown protected area to which it applies. 	15(3)	<p><i>Publication of final decision as to name or alteration</i></p> <ul style="list-style-type: none"> a copy of the final Gazette containing shall be conclusive evidence that the name or alteration has been duly assigned or made on the date specified in the notice.
37	<p><i>Repeal</i></p> <ul style="list-style-type: none"> The New Zealand Geographic Board Act 1946 is repealed. 		
38	<p><i>Consequential amendments</i></p> <ul style="list-style-type: none"> as listed in Schedule 2 of the Act. 		
Sch. 1 1(1)-(2)	<p><i>Members of Board</i></p> <ul style="list-style-type: none"> 8 persons appointed by the Minister for Land Information 2 persons from Land Information New Zealand (ex-officio) 	3(2)	<p><i>New Zealand Geographic Board established</i></p> <ul style="list-style-type: none"> 7 persons appointed by the Governor-General 1 person from Land Information New Zealand (ex-officio)
Sch. 1 2(1)-(2)	<p><i>Term of appointment</i></p> <ul style="list-style-type: none"> 3 years can be reappointed 	3(3)	<p><i>New Zealand Geographic Board established</i></p> <ul style="list-style-type: none"> 3 years can be reappointed

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	<ul style="list-style-type: none"> • if term expires, membership continues • may resign • may be removed • no compensation 		<ul style="list-style-type: none"> • may be removed
Sch. 1 3(1)-(2)	<p><i>Vacancies</i></p> <ul style="list-style-type: none"> • vacancy created by resignation, removal or death to be filled • powers of the Board not be affected by any vacancy 	3(4)-(6)	<p><i>New Zealand Geographic Board established</i></p> <ul style="list-style-type: none"> • vacancy created by resignation, removal or death to be filled • if term expires, membership continues • powers of the Board not be affected by any vacancy
Sch. 1 4	<p><i>Chairperson of Board</i></p> <ul style="list-style-type: none"> • Surveyor-General • Surveyor-General must preside as Chair • if Surveyor-General not present, then an officer of Land Information New Zealand to attend and Chair the meeting as his or her deputy for the purpose of that meeting. 	4, 5(5)	<p><i>Chairman of Board</i></p> <ul style="list-style-type: none"> • Surveyor-General • the Chairman shall preside at all meetings • if Surveyor-General is not present, an officer of the Department is authorised to attend the meeting in his stead and shall act as the Chairman in respect of that meeting.
Sch. 1 5	<p><i>Secretary and committees may be appointed</i></p> <ul style="list-style-type: none"> • the Board may appoint an official of Land Information New Zealand nominated by the Chief Executive of the department in consultation with the Surveyor-General, to be the secretary of the Board • the Board may appoint committees, consisting of 2 or more members of the Board and other persons as it thinks fit, to advise the Board on specified matters such as the naming of undersea features or geographical features in Antarctica. • the Board may appoint, if any committee is appointed, the chair of that committee. 	7	<p><i>Secretary of Board</i></p> <ul style="list-style-type: none"> • the Board may from time to time appoint an officer of the Department, to be nominated by the Surveyor-General, to be the Secretary of the Board.
Sch. 1 6	<p><i>Delegation of powers and functions by Board</i></p> <ul style="list-style-type: none"> • the Board can delegate its powers, functions and duties to a member of the Board; to the Secretary; to an LINZ employee; and to a committee appointed by the Board. • provides for rules of delegation. 		
Sch. 1 7	<p><i>Procedure generally</i></p> <ul style="list-style-type: none"> • The Board may regulate its own procedure 	5(6)	<p><i>Meetings of Board</i></p> <ul style="list-style-type: none"> • Board may regulate its procedure
Sch. 1 8	<p><i>Meetings of Board</i></p> <ul style="list-style-type: none"> • the Board or the chair must appoint the date, time, and place for meetings of the Board. • a quorum for a meeting of the Board is 5 members 	5(1)-(2)	<p><i>Meetings of Board</i></p> <ul style="list-style-type: none"> • Meetings of the Board shall be held at such times and places as the Board or the Chairman from time to time determines • At every meeting of the Board 4 members shall form a quorum
Sch. 1 9	<p><i>Special meetings of Board</i></p> <ul style="list-style-type: none"> • the Chair must convene a special meeting of the Board if requested by at least 5 members of the Board. 		

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	<ul style="list-style-type: none"> provides for rules of special meetings. 		
Sch. 1 10	<i>Voting at meetings</i> <ul style="list-style-type: none"> Majority of the votes apply. Each member of the Board present at a meeting has 1 vote. the chair of the meeting has a deliberative vote, and in the case of an equality of votes, also has a casting vote. 	5(3)-(4)	<i>Meetings of Board</i> <ul style="list-style-type: none"> Majority of the votes apply. the chair of the meeting has a deliberative vote, and in the case of an equality of votes, also has a casting vote.
Sch. 1 11	<i>Fees and allowances</i> <ul style="list-style-type: none"> The members of the Board (not ex-officio) and any committee appointed by the Board are entitled to be paid fees reimbursing allowances or actual and reasonable expenses incurred in undertaking the functions and duties of the Board. 	6	<i>Allowances and travelling expenses of members</i> <ul style="list-style-type: none"> Board remuneration by way of fees, salary, or allowances and travelling allowances and expenses to be paid.