



MAORI LAND COURT SUCCESSIONS

Q. What is succession?

A. Succession refers to the process of transferring interests or shares in Māori land to whānau members following the death of the owner. This formal process is managed by the Māori Land Court.

Q. Who can succeed?

A. According to Te Ture Whenua Māori Act 1993, only those who share the deceased's bloodline or are part of the "preferred class of alienee" as defined by the Māori Land Court (MLC) can succeed to their whenua. For example, this could be:

- Tamariki, including adopted children and whāngai
 - A spouse or partner (for income rights only)
 - Other whānau, such as siblings
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Q. Why succeed?

Succession to Māori land allows you to become a kaitiaki, continuing a long tradition of guardianship. This involves:

- Taking responsibility for the land and safeguarding it for future generations.
- Gaining greater influence over how the land is used, both now and in the future.
- Having the opportunity to receive a share of any income generated from the land.

Succession also ensures that the whakapapa of Māori land is recorded for future generations.

Q. How do I apply for succession?

A. To apply for succession, submit an application to the Māori Land Court with the following:

- The original death certificate or a certified copy
- The original will (or grant of administration) if applicable
- Fully completed application form/s
- An application fee of \$66.00
- Details of the deceased's whānau, including parents, siblings, and children

Additionally, inform Court staff if the deceased had shares in Ngāti Whakaue Tribal Lands Incorporation, as the Court does not maintain records for Incorporations. The Court will then request details about the shareholding directly from us.

Q. How much does it cost?

A. The application fee for succession is \$66.00, which is the only fee payable to the Māori Land Court. Additional costs may arise if you need to obtain copies of death certificates or if you choose to consult a lawyer. It is advisable to discuss these potential costs with Court staff.



If you need to apply for Succession to further interests, such as missed Incorporation shares, the fee is \$22.00.

Q. What happens when I lodge my application?

A. Once you submit your application, Māori Land Court staff will search their records to gather details about the deceased's land interests. You will receive a copy of this search and a letter notifying you of the court date and location. At Court, you will first speak with a Court officer to confirm your application details. The Judge will then review these details in court. After the hearing, you will receive a copy of the court minutes, which documents what occurred during the hearing. A Vesting Order, which is the legal document confirming who has succeeded to the land interests and in what proportion, will be sent to you sometime after the hearing.

Please provide a copy of the Vesting Order to the Incorporation Secretary at the following address. We will then contact you to update the Share Register record:

Ngati Whakaue Management Office
Pukeroa Oruawhata House
1st Floor, 1176 Amohau Street
PO Box 12003, Rotorua 3045
Phone: 07 348 8887
Email: admin@ngatiwhakaue.iw.nz

Q. Do I have to get a lawyer?

A. In most cases, you can manage the succession process on your own. However, it is advisable to discuss your specific situation with Court staff to determine if you might need legal assistance.

Q. What is probate?

A. When the High Court appoints an executor to manage the affairs of a deceased person, this authority is granted through a document called a grant of probate.

If you would like assistance with succession, please contact your nearest Māori Land Court.

For further information on Ngati Whakaue Tribal Lands - check <https://ngatiwhakaue.iwi.nz/>