

# Mori Claims Settlement Act 2021

Registration Guideline 2022

**LINZ OP G 01283**

Office of the Registrar-General of Land





## Authority and regulatory attributes

### LINZ OP G 01283

Authority	Registrar-General of Land Section 231(3) Land Transfer Act 2017
-----------	--

Type	Guideline
------	-----------

Date	14 February 2022
------	------------------

Review	5 years
--------	---------

# Contents

<b>Introduction .....</b>	<b>5</b>
<b>Purpose, scope and use .....</b>	<b>6</b>
<b>Map of Moriori area of interest.....</b>	<b>7</b>
<b>Terms and definitions.....</b>	<b>8</b>
<b>1 Landonline settings to prevent registration .....</b>	<b>10</b>
<b>2 Removing resumptive memorials .....</b>	<b>10</b>
<b>3 Cultural redress properties – initial vesting .....</b>	<b>11</b>
<b>4 Cultural redress properties – ongoing restrictions .....</b>	<b>11</b>
<b>5 Cultural redress properties – subsequent dealings.....</b>	<b>12</b>
<b>6 Commercial redress – initial transfer .....</b>	<b>13</b>
<b>7 Commercial redress – other property-related rights.....</b>	<b>13</b>
7.1 Right of first refusal.....	13
7.2 Ongoing RFR restrictions .....	14
7.3 Right of access .....	14
<b>Appendix A: Summary of registration provisions – cultural redress .....</b>	<b>15</b>
<b>Appendix B: Summary of registration provisions – commercial redress .....</b>	<b>21</b>

## Introduction

A Treaty Settlement is an agreement between the Crown and a Māori claimant group to settle that claimant group's historical claims against the Crown. The process of settling claims is led by Te Arawhiti and results in an Act for each settlement. Summary of this settlement can be found in the Moriori Deed of Settlement.

### Moriori Deed of Settlement Summary

Moriori karāpuna (ancestors) were the waina-pono (original inhabitants) of Rēkohu, Rangihaute, Hokoreoro (South East Island), and other nearby islands, which make up the Chatham Islands.

Hokotehi Moriori Trust is the mandated Imi body authority for Moriori people and is involved in negotiations on behalf of Moriori with the Crown and other government and non-government agencies. The Trust is tasked with developing a commercial, cultural, language and resource base for Moriori.

### Hokotehi Moriori Trust

In November 2003, the Crown recognised the mandate of the Hokotehi Moriori Trust to enter negotiations for the comprehensive settlement of all Moriori historical Treaty of Waitangi claims.

On 16 August 2017, the Crown and the Hokotehi Moriori Trust signed an Agreement in Principle which formed the basis for this settlement. The Moriori Deed of Settlement was initialled on 13 August 2019 and signed on 14 February 2020.

Further information can be found on the Te Arawhiti website:

### [Te Kāhui Whakatau \(Treaty Settlements\)](#)

## Purpose, scope and use

Treaty settlements have a range of common elements. The [Treaty Claims Settlement Acts General Guideline 2018 - LINZG20786](#) (General Guideline) is available to ensure that applications received by Toitū Te Whenua (LINZ) under the specific Acts are dealt with correctly.

A specific Guideline is developed for each specific Act and contains detailed guidance about it and is designed to be used in conjunction with the General Guideline.

This specific Guideline covers the [Mori Claims Settlement Act 2021](#) (the Specific Act). It contains detailed information about that settlement and is designed to be read in conjunction with the General Guideline. A summary of the provisions that relate to the initial vesting of Cultural Redress Properties and the transfer of Commercial Redress Properties are set out in Appendices A and B. References to the Specific Act are in bold text.

The following documents should also be referred to:

- the [Deed of Settlement \(and its attachments\)](#) relating to the Specific Act
- Customer Services Technical Circular 2013.T06 – Registration of Treaty Claims Settlement Dealings

The General Guideline applies to a specific Act unless a specific Guideline states otherwise.

The Registrar-General of Land (the Registrar) has issued this guideline for staff with delegated authority to exercise registration functions under the Land Transfer Act 2017.

# Map of Mori Mori area of interest



## Terms and definitions

Specific Acts generally have several “interpretation” sections, and terms used in this guideline and the General Guideline have the same meaning as those specific Acts.

Terms used in this guideline may repeat terms used in the General Guideline, for the purpose of providing more detailed explanation e.g. Cultural Redress Properties lists the relevant properties in relation to the Moriori Claims Settlement Act 2021.

The Specific Act includes interpretation sections at ss 12, 61, 84, and 89.

Terms	Definitions
Commercial redress	Includes: <ul style="list-style-type: none"><li>• Deferred selection properties</li><li>• Right of first refusal (RFR)</li><li>• Shared RFR land</li></ul>
Commercial redress properties	The deferred selection properties listed on page 4 of the <a href="#">Property Redress Schedule s84</a> : <ul style="list-style-type: none"><li>• Waitangi site 1, and</li><li>• Part Waitangi site 6</li></ul>
Cultural Redress Properties	The properties listed in s61 and described in <b>Schedule 3</b> , being: <ul style="list-style-type: none"><li>• Glory housing property</li><li>• Owenga property</li><li>• Te Awanui</li><li>• Waipāua property, and</li></ul> the properties vested in fee simple to be administered as reserves: <ul style="list-style-type: none"><li>• Rangiauria property</li><li>• Waipāua coastal property</li><li>• Glory block</li><li>• Waihere block.</li></ul>
Deed of Settlement	The <a href="#">Deed of Settlement</a> of Historical Claims between Moriori (1) the Trustees of the Moriori Imi Settlement Trust (2) and the Crown (3) dated 14 February 2020.



Terms	Definitions
Registrar	Registrar-General of Land, appointed in terms of s231 of the Land Transfer Act 2017, and delegates in terms of s233 of the Land Transfer Act 2017.
Right of first refusal, or RFR	The right of first refusal provided for by <b>subpart 2 of Part 3</b> of the Specific Act.
RFR Period	The period of 179 years beginning on the earlier of: <ul style="list-style-type: none"> <li>• 14 February 2025, or</li> <li>• the settlement date under approving legislation for Ngāti Mutunga o Wharekauri s89.</li> </ul>
RT	Record of Title
Settlement date	16 February 2022, s12.
Shared RFR area	The area shown on SO 536545, s89. <sup>1</sup>
Shared RFR land	The land described in part 4 of the <a href="#">Attachments Schedule</a> ; the Crown land within the RFR area; and any land obtained in exchange for a disposal of shared RFR land.
Specific Act	<a href="#">Moriori Claims Settlement Act 2021</a>
Trustees	The trustees, acting in their capacity as trustees, of the Moriori Imi Settlement Trust.

<sup>1</sup> For SO 536545 see page 35 of the [Attachments Schedule](#).

# 1 Landonline settings to prevent registration

The General Guideline applies.

Where a specific Act prohibits certain transactions with land, memorials of the prohibitions will be put on the record of title (RT) for the land as outlined in this guideline.

It is important to ensure the Landonline setting that prohibits these transactions is set against those memorials, to ensure registration does not occur in these cases.

When processing any application relating to this Act, the appropriate Landonline settings must be applied to restrict registration in respect of the following memorials:

- s79      Restrictions on subsequent transfers of a reserve property that remains a reserve under the Reserves Act 1977 after the property has vested in the trustees
- s82      Prohibition on mortgages or security interests on the reserve land
- s93      Right of First Refusal (RFR) Memorial

## 2 Removing resumptive memorials

The General Guideline applies.

Section 17(1) describes the properties with resumptive memorials that can be removed upon receipt of a certificate issued under s18.

### 3 Cultural redress properties – initial vesting

The General Guideline applies, and specific detail is set out in Appendix A.

Note:

- s74 provides for the application of Part 4A of the Conservation Act 1987
- s75 sets out the matters to be recorded on the records of title for cultural redress properties
- s76 provides for the application of other enactments to cultural redress properties
- s78 provides for the application of other enactments to reserve properties

### 4 Cultural redress properties – ongoing restrictions

The General Guideline applies, and specific detail is set out in Appendix A.

## 5 Cultural redress properties – subsequent dealings

The General Guideline applies, and specific detail is set out in Appendix A.

Note:

### Reserve properties

- |                |  |
|----------------|--|
| s75(3)(a)      | deals with removal of Conservation Act and Specific Act notations in case of the revocation of reserve status for all of the property  |
| s75(3)(b)      | deals with removal of Conservation Act and Specific Act notations in case of the revocation of reserve status for part of property   |
| s78(3)         | specifies that, in case of revocation of reserve status, s25(2) of the Reserves Act 1977 applies, but not the rest of s25  |
| s80            | deals with transfer to a new administering body  |
| s80(3) and (4) | provide that if the Trustees transfer the fee simple estate to new owners, the Registrar must receive the documents required by s80(4) and register the new owners as the owners of the fee simple estate in the reserve land                  |
| s81            | provides for the transfer to trustees of existing administering body if trustees change<br><br>the transfer must be certified by the transferees, or their lawyer, verifying that the vendors were, and the purchasers are, trustees<br>s81(c) |
| s82            | provides that the owners of reserve land must not mortgage or give a security interest in the reserve land   |

## 6 Commercial redress – initial transfer

The General Guideline applies, and suitable memorials are set out in Appendix B.

Note:

- Part 3 of the [Property Redress Schedule](#) describes as deferred selection properties **s84**:
  - Waitangi site 1, 4 Meteorological Lane, Waitangi, Chatham Islands, and
  - Part Waitangi site 6, Highet Place, Waitangi, Chatham Islands (Part PF 1107)
- **Covenants for the later creation of RTs** are provided for – **s87**
- **Application of Other Enactments** is dealt with in **s88**

## 7 Commercial redress – other property-related rights

### 7.1 Right of first refusal

The General Guideline applies to the RFR requirements in subpart 2 of Part 3 of the Act.

There are 2 properties described as shared RFR land in part 4 of the [Attachments Schedule](#) – **s90(1)**:

- Chatham Islands Nurses Accommodation, 6 Hospital Road, Waitangi, C.I., and
- Chatham Islands Hospital, 6 Cornflat Road, Waitangi, C.I.

Both are properties of the Canterbury District Health Board (CDHB), under RTs WN370/115 and WN41B/635, respectively.

The CDHB, or any of its subsidiaries, may dispose of shared RFR land to any person if the Minister of Health has given notice to the trustees of the 1 or more offer trusts that, in the Minister's opinion, the disposal will achieve, or assist in achieving, the district health board's objectives **s109**.

## 7.2 Ongoing RFR restrictions

An RFR memorial prevents the registration of any subsequent disposal (dispose of in relation to RFR Land being defined in s89 of the Specific Act) such as a transfer, unless there is an exemption in the Specific Act, or the RFR memorial has been removed.

Note:

s90	defines <b>shared RFR Land</b> , used in shared RFR memorial – see 7.1 above
s93	specifies the restrictions on disposal of shared RFR Land
s116	provides for the Chief Executive of LINZ's certificates for recording shared RFR, used in shared RFR memorial
ss 117 and 118	provide for the Chief Executive of LINZ's certificate when shared RFR Land is transferred or vested, triggering the Registrar to remove the shared RFR memorial
s119	provides for the Chief Executive of LINZ's certificate when the RFR period ends, triggering the Registrar to remove the RFR memorial

## 7.3 Right of access

The General Guideline applies.

The Specific Act contains no right of access in relation to commercial redress properties or shared RFR properties but saves any right of access to a reserve created by a By-law made under the Conservation Act 1987 or the Reserves Act 1977.

## Appendix A: Summary of registration provisions – cultural redress

Trigger: an application under s73(3) if existing RT, or 73(5) if no existing RT	Type of Property	Authorised Person	Conditions	Existing Interests	Status changes, Estate that vests, owner, and statutory restrictions	Application of other Statutory Provisions - initial vesting
<p><b>Glory Housing property</b></p> <p>Section 6 SO 545003. Part transfer A016237</p> <p>s62</p>	Cultural Redress Property	Director-General of Conservation s73(8)(b)	None	<p>See <a href="#">Schedule 3</a> and refer to application.</p> <p><b>Note:</b> One of the interests in Schedule 3 is unregistered – only register any interest referred in the application.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987 – s62(1).</p> <p>Fee Simple vests in Trustees - s62(2).</p>	<p><a href="#">Conservation Act 1987</a></p> <p>Subject to Part 4A of the Conservation Act 1987 - s75(1)(c).</p> <p>Memorial required.</p> <p><a href="#">Crown Minerals Act 1991</a></p> <p>Subject to section 11 of the Crown Minerals Act 1991 - s76(1)(a).</p> <p>Memorial required.</p>
<p><b>Owenga property</b></p> <p>RT 363467</p> <p>s63</p>	Cultural Redress Property	Te Tumu Whakarae Chief Executive of LINZ s73(8)(a)	None	<p>See <a href="#">Schedule 3</a> and refer to application.</p> <p><b>Note:</b> The interests in Schedule 3 are unregistered.</p>	<p>Fee Simple vests in Trustees - s63.</p>	<p><a href="#">Conservation Act 1987</a></p> <p>Subject to Part 4A of the Conservation Act 1987, but the marginal strip is increased to a width of 25 metres – s74(3) and 75(1)(b).</p> <p>Memorial required.</p> <p><a href="#">Crown Minerals Act 1991</a></p> <p>Subject to section 11 of the Crown Minerals Act 1991 - s76(1)(a).</p> <p>Memorial required.</p>
<p><b>Te Awanui</b></p> <p>Section 1 SO 36805. Part transfer 067039.2</p> <p>s64</p>	Cultural Redress Property	Te Tumu Whakarae Chief Executive of LINZ s73(8)(a)	None	<p>See <a href="#">Schedule 3</a> and refer to application.</p> <p><b>Note:</b> There are no interests recorded in Schedule 3.</p>	<p>Fee Simple vests in Trustees - s64.</p>	<p><a href="#">Conservation Act 1987</a></p> <p>Subject to Part 4A of the Conservation Act 1987 - s75(1)(c).</p> <p>Memorial required.</p> <p><a href="#">Crown Minerals Act 1991</a></p> <p>Subject to section 11 of the Crown Minerals Act 1991 - s76(1)(a).</p> <p>Memorial required.</p>

Trigger: an application under s73(3) if existing RT, or 73(5) if no existing RT	Type of Property	Authorised Person	Conditions	Existing Interests	Status changes, Estate that vests, owner, and statutory restrictions	Application of other Statutory Provisions - initial vesting
<p>Waipāua property</p> <p>Section 9 SO 545003. Part transfer A016237</p> <p>s65</p>	<p>Cultural Redress Property</p>	<p>Director-General of Conservation</p> <p>s73(8)(b)</p>	<p>None</p>	<p>See <a href="#">Schedule 3</a> and refer to application.</p> <p><b>Note:</b> The interests in Schedule 3 are unregistered.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987 - s65(1).</p> <p>Fee Simple vests in Trustees - s65(2).</p>	<p><a href="#">Conservation Act 1987</a></p> <p>Subject to Part 4A of the Conservation Act 1987 s75(1)(c).</p> <p>Memorial required.</p> <p><a href="#">Crown Minerals Act 1991</a></p> <p>Subject to section 11 of the Crown Minerals Act 1991 - s76(1)(a).</p> <p>Memorial required.</p>



Trigger: an application under s73(3) if existing RT, or 73(5) if no existing RT	Type of Property	Authorised Person	Conditions	Existing Interests	Status changes, Estate that vests, owner, and statutory restrictions	Application of other Statutory Provisions - initial vesting
Rangiauria property  Section 2 SO 545003. Part <i>Gazette</i> 1993, p29  s66	Cultural Redress Property to be administered as a reserve	Director- General of Conservation  s73(8)(b)	None	See <a href="#">Schedule 3</a> and refer to application.	<p>The reservation of Rangiauria Scenic Reserve as a scenic reserve subject to the Reserves Act 1977 is revoked – s66(1).</p> <p>Fee simple estate vests in the trustees – s66(2).</p> <p>Declared a reserve and classified as a scenic reserve for the purposes specified in s19(1)(a) of the Reserves Act 1977 – s66(3).</p> <p>Reserve named Rangiauria Scenic Reserve – s66(4).</p> <p>Subsequent transfer must be in accordance with s80 (<i>Transfer of reserve land to new administering body</i>) or s81 (<i>Transfer of reserve land if trustees change</i>) – s79.</p> <p><b>Note:</b></p> <p>Memorial required – s75(1)(a)(ii):</p> <p><i>“Subject to section 79 of the Moriore Claims Settlement Act 2021 (which prohibits reserve land from being transferred except in accordance with section 80 or 81 of the Moriore Claims Settlement Act 2021)”</i></p> <p><b>The ‘prevents registration’ setting in Landonline must be set against the memorial for this restriction.</b></p> <p>Reserve land not to be mortgaged - s82.</p> <p>Memorial to be added:</p> <p><i>“Subject to section 82 of the Moriore Claims Settlement Act 2021 (which prohibits reserve land from being mortgaged or charged for security)”</i></p> <p><b>The ‘prevents registration’ setting in Landonline must be set against the memorial for this restriction.</b></p>	<p><a href="#">Conservation Act 1987</a></p> <p>Subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply - s75(1)(a)(i). Memorial required.</p> <p><a href="#">Crown Minerals Act 1991</a></p> <p>Subject to section 11 of the Crown Minerals Act 1991 - s76(1)(a). Memorial required.</p> <p><a href="#">Revocation of reserve status</a> (possible future action)</p> <p>If the reservation is revoked for all or part of the property, the vesting of the property is no longer exempt from s24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property – ss74(5) and 75(3). Memorial required:</p> <p><i>“Subject to Part 4A of the Conservation Act 1987 (except sub-section 2A)”</i></p>

Trigger: an application under s73(3) if existing RT, or 73(5) if no existing RT	Type of Property	Authorised Person	Conditions	Existing Interests	Status changes, Estate that vests, owner, and statutory restrictions	Application of other Statutory Provisions - initial vesting
<p>Waipāua coastal property</p> <p>Sections 8 and 10 SO 545003. Part transfer A016237</p> <p>s67</p>	<p>Cultural Redress Property to be administered as a reserve</p>	<p>Director-General of Conservation</p> <p>s73(8)(b)</p>		<p>See <a href="#">Schedule 3</a> and refer to application.</p> <p><b>Note:</b> Two of the interests in Schedule 3 are unregistered – only register any interest referred in the application.</p>	<p>Ceases to be a conservation area under the Conservation Act 1987 – s67(1).</p> <p>Fee simple estate vests in the trustees – s67(2).</p> <p>Declared a reserve and classified as a scenic reserve for the purposes specified in s19(1) (a) of the Reserves Act 1977 – s67(3).</p> <p>Named Waipāua Coastal Scenic Reserve – s67(4).</p> <p>Subsequent transfer must be in accordance with s80 (<i>Transfer of reserve land to new administering body</i>) or s81 (<i>Transfer of reserve land if trustees change</i>) – s79.</p> <p><b>Note:</b></p> <p>Memorial required – s75(1)(a)(ii):</p> <p><i>“Subject to section 79 of the Moriori Claims Settlement Act 2021 (which prohibits reserve land from being transferred except in accordance with section 80 or 81 of the Moriori Claims Settlement Act 2021)”</i></p> <p>The ‘prevents registration’ setting in Landonline must be set against the memorial for this restriction.</p> <p>Reserve land not to be mortgaged - s82.</p> <p>Memorial to be added:</p> <p><i>“Subject to section 82 of the Moriori Claims Settlement Act 2021 (which prohibits reserve land from being mortgaged or charged for security)”</i></p> <p>The ‘prevents registration’ setting in Landonline must be set against the memorial for this restriction.</p>	<p><a href="#">Conservation Act 1987</a></p> <p>Subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply - s75(1)(a)(i).</p> <p>Memorial required.</p> <p><a href="#">Crown Minerals Act 1991</a></p> <p>Subject to section 11 of the Crown Minerals Act 1991 - s76(1)(a)</p> <p>Memorial required.</p> <p><a href="#">Revocation of reserve status</a> (possible future action)</p> <p>If the reservation is revoked for all or part of the property, the vesting of the property is no longer exempt from s24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property – ss74(5) and 75(3).</p> <p>Memorial required:</p> <p><i>“Subject to Part 4A of the Conservation Act 1987 (except sub-section 2A)”</i></p>

<p><b>Glory block</b></p> <p>Section 5 SO 545003. Part transfer A016237 and part <i>Gazette</i> 1993, p29.</p>	<p>Cultural Redress Property to be administered as a reserve</p>	<p>Director-General of Conservation <b>s73(8)(b)</b></p>	<p>See <a href="#">Schedule 3</a> and refer to application.</p> <p><b>Note:</b> Two of the interests in Schedule 3 are unregistered – only register any interest referred in the application</p>	<p>The part of the Glory block that is a conservation area under the Conservation Act 1987 ceases to be a conservation area – <b>s68(1)</b>.</p> <p>The reservation of the part of the Glory block that is a <a href="#">scenic reserve</a> subject to the Reserves Act 1977 (being part of Canister Cove Scenic Reserve) is revoked - <b>s68(2)</b>.</p> <p>Fee simple estate vests in the trustees - <b>s68(3)</b>.</p> <p>Declared a reserve and classified as a local purpose (ecological restoration and community purposes) reserve subject to s23 of the Reserves Act 1977 for the purpose of protecting, managing, and restoring ecological values of the land while also contributing to the social, educational, cultural, and economic development of Rangihau/Pitt Island (being Pitt Island (Rangiauria)) - <b>s68(4)</b>.</p> <p>Named Glory Local Purpose Reserve – <b>s68(5)</b>.</p> <p>Subsequent transfer must be in accordance with s.80 (<i>Transfer of reserve land to new administering body</i>) or s.81 (<i>Transfer of reserve land if trustees change</i>) – <b>s79</b>.</p> <p><b>Note:</b></p> <p>Memorial required – <b>s75(1)(a)(ii)</b>:</p> <p><i>“Subject to section 79 of the Moriore Claims Settlement Act 2021 (which prohibits reserve land from being transferred except in accordance with section 80 or 81 of the Moriore Claims Settlement Act 2021)”</i></p> <p><b>The ‘prevents registration’ setting in Landonline must be set against the memorial for this restriction.</b></p> <p>Reserve land not to be mortgaged <b>s82</b>.</p> <p>Memorial to be added:</p> <p><i>“Subject to section 82 of the Moriore Claims Settlement Act 2021 (which prohibits reserve land from being mortgaged or charged for security)”</i></p> <p><b>The ‘prevents registration’ setting in Landonline must be set against the memorial for this restriction.</b></p>	<p><a href="#">Conservation Act 1987</a></p> <p>Subject to Part 4A of the Conservation Act 1987, but section 24 of that Act does not apply – <b>s75(1)(a)(i)</b>.</p> <p>Memorial required.</p> <p><a href="#">Crown Minerals Act 1991</a></p> <p>Subject to section 11 of the Crown Minerals Act 1991 - <b>s76(1)(a)</b>.</p> <p>Memorial required.</p> <p><a href="#">Revocation of reserve status</a> (possible future action)</p> <p>If the reservation is revoked for all or part of the property, the vesting of the property is no longer exempt from s24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property – <b>ss74(5) and 75(3)</b>.</p> <p>Memorial required:</p> <p><i>“Subject to Part 4A of the Conservation Act 1987 (except sub-section 2A)”</i></p>
--	--	--	--	--	---

Trigger: an application under s73(3) if existing RT, or 73(5) if no existing RT	Type of Property	Authorised Person	Conditions	Existing Interests	Status changes, Estate that vests, owner, and statutory restrictions	Application of other Statutory Provisions - initial vesting
Waihere block  Section 1 SO 545003. Part transfer A016237.  s69	Cultural Redress  Property to be administered as a reserve	Director-General of Conservation  s73(8)(b)		See <a href="#">Schedule 3</a> and refer to application.  <b>Note:</b> Two of the interests in Schedule 3 are unregistered – only register any interest referred in the application.	<p>Ceases to be a conservation area under the Conservation Act 1987 – s69(1).</p> <p>Fee simple estate vests in the trustees – s69(2).</p> <p>Declared a reserve and classified as a local purpose (ecological restoration and community purposes) reserve subject to s23 of the Reserves Act 1977 for the purpose of protecting, managing, and restoring ecological values of the land while also contributing to the social, educational, cultural, and economic development of Rangihaua/Pitt Island (being Pitt Island (Rangiauria)) – s69(3).</p> <p>The reserve is named Waihere Local Purpose Reserve – s69(4).</p> <p>Subsequent transfer must be in accordance with s80 (<i>Transfer of reserve land to new administering body</i>) or s.81 (<i>Transfer of reserve land if trustees change</i>) – s79.</p> <p><b>Note:</b> Memorial required – s75(1)(a)(ii): <i>“Subject to section 79 of the Moriori Claims Settlement Act 2021 (which prohibits reserve land from being transferred except in accordance with section 80 or 81 of the Moriori Claims Settlement Act 2021)”</i></p> <p>The ‘prevents registration’ setting in Landonline must be set against the memorial for this restriction.</p> <p>Reserve land not to be mortgaged s82.</p> <p>Memorial to be added: <i>“Subject to section 82 of the Moriori Claims Settlement Act 2021 (which prohibits reserve land from being mortgaged or charged for security)”</i></p> <p>The ‘prevents registration’ setting in Landonline must be set against the memorial for this restriction.</p>	<p><a href="#">Conservation Act 1987</a> Subject to Part 4A of the Conservation Act 1987, but section 24 of that Act does not apply – s75(1)(a)(i). Memorial required.</p> <p><a href="#">Crown Minerals Act 1991</a> Subject to section 11 of the Crown Minerals Act 1991 – s76(1)(a) Memorial required.</p> <p><a href="#">Revocation of reserve status</a> (possible future action) If the reservation is revoked for all or part of the property, the vesting of the property is no longer exempt from s24 (except subsection (2A)) of the Conservation Act 1987 for all or that part of the property – ss74(5) and 75(3). Memorial required: <i>“Subject to Part 4A of the Conservation Act 1987 (except sub-section 2A)”</i></p>

## Appendix B: Summary of registration provisions – commercial redress

Trigger	Property	Redress Type	Authorised Person	Conditions
<p><b>Transfer application</b></p>	Waitangi site 1	Deferred Selection Property (2 years)	Te Tumu Whakarae Chief Executive of LINZ	<p>Subject to any required survey – <b>s86(4)</b>.</p> <p>Create RT, in the name of the Crown, comprising Secs 1 and 2 SO 32101 and GN 369346.1, recording on the RT any interests that are registered, noted, or to be noted and that are described in the application, but omitting any statement of purpose – <b>s86(3)</b>.</p> <p>Register transfer to trustees – <b>s85(1)</b>.</p> <p>But subject to:</p> <ul style="list-style-type: none"> <li>• Part 4A of the Conservation Act 1987, (but sections 24(2A), 24A, and 24AA of that Act do not apply),</li> <li>• Section 11 of the Crown Minerals Act 1991 and a reservation for sub-surface minerals s88(3)</li> </ul> <p>Memorials required.</p>
<p><b>Notice of transfer s85(3)</b></p>				<p>Cancel any resumptive memorials – <b>s18(4)</b>.</p>
<p><b>Request to register Grant of Covenant</b></p> <p>Te Tumu Whakarae Chief Executive of LINZ may grant a covenant for the later creation of a RT</p>				<p>Create a record of title that records an interest; and register the covenant – <b>s87(2)</b></p>
<p><b>Transfer application</b></p>	Part Waitangi site 6	Deferred Selection Property (2 years)	Te Tumu Whakarae Chief Executive of LINZ	<p>Subject to clause 6.5 of the <a href="#">Deed of Settlement</a>:</p> <p><i>“The boundaries of the deferred selection property described as Part Waitangi site 6 in part 3 of the property redress schedule are yet to be determined. The boundaries must be determined by 14 July 2020 and the parties must enter into a deed to amend this deed to give effect to any determination.”</i></p> <p>Create RT, in the name of the Crown, for the determined boundaries, comprised in Part Kekerione 1 62 Block in RT WN54C/73 recording on the RT any interests that are registered, noted, or to be noted and that are described in the application, but omitting any statement of purpose – <b>s86(3)</b>.</p> <p>Register transfer to trustees – <b>s85(1)</b>.</p> <p>But subject to:</p> <ul style="list-style-type: none"> <li>• Part 4A of the Conservation Act 1987, (but sections 24(2A), 24A, and 24AA of that Act do not apply),</li> <li>• Section 11 of the Crown Minerals Act 1991 and a reservation for sub-surface minerals s88(3)</li> </ul> <p>Memorials required.</p>
<p><b>Notice of transfer s85(3)</b></p>				<p>Cancel any resumptive memorials – <b>s18(4)</b>.</p>
<p><b>Request to register Grant of Covenant</b></p> <p>Te Tumu Whakarae Chief Executive of LINZ may grant a covenant for the later creation of a RT</p>				<p>Cancel any resumptive memorials – <b>s18(4)</b>.</p> <p>Create a record of title that records an interest; and register the covenant – <b>s87(2)</b></p>

Trigger for noting shared RFR memorial	Property	Memorial for noting RFR
<p>Te Tumu Whakarae Chief Executive of LINZ certificate s116(1)</p>	<p>The properties defined in part 4 of the <a href="#">Attachments Schedule</a> being the Chatham Islands Nurses Accommodation and the Chatham Island Hospital</p>	<p>As soon as is reasonably practicable after receiving a certificate issued under s116 the Registrar must record on each RT for the shared RFR land identified in the certificate that the land is—</p> <ul style="list-style-type: none"> <li>• shared RFR land, as defined in s90, and</li> <li>• subject to subpart 2 of Part 3 of the Specific Act (which restricts disposal, including leasing, of the land).</li> </ul> <p>Memorial:</p> <p><i>[certificate identifier] Certificate under section 116 of the Moriori Claims Settlement Act 2021 that the within land is shared RFR land as defined in section 90 and is subject to Subpart 2 of Part 3 of the Act (which restricts disposal, including leasing, of the land) [date and time]</i></p> <p>The 'prevents registration' setting in Landonline must be set against the memorial.</p>

Trigger for removal of RFR memorial		
<p>Te Tumu Whakarae Chief Executive of LINZ gives Notice of a Notice received under s114(2) (that land contained in a RT is to cease being RFR land, when transferred or vested), or</p>	<p>Immediately before registering the transfer or vesting described in the certificate, the Registrar-General must remove from the RT identified in the certificate any notation recorded under s116 for the land described in the certificate.</p>	
<p>Te Tumu Whakarae Chief Executive of LINZ gives Notice of a Notice received under s114(5) (that The Minister for Treaty of Waitangi Negotiations has given notice, under s91(2) to the RFR landowner, and to the trustees of the 1 or more offer trusts, that the land has ceased to be shared RFR land).</p>	<p>As soon as is reasonably practicable after receiving a certificate issued under s118, the Registrar-General must remove from the RT identified in the certificate any notation recorded under s116 for the land described in the certificate.</p>	
<p>Te Tumu Whakarae Chief Executive of LINZ gives Notice when RFR period ends s119</p>	<p>As soon as is reasonably practicable after receiving a certificate issued under s119, the Registrar-General must remove any notation recorded under s116 from any RT identified in the certificate.</p>	