Te Kooti Whenua Māori
Māori Land Court

Form 35
Rule 11.24

APPLICATION FOR EXCHANGE ORDER

Te Ture Whenua Māori Act 1993
Section 310

For more information visit www.māorilandcourt.govt.nz

RESET FORM

WHAT IS THIS FORM FOR?

Use this form when exchanging some or all of your interests in Māori Land by sale or gift with some or all of the Māori Land interests of a different owner in a different block of Māori Land.

An exchange of shares in a block must be with a member of the preferred classes of alienees.

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 name of the Māori Land Court District in which some or all of the land is located)

Please select one District	☐ Taitokerau	☐ Waikato Maniapoto	☐ Waiariki
☐ Tairāwhiti	☐ Tākitimu	☐ Aotea	☐ Te Waipounamu

APPLICATION:

I / We.....

.....(state full name),

apply for an order of exchange: (☑ tick as appropriate)

☐ as set out in this application

☐ according to the terms set out in the attached agreement

DETAILS OF EXCHANGE:

1. LAND TO BE EXCHANGED:

Names of owner	Shares to be exchanged
Name of Block	Value of shares
Names of owner	Shares to be exchanged
Name of Block	Value of shares
Names of owner	Shares to be exchanged
Name of Block	Value of shares
Names of owner	Shares to be exchanged
Name of Block	Value of shares

IS TO BE EXCHANGED WITH:

Names of owner	Shares to be exchanged
Name of Block	Value of shares
Names of owner	Shares to be exchanged
Name of Block	Value of shares
Names of owner	Shares to be exchanged
Name of Block	Value of shares
Names of owner	Shares to be exchanged
Name of Block	Value of shares

2. SELECT THE STATEMENT THAT APPLIES:

☐ (name)..... is to pay $..... to .....

..... to cover the difference in value between the lands;

or

☐ It is agreed that no monetary payment should be made to either of us

3. SELECT THE STAEMENT THAT APPLIES:

☐ The parties are not related

☐ The relationship between the parties to exchange is:.....

.....

(See requirement to complete Whakapapa Schedule in Notes and checklist of documents required)

PREFERRED PLACE OF HEARING: Whangārei

SIGNATURE OF APPLICANT Dated: / /

Signature of Witness

Full name of Witness:

Address:.....

.....

SIGNATURE OF OTHER PARTY Dated: / /

Signature of Witness

Full name of Witness:

Address:.....

.....

APPLICANT

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.

OTHER PARTY

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: $ 228.00

CHECKLIST OF DOCUMENTS REQUIRED:

- ☐ Current roll valuation or a valuation by a registered valuer for both blocks affected by the exchange.
- ☐ Where land other than Māori land is to be exchanged a full description of that land so as to enable it to be clearly identified together with particulars of all encumbrances recorded against the land
- ☐ Where any piece of land to be exchanged is only part of the land comprised in a title, a plan defining the piece to be exchanged.
- ☐ Where the consent to the exchange has been given by a resolution passed under Part 9 of the Act by the assembled owners, a copy of the resolution passed.
- ☐ Whakapapa of any person who is receiving shares in Māori land.

Explanatory Notes

Where undivided interests or shares in Māori land are to be exchanged the Court has no power to make an order unless the person receiving the shares in a block is either -

(i) a child or remoter issue of the owner in that block of the shares to be exchanged, or
(ii) a descendant of any former owner who is or was a member of the hapū associated with the land, or
(iii) an owner in that land who is a member of the hapū associated with the land, or
(iv) a trustee of any person who qualifies under any of the above 3 requirements, or
(v) whānaunga of that owner who are associated in accordance with tikanga Māori with that land.

In completing the whakapapa form to accompany the application a party to the exchange should clearly indicate how he or she qualifies to receive shares under the above provisions.

MĀORI LAND COURT CONTACT DETAILS

This application must be lodged with the Registrar of the District in which some or all of the land is located

TAITOKERAU

Level 1
16 Rathbone Street
WHANGĀREI

DX Box AX 10086
WHANGĀREI

PH: (09) 983 9940
Fax: (09) 983 9941
mlctaitokerau@justice.govt.nz

TAITOKERAU

Auckland Information Office
Avanti Finance Building
65B Main Highway
Ellerslie, AUCKLAND

DX Box EX10912
AUCKLAND

PH: (09) 279 5850
Fax: (09) 279 5852
mlctamakimakaurau@justice.govt.nz

WAIKATO MANIAPOTO

L2, BNZ Centre
354-358 Victoria St
HAMILTON

DX Box GX10101
HAMILTON

PH: (07) 957 7880
Fax: (07) 957 7881
mlcwaikato@justice.govt.nz

WAIARIKI

Hauora House
1143 Haupapa St
ROTORUA

DX Box JX10529
ROTORUA

PH: (07) 921 7402
Fax: (07) 921 7412
mlcwaiariki@justice.govt.nz

TAIRĀWHITI

Ngā Wai e Rua Building
Cnr Lowe Str & Reads Quay
GISBORNE

DX Box PX10106
GISBORNE

PH: (06) 869 0370
Fax: (06) 869 0371
mlctairawhiti@justice.govt.nz

TĀKITIMU

Hastings District Court
106 Eastbourne Street West
HASTINGS

DX Box MX10024
HASTINGS

PH: (06) 974 7630
Fax: (06) 974 7631
mlctakitimu@justice.govt.nz

AOTEA

Ingestre Chambers
74 Ingestre Street
WHANGANUI

DX Box PX10207
WHANGANUI

PH: (06) 349 0770
Fax: (06) 349 0771
mlcaotea@justice.govt.nz

TE WAIPOUNAMU

Level 1
20 Lichfield Street
CHRISTCHURCH

DX Box WX11124
CHRISTCHURCH

PH: (03) 962 4900
Fax: (03) 962 4901
mlctewaipounamu@justice.govt.nz

Te Kooti Whenua Māori
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WHAKAPAPA DETAILS

Note: This schedule needs to be completed only if a party to an exchange is receiving shares in Māori Land.

1. Full names of party: .....

.....

2. Full names of party's children:

a.	b.
c.	d.
e.	f.
g.	h.

3. Full names of party's parents (please state relationship): .....

.....

.....

.....

4. Full names of party's brothers and sisters: *(if any and specify whether full brother or sister, whether half brother or sister, whether any were adopted in or out of family, whether legally or as a whāngai)*

a.

b.

c.

d.

e.

f.

g.

5. Qualification (set out clearly how you qualify to acquire interests in the land to be transferred: