

# **Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025**

Registration Guideline 2025

**LINZ OP G 01313**

Office of the Registrar-General of Land

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## Authority and regulatory attributes

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Date	Revision	Description
26 May 2025	Clause 3	Updated text for resumptive memorial.
26 May 2025	Clause 5.1 and 5.4	Amended to include reference to purpose field in record of title.
26 May 2025	Clause 6 and Appendix A	Updated references to the memorials for the Crown Minerals Act 1991 memorials.
26 May 2025	Clause 7.2 and new clause 7.3	Updated information on certification requirements to support applications under s85 of the Act. New heading for clause 7.3 added (changing subsequent clause numbering).

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## Introduction

This is a guideline for effecting registration under the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025 (the Act) which came into force on 2 February 2025.

## Purpose, scope and use

The Registrar-General of Land has issued this guideline for Toitū Te Whenua Land Information New Zealand staff with the delegated authority to exercise registration functions under the Land Transfer Act 2017.

The Treaty Claims Settlement Acts General Guideline 2018, sets out further information applicable to all Treaty settlements and should be applied in addition to this specific guideline:

[Treaty Claims Settlement Acts General Guideline 2018 - LINZG 20786](#)

## References

The following documents are relevant to this guideline:

- [Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025](#)
- [Te Ruruku Pūtakerongo - Collective Redress Deed Summary](#)
- Customer Services Technical Circular 2013.T06 – Registration of Treaty Claims Settlement Dealings

## Terms and definitions

Terms used in this guideline that are defined in the Act and have the meaning given to them in that Act unless otherwise stated. See the interpretation sections set out in sections 8 and 9.

Terms	Definitions
Act	<a href="#">Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025</a>
RT	Means Record of Title
Effective date	The settlement date as defined in s9, being 31 March 2025
Te Kāhui Tupua	Means the legal person created by section 18(1)
Te Papa-Kura-o-Taranaki	Means the national park of that name that is located in the Taranaki Region
Te Tōpuni Kōkōrangi	Means the statutory body established by section 27 and who will act and speak for and on behalf of, and in the name of, Te Kāhui Tupua including performing land-related functions in relation to Te Papa-Kura-o-Taranaki <sup>1</sup>
Te Whenua Taketake	Means the land described in Schedule 1
Te Whenua Taurikura	Means the land held from time to time in the name of Te Kāhui Tupua that forms part of Te Papa-Kura-o-Taranaki
Te Whenua Tupu	Means the land that is held from time to time in the name of Te Kāhui Tupua but is not part of Te Papa-Kura-o-Taranaki

<sup>1</sup> The purpose and functions of Te Tōpuni Kōkōrangi are set out in full in ss 28-29 of the Act. Te Tōpuni Kōkōrangi may, for the purposes of this Act, establish an asset management company under the Companies Act 1993 (s 43).

# 1 Te Kāhui Tupua as legal person

Te Kāhui Tupua is recognised as a living person, an indivisible whole comprising Taranaki Maunga and other tūpuna maunga (the ancestral mountains that form part of Te Kāhui Tupua within the Taranaki Region), with all the rights, powers, duties, responsibilities, and liabilities of a legal person, to be exercised and performed, in the name of, Te Kāhui Tupua in accordance with the requirements of s18.

# 2 Application of other enactments

Section 91 sets out the requirements for the application of other enactments to Te Papa-Kura-o-Taranaki.

The vesting is subject to s10 or s11 of the Crown Minerals Act 1991 except as provided in ss 61 and 68 (applying to certain minerals).

The National Parks Act 1980 continues to apply to Te Papa-Kura-o-Taranaki (s20(2)), except as modified by the Act.

# 3 Removing resumptive memorials

Section 92 lists the Acts that cease to apply to Te Whenua Taketake (the land described in Schedule 1).

Ensure that no resumptive memorials are recorded under an enactment listed in s92(1) on the record of title for Te Whenua Taketake.

All statutory memorials recorded under a repealed enactment must not to be entered on the record of title for Te Whenua Taurikura (s93).

A suitable memorial to record the resumptive memorial removal is:

*“(Certificate Instrument Number) Certificate under section 92 of the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025 cancelling [resumptive memorial identifier] – date and time”*

## 4 Existing interests continue

Despite any land becoming part of Te Papa-Kura-o-Taranaki (the National Park that is located in the Taranaki region); any record of title including land comprising Te Papa-Kura-o-Taranaki should continue to record any existing interest under legislation.

## 5 Registration: vesting and subsequent dealings

Note the following provisions in respect of registration requirements:

### **Initial vesting and registration**

- s59 describes the initial vesting of Te Whenua Taketake in Te Kāhui Tupua.
- s61 despite s11 of the Crown Minerals Act 1991, the vesting of Te Whenua Taketake under s59(2) includes taonga tūānuku and industrial rocks and building stones.
- s62 provides for registration of Te Whenua Taketake in name of Te Kāhui Tupua.

### **Subsequent registration requirements**

- s65 the Crown may, by Order in Council, vest Crown-owned land in Te Kāhui Tupua.
- s67 the Crown may, by Order in Council, add Te Whenua Tupu to Te Papa-Kura-o-Taranaki.
- s68 provides an exception to s11 of the Crown Minerals Act 1991, for a vesting under s65(2) or addition of land under s67(1).
- s69 describes the requirements for registration of land added to Te Papa-Kura-o-Taranaki, as specified in an Order in Council made under ss 65 or 67.
- s71 if asset management company removed from New Zealand register, the Registrar may register instruments executed by any successor company or the trustees.
- s72 describes the requirements for registration where land is transferred to Te Kāhui Tupua as Te Whenua Tupu and memorial requirements.
- s74 describes the requirements for registration where Te Whenua Tupu is transferred to the Crown or third party.
- s77 describes the requirements for registration where land excluded from Te Papa-Kura-o-Taranaki.
- s78 describes the requirements for a record of title if land is excluded from Te Papa-Kura-o-Taranaki by legislation made in accordance with s75
- s79 sets out the requirements for land or interests in land acquired for, but not added to, Te Papa-Kura-o-Taranaki
- s85 describes the requirements for the registration of instruments, including certifications.

## 5.1 Registration of Te Whenua Taketake in name of Te Kāhui Tupua - s62

On receipt of a written application by a person authorised by the Director-General of Conservation under s62:

- create 1 record of title for the fee simple estate in Te Whenua Taketake in the name of Te Kāhui Tupua, and
- record on the record of title:
  - any interests that are registered, noted, or to be noted and are described in the application
  - the memorials set out in Appendix A, and
  - record 'National Park' in the Purpose field.

The new record of title must be created as soon as is reasonably practicable after the effective date, but not later than 24 months after that date.

## 5.2 Land vested in Te Kāhui Tupua - s65

An Order in Council may declare that any part of the Crown-owned land described in the Order in Council:

- ceases to be a conservation area under the Conservation Act 1987
- ceases to be subject to the Tourist and Health Resorts Control Act 1908 or the Tourist Hotel Corporation Act 1974
- has its reserve status revoked under the Reserves Act 1977
- land acquired by the Crown for national park purposes ceases to be held for those purposes.

The Crown-owned land described in the Order in Council ceases to be vested in the Crown, and:

- the fee simple estate in that land vests in Te Kāhui Tupua, and
- that land is:
  - part of Te Papa-Kura-o-Taranaki and subject to the National Parks Act 1980, and
  - held as Te Whenua Taurikura under Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025.



### 5.3 Addition of Te Whenua Tupu to Te Papa-Kura-o-Taranaki - s67

An Order in Council may add specified Te Whenua Tupu to Te Papa-Kura-o-Taranaki, and provide that on the date specified in the order, the land described in the order:

- ceases to be Te Whenua Tupu
- is part of Te Papa-Kura-o-Taranaki and subject to the National Parks Act 1980, and
- is held as Te Whenua Taurikura under Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025.

### 5.4 Registration of land added to Te Papa-Kura-o-Taranaki – s69

Upon receipt of a written application under s69:

- register the Order in Council (OIC) against any records referred to in the OIC
- cancel those records as relates to the land described in the OIC
- cancel the existing record of title for Te Whenua Taurikura
- create a new record of title in accordance with s69(3)(c)
- record the interests and notations set out in s69(3)(d)
- record 'National Park' in the Purpose field, and
- ensure that the notations referred to in s72(6)(b) are not noted on any record of title for Te Whenua Taurikura.

## 6 Ongoing restrictions

**Te Whenua Taurikura** (land that forms part of Te Papa-Kura-o-Taranaki) must not be alienated, mortgaged, charged, or otherwise disposed of, unless provided for in or under ss 75 or 103 - s60.

**Te Whenua Tupu** (land that is not part of Te Papa-Kura-o-Taranaki) may be alienated, mortgaged, charged, or otherwise disposed if the asset management company has obtained the written consent of the trustees before it enters into an agreement to transfer the fee simple estate in Te Whenua Tupu to the Crown or a third party ss 72 and 73.

Despite s 11 of the Crown Minerals Act 1991, the vesting of Te Whenua Taketake under s59(2) includes taonga tūānuku and industrial rocks and building stones s 61.

A suitable memorial for s59 is:

*"Subject to section 11 of the Crown Minerals Act 1991(except as provided in s 61 of the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025"*

A suitable memorial for s60 is:

*"Subject to section 60 of the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025 (which prohibits Te Whenua Taurikura from being alienated, mortgaged, charged, or otherwise disposed of except in accordance with sections 75 or 103 of the Act)"*

To ensure subsequent dealings comply with the above restrictions, set the Landonline "prevents registration" flag against the relevant memorial, as specified in Appendix A.

### 6.1 Registration of instruments if asset management company removed from New Zealand register – s71

Any instrument presented to register a transfer or interest in land that affects **Te Whenua Tupu** (land that is in the name of Te Kāhui Tupua but is not part of Te Papa-Kura-o-Taranaki) must include a statement to the effect that any successor company or the trustees may exercise the rights and powers, and perform the duties of the registered owner of the land on behalf of, and in the name of, Te Kāhui Tupua.

The Registrar-General of Land may register instruments executed by any successor company or the trustees.

## 6.2 Acquisition of land as Te Whenua Tupu – s72

A transfer instrument authorised under this section must state, and be recorded on the record of title for the land:

- that the land will become Te Whenua Tupu, and
- that the land is subject to Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025 upon registration.

## 6.3 Transfer of Te Whenua Tupu to the Crown or third party – s74

The asset management company may transfer the fee simple estate in Te Whenua Tupu to the Crown or a third party.

The transfer instrument must state that the land is no longer Te Whenua Tupu and subject to Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025, and

The record of title must not contain the notation that the land is Te Whenua Tupu and subject to Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025.

## 7 Registration of excluded land – ss 75 and 78

Part 6 Subpart 6 sets out the requirements for Land excluded from Te Papa-Kura-o-Taranaki. The Minister of Conservation may, under s11 of the National Parks Act 1980, propose legislation to exclude land from Te Papa-Kura-o-Taranaki.

*Excluded land to be vested in the Crown or third party*

Upon receipt of a written application under s77(1), create a record of title for the fee simple estate in the name of the Crown or third party.

The record of title must not include the notations referred to in s62(1)(b)(ii).

*Excluded land to be held as Te Whenua Tupu in name of Te Kāhui Tupua*

Upon receipt of a written application under s77(2), create in the name of Te Kāhui Tupua, a record of title for the fee simple estate in Te Whenua Tupu.

The record of title must not include the notations referred to in s62(1)(b)(ii).

The record of title must note that the land is **Te Whenua Tupu** and subject to Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025.

### 7.1 Record of title for Te Whenua Taurikura if land excluded - s78

Upon receipt of an application in accordance with s78:

- cancel the existing record of title for Te Whenua Taurikura, and
- create, in the name of Te Kāhui Tupua, 1 record of title for the fee simple estate in Te Whenua Taurikura (being the land described in the record of title in the name of Te Kāhui Tupua immediately before that record was cancelled under paragraph (a), but excluding the land removed in accordance with s75), and record on the record of title the memorials listed in Appendix A.

### 7.2 Provisions relating to existing interests, improvements, and other matters – Part 6 Subpart 5

Existing interests relating to any land becoming part of Te Papa-Kura-o-Taranaki continue to apply until they expire or terminate – s80.

## 7.3 Registration of instruments – s85

Any instrument presented for registering an interest in land that affects Te Whenua Taurikura must be certified by a person authorised by the Director-General of Conservation in accordance with this section. The instrument should be certified as having:

- the agreement of Te Tōpuni Kōkōrangī (or the trustees if clause 6(1) of Schedule 4 applies) to the registration of the instrument where appropriate; or
- that the agreement of Te Tōpuni Kōkōrangī (or the trustees if clause 6(1) of Schedule 4 applies) is not required.

The Registrar-General of Land is entitled to rely on a certification given under this section, and despite the registration of land in the name of Te Kāhui Tupua, the Registrar may register an interest in land that affects Te Whenua Taurikura, provided it has been certified in accordance with subsection s85(1).

The certification requirements in subsection (1) does not apply to a written application made under section 62(1), 69(2), 77(1)(a) or (2)(a), or 78(1).

The certification made in accordance s 85(1) should accompany the instrument lodged for registration – such as an image attached to the transfer instrument. A copy of an agreement referred to under s85(1)(a) is not required.

## 7.4 Application of other enactments to Te Papa-Kura-o-Taranaki s91

s91 - the vesting of the fee simple estate of Te Whenua Taurikura in Te Kāhui Tupua does not:

- limit s10 or s11 of the Crown Minerals Act 1991
- nothing in Part 4A of the Conservation Act 1987 or the Public Works Act 1981, applies to the vesting in Te Kāhui Tupua of the fee simple estate in Te Whenua Taurikura under this Act
- nothing in Te Ture Whenua Māori Act 1993 applies to Te Whenua Taurikura, and
- s11 and Part 10 of the Resource Management Act 1991 do not apply to the vestings under ss 59(2) and 65(2)(c).

# Appendix A

The following is triggered by the lodgement of an application by the authorised person under s62 of the Act (for land vested under s59)

## Land vested in fee simple – Registration of Te Whenua Taketake in Te Kāhui Tupua

Property	Authorised person	Memorials to be recorded on the RT
Te Whenua Taketake – as described in Schedule 1 of the Act	Director-General of Conservation	<p>Memorials to be added:</p> <ul style="list-style-type: none"><li>• Any interests described in the application</li><li>• Subject to section 11 of the Crown Minerals Act 1991 (except as provided in section 61 of the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025).</li><li>• Subject to the National Parks Act 1980.</li><li>• The within land is Te Whenua Taurikura and subject to Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025.</li></ul> <p>Memorials to be added, that require the <u>Landonline 'prevents registration' flag to be set against the memorial:</u></p> <ul style="list-style-type: none"><li>• Subject to section 60 of the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025 (which prohibits Te Whenua Taurikura from being alienated, mortgaged, charged, or otherwise disposed of except in accordance with sections 75 or 103 of the Act).</li></ul>

## Land added to Te Papa-Kura-o-Taranaki or acquired as Te Whenua Tupu

The following is triggered by an application under s69 (following an Order in Council made under ss 65(2) or 67(1) of the Act).

Property	Authorised person	Memorials to be recorded on the RT
Property described by Order in Council made under s65(2)	Director-General of Conservation	<p>Memorials to be added:</p> <ul style="list-style-type: none"><li>• Subject to the National Parks Act 1980.</li><li>• The within land is Te Whenua Taurikura and subject to Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025.</li><li>• Subject to section 11 of the Crown Minerals Act 1991 (except as provided by section 68 of the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025).</li></ul> <p>Memorials to be added, that require the <u>Landonline 'prevents registration' flag to be set against the memorial:</u></p> <ul style="list-style-type: none"><li>• Subject to section 60 of the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025 (which prohibits Te Whenua Taurikura from being alienated, mortgaged, charged, or otherwise disposed of except in accordance with sections 75 or 103 of the Act).</li></ul>

Property	Authorised person	Memorials to be recorded on the RT
Property described by Order in Council made under s67(1)	Director-General of Conservation	<p>Memorials to be added:</p> <ul style="list-style-type: none"> <li>• Subject to the National Parks Act 1980.</li> <li>• The within land is Te Whenua Taurikura and subject to Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025.</li> <li>• Subject to section 11 of the Crown Minerals Act 1991 (except as provided section 68 of the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025).</li> </ul> <p>Memorials to be added, that require the <u>Landonline 'prevents registration' flag to be set against the memorial:</u></p> <ul style="list-style-type: none"> <li>• Subject to section 60 of the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025 (which prohibits Te Whenua Taurikura from being alienated, mortgaged, charged, or otherwise disposed of except in accordance with sections 75 or 103 of the Act).</li> </ul>
Acquisition of land as Te Whenua Tupu - s72	Asset Management Company on behalf of Te Kāhui Tupua	<p>Memorials to be added:</p> <ul style="list-style-type: none"> <li>• The within land is Te Whenua Tupu and subject to Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025.</li> </ul>



## Land vested in fee simple – Registration of land excluded from Te Papa-Kura-o-Taranaki

Property	Authorised person	Memorials to be recorded on the RT
Land excluded from Te Papa-Kura-o-Taranaki - <i>Excluded land to be held as Te Whenua Tupu in name of Te Kāhui Tupua – s77(2)</i>	Director-General of Conservation	Memorials to be added: <ul style="list-style-type: none"><li>• The within land is Te Whenua Tupu and subject to Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025</li></ul>