

This factsheet provides a glossary of common terms and abbreviations used in and by the Māori Land Court and Māori Appellate Court

Introduction

The words and phrases listed in this glossary are used throughout Māori Land Court and our publications.

Its purpose is to help you to understand information in these publications and the meanings given are a general guide, and they should not be considered technical definitions.

It is hoped that the information in the glossary will help you to understand and communicate more easily with Māori Land Court staff and professional people, such as lawyers, when discussing Māori land issues.

Please note: In this glossary, Te Ture Whenua Māori Act 1993 will be called “the Act”.

For more information about Māori land matters, please contact your nearest Māori Land Court office.

Glossary of Terms

ABSOLUTE

Is used to describe ownership of land interests meaning that the interest(s) or share(s) are owned by the person.

Absolute interests are not subject to any other restrictions or orders (not in a trust, not a remainder interest or a life interest).

ADJOURN

To postpone a Court sitting, or any meeting, to another date and/or location.

ADMINISTRATOR

Someone who is given authority by the High Court to manage and administer the estate of a deceased person.

When an administrator is appointed by the High Court, it issues a grant of letters of administration.

ADOPTIONS

A legal proceeding that creates a parent-child relation between persons who might not be related by blood; the adopted child is entitled to all privileges belonging to a natural child of the adoptive parents (including the right to inherit). The Māori Land Court had jurisdiction to grant adoption orders from 1909 until 1963. That jurisdiction now rests with the District and Family Courts under the Adoption Act 1955, and (on appeal) the High Court.

Prior to 1 April 1954, an adoptee was entitled to succeed to both birth and adoptive parents. Since 1954, the right to inherit is limited to adoptive parents only (unless there is a bequest in a birth parent's will).

All adoption records are confidential and are not available to the public nor to the parties.

AFFIDAVIT

A written statement that is signed and either affirmed or sworn on oath and therefore able to be used as evidence in Court.

AGGREGATION ORDER

Aggregation of titles occurs when two or more separate blocks of land share a common ownership list.

The titles remain separate, but there is only one common ownership list for all of the land.

(Refer to section 308 of the Act.)

AHI KAA

To keep the home fires burning. Used to contest and maintain Mana Whenua status. See Mana Whenua

ALIENATION

Alienation occurs is when landowners grant certain rights of their land to another person(s).

For example:

- selling or gifting the land gives the new owner the ownership rights
- leases give the lessee a limited right to occupy land in return for payment of rent (and other conditions)
- mortgages give the mortgagee the right to sell the land if the mortgage is not repaid.

AMALGAMATION

Amalgamation occurs when the titles of two or more blocks of land are cancelled and a single title is issued for the whole of the area.

The blocks of land are no longer separate.

(Refer to section 307 of the Act.)

ANNUITY

A yearly grant or allowance usually provided for in a will.

ANONYMOUS USER

A user who has not registered in Pātaka Whenua.

APPEAL

A complaint to a superior Court (in this instance the Māori Appellate Court) of a perceived injustice done by an inferior one.

The party complaining is called the appellant(s) and the other party are called the respondent(s).

APPELATE COURT MINUTE BOOK

This is the minutes of the proceeding pertaining to this court.

APPLICANT

Someone who signs an application made to the court.

APPLICATION CASE

Is a proceeding.

A formal request to the court to exercise its power.

ATTACHMENT

An attachment is a 'document' that sits inside an entity in the Pātaka Whenua. It can only be attached to one entity and does not appear in search. It has less metadata against it. An attachment can include correspondence and supporting information that the customer has given us.

ATTORNEY – POWER OF

A legal document that appoints another person to act on one's behalf in business or legal matters. Powers of attorney continue to be in force until they are cancelled by the person granting the power or that person dies.

AUDITOR

A person who checks and examines accounts.

BENEFICIAL OWNER

The owner of a beneficial interest in land.

Where land is vested in trustees, the trustees are the legal owners of the land and they hold it upon trust for the beneficial owners and they manage that land in accordance with the trust order set by the Court.

BENEFICIARY/BENEFICIARIES

Person/s who benefit from a trust.

BEQUEST

Personal property left to someone in a will.

BODY CORPORATE

A legal entity such as a company, incorporation, or Māori trust board.

CANASTRAL MAP

Cadastral data, also known as a cadastre, contains official, legal documentation concerning the quantity, dimensions, location, value, tenure, and ownership of individual parcels of land. The NZ titles system is a cadastral mapping system managed by the Surveyor General of Toitū Te Whenua Land Information New Zealand (LINZ).

CANCEL AN APPLICATION

An application cancellation happens when the customer cancels their application they've lodged before they've paid a filing fee.

CASE

Court case and is an administrative grouping. Must contain one or more subjects.

CERTIFICATE OF TITLE

Now known as a 'Record of Title', it is an official record for a block of land that has been clearly defined by a full survey and for which a title has issued by Toitū Te Whenua Land Information New Zealand (LINZ). The Title identifies the legal owner(s) and includes a survey plan of the boundaries. Any registered memorials (e.g. as leases, mortgages) will also appear on the title.

Titles can issue for land that is owned outright ('fee simple') or they can issue for a lesser estate such as for a lease ('leasehold'). It is important to check the type of ownership.

If the survey is not a full survey, a title may issue provisionally as a 'qualified title'.

CHAMBERS

A formal document describing the rights, aims, or principles of a group of people. Māori Reservations that are set aside as a Marae are required to have a Charter agreed between the trustees and the people for whom the Marae is reserved. Regulation 7 of the Māori Reservation Regulations 1994 provides guidelines for drawing up a charter

CHARTER

A set of principles that form the constitution of an organisation.

CHIEF JUDGE MINUTE BOOK

This is the minutes of the proceedings pertaining to the Chief Judge and Deputy Chief Judge. These include errors or omissions of the lower court and other matters reserved to the Chief Judge.

CLEAR DAY

A day interpreted to be 24 hours from a named point in time. If the day ends on a public holiday, then the time automatically extends by the duration of the holiday. Weekends do not count as clear days.

CODICIL

A supplementary will read in conjunction with the will.

CONSOLIDATION ORDERS

An order that combines several orders or other documents that have changed ownership to update a list of owners in the court's database and/or the Toitū Te Whenua Land Information New Zealand (LINZ) title records

Section 218 Te Ture Whenua Māori Act 1993.

CONTEST (A WILL)

To dispute or challenge a will through the High Court.

COMPLETED WITHOUT DELAY/ISSUED FORTHWITH

There is usually a period of two months before orders of the Māori Land Court can be released.

This period, called the appeal period, allows for any appeals that may be lodged.

If the Court considers that the order should be completed without delay/issued without the appeal period, the Court will declare the order to be "completed without delay" and then the order

CONTRACT

An agreement between two parties that is intended to be enforceable at law.

Contracts are usually written, but a spoken agreement can also be a contract (referred to as an "implied contract").

CORPUS

The land of the Māori incorporation or trust at the time it is established, plus any land acquired later that is declared by the Court to form the main part of the incorporation or trust.

Land that is not declared as corpus is called investment land.

COURT ORDER

A decision, judgment or determination made by a Court/Judge. The document must be sealed with the Court's seal and signed by a Judge or an authorised Registrar

A Registrar may also make some orders. Registrar's orders also must be sealed.

CROSS LEASE

A cross lease occurs where several owners of land in one title lease out separate areas, within that title, to each other individually for house sites.

A composite title is issued to each house owner, comprising:

1. the freehold share of the lessee in the whole block, and
2. the leasehold interest of the lessee in the individual site.

The two ownerships cannot be separated. In the case of Māori land, it is the person(s) entitled to succeed to the Māori land who succeed to both interests.

CROWN

The Crown refers to the head of state of New Zealand. The current head of state is Her Majesty Elizabeth the Second, by the Grace of God, Queen of New Zealand and Her Other Realms and Territories, head of the Commonwealth, Defender of the Faith.

The Crown is represented in this country by the Governor-General.

All Crown-owned land is, in effect, state-owned land.

DECISION

Any ruling during the case, for example, an order, judgment, or decision of the Court.

DERIVATION

Details of the history of a share or interest to confirm the source of that interest – from whom the shareholder received that share.

DEVISE AND DEVISEE

A gift of land made in a will. The person to whom the gift is left is a devisee.

DISABILITY

Physical or mental disablement that, in the opinion of the Court, results in a person lacking, wholly or partly, the competence to manage his/her affairs in relation to his/her property.

DISMISS AN APPLICATION

A judge can dismiss an application at any point. A judge will also dismiss an application which a court user wishes to withdraw after it has been accepted by the registrar.

DISPUTES RESOLUTION SERVICE

The end to end process facilitated by the Māori Land Court which covers the application, initial engagement, mediation and actioning of any mediation outcomes.

DIVIDEND

A payment made to shareholders.

DOCUMENT

Written, printed, or electronic matter that provides information or evidence or that serves as an official record.

EFFECTIVE FORTHWITH

There is usually a period of two months before orders of the Māori Land Court can be released.

This period, called the appeal period, allows for any appeals that may be lodged.

If the Court considers that the order should be issued without the appeal period, the Court will declare the order to be “effective forthwith” and then the order can be released immediately.

ECR

Enterprise cash receipting. Used for receipting payments.

ENCUMBRANCE

A charge, such as a mortgage, on the land claim or liability attached to property. e.g. a mortgage or a charge.

ENQUIRY CASE

The Portal entity created to handle an enquiry.

EQUITABLE OBLIGATION

A duty, enforceable at law, to act according to good conscience.

EUROPEAN LAND

The term “European land” has been replaced by the term “general land”.

EVENT

A scheduled event in the system. This will typically be perceived by staff a part of the application.

Events include:

- Hearing Events
- Chambers events
- Registrars events
- Clinic/hui events
- Dispute resolution events

EXECUTOR

A person appointed to carry out certain duties under the last will of a deceased person.

The deceased will have named the executor in their Will, and the appointment of that person is confirmed by the High Court.

When an executor is confirmed by the High Court, probate is issued in their favour.

(If the will does not name an executor, then the person who is appointed by the High Court to administer the estate is called an administrator).

FEE REFUND

A court user can submit an application, have a judge or registrar direct to refund their application filing fee. Refunds may also be granted if there is an issue with the fees filed. (eg a refused application that did not meet the criteria and supporting papers to proceed).

FEE WAIVER

An application a court user can file to ask for their application filing fee to be waived. (Regulation 7 Māori Land Court Fees Regulations 2013).

FMIS

Financial management information system.

FOLIO

Refers to a single page in a minute book of any Court.

FORMAL ADMINISTRATION

Formal administration of the estate of a deceased person is granted by the High Court either as Probate or as Letters of Administration (see those definitions).

FRAGMENTATION/FRAGMENTING

Fragmentation occurs when a person's shares in land are divided amongst other people.

GENERAL LAND

Land that is not Māori land (either Māori Freehold Land or Māori Customary Land) and which is not Crown Land.

GENERAL LAND OWNED BY MĀORI

General land is a land which is owned by a Māori or by a group of people majority of whom are Māori.

GRANT OF ADMINISTRATION (OR GRANT OF LETTERS OF ADMINISTRATION)

Where the High Court appoints someone to administer the estate of a deceased person (an administrator), as no executor has been named in the will.

The High Court's authority for that person to act is given in a grant of letters of administration.

HAPORI

The community.

HAPŪ

A sub-tribe or kin group that is linked by a common ancestor.

INCOME

Money that is derived from assets held and earnings (such as rent and interest) but not "purchase money" (land converted into money).

INCOME RIGHT

The Court can award a right to receive income to the deceased's surviving spouse, civil union partner or defacto partner (Section 109AA Te Ture Whenua Māori Act 1993). The right entitles them to receive income from the estate but does not entitle the widow to any other portion of the estate. There are no voting rights. A right may also be granted for the widow to remain in the principal family home.

The right is limited to income and discretionary grants. "Income" includes rents, dividends, and interest. Capital is excluded (for example, purchase money or compensation for land taken for a public work). When the widow dies, re-marries or enters into a new relationship or gives up the interest, their right ends. The estate then passes to the next-of-kin of the person from whom the interest came (usually that person's children).

This is a new right inserted by Te Ture Whenua Māori Amendment Act 2020.

INJUNCTION

A court order saying that a person must do or not do a particular act. It prohibits some action from taking place or from continuing. Injunctions can be temporary ('interim injunctions') or permanent.

Section 19 of Te Ture Whenua Māori Act 1993 (the Act) provides jurisdiction for the Māori Land Court to grant both permanent and interim injunctions (Te Ture Whenua Māori Act 1993, s 19).

INTERESTED PARTY

Someone who is involved or interested in an application.

INTESTATE

An estate where a person dies without any will.

ISSUE FORTHWITH/COMPLETED WITHOUT DELAY

There is usually a period of two months before orders of the Māori Land Court can be released.

This period, called the appeal period, allows for any appeals that may be lodged.

If the Court considers that the order should be completed without delay/issued without the appeal period, the Court will declare the order to be "completed without delay" and then the order can be released immediately (Rule 7.5(2)(b) of the Māori Land Court Rules 2011)

IWI

The traditional Māori tribal hierarchy and social order made up of hapū (kin groups) and whānau (family groups), having a founding ancestor and territorial (tribal) boundaries.

JAX (JUSTICE APPLICATION EXPRESS)

The system used to access the Māori Land Court paper record.

JOINT TENANTS

People who own land jointly. The interests are not split between them – they are co-owners. If one owner dies, the other joint tenant(s) automatically succeed to the interest that the deceased joint tenant held.

This kind of ownership is most commonly used by married couples, who often prefer to own property as joint tenants.

Where general land is owned by more than one person, it is deemed to be held by them jointly unless the title states otherwise.

JUDGE

Means Judge or Deputy Chief Judge or Chief Judge of the Maori Land Court.

Appointed under Section 7 & 8 of Te Ture Whenua Maori Act 1993.

KAINGA

Home, dwelling, residence

KAI TIAKI

A trustee or guardian.

KAUNIHERA A-ROHE

District Council or Regional Council.

KAUPAPA MĀORI

Māori approach - incorporating the knowledge, skills, attitudes and values of Māori society.

KAWA

The ceremonies performed to align with Tikanga, for example, Pōwhiri, Karakia and Waiata.

LAND BLOCK

Any land that has its own title:

- Māori Customary Land
- Māori Freehold Land
- General Land held by Māori
- General Land
- Crown Land
- Crown Land reserved for Māori

LAND LOCKED BLOCK

Block of land that does not have any legal access.

LEGAL OWNER

The owner of the legal title to land. When trustees are appointed, they become the legal owners of the land. The names of the trustees, not the beneficiaries, will appear on the title.

LIFE INTEREST

The Court can award a life interest, usually to the deceased's surviving spouse or civil union partner, which entitles them to receive income from the estate. The life interest does not entitle the life tenant to any other portion of the estate.

It is limited to income (e.g. rents or interest) and excludes capital (e.g. purchase money or compensation for land). When the life tenant dies or re-marries, their life interest ends and the estate passes to the next-of-kin of the person from whom the interest came (usually their children).

LINZ (TOITŪ TE WHENUA)

Land Information New Zealand – Custodian of land titles, title information and maps etc.

MANA WHENUA

Hapū or Iwi claim to a land area and all the politics that go with it.

MĀORI COMMUNITY PURPOSES

The promotion and support of initiatives through financial aid, loans, and grants.

Initiatives include:

- health
- social, cultural, and economic welfare
- educational and vocational training.

(For a full definition of Māori community purposes, refer to section 218 of Te Ture Whenua Māori Act 1993).

MĀORI (FREEHOLD) LAND

Land for which the Māori Land Court has created a title and determined the beneficial owners to that land.

Freehold titles are often divided by partition order.

The status of the land will continue to be Māori land unless and until the Māori Land Court makes an order changing the status of the land.

MĀORI INCORPORATION

A legal entity that is established under Part 13 Te Ture Whenua Māori Act 1993 or equivalent earlier legislation, and still exists. An Incorporation is managed by a Committee of Management (rather than by trustees). Unlike a trust, the powers, duties, and obligations are set out in the [Māori Incorporations Constitution Regulations 1995](#), (and not by Court order). The Incorporation (and not the Court) manages the list of shareholders.

Members of the committee of management act in the same capacity as a board of directors would for a company, making decisions about the affairs of the incorporation – however under our Act they also have the same duties as a trustee in whom land is vested.

Incorporations run more independently of the normal court processes that apply to trusts. However significant or long-term decisions do need the Court's confirmation or approval ([See section 150B Te Ture Whenua Māori Act 1993](#))(such as land sales or long-term leases, etc).

MĀORI INCORPORATION SHARES

Shares held in a Māori incorporation.

MĀTAURANGA MĀORI

Māori knowledge - the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, Māori creativity and cultural practices. In its simplest form, it uses kawa and tikanga to critique, examine and understand the world.

MEDIATION

The event that takes place where parties attempt to resolve their issues with assistance from an experienced mediator.

MEMORIAL SCHEDULE

Shows alienations (eg mortgages, leases, licences, easements, encumbrances, Sale and Purchase Agreements etc); various orders (eg as title, trust, agency, injunction, rights, consolidation etc), and other updates or important notices etc relating to the block.

MINOR

Generally, a person who has not yet reached the age of 20 ([Section 4 Age of Majority Act 1970](#)). But there are specific variations in other Acts. Examples that affect Māori land include:

1. The laws relating to Contacts ([Subpart 6 Contract and Commercial Law Act 2017](#)) specifically define minors as persons under 18 years for the purpose of contracts. This legislation makes provision for contracts made by minors.
2. The Trusts Act 2019 provides three definitions:
 - an “adult” as a person aged 18 years or over;
 - a “child” as a person under the age of 18 years; and
 - the “age of majority” for trusts as 18. These provisions ([Section 20 Trusts Act 2019](#)) override the Age of Majority Act 1970 so a person over 18 can be a trustee.

MINUTE BOOK

The written record of all proceedings of the Māori Land Court.

MLIS

Māori Land Information System: The Māori Land Court’s data base system operating from 1999 to 2022, containing land and owner information and historic imaged documents. The MLIS data base (but not the images) replaced the MAIA system (Māori Affairs Information Automation) operating in some districts circa 1985 and is succeeded by Pataka Whenua from 2023. The three systems are linked and provide an electronic trail of information to the original data entry under either MAIA or MLIS.

NGĀ MĀTĀPONO

The principles and values which are used as guidelines for mediation conduct.

NOMINAL INDEX CARDS

These cards are part of the old paper records (predating MLIS) and contain names of persons who are alive or deceased and refers to the interests they have in Maori Land. Often the cards also include minute book references where land interests were received by or transferred from the person.

ORDER DECLARING TRUSTS

This is the Court order created by the Māori Land Court that sets out all the terms of a trust.

It is also called a trust order.

A trust order sets out the general purpose of the trust and well as the responsibilities, rights, obligations, and limitations of the trustees.

ORGANISATION

A group of one or more persons - includes trust, service provider, management structure, business, Government Department or Council, etc.

OTHER CASE/TASKS

Any workflow is a case such as a customer changing their mailing address in the portal.

OWNERSHIP SCHEDULE

This is a list of owners for the block.

On the paper record, it will also show in some cases a record of successions and the minute book record of this.

PĀNUI – (MĀORI LAND COURT NATIONAL PĀNUI)

Our national pānui is a publically available monthly publication which:

- Lists applications currently before the Māori Land Court for hearing and includes applications which have recently been received and those that are to be heard;
- Includes the details for each application (such as the applicant and case reference number), and the hearing details (such as the venue, date and time); and
- Is produced to ensure all interested parties notified of applications that the Court is dealing with.

Any person may receive a copy of our pānui free of charge by contacting us.

PAPAKAINGA

Homestead, village, settlement.

PĀTAKA WHENUA

The name of the Māori Land Court case management technology. This technology supersedes the MLIS system.

PEGA

The technology that supports Pātaka Whenua.

PEGACASE

Pega (Pātaka Whenua) sets up a case for each entity.

PERSON

In the Pataka Whenua system “person” means a unique individual.

PERSONCASE

The Pātaka Whenua implementation of a person.

PF (PERSONAL FILES)

Files created for a deceased person that hold derivation records for their land interests.

PERSONAL REPRESENTATIVE

An executor, administrator, trustee of a will or a person holding a valid power of attorney.

PORTAL

The web page that allows users to interact with the Pātaka Whenua system.

PREFERRED CLASSES OF ALIENEE

Are defined as:

- children, and remoter issue (descendants), of an owner
- whanaunga of an owner who are, in accordance with tikanga Māori, associated with the land
- other beneficial owners of the land who are members of the hapū associated with the land
- the trustees of the persons referred to above
- the descendants of any former owner who is or was a member of the hapū associated with the land

Where a person wishes to sell or gift shares in a Māori incorporation and no member of the preferred classes listed above can acquire the shares, the Māori incorporation may acquire the shares as a last resort.

PROBATE

When the High Court confirms the appointment of an executor to administer the will of a deceased person, the Court’s authority for that person to act is given in a grant of probate. (See also executor.)

PROPERTY ORDER

Property orders are granted under the Protection of Personal and Property Rights Act 1988. They are designed to protect persons who are under disability, especially mental disability. Orders are granted by the High Court.

PROSECUTE

To go to the Māori Land Court for a hearing of an application and to present the case to the Judge; to process through the Māori Land Court.

PROXY

The authority given by an owner of an interest in land to another person to vote on their behalf.

PŪTEA

In the context of a Māori land trust or incorporation, it is the concept of several people, collectively, filling a basket by contributing communally with money and other assets.

QUORUM

The minimum number of members that must be present at a meeting to make it valid.

RANGAPU

Partnership.

RANGATIRATANGA

Self-determination, self-management, ownership.

REDACTED INFORMATION

Information in a document that has been blacked out so that it cannot be read.

REFUSE AN APPLICATION

A Registrar has jurisdiction to refuse an application that fails to meet the criteria set out for the filing that type of application. Criteria are set out in the Māori Land Court Rules and the legislation for the application type. Court staff cannot refuse an application – that is a registrarial duty.

REGISTRAR

“Registrar” is defined in the Māori Land Court Rules 2011 as “a Registrar of the Māori Land Court; and, unless the context otherwise requires, includes the Chief Registrar and a Deputy Registrar”. There is a similar definition in section 4 Te Ture Whenua Māori Act 1993. The powers and duties are set out in the Rules and legislation under which the Registrar acts, which may include other legislation (*For example a mortgage sale conducted by a registrar under [Part 3 Property Law Act 2007](#) as per [section 20A Te Ture Whenua Māori Act 1993](#)*)

The Chief Judge and Chief Registrar can jointly confer specific powers on a selected Registrar under [section 39 Te Ture Whenua Māori Act 1993](#). Those powers are listed in Rule 6.11.

REGISTRARS MINUTE BOOK

Refers to a record of the minutes taken by the Registrar or Deputy Register. This series of minute books has been superseded and Registrar’s orders are now made within the District minute book series.

REGISTERED/AUTHENTICATED USER

A user who has registered in the portal.

REHEARING

A hearing again of a case which has already been decided.

RELATIONSHIP

A link between two entities/cases.

Includes ownership of land.

Does not have much data against it.

REMAINDER INTEREST

An interest in an estate that becomes fully effective only when the life interest ends (often referred to as an interest in expectation).

For example, a life interest may be awarded by the Court in favour of a surviving partner of a person who hold an interest in Māori land. The children or other persons entitled are then listed as the remainder man.

(See also life interest)

RESIDUARY ESTATE

Property in a will that has not been specifically devised or bequeathed and the assets remaining in an estate of a deceased person after provision has been made for all debts, estate costs, devises, bequests, and legacies (the balance of the estate).

RESERVE CONTRIBUTION

A tract of land which by legislation or local government rules require to be reserved for a special purpose when land is subdivided.

ROSTERING

Booking of Judge’s sitting dates.

ROSTER

Judge’s schedule. Includes information on the days, venues and times of Court hearings.

SCHEDULE

Fixtures of cases to a sitting day of the Court.

SCHEDULING

Allocating cases to available sitting dates / times in Court.

SEPARATION ORDER

An order of the Family Court that legally recognises that a married or civil union couple have separated.

SERVICE PROVIDER

A third party who provides a service to the Maori Land Court. This may include mediators, forensic accountants, surveyors.

SINE DIE

This term is used for Court hearings adjourned by a Judge indefinitely. It means “without a fixed day, indefinitely”.

SPATIAL PLAN

These are plans that have no parcel outlines, bearings or distances shown on the LINZ database.

Most ML plans will have spatial capture of the boundaries and marks etc.

Most of our blocks are ML plans. Most blocks are fully surveyed although there are still some blocks where only a digital survey has been completed. A digital survey may be sufficient for a title to issue, but it is not a full survey. The title that issues with such a plan is a provisional and is called a “Qualified Title”.

SPECIAL AID

An application a court user can file to get aid to pay for a lawyer and/or relevant service provider for progression of their case.

The Judge can also request special aid for a service provider to progress the case. The fund ([Section 98 Te Ture Whenua Māori Act 1993](#)) is held by the Chief Registrar and is separate from Legal Aid used in other courts.

SPOUSE

A legal, de-facto or civil union partner.

SUBJECT

The content of an application – for instance a succession of ownership or setting up a trust, and so forth.

SUCCESSION

The process of transferring the Māori land shares of a deceased person to the persons entitled to receive those shares.

SUCCESSION ORDER

An order of the Māori Land Court that transfers the land interests of a deceased person to their successors.

SUCCESSOR

A person who receives, as of right, all or a share of a deceased person’s estate.

SUPPRESSED DOCUMENT/INFORMATION

Sections of a document or a whole document that cannot be viewed. The records of the Māori Land Court are primarily a public record. Suppression of part of that record needs to be granted by a Judge. The Court’s adoption records are confidential and not available to the public.

TARGET

The entity(ies) to which an application applies.

TENANTS IN COMMON

People who own land together but in separate interests (co-owners). Interests, in these cases, are often unequal.

If one person dies, the other tenants in common have no automatic rights of succession to the interest that the deceased owner had.

Māori land is deemed to be held “in common” unless otherwise determined by the Court.

TESTATOR

A person who makes a will.

TIKANGA MĀORI

Māori custom.

TIPUNA/TUPUNA

Ancestor.

TITLE

The legal ownership of property and the legal evidence of a person's ownership rights.

TITLE NOTICES

Notices that affect the block.

TITLE ORDERS

Refers to any order that affects the title of the block. However, in the Court historic imaged records, Title Orders ("TTO") usually refer to an order that creates a title (eg Partition, Amalgamation, Freehold Orders). Other orders affecting the orders (eg easements, roadways) are often recorded simply as orders.

TOITŪ TE WHENUA (LINZ)

Land Information New Zealand – Custodian of land titles, title information and maps etc.

TRUST

An obligation binding the trustee(s) to deal with property over which they have control (the trust property) for the benefit of the beneficiaries. Any beneficiary can enforce the obligation.

TRUST ORDER

An order of the Māori Land Court that sets out: the objectives of a trust; the powers, obligations, and rights of trustees; and the rights of the beneficiaries. (See also order declaring trusts)

TRUSTEE

A person bound to deal with property on behalf of the owners or beneficiaries.

The trustee becomes the legal owner when the order appointing him/her as trustee for the land is registered against the title. The beneficiaries are called the beneficial owners.

UNDIVIDED INTEREST

Māori land is often collectively owned. Each owner's share is described as an "undivided interest" where that share is not partitioned as a separate title. Each co-owner has an interest in all of the land in the title.

VERIFIED USER

A user who has registered in the portal AND has verified their identity.

VEST/VESTED

A change of ownership of land gives the recipient of that interest the ownership and its associated rights. (Land may be vested in a trustee, or shares may be vested in another person).

VESTING ORDER

An order of the Court that vests land interests in someone else, therefore affecting the ownership.

WAHI TAPU

Sacred ground.

WHAIPANGA/WHAI PAINGA

Land utilization, making the ground useful, valuable, beneficial.

WHAKAPAPA

A person's genealogy, or family tree, linking that person to a particular family and/or ancestor.

WHĀNAU

Family. Whānau is a wider concept than just immediate family of parents and siblings – it links people of one family to a common tipuna or ancestor.

WHANAUNGA

Relative.

WHĀNGAI

A person adopted informally in accordance with tikanga Māori and brought up as the adopting parent's own child without formal adoption being concluded by any Court.

WILL

The directions, in legal form, for the distribution of one's property after death.

WINDCAVE

E-commerce platform. Windcave will be used to support the payment of filing fees via the online portal.

WITHDRAWING AN APPLICATION

A withdrawal happens when a customer withdraws their application.

