

APPLICATION FOR AN OCCUPATION ORDER

Te Ture Whenua Māori Act 1993
Section 328

For more information visit www.justice.govt.nz/courts/maori-land-court

WHAT IS THIS FORM FOR?

Use this form to apply to the Court for an order vesting part or all of any Māori Land or General Land owned by Māori in an owner or a person entitled to succeed to an owner for the purpose of a house site or to confirm an existing house site (including a house that has already been built and is located on the land).

HOW TO FILE AND COMPLETE THIS APPLICATION FORM

- (i) This form must be accompanied with the appropriate application fee and be filed with the Registrar in the District in which the land is located;
- (ii) Please ensure that all information required on the form is completed;
- (iii) Where tick boxes are provided please ensure you tick all those boxes that apply to your application, unless you are required to select one box, then only select the box that applies;
- (iv) If there is insufficient room on the form to provide all the required information you should continue your application on a separate sheet of paper;
- (v) Additional information – in addition to completing this form, if the application requires you to provide further information you must include all documents, information or evidence you wish the Court to consider; and
- (vi) Comply with the requirements set out in the Checklist at the end of this form.

Office use:

Application: ACCEPTED / REFUSED

Dated:

Signed:

Name:

Designation:

The Māori Land Court of New Zealand

(Please select the Māori Land Court District in which the land is located)

Please select one District	<input type="checkbox"/> Taitokerau	<input type="checkbox"/> Waikato Maniapoto	<input type="checkbox"/> Waiariki
<input type="checkbox"/> Tairāwhiti	<input type="checkbox"/> Tākitimu	<input type="checkbox"/> Aotea	<input type="checkbox"/> Te Waipounamu

BLOCK(S): (State name and block number of land, Māori incorporation, person or other matter in respect of which the application is made)

.....(the site)

APPLICATION:

I/We (state your full name), apply for an Occupation Order over the Māori freehold land or General Land owned by Māori named above as the site for a house. I/we would like the term of the Order to be for: (Specify term by reference to term of years, life of applicant or other person or event or unlimited)

GROUNDS FOR APPLICATION: (tick as appropriate)

1. I am/we are the owner/owners in the above named block and hold.....shares out of a total of.....shares in the said land; or

I am a person entitled to succeed to the beneficial interests of.....being a deceased owner in the block named above, with.....shares out of a total of.....shares

2. My/our shareholding or entitlement equate to:.....
hectares/square metres

NOTE: to calculate the area multiply the number of shares you hold or are entitled to by the area of the block and divide by the total number of shares in the block

3. The house to which this application relates -

already exists on the site; or

is proposed to be built on the site

4. I am/we are the occupier of the house to which this application relates; or

The present occupiers of the existing dwelling to which this application relates are:.....
 (Give address if not the applicant) ;or

I am/we are the proposed occupiers of the house to be erected; or

The occupiers of the dwelling to be erected are/will be:

.....

.....

5. I have advised the owners:

(a) That an occupation order may pass by succession;	<input type="checkbox"/> YES	<input type="checkbox"/> NO; and
(b) that an occupation order may be for a definite term or until a specified event;	<input type="checkbox"/> YES	<input type="checkbox"/> NO; and
(c) of the term for which the order is sought;	<input type="checkbox"/> YES	<input type="checkbox"/> NO

6. The names and addresses of the occupiers of any houses on the land are:

Full Name
Address
Full Name
Address
Full Name
Address
Full Name
Address
Full Name
Address
Full Name
Address

7. The names and addresses of any mortgagee or chargeholder of the land are:

Full Name
Address
Full Name
Address
Full Name
Address
Full Name
Address
Full Name
Address
Full Name
Address

8. The names and addresses of any lessees or other occupiers of the land are:

Full Name
Address
Full Name
Address
Full Name
Address
Full Name
Address
Full Name
Address
Full Name
Address

9. The following evidence of support for the application is attached:

<input type="checkbox"/> copy of trustees' consents are attached. (if applicable)
<input type="checkbox"/> copy of consent of committee of management of the Māori Incorporation is attached. (If applicable)
<input type="checkbox"/> copy of the minutes of the meeting of owners where consent granted is attached.
<input type="checkbox"/> copy of consents from other owners.
<input type="checkbox"/> written preliminary advice from the local authority that a dwelling will be permitted on the proposed site.

10. A sketch plan or plans providing the following information is enclosed:

<input type="checkbox"/> details of the parent block showing the boundaries of the existing title.
<input type="checkbox"/> the location of the site and any existing or proposed access track or road to that site by reference to boundaries, fences, areas of other occupation or landmarks and the approximate distances from them to the site.
<input type="checkbox"/> the metric area of the site and the position and length of each boundary.

Preferred place of hearing:

Signature of Applicant	Dated: / /
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CONTACT DETAILS

Contact Address:

.....

.....

(Address to which documents or correspondence in connection with the application can be posted or delivered)

Phone Number(s):

Home:	Work:
Mobile:	Fax:
Email Address:	

NOTE: Where fax or email addresses are given these may be used as a means of notice and service.

Fee: \$ 60.00

CHECKLIST OF DOCUMENTS REQUIRED:

- Consents of trustees or committee of management where the land is administered by a Trust or Incorporation (*where applicable*)
- Copy of the minutes of meetings of owners where consent to occupation granted
- Copy of owner consents
- Sketch plan(s) as required above
- Consent of lessee (*where applicable*)

MĀORI LAND COURT CONTACT DETAILS

This application must be lodged with the Registrar in the District in which the land is located

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