



The New Zealand Gazette

WELLINGTON: THURSDAY, 6 JUNE 1991

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Using the Gazette

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Notices are accepted for publication in the next available issue, unless otherwise specified.

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Other issues of the *Gazette*:

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Government Notices

Agriculture and Fisheries

Animals Act 1967

Notice to Set Apart and Define a Special Quarantine Ground at Christchurch (Notice No. 5086; QUAL/0966/N DZC)

Pursuant to section 11A (1) of the Animals Act 1967, land as specified in the attached Schedule, is hereby declared to be a special quarantine ground for the detention of imported animals or one or more kinds of imported animals.

Schedule

Canterbury Land District—Mid Canterbury County

All that land owned by University of Canterbury at the University of Canterbury, being part Reserve 4827, certificate of title 9B/650, Deposit Plan 7955, Christchurch Survey District, being 25.1701 hectares, more or less.

Dated at Wellington this 4th day of June 1991.

S. C. MACDIARMID, Acting Chief Veterinary Officer, MAF Policy, Ministry of Agriculture and Fisheries (acting pursuant to delegated authority).

go5734

Notice to Set Apart and Define a Special Quarantine Ground at Christchurch (Notice No. 5085; QUAL/0966/N MFF)

Pursuant to section 11A (1) of the Animals Act 1967, land as specified in the attached Schedule, is hereby declared to be a special quarantine ground for the detention of imported animals or one or more kinds of imported animals.

Schedule

Canterbury Land District—Paparua County

All that land owned by E. G. and K. M. L. Himsel at 3 Ell Place, Paparua, being Lot 1 (Block II), certificate of title 17K/530, Deposit Plan 39439, Halswell Survey District, comprising 784 square metres, more or less.

Dated at Wellington this 4th day of June 1991.

S. C. MACDIARMID, Acting Chief Veterinary Officer, MAF Policy, Ministry of Agriculture and Fisheries (acting pursuant to delegated authority).

go5733

Fisheries Act 1983

The Fisheries (Bycatch Trade-off) Notice (No. 2) 1991, Amendment No. 1 (No. 5087)

Pursuant to section 28zG of the Fisheries Act 1983, the Director-General of Agriculture and Fisheries hereby gives the following notice.

Notice

1. Title and commencement—(1) This notice may be cited as the Fisheries (Bycatch Trade-off) Notice (No. 2) 1991, Amendment No. 1, and shall be read together with and deemed part of the Fisheries (Bycatch Trade-off) Notice (No. 2) 1991; No. 5076, dated 23 April 1991 (*New Zealand Gazette*, 26 April 1991, No. 61, page 1343) hereinafter referred to as the principal notice.

(2) This notice shall come into force on the day after the date of its notification in the *Gazette*.

2. Amendment to ratios—(1) The table in the principal notice pertaining to Quota Management Area 2 is hereby amended by omitting from the table the ratios specified for BNS2 and BYX2, BNS2 and HPB2, SNA2 and TAR2 and inserting the following ratios:

	BYX 2	HPB 2	TAR 2
BNS2	2.06	.64	
SNA2			2.45

(2) The table in the principal notice pertaining to Quota Management Area 8 is hereby amended by omitting from the table the ratios specified for TAR8 and GUR8 and inserting the following ratios:

	GUR8
TAR 8	1.11

Dated this 29th day of May 1991.

B. D. SHALLARD, Director (Operations), MAF Fisheries (acting pursuant to delegated authority).

go5732

Health

Medicines Act 1981

Prohibition of the Prescribing of Medicines

Pursuant to sections 48 (1) (a) of the Medicines Act 1981, I, Simon David Upton, Minister of Health, on the recommendation of the Medical Council of New Zealand, hereby prohibit the prescribing of benzodiazepine and its derivatives by **Raymond Reginald Harvey**, medical practitioner of 190 Chadwick Road, Greerton, Tauranga.

Dated at Wellington this 27th day of May 1991.

SIMON UPTON, Minister of Health.

go5626

Prohibition of the Prescribing of Medicines

Pursuant to sections 48 (1) (a) of the Medicines Act 1981, I, Simon David Upton, Minister of Health, on the recommendation of the Medical Council of New Zealand, hereby prohibit the prescribing of benzodiazepine and its derivatives by **Huta Tangaroa**, medical practitioner of Bay View Medical Centre, P.O. Box 315, Paihia.

Dated at Wellington this 27th day of May 1991.

SIMON UPTON, Minister of Health.

go5627

Prohibition of the Prescribing of Controlled Drugs

Pursuant to sections 23 (1) (a) of the Misuse of Drugs Act 1975, I, Simon David Upton, Minister of Health, on the recommendation of the Medical Council of New Zealand, hereby prohibit the prescribing of controlled drugs by **Huta Tangaroa**, medical practitioner of Bay View Medical Centre, P.O. Box 315, Paihia.

Dated at Wellington this 27th day of May 1991.

SIMON UPTON, Minister of Health.

go5628

Prohibition of the Prescribing of Controlled Drugs

Pursuant to sections 23 (1) (a) of the Misuse of Drugs Act 1975, I, Simon David Upton, Minister of Health, on the recommendation of the Medical Council of New Zealand, hereby prohibit the prescribing of controlled drugs by **Raymond Reginald Harvey**, medical practitioner of 190 Chadwick Road, Greerton, Tauranga.

Dated at Wellington this 27th day of May 1991.

SIMON UPTON, Minister of Health.

go5629

Justice

Criminal Justice Act 1985

Confiscation of Motor Vehicle

CRN 1016005019

In the District Court held at Gisborne

New Zealand Police v. Donald John Rangiwai of 18 Pickering Street, Gisborne—freezing worker:

Notice is hereby given that on 14 May 1991, an order was made by the District Court, pursuant to section 84 (2) (a) of the Criminal Justice Act 1985, for the confiscation of the following vehicle owned by the above named:

1973 Ford Capri, registration No. GR5988.

L. M. RATTRAY, Registrar.

District Court, Gisborne.

go5724

Indecent Publications Act 1963

Indecent Publications Tribunal Decision

On 22 and 23 November 1990, the Indecent Publications Tribunal considered the following publications:

Category A: Explanatory Note:

Having applied the criteria in section 11 of the Indecent Publications Act 1963 as well as the test for indecency in section 2, it was the Tribunal's finding that the following publications were not indecent. Because of this finding, one of the conditions for the application of section 11 (3), that a picture-story book be indecent in the hands of children under a specified age, was not met. Section 11 (3) consequently did not apply to deem these publications unconditionally indecent.

Decision

No.	Date	Title	Publisher	Importer	Applicant	Decision
6/91	30/4/91	'Omaha' The Cat Dancer, Vol. 1	Kitchen Sink Press	M. J. Mortiaux	Comptroller of Customs	Not indecent
6/91	30/4/91	'Omaha' The Cat Dancer, Vol. 2	Kitchen Sink Press	M. J. Mortiaux	Comptroller of Customs	Not indecent
6/91	30/4/91	Tapping the Vein, Book 1	Eclipse Books	M. J. Mortiaux	Comptroller of Customs	Not indecent
6/91	30/4/91	'Omaha', No. 7	Kitchen Sink Press	M. J. Mortiaux	Comptroller of Customs	Not indecent
6/91	30/4/91	'Omaha', No. 8	Kitchen Sink Press	M. J. Mortiaux	Comptroller of Customs	Not indecent
6/91	30/4/91	'Omaha', No. 9	Kitchen Sink Press	M. J. Mortiaux	Comptroller of Customs	Not indecent
6/91	30/4/91	'Omaha', No. 10	Kitchen Sink Press	M. J. Mortiaux	Comptroller of Customs	Not indecent
6/91	30/4/91	Clive Barker' Hell-Raiser, Book 1	Epic Comics	Mark One Comics and Games	Comptroller of Customs	Not indecent

Decision No.	Date	Title	Publisher	Importer	Applicant	Decision
6/91	30/4/91	<i>Clive Barker' Hell-Raiser, Book 2</i>	Epic Comics	Mark One Comics and Games	Comptroller of Customs	Not indecent

Category B: Explanatory Note:

Having applied the criteria in section 11 as well as the test for indecency in section 2, it was the Tribunal's finding that the following publications were unconditionally indecent regardless of whether or not they were likely to be read by children. Because of this finding, it was unnecessary to consider the application of section 11 (3). Whether section 10 (b) or section 11 (3) was applied to these publications, they have been classified unconditionally indecent.

Decision No.	Date	Title	Publisher	Importer	Applicant	Decision
6/91	30/4/91	<i>Click</i>	Catalan Communications	M. J. Mortiaux	Comptroller of Customs	UI
6/91	30/4/91	<i>Sexy Stories from the World's Religions, No. 1</i>	Last Gasp ECO Funnies	M. J. Mortiaux	Comptroller of Customs	UI
6/91	30/4/91	<i>Dr Jekyll & Mr Hyde</i>	Catalan Communications	M. J. Mortiaux	Comptroller of Customs	UI
6/91	30/4/91	<i>Sapphire, No. 4</i>	Aircel Comics	M. J. Mortiaux	Comptroller of Customs	UI

Category C: Explanatory Note:

Having applied the criteria in section 11 as well as the test for indecency in section 2, it was the Tribunal's finding that the following publications were indecent in the hands of persons under the age of 16 years in some cases, and indecent in the hands of persons under the age of 18 years in other cases. However, having taken into account considerations of physical availability and the factors which indicated the likely psychological attractiveness of these comics to children, it was the Tribunal's finding that these publications were not likely to be read by children. The drawings in most of these publications did not contain colour and were very complex. The texts contained a great number of words which described situations of no interest to children. While the majority of these publications depicted acts of violence and sex, there was not dwelling on them with intention, overt or covert, to titillate. They did not form the dominant effect of these publications. Because of this finding, one of the conditions for the application of section 11 (3), that a picture-story book must be likely to be read by children, was not met. Section 11 (3) consequently did not apply to deem these publications unconditionally indecent. These publications were therefore classified under section 10 (b) in the normal way.

Decision No.	Date	Title	Publisher	Importer	Applicant	Decision
6/91	30/4/91	<i>Faust Act 5, Vol. 1, No. 5</i>	Northstar Productions	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Human Diastrophism</i>	Titan Books	M. J. Mortiaux	Comptroller of Customs	R16
6/91	30/4/91	<i>Hup, No. 3</i>	Last Gasp	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Shorts</i>	Catalan Communications	M. J. Mortiaux	Comptroller of Customs	R16
6/91	30/4/91	<i>Zap, No. 11</i>	Last Gasp	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Zap, No. 12</i>	Last Gasp	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Big Black Kiss, Book 2</i>	Vortex Comics	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Faust Act 3, Vol. 1, No. 3</i>	Northstar Productions	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Faust Act 4, Vol. 1, No. 4</i>	Northstar Productions	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Firkin, No. 3</i>	Knockabout Comics	M. J. Mortiaux	Comptroller of Customs	R16
6/91	30/4/91	<i>Taboo, No. 3</i>	Spiderbaby Grapix Publications	M. J. Mortiaux	Comptroller of Customs	R16
6/91	30/4/91	<i>Faust Act 6, Vol. 1, No. 6</i>	Northstar Productions	M. J. Mortiaux	Comptroller of Customs	R18

Category D: Explanatory Note:

A category to be known as Category D was devised for publications which were likely to be read by children, but which were not indecent in the hands of children under a specified age. Section 11 (3) consequently did not apply because one of the conditions for the application of section 11 (3), that a picture-story book be indecent in the hands of children under a specified age, was not met. The normal section 10 (b) classifications therefore could be made. The type of publication which would likely be read by children and which would not be indecent in their hands is the normal sort of comic aimed at children. Titles such as *Mickey Mouse* and the "superhero" comics would fall within this category. Because all of the comics in the present applications are clearly intended for adults and deal largely with matters of sex and violence, none of them fell into this category.

Category E: Explanatory Note:

Having applied the criteria in section 11 as well as the test for indecency in section 2, it was the Tribunal's finding that the following publications were indecent in the hands of children under a specified age. The Tribunal also found that they were likely to be read by children. Both of the conditions for the application of section 11 (3) were met. Category E is the only category of comics affected by section 11 (3). Because the Tribunal decided that these publications were indecent in the hands of persons under the age of 16 and 18 years due to their non-violent sexual content, section 11 (3) deemed them to be unconditionally indecent. These publications therefore have been classified unconditionally indecent.

Decision

<i>No.</i>	<i>Date</i>	<i>Title</i>	<i>Publisher</i>	<i>Importer</i>	<i>Applicant</i>	<i>Decision</i>
6/91	30/4/91	<i>Cry for Dawn</i> , Vol. 1	Cry for Dawn Productions	M. J. Mortiaux	Comptroller of Customs	Indecent
6/91	30/4/91	<i>Little Ego</i>	Catalan Communications	M. J. Mortiaux	Comptroller of Customs	Indecent
6/91	30/4/91	<i>Sushi One</i>	Shunga Comic	M. J. Mortiaux	Comptroller of Customs	Indecent
6/91	30/4/91	<i>'Bobs' Favourite Comics</i> , No. 1	Rip Off Press Inc.	M. J. Mortiaux	Comptroller of Customs	Indecent
6/91	30/4/91	<i>Scimidar</i> , No. 2	Eternity Comics	M. J. Mortiaux	Comptroller of Customs	Indecent
6/91	30/4/91	<i>Strips</i> , No. 2	Rip Off Press Inc.	M. J. Mortiaux	Comptroller of Customs	Indecent
6/91	30/4/91	<i>Border World's: Marooned</i> , Vol. 2, No. 1	Kitchen Sink Press	M. J. Mortiaux	Comptroller of Customs	Indecent
6/91	30/4/91	<i>Exquisite Corpse</i> , Red Issue	Dark Horse Comics	Visual Media Services	Comptroller of Customs	Indecent
6/91	30/4/91	<i>Exquisite Corpse</i> , Yellow Issue	Dark Horse Comics	Visual Media Services	Comptroller of Customs	Indecent
6/91	30/4/91	<i>Exquisite Corpse</i> , Green Issue	Dark Horse Comics	Visual Media Services	Comptroller of Customs	Indecent
6/91	30/4/91	<i>Cherry</i> , No. 10	Last Gasp	Visual Media Services	Comptroller of Customs	Indecent
6/91	30/4/91	<i>The Erotic Art of Reed Waller</i>	Kitchen Sink Press	Visual Media Services	Comptroller of Customs	Indecent

Copies of these decisions containing reasons may be purchased from Tribunals Division, P.O. Box 10-044, Wellington, at a cost of \$5 each or by annual subscription of \$50.

R. N. OGILVIE, for Secretary, Indecent Publications Tribunal.
go5502

Judicature Act 1908**Appointment of Judge of High Court and Court of Appeal**

Pursuant to sections 4 and 57 of the Judicature Act 1908, Her Excellency the Governor-General, in the name and on behalf of Her Majesty the Queen, has been pleased to appoint

Ian Lloyd McKay Esquire, barrister of Wellington

to be a Judge of the High Court of New Zealand and a Judge of the Court of Appeal of New Zealand.

Dated at Wellington this 28th day of May 1991.

PAUL EAST, Attorney-General.
go5625

Additional Judge of the Court of Appeal Appointed

Pursuant to section 58 (9) of the Judicature Act 1908, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council and with the concurrence of the Chief Justice and the President of the Court of Appeal, has been pleased to appoint

The Right Honourable Sir Gordon Ellis Bisson, a former member of the Court of Appeal

to act as an additional Judge of the Court of Appeal for a period commencing on the 1st day of June 1991 and expiring on the 30th day of June 1991.

Dated at Wellington this 30th day of May 1991.

PAUL EAST, Attorney-General.
go5735

Transport**Waterfront Industry Reform Act 1989****Reappointment of Liquidator for the Waterfront Industry Commission**

Pursuant to sections 9 and 23 of the Waterfront Industry Reform Act 1989, the Ministers of Transport and Labour are pleased to appoint

Tolmie Alexander Scouler

to be the liquidator of the Waterfront Industry Commission for a term of 1 year from 1 May 1991.

Dated at Wellington this 16th day of May 1991.

W. F. BIRCH, Minister of Labour.

W. ROB STOREY, Minister of Transport.
go5637

Land Notices

Conservation

Reserves Act 1977

Revocation of Reservation Over a Reserve

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Regional Conservator, Department of Conservation, Wanganui, hereby revokes the reservation as a reserve for a site for public buildings of the General Government over the land, described in the Schedule hereto.

Schedule

Taranaki Land District—Stratford District

1012 square metres, more or less, being Section 6, Puniwhakau Village, situated in Block III, Omoana Survey District. Part *New Zealand Gazette*, 1902, page 858. S.O. Plan 7770.

Dated at Wanganui this 27th day of May 1991.

W. F. CARLIN, Regional Conservator, Department of Conservation, Wanganui.

(DOC D.O. 9/7)

In5374

Classification of Reserve and Declaration that the Reserve be Part of the Waikino Scenic Reserve

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Tongariro/Taupo Regional Conservator of the Department of Conservation, hereby classifies the reserve, described in the Schedule hereto, as a scenic reserve, and further, declares the said reserve to form part of the Waikino Scenic Reserve.

Schedule

South Auckland Land District—Taupo District Council

113.8900 hectares, more or less, being Section 1, Block VIII, Puketapu Survey District and Block V, Karangahape Survey District, Part *New Zealand Gazette*, 1972, page 1386 (Proc. S. 565509). S.O. Plan 58622.

Dated at Turangi this 24th day of May 1991.

P. M. GREEN, Regional Conservator.

(Cons. C.O. RES 055)

In5634

Revocation of the Reservation Over a Reserve

Pursuant to the Reserves Act 1977, and a delegation from the Minister of Conservation, the Regional Conservator for the Waikato Conservancy of the Department of Conservation, hereby revokes the reservation as a scientific reserve over the land described in the Schedule hereto.

Schedule

South Auckland Land District—Waikato District

5.9650 hectares, more or less, being Section 1, S.O. Plan 58675, situated in Block XVI, Rangiriri Survey District. Part *New Zealand Gazette*, 1986, page 4684.

Dated at Hamilton this 28th day of May 1991.

G. E. ROWAN, Regional Conservator.

(DOC Ref: RSF 002)

In5725

Iwi Transition Agency

Maori Affairs Restructuring Act 1989

Maori Land Development Notice

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

Notice

1. This notice may be cited as Maori Land Development Notice Hamilton 1991, No. 24.
2. The notice referred to in the First Schedule hereto is hereby revoked by omitting all reference to the land described in the Second Schedule hereto.
3. The land described in the Second Schedule hereto is hereby released from Part II of the Maori Affairs Restructuring Act 1989.

First Schedule

Date of Notice	Reference	Registration No.
15 May 1981	<i>New Zealand Gazette</i> , 11 June 1981, No. 70, page 1624	H. 377105.5

Second Schedule

South Auckland Land District

All that piece of land described as follows:

Area ha	Being
83.1000	Pakeho A17 Block. All certificate of title, Volume 27C, folio 229.

Dated at Hamilton this 27th day of May 1991.

For and on behalf of the Iwi Transition Agency.

R. H. KOROHEKE, for Assistant General Manager, Iwi Transition Agency.

(ITA H.O. 15/2/439; R.O. 25/152)

In5623

Maori Land Development Notice

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

Notice

1. This notice may be cited as Maori Land Development Notice Whangarei 1991, No. 37.
2. The notice referred to in the First Schedule hereto is hereby revoked by omitting all reference to the land described in the Second Schedule hereto.
3. The land described in the Second Schedule hereto is hereby released from Part II of the Maori Affairs Restructuring Act 1989.

First Schedule

Date of Notice	Reference	Registration No.
28 January 1988	<i>New Zealand Gazette</i> , 11 February 1988, No. 23, page 465	R11/1500

Second Schedule**North Auckland Land District**

All that piece of land described as follows:

Area ha	Being
21.9351	Takahiwai 3B, situated in Blocks II and VI, Ruakaka Survey District. All certificate of title No. 46A/1054.

Dated at Whangarei this 27th day of May 1991.

For and on behalf of the General Manager, Iwi Transition Agency.

R. J. TOPP, for Assistant General Manager, Iwi Transition Agency (Taitokerau).

(ITA H.O. 61/7, 15/1/1166; R.O. 18/R/11) 3
In5624

Maori Land Development Notice

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

Notice

1. This notice may be cited as Maori Land Development Notice Whangarei 1991, No. 38.

2. The notice referred to in the First Schedule hereto is hereby revoked by omitting all reference to the land described in the Second Schedule hereto.

3. The land described in the Second Schedule hereto is hereby released from Part II of the Maori Affairs Restructuring Act 1989.

First Schedule

Date of Notice	Reference	Registration No.
20 November 1963	<i>New Zealand Gazette</i> , 28 November 1963, No. 76, page 1916	R4/807

Second Schedule**North Auckland Land District**

All that piece of land described as follows:

Area ha	Being
60.1792	Waima B35, situated in Blocks II, IV and VII, Waoku Survey District. Consolidation order dated 8 May 1942.

Dated at Whangarei this 28th day of May 1991.

For and on behalf of the General Manager, Iwi Transition Agency.

R. J. TOPP, for Assistant General Manager, Iwi Transition Agency (Taitokerau).

(ITA H.O. 15/1/1154, 61/3, 61/3A; R.O. 19/A/44) 3
In5636

Maori Land Development Notice

Pursuant to section 21 of the Maori Affairs Restructuring Act 1989, the General Manager, Iwi Transition Agency hereby gives notice as follows:

Notice

1. This notice may be cited as Maori Land Development Notice Wanganui 1991, No. 7.

2. The notice referred to in the First Schedule hereto is hereby amended by omitting all reference to the land described in the Second Schedule hereto.

3. The land described in the Second Schedule hereto is hereby released from Part II of the Maori Affairs Restructuring Act 1989.

First Schedule

Date of Notice	Reference	Registration No.
3 June 1977	<i>New Zealand Gazette</i> , No. 75, 14 July 1977, page 1957	625218.1

Second Schedule**Wellington Land District**

All that piece of land described as follows:

Area ha	Being
13.9866	Part Hautu 3F3B1, situated in Block XI, Puketū Survey District.

Dated at Wanganui this 3rd day of June 1991.

For and on behalf of the General Manager, Iwi Transition Agency.

D. A. TEKI, Programme Manager.

(Te Tai D.O. 6/461) 4
In5736

New Zealand Railways Corporation

New Zealand Railways Corporation Act 1981

Declaring Railway Land at Hokitika to be Road

Pursuant to sections 24 and 30 of the New Zealand Railways Corporation Act 1981 and section 114 of the Public Works Act 1981, the Chief Executive of the New Zealand Railways Corporation, with the prior written consent of the Minister of Railways, declares the land described in the Schedule hereto to be road and shall remain vested in the Crown.

Schedule**Westland Land District—Westland District**

All that piece of land containing 2183 square metres, situated in Block IV, Mahinapua Survey District, being part Greymouth Hokitika Railway; as shown marked "A" on plan L.O. 36570 (S.O. 11616), lodged in the office of the New Zealand Railways Corporation at Wellington.

Dated at Wellington this 29th day of May 1991.

P. K. TROTMAN, for Chief Executive, New Zealand Railways Corporation.

(NZR L.O. 11116/166)
In5731

Survey and Land Information

Public Works Act 1981**Land at Park Terrace Acquired for River Control Purposes**

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Survey and Land Information, Christchurch, declares that, an agreement to that effect having been entered into, the piece of land described in the Schedule hereto is hereby acquired for river control purposes and shall

vest in The Nelson-Marlborough Regional Council on the date of publication of this declaration in the *Gazette*.

Schedule

Marlborough Land District—Borough of Blenheim

All that piece of land containing 498 square metres, being part Lot 214, part Section 46, Opawa Registration District; as shown marked "A" on S.O. Plan 6979T, lodged in the office of the Chief Surveyor at Blenheim.

Dated at Christchurch this 28th day of May 1991.

R. J. MILNE, District Solicitor.

(DOSLI Ch. D.O. 35/51/1)
In5726

1CL

Land at Postmans Road Acquired for River Control Purposes

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Survey and Land Information, Christchurch, declares that, an agreement to that effect having been entered into, the pieces of land described in the Schedule hereto are hereby acquired for river control purposes and shall vest in The Nelson-Marlborough Regional Council on the date of publication of this declaration in the *Gazette*.

Schedule

Marlborough Land District—Kaikoura District

Area ha	Being
8.7095	Part Section 175, Kaikoura Suburban; marked "A" on plan.
m ²	
3005	Part Section 176, Kaikoura Suburban; marked "B" on plan.

As shown marked as above mentioned on S.O. Plan 6972T, lodged in the office of the Chief Surveyor at Blenheim.

Dated at Christchurch this 28th day of May 1991.

R. J. MILNE, District Solicitor.

(DOSLI Ch. D.O. 35/51/2)
In5727

1CL

Land at Bromley Park Set Apart for a Reserve for Recreation Purposes

Pursuant to section 52 (4) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Solicitor, Department of Survey and Land Information, Christchurch, at the request of The Christchurch City Council, hereby declares the land described in the Schedule hereto to be set apart for a reserve for recreation purposes.

Schedule

Canterbury Land District—Christchurch City

All that piece of land containing 203 square metres, being Section 2, Survey Office Plan 18346. All certificate of title 34A/1279.

Dated at Christchurch this 23rd day of May 1991.

R. J. MILNE, District Solicitor.

(DOSLI Ch. D.O. 35/1/107)
In5728

1CL

Corrigendum

Transfer of Unformed Legal Road in Blocks V, IX and XIII, Tekapo Survey District—MacKenzie District

In the notice with the above heading published in the *New Zealand Gazette* of 28 March 1991, No. 47 at page 1055, delete from the description of the land adjoining the area of road described thirdly in the Schedule the words and figures "and Reserve 4513", which words and figures do not appear in the original notice signed by the District Manager of the Department of Survey and Land Information at Christchurch.

Dated at Christchurch this 28th day of May 1991.

N. T. KERR, District Manager.

(DOSLI Ch. LDS 10/10, D.O. LDS 8)
In5729

1CL

Land Acquired for Road in the District of Tasman

Pursuant to section 20 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Manager, Lands and Property, Department of Survey and Land Information, Nelson, declares that, an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for road and pursuant to section 60 (2) of the Transit New Zealand Act 1989, shall form part of State Highway No. 6 and shall vest in the Crown on the date of publication hereof in the *Gazette*.

Schedule

Nelson District—Tasman District

711 square metres, situated in Block XV, Lyell Survey District, being part Section 4; marked "A" on S.O. Plan 14555, lodged in the office of the Chief Surveyor at Nelson.

Dated at Nelson this 30th day of May 1991.

R. G. C. WRATT, Manager Lands and Property.

(DOSLI Nn. D.O. 72/6/11/2/0/45)
In5730

1CL

Declaring Land to be Road, Road Stopped and Land Taken in the Far North District

Pursuant to Part VIII of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Manager, Land and Property, Department of Survey and Land Information, Auckland, declares:

(a) Pursuant to section 114, the land described in the First Schedule to be road which shall vest in The Far North District Council, and

(b) Pursuant to section 116, the portion of road described in the Second Schedule to be stopped, and

(c) Pursuant to section 119, the land described in the Third Schedule to be taken and vested in The Far North District Council.

First Schedule

North Auckland Land District

Area m ²	Being
732	Part Lot 1, D.P. 35169; marked "A" on plan.
361	Part W, Allotment 18, Maungataniwha Parish; marked "B" on plan.

Shown marked as above mentioned on S.O. Plan 65598, lodged in the office of the Chief Surveyor at Auckland.

Second Schedule**North Auckland Land District**

1808 square metres, adjoining or passing through Lot 1, D.P. 35169; shown marked "D" on S.O. Plan 65598, lodged in the office of the Chief Surveyor at Auckland.

Third Schedule**North Auckland Land District**

450 square metres, being part Lot 1, D.P. 35169; shown marked "C" on S.O. Plan 65598, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 29th day of May 1991.

G. A. DAWSON, Manager, Lands and Property.

(DOSLI Ak. D.O. 50/15/3/0/65598) 1CL
ln5737

Crown Land Set Apart in Connection with a Road (State Highway 12) in the Far North District

Pursuant to section 52 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Manager, Land and Property, Department of Survey and Land Information, Auckland, declares the land described in the Schedule to be set apart in connection with a road (State Highway 12).

Schedule**North Auckland Land District**

Area m ²	Being
0.3065	Section 1, S.O. Plan 63078.
0.0383	Section 2, S.O. Plan 63078.
1.0475	Section 3, S.O. Plan 63078.
1.9222	Section 4A, Block V, Waoku Survey District (S.O. Plan 15519).

Dated at Auckland this 29th day of May 1991.

G. A. DAWSON, Manager, Lands and Property.

(DOSLI Ak. D.O. 72/12/1/0/307) 1CL
ln5738

Land Acquired for a State Primary School in Waitakere City

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Manager, Land and Property, Department of Survey and Land Information, Auckland, declares that, agreements to that effect having been entered into, the land described in the Schedule is acquired for a State primary school and shall vest in the Crown on the date of publication in the *Gazette*.

Schedule**North Auckland Land District**

Area m ²	Being
1056	Part Lot 6, D.P. 52529; marked "A" on S.O. Plan 65436.
5743	Part Lot 302, D.P. 128372; marked "B" on S.O. Plan 65635.

Shown on the plans marked as above mentioned and lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 30th day of May 1991.

G. A. DAWSON, Manager, Lands and Property.

(DOSLI Ak. D.O. 23/526/0/2) 1CL
ln5739

A Water Supply Easement in Gross Acquired in Auckland City

Pursuant to section 20 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Manager, Land and Property, Department of Survey and Land Information, Auckland, declares that an agreement to that effect having been entered into, the water supply easement in gross described in the First Schedule is hereby acquired over the land described in the Second Schedule and the said easement shall vest in perpetuity in The Auckland Regional Council for water supply purposes on the date of publication in the *Gazette*.

First Schedule**North Auckland Land District***Description of Easement*

1. The full, free uninterrupted, and unrestricted right, liberty, and privilege for The Auckland Regional Council (hereinafter called "the council") from time to time and at all times to take convey and lead water in a free and unimpeded flow (except when the flow is halted for any reasonable period necessary for essential repairs) and in any quantity, consistent with the rights of other persons having the same or similar rights, from the point of entry and following the course of the land described in the Second Schedule (hereinafter called "the easement land") together with the following additional rights incidental thereto set out as follows:

(a) To use any line of pipes already laid in or on the said easement land or any pipe or pipes in addition, in replacement or in substitution for or of any of those pipes;

(b) Where no such line of pipes exists to lay, place and maintain, or to have laid, placed and maintained, a line of pipes of a sufficient internal diameter and of suitable material for the purpose under the surface of the said easement land;

(c) In order to construct or maintain the efficiency of any such pipe line, the full free uninterrupted and unrestricted right, liberty and privilege for the council, its servants, agents, and workmen, with any tools, implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose, to enter upon the land over which the easement is granted or created and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining and renewing the pipe line or any part thereof and of opening up the soil of that land to such extent as may be necessary and reasonable in that regard, subject to the condition that as little disturbance as possible is caused to the surface of the easement land and that the surface is restored as nearly as possible to the condition in which it was in immediately prior to any works being undertaken and any other damage done by reason of the aforesaid operations is repaired.

2. The Roman Catholic Bishop of the Diocese of Auckland, the owner of the easement land (hereinafter called "the owner") shall, together with his heirs, successors and assigns, not at any time on or over the said easement area on the easement land and without the prior written consent of the council:

(a) Place any buildings, building additions, erections or fences or permanent improvements of any nature excepting the improvements *in situ* at the 29th day of January 1991 and shown on the plan, marked "A", attached hereto;

(b) Do permit or suffer any act whereby the rights, powers, licences and liberties hereby granted to the council may be interfered with or affected; or

(c) Do permit or suffer any act whereby the said water supply pipes may be interfered with or damaged.

3. The council will:

(a) At all times repair and maintain such pipes and mains and associated works as may be constructed or laid through or

under the easement area on the easement land in pursuance of these presents in a good and efficient state of repair for the purposes of which the same are designed and will prevent the same from becoming a nuisance;

(b) Cause as little damage as possible to the surface of the easement land and repair and make good all damage caused by any such works to landscaping fences and drains in upon or around the easement land;

(c) Indemnify the owner from and against any loss or damage caused to the easement land or anything on or upon the easement land directly or indirectly arising from the construction, maintenance or operation of the easement;

(d) At all times use its best endeavours to ensure access to the easement land is maintained for the owner and invitees while the council is performing or having the work performed which is more particularly hereinbefore described in clause 1 (c);

(e) Ensure that any spoil from excavation or work will be removed from the land on a regular basis as the work progresses.

4. The council agrees that where the terms of this easement

require the consent of the council to be obtained in respect of any matter herein referred to them the council shall not unreasonably or arbitrarily withhold such consent.

5. Nothing herein contained or implied shall be deemed to compel the council to convey water through the said pipes and mains and the council may from time to time discontinue the conveyance of water through the same at will.

Second Schedule

North Auckland Land District

The Easement Land

181 square metres, being part Lot 1, D.P. 66280; shown marked "A" on S.O. Plan 66044, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 31st day of May 1991.

G. A. DAWSON, Manager, Lands and Property.

(DOSLI Ak. D.O. 15/109/0/66044)

ln5740

1CL

Regulation Summary

Notice Under the Acts and Regulations Publication Act 1989

Pursuant to the Acts and Regulations Publication Act 1989, notice is hereby given of the making of regulations as under:

<i>Authority for Enactment</i>	<i>Title or Subject-matter</i>	<i>Serial Number</i>	<i>Date of Enactment</i>	<i>Price Code</i>	<i>Postage and Packaging</i>
United Nations Act 1946	United Nations Sanctions (Iraq) Regulations 1991	1991/92	4/6/91	9-CX	\$3.40
New Zealand Horticulture Export Authority Act 1987	Horticultural Prescribed Products (Buttercup Squash) Order 1988, Amendment No. 1	1991/93	4/6/91	3-BX	\$2.00
New Zealand Horticulture Export Authority Act 1987	Horticultural Prescribed Products (Table Grapes) Order 1988, Amendment No. 1	1991/94	4/6/91	2-A	\$1.50
State Sector Act 1988	State Sector Order 1991	1991/95	4/6/91	2-A	\$1.50
Import Control Act 1988	Import Control Regulations 1988, Amendment No. 11	1991/96	4/6/91	16-CX	\$3.40
Corporations (Investigation and Management) Act 1989	Corporations (Investigation and Management) Order 1991	1991/97	4/6/91	2-A	\$1.50
Marine Reserves Act 1971	Marine Reserve (Kermadec Islands) Order 1990, Amendment No. 1	1991/98	4/6/91	2-A	\$1.50
Electricity Act 1968	Electrical Supply Regulations 1984, Amendment No. 5	1991/99	4/6/91	3-BX	\$2.00
Weights and Measures Act 1987	Weights and Measures Regulations 1987, Amendment No. 4	1991/100	4/6/91	28-CY	\$3.70
Citizenship Act 1977	Citizenship Regulations 1978, Amendment No. 5	1991/101	4/6/91	3-BX	\$2.00
Securities Act 1978	Securities Act (Australian Unit Trusts) Exemption Notice 1991, Amendment No. 2	1991/102	4/6/91	2-A	\$1.50

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ps5742

General

Trust Bank Canterbury Community Trust

Trustee Banks Restructuring Act 1988

Trust Bank South Canterbury Community Trust Annual Report for the Period Ended 31 March 1991

Trust Particulars

The Trust Bank South Canterbury Community Trust was incorporated as a charitable trust in accordance with the provisions of the Trustee Banks Restructuring Act 1988. The purpose of the community trust is to provide charitable, cultural, philanthropic and recreational benefits to the community.

Trustees: A. F. McLay (Chairperson); C. D. Bach; A. H. Carlton; L. K. Cooney; P. P. Cornelius; A. P. Dodds; O. J. Gavigan; J. Shipley, M.P.; C. P. Sparrow; A. J. Srhoy; J. R. Sutton; J. E. Thompson and D. B. Timpany.

Bankers: Trust Bank South Canterbury Ltd., 243 Stafford Street, Timaru.

Solicitors: Raymond Sullivan McGlashan, Barristers and Solicitors, 27 Strathallan Street, Timaru.

Auditors: Martin Wakefield & Co., Chartered Accountants, 26 Canon Street, Timaru.

Trustee's Report for the Period Ended 31 March 1991

Objectives of the Trust

The trust was formed under Trustee Banks Restructuring Act 1988. Subsequently the trust acquired 2.7 percent of the shareholding of Trust Bank New Zealand Ltd. to enable it to distribute from dividend and investment income, financial assistance to help organisations carrying on charitable, cultural, philanthropic and recreational work which is of benefit to the community, principally in the regions of South Canterbury and Mid Canterbury.

Policies and Structure of the Trust

All purposes of the trust are deemed to be charitable. In general guidelines for donations are as follows:

1. Organisations which provide services for those who may have been denied a quality of life enjoyed by the majority.
2. Community organisations which offer their services for the benefit or enjoyment of the public and contribute to community well being.
3. Groups which give their time and resources to helping social problems.

So that the trust will reach as many people as possible the trust will make donations under the following broad categories:

- (a) Community support.
- (b) Welfare and social services.

All applicants will be advised in writing of the result of their application.

The community trust comprises 13 trustees who are representative of South Canterbury and Mid Canterbury communities. These trustees were appointed by the Minister of Finance and reside in either Mid Canterbury or South Canterbury. Trustees retire by rotation and during the past year, Messrs O. J. Gavigan, A. F. McLay, J. R. Sutton and J. E. Thompson retired but being available, were reappointed by the Minister for a further term.

Activities of the Trust

The trustees met 7 times during the financial year pursuing the objects of the trust for the benefit of the areas we represent.

The specific policy guidelines for qualification for the granting of donations having been published resulted in the number of applications for donations being considerably reduced compared with the previous year.

The trustees derived much pleasure when the trust was recognised as the principal sponsor of the new Cancer Centre for South Canterbury and this project headed our list of donations.

A secondary school received loans to assist in the development of its hostel and to assist in the computerisation of its library.

Review of Results and Financial Position of Trust

The main income of the trust was received by way of dividends from Trust Bank New Zealand Ltd. Together with investment interest the total income for the year was \$242,047. Donations distributed totalled \$99,070 and after deducting expenditure a net profit of \$126,603 was transferred to the trust fund.

General

The trust's main source of income is from the investment in Trust Bank New Zealand Ltd., and accordingly we have continued to work closely with the local South Canterbury Trust Bank.

We look forward to our investment bringing substantial benefits to many worth-while organisations in the Mid and South Canterbury communities.

Income and Expenditure Account for the Period Ended 31 March 1991

	Note	1991 \$	1990 \$
Income—			
Interest		13,411	2,287
Dividends		228,636	110,700
Total income		242,047	112,987
Less expenditure—			
Auditor's fees		319	160
Accounting fees		500	1,217
Printing		1,355	398
Trustee's fees		11,630	9,320
Travelling expenses		1,718	1,201
General		852	577
Total expenditure		16,374	12,873
Net income before donations		225,673	100,114
Less donations		99,070	52,405
Net profit transferred to the trust fund		\$126,603	\$47,709

(The notes to the financial statement form part of and are to be read in conjunction with the above account.)

Balance Sheet as at 31 March 1991

	Note	1991 \$	1990 \$
Trust funds—			
Capital	2	4,689,000	4,689,000
Undistributed income	3	165,314	38,711
Balance 31 March 1991		\$4,854,314	\$4,727,711
Represented by:			
Current assets—			
Bank—current account		20,342	2,551
Bank—prime call account		141,733	41,010
Disaster relief fund		2,663	2,298
Sundry debtors		1,573	—
Scout loan		—	4,000
Timaru Boys' High School—library		5,600	—
Timaru High Schools—hostel		8,000	—
Total current assets		179,911	49,859
Less current liabilities—			
Sundry creditors		14,597	11,148
Total current liabilities		14,597	11,148
Working capital		165,314	38,711
Add long-term assets—			
Investments—			
Shares in Trust Bank New Zealand Ltd.		4,689,000	4,689,000
Net assets		\$4,854,314	\$4,727,711

Signed on behalf of the board of trustees:

A. F. McLAY, Chairperson.

D. B. TIMPANY, Trustee.

Dated this 24th day of May 1991.

(The notes to the financial statements form part of and are to be read in conjunction with this balance sheet.)

Statement of Cash Flows for the Period Ended 31 March 1991

	1991	1990
	\$	\$
Cash flows from operating activities—		
Cash was provided from:		
Interest or deposits	13,328	2,387
Dividends	228,636	110,700
Cash was disbursed to:		
Suppliers of goods and services	(12,925)	(14,740)
Donations	(99,070)	(52,405)
Net cash flows from operating activities	<u>129,879</u>	<u>45,942</u>
Cash flows from investing activities—		
Cash was provided from:		
Loan repayments:		
Scout loan	4,000	—
Timaru High Schools hostel	2,000	—
Cash was applied to:		
Advance of loans to:		
Timaru Boys' High School—library	(7,000)	—
Timaru High Schools—hostel	(10,000)	—
Net cash flows from investing activities	<u>(11,000)</u>	<u>—</u>
Net cash flows from financing activities—		
Net increase in cash held	118,879	45,942
Add opening cash 31 March 1990	45,859	(83)
Cash at 31 March 1991	<u>\$164,738</u>	<u>\$45,859</u>

Cash at 31 March 1991 comprises the current account, the prime call account and the disaster relief fund.

Notes to the Financial Statements for the Period Ended 31 March 1991

1. Statement of Accounting Policies

General Accounting Policies

The general accounting policies adopted in the preparation of these financial statements are:

- The measurement base adopted is the historical cost basis.
- Reliance has been placed on the fact that the entity is a going concern.
- The matching of revenues earned and expenses incurred using accrual accounting except that dividend income is accounted for on a receipts basis.

Particular Accounting Policies

The following are the particular accounting policies which have a material effect on the measurement of results and financial position:

- (a) *Dividend income*: Dividend income from Trust Bank New Zealand Ltd. is included in the income and expenditure account when it is received.
- (b) *Donations*: Donations made are included in the income and expenditure account when paid.
- (c) *Investments*: Shares held in Trust Bank New Zealand Ltd. are stated at cost.

2. Shares in Trust Bank New Zealand Ltd.

2 700 000 ordinary shares in TBNZ Ltd. \$4,689,000

3. Undistributed Income

	1991	1990
	\$	\$
Balance brought forward	38,711	(8,998)
Plus current years profits	126,603	47,709
	<u>\$165,314</u>	<u>\$38,711</u>

4. Taxation

For taxation purposes the trust is deemed to be a charitable organisation. Its income is not subject to taxation.

5. Goods and Services Tax

The trust is not registered for goods and services tax purposes. Accordingly these financial statements are stated on a G.S.T. inclusive basis.

Auditors' Report to the Trustees of the Trust Bank South Canterbury Community Trust

We have audited the financial statements in accordance with accepted auditing standards, and have carried out such procedures as we considered necessary.

In our opinion the financial statements give, using the historical cost method, a true and fair view of the financial position of the trust as at 31 March 1991 and the results of its activities for the period ended on that date.

MARTIN WAKEFIELD & CO., Chartered Accountants.

Timaru, New Zealand.

Dated this 15th day of May 1991.

The Minister of Finance has directed that the Trust Bank South Canterbury Community Trust need not publish the full list of its donations but a copy of the list of donations is available to anyone upon request to: The Chairperson, Trust Bank South Canterbury Community Trust, P.O. Box 538, Timaru.

gn5743

The Fortune Manning Law Partnership

The Treaty of Waitangi Act 1975 State Owned Enterprises Act 1986

This notice concerns 192 Stoddard Road, Titirangi, and Maori claims under the Treaty of Waitangi Act 1975.

The land at 192 Stoddard Road, Titirangi is described in legal terms as being all that land comprised and described in certificate of title, Volume 71A, folio 198 and contained in 212 square metres, more or less, being part of Lot 1, Deposited Plan 121930 and being part Allotment 92, Parish of Takapuna.

The land was once owned by the Crown. It has been transferred to a State Owned Enterprise under the State Owned Enterprises Act 1986.

There is a special notice or "memorial" on the certificate of title for the land which provides that, if the Waitangi Tribunal recommends it, the land shall be resumed by the Crown and return to Maori ownership (see sections 27A and 27B State Owned Enterprises Act 1986).

The current owners of the land, **Francis Thomas Guy and**

Valerie Ruth Guy, have applied to the Waitangi Tribunal to have this notice removed. This has been done under section 8D of the Treaty of Waitangi Act 1975.

Any Maori person who considers that they, or any group which they belong to, has a claim to make to the Waitangi Tribunal about this land, should submit their claim to the Waitangi Tribunal before the 4th day of September 1991.

Section 6 of the Treaty of Waitangi Act 1975, describes what a claim is. Claims may be posted or sent to the Registrar, Waitangi Tribunal, Databank House, 175 The Terrace, P.O. Box 10-044, Wellington.

If no claim about this land is made to the Waitangi Tribunal before the 4th day of September 1991, then the Tribunal may recommend that the land no longer be liable to be resumed by the Crown and returned to Maori ownership under section 27B of the State Owned Enterprises Act 1986.

Dated at Wellington this 6th day of June 1991.

Inserted by Richard Charles Mark of The Fortune Manning Law Partnership, Price Waterhouse Centre, Level 12, corner of Wyndham and Hobson Streets (P.O. Box 4139), Auckland.
gn5741

