



Te Puni Kōkiri
MINISTRY OF MĀORI DEVELOPMENT

What is Māori land

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Before Pākehā arrived, Māori land was cared for and used communally. After colonisation, the Crown used many different tactics to gain ownership of our land, including a drive to convert communal ownership to individual title, making it easier to buy and sell.

Now there are different types of Māori land, with different rules and protections

Māori freehold land

Māori freehold land is the most common type of Māori land. It covers about 1.4 million hectares of land – approximately 5% of Aotearoa. When we talk about Māori land, we mean Māori freehold land.

Māori freehold land is governed and protected by the Te Ture Whenua Māori Act 1993.



5%

of Aotearoa is
made up of Māori
freehold land

The principles of the Act are:

- Māori land is recognised as taonga tuku iho to promote keeping Māori land in the hands of its owners
- their whānau and hapū wahi tapu is protected to make it easier for Māori to occupy, use and develop whenua for the benefit of owners
- their whānau and hapū.

Source: *Te Ture Whenua Māori Act 1993*

Collective ownership

Māori have traditionally had collective responsibility for whenua. But the Pākehā system of individual ownership has changed the way our collective kaitiakitanga worked.

Today Māori freehold land is commonly held by multiple owners with different shareholdings.

Our whenua has been broken up into small blocks, some of which have hundreds of shareholders. This fragmented ownership can make it difficult to make decisions about the whenua, though it can also provide a wealth of skills and knowledge.

How ownership is transferred

Shares in Māori land can be transferred by:

- succession – transferring ownership to whānau when a shareholder dies
- gifting or selling shares — known as ‘alienation’
- creating and vesting shares in a whānau trust.



Succession



Gifting



Whānau Trusts

The Māori Land Court works with whānau to formalise any transfers of Māori land.

Māori customary land

Māori customary land is held by Māori in accordance with tikanga Māori and was never converted to Māori freehold land by the Land Courts. There is very little of this remaining today.

General land owned by Māori

General land that is privately owned by one Māori person or a group of Māori people. It is not protected by Te Ture Whenua Māori Act 1993 and can be freely bought, sold and developed.

Reservations

Some whenua can be set aside as a reservation. A reservation can be established for things like:

- A village site
- A marae or meeting place
- A sports or recreational ground
- A spring, a well, or a catchment area or other source of water supply
- A place of cultural, historical or scenic interest
- A bathing place
- A building or church site
- A landing place
- A fishing ground
- An urupā (burial ground)
- A timber reserve
- A wāhi tapu.

