An Outline of Native Title Law in Australia, With a Brief Comparison to Native Title in USA, Canada and New Zealand

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The Australian law of native title is based on two pillars, the High Court judgment in *Mabo*[1] and the enactment of the *Native Title Act* by the Commonwealth Parliament. This article provides an overview of the law of native title in Australia [2]

RECEPTION OF ENGLISH LAW INTO AUSTRALIA

When the British first arrived in Australia there were at least 300,000 Aboriginal and Torres Strait Islander people already here [3] Under what legal doctrine could a few hundred new settlers bring their legal systems to the new lands, as opposed to considering themselves bound by the legal systems already in place?

It is usually considered that the relevant legal principles were crystallised in 1765 by the English legal writer Blackstone who stated that the manner by which British sovereignty was acquired over territory determined which laws applied in the new lands:

- In territories acquired by the occupation of unoccupied land, 'terra nullius', settlers were presumed to be governed by English law; and

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[1] *Mabo v Queensland [No 2]* (1992) 175 CLR 1.

[2] The leading text on this topic is: Bartlett, R. H. 1999, *Native Title in Australia,* Butterworths, Sydney. There are also excellent discussions in *Laws of Australia,* LBC, vol 1, Aborigines, ch 1.3 Land Law, and in *Halsbury's Laws of Australia,* Butterworths, vol 1(1), Aboriginals and Torres Strait Islanders, ch 5(II), Interests in Land.

[3] In 1930 the anthropologist A. R. Radcliffe-Brown proposed the figure of 300,000. In 1980 L. R. Brown (using linguistic models) estimated that 315,000 was a minimum pre-1788 figure. Archaeological evidence suggests a figure of up to 750,000 could have been sustained. 'Population', *Yearbook Australia 1997*, Australian Bureau of Statistics, Canberra, pp. 88–9

- In territories acquired by conquest or treaty, local laws remained in force until the King or Parliament changed them.[4]

Australia has always been considered a settled colony, despite the fact that it was not unoccupied.

RECOGNITION OF ABORIGINAL INTERESTS IN LAND

However, once English law came to Australia, that law still had to make a policy decision about how Aboriginal interests in land were to be treated.

United States of America

The practice of the British government in American colonies was to enter into treaties with the Aboriginal peoples for their land in accordance with instructions to colonial governors.[5]

Between 1823 and 1834 the United States Supreme Court established legal principles on the recognition of Indian title.[6] The right of occupancy of the Indian tribes was recognised. That right of occupancy was good against all but the sovereign and could only be terminated by a sovereign act. Chief Justice Marshall described the basis for this doctrine:

> In the establishment of these relations, the rights of the original inhabitants were, in no instance, entirely disregarded; but were, necessarily, to a considerable extent, impaired. They were admitted to be the rightful occupants of the soil, with a legal as well as just claim to retain possession of it, and to use it according to their own discretion; but their rights to complete sovereignty, as independent nations, were necessarily diminished, and their power to dispose of the soil, at their own will, to whomsoever they pleased, was denied . . the different nations of Europe . . . claimed and exercised, as a

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[4] Blackstone, William 1979 (1765–9), *Commentaries on the Laws of England,* vol. 1, University of Chicago Press, pp. 104–5.

[5] Labaree, Leonard (ed.) 1967 (1935), *Royal Instructions to British Colonial Governors, 1670–1776*, vol. 1, Octagon Books Inc, New York, pp. 465–9.
In 1761 the instructions to seven colonial governors told them, on pain of removal from office, not to permit settlement on Indian lands and to remove all persons who had intentionally or accidentally settled there: *ibid,* pp. 476–8.

[6] *Johnson v McIntosh* (1823) 21 US (8 Wheat) 543; *Cherokee Nation v Georgia* (1831) 30 US (5 Pet) 1; and *Worcester v Georgia* (1832) 31 US (6 Pet) 515.

> consequence of this ultimate dominion, a power to grant the soil, while yet in possession of the natives. These grants have been understood by all, to convey a title to the grantees, subject only to the Indian right of occupancy.[7]

Indian title may be extinguished causing Native Americans to lose their right of occupancy and use.[8] Extinguishment may be accomplished 'by treaty, by the sword, by purchase, by the exercise of complete dominion adverse to the right of occupancy, or otherwise'.[9] Indian title may be taken without compensation.[10]

Canada

In Canada the history of Aboriginal interests in land is that

- the British government made treaties with Aboriginal peoples to acquire their interests in land in most of the country;
- the recognition of Aboriginal interests is found in court cases going back to at least 1869;
- Canadian courts have subsequently set out tests for the recognition and extinguishment of Aboriginal rights, and Aboriginal rights survive to the extent that they have not been abandoned, extinguished or surrendered;
- as a result of the Calder decision[11] in 1973, land claims agreements (modern treaties) between Canadian governments and Aboriginal peoples have been made in respect of non-treaty land.

This is discussed at more length in Professor Bartlett's article.[12]

New Zealand

From first settlement in New Zealand, the British government did two things to recognise native title. It

- entered into treaties to acquire sovereignty and property interests in land from the Maori; and

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[7] *Johnson v McIntosh* pp. 573–4.
[8] *Johnson v McIntosh*, p. 592.
[9] *United States ex rel Hualpai v Santa Fe Pacific RR* (1941) 314 US 339 at 347.
[10] *Tee Hit Ton Indians v United States* (1955) 348 US 272 at 279
[11] *Calder v Attorney-General of British Columbia* [1973] 1 SCR 313
[12] Bartlett, Richard 2001, 'The different approach to native title in Canada', *Australian Law Librarian*, vol. 9, no. 1, pp 32.

- established courts to deal with property disputes under Maori law in respect of unceded Maori land.[13]

In *R v Symonds* (1847) the New Zealand Supreme Court discussed Maori native title:

> The practice of extinguishing Native titles by fair purchases is certainly more than two centuries old. It has long been adopted by the Government in our American colonies (ie. Canada), and by that of the United States It is now part of the law of the land ... whatever may be their [the Maori] ... conception of their own dominion over land, it cannot be too solemnly asserted that it is entitled to be respected, that it cannot be extinguished (at least in times of peace) otherwise than by the free consent of the Native occupiers.[14]

It has always been recognised that the Maori had their own system of land law. There are four main 'take' (principles) central to Maori land tenure:[15]

- right acquired through first discovery;
- take tupuna, right through ancestry, the central pillar of traditional Maori land ownership;
- take tuku, right conferred by gift. The gift had to have been clearly and openly made and acknowledged by both parties and their descendants; and
- take taupatu, right conferred by conquest. Conditions included the necessity for the total displacement of the prior inhabitants.

Maori continue to have a customary title recognised by the common law and confirmed by Article 2 of the treaty of Waitangi in 1840.[16] Maori title can only be extinguished in limited circumstances:

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[13] Gilling, Bryan 1994 ' "The Queen's Sovereignty Must be Vindicated": The 1840 Rule in the Maori Land Court' *New Zealand Universities Law Review,* vol. 16, p. 136

[14] [1840-1932] NZPCC 387 p. 390

[15] Kawharu, I. H. 1977, *Maori Land Tenure: Studies of a Changing Institution*, Clarendon Press, Oxford

[16] *Te Weehi v Regional Fisheries Officer* [1986] 1 NZLR 680. This treaty guaranteed to the Maori 'the full, exclusive, and undisturbed possession of their Lands and Estates, Forests, Fisheries, and other properties which they may collectively or individually possess, so long as it is their wish and desire to retain the same in their possession'.

> Customary or Aboriginal title is a burden on the Crown's feudal title It is well settled that customary title can be extinguished by the Crown only by means of a deliberate Act authorized by law and unambiguously directed towards that end Unless there is legislative authority or provisions such as were found in ss 85 and 86 of the *Native Land Act 1909*, the Executive cannot, for example, extinguish customary title by granting the land to someone other than the customary owners. If it does so the grantee's interest is taken subject to the customary title *Nireaha Tamaki v Baker* [1901] NZPCC 37 Customary title does not disappear by a side wind [17]

Australia

In August 1768 Captain Cook sailed for the Pacific with the following instructions:

> With the Consent of the Natives to take possession of Convenient Situations in the country in the Name of the King of Great Britain; or, if you find the Country uninhabited take Possession for His Majesty by setting up Proper Marks and Inscriptions, as first discoverers and possessors.[18]

It is a matter of history that, unlike Canada, New Zealand and the USA, no treaties were entered into between the British Crown and Aboriginal people in Australia.[19] The people of Canada, New Zealand and the USA have been dealing with the recognition of Aboriginal interests in land for over a hundred and fifty years. However, for the people of Australia, there was generally thought to be no such thing until *Mabo* in 1992. This has lead to different laws, public policies and public perceptions applying to the native title process.

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[17] *Faulkner v Tauranga District Council* [1995] 1 NZLR 357 p. 363

[18] Bennett, J. M. and Castles, A C 1979, *A Source Book of Australian Legal History,* Law Book Co., Sydney, p 254.

[19] In *Mabo*, Deane and Gaudron JJ. offered two explanations of why this was so: 'In the very early days, the explanation of the disregard of Aboriginal claims and the resulting dispossession and conflict may have been that the new arrivals were ignorant of the fact that, under pre-existing local law or custom, particular tribes or clans had established entitlements to the occupation and use of particular areas of land,' pp. 106-7 Additionally, 'the most likely explanation of the absence of specific reference to native interests in land is that it was simply assumed either that the land needs of the penal establishment could be satisfied without impairing any existing interests (if there were any) of the Aboriginal inhabitants in specific land or that any difficulties which did arise could be resolved on the spot with the assent or acquiescence of the Aboriginals.' p 98.

In Australia, the legal recognition of Aboriginal interests in land is generally assumed to be as follows:

- Aboriginal interests were never legally recognised;
- this non-recognition was confirmed by the 1971 decision of *Milirrpum;*[20]
- only since *Mabo* has native title existed in Australia.

However, almost immediately the *Milirrpum* decision was given, judges[21] and legal scholars[22] were saying it was wrong.

In *Millirrpum*, Aboriginal claimants sought a declaration that it was the law of Australia that they had legally recognised interests in particular land, these interests described as 'the doctrine of communal native title'. Justice Blackburn said that this doctrine did not form part of the law of Australia, and, in any event, the claimants did not have any proprietary interests in land that could be recognised.

In *Mabo* the High Court said that the judge in *Milirrpum* got the law wrong and held that the doctrine of native title has been part of the law of Australia since 1788, and that it is unnecessary to consider whether Aboriginal interests in land should be classed as personal, proprietary or unique before Australian law recognises them.

In *Mabo* the court decided that the Merriam people were entitled as against the whole world to the possession, occupation, use and enjoyment of (most of) the land of the Murray Islands in the Torres Strait. The court ruled that native exists in accordance with the laws and customs of indigenous people

- where those people have maintained their traditional connection with the land; and
- where their title has not been extinguished by acts of government.

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[20] *Milirrpum v Nabalco Pty. Ltd.* (1971) 17 FLR 141 (Northern Territory Supreme Court)
[21] For example, in *Calder* p. 326, Hall J. refers to it as 'wholly wrong'.
[22] For example, Lester, G. S. and Parker, G. 1973, 'Land rights. The Australian Aborigines have lost a legal battle, but ...' *Alberta Law Review*, vol. 11, p. 189; Hookey, J. 1972, 'The Gove land rights case: a judicial dispensation for the taking of Aboriginal lands in Australia?' *Federal Law Review,* vol 5, p 85.

WHAT IS NATIVE TITLE?

Native title is the Aboriginal interest in land that has applied to all Crown land in Australia since 1788:

> The Crown's property in the lands of the Colony of New South Wales was, under the common law which became applicable upon the establishment of the Colony in 1788, reduced or qualified by the burden of the common law native title of the Aboriginal tribes and clans to the particular areas of land on which they lived or which they used for traditional purposes [23]

The prior occupation of the land by distinct Aboriginal societies is what gives rise to native title.[24] As Judson J. said in *Calder*:

> [T]he fact is that when the settlers came, the Indians were there, organized in societies and occupying the land as their forefathers had done for centuries. This is what Indian title means.[25]

The seminal statement of what native title is in Australia is the following passage from *Mabo*:

> Native title has its origin in and is given its content by the traditional laws acknowledged by and the traditional customs observed by the indigenous inhabitants of a territory. The nature and incidents of native title must be ascertained as a matter of fact by reference to those laws and customs.[26]

Upon the Crown asserting sovereignty over the Australian land mass, indigenous inhabitants became subjects of the Crown and their interests, including interests in the land, became protected by the common law.[27] Pre-existing interests in land

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[23] *Mabo* p. 51.
[24] Macklem describes prior occupancy as the 'familiar' justification for Aboriginal rights, arising from the 'straightforward conception of fairness which suggests that, all other things being equal, a prior occupant of land possesses a stronger claim to that land than subsequent arrivals' Macklem, Patrick 1995, 'Normative dimensions of an Aboriginal right of self-government', *Queen's Law Journal*, vol. 21, p. 180.
[25] *Calder* p. 328.
[26] *Mabo* p. 58 (Brennan J).
[27] *Mabo* p. 182.

were presumed at law to survive the assertion of British political sovereignty.[28] Formal recognition of these rights by the Crown was not required.[29]

Native title is a sui generis interest in land

There is immense legal discussion about whether native title should be thought of as a personal right, or a proprietary right, or so unique,[30] sui generis, that it cannot be conveniently slotted into these traditional English legal ways of looking at interests in land.

> Aboriginal title has been described as sui generis in order to distinguish it from 'normal' proprietary interests, such as fee simple ... it is also sui generis in the sense that its characteristics cannot be completely explained by reference either to the common law rules of real property or to the rules of property found in Aboriginal legal systems. As with other Aboriginal rights, it must be understood by reference to both common law and Aboriginal perspectives.[31]

In *Mabo*, Toohey J. said: 'However, it may be that in truth Aboriginal title is neither a personal nor a proprietary right but is sui generis ...'[32]

Classification of native title as a proprietary right has significant consequences. As a proprietary right, it is subject to the full and equal protection of the law applied to other proprietary rights.[33] As a personal right it is subject to extinguishment at the will of the Crown. As a sui generis right, English law is free to determine the content of native title on a case by case basis: in cases where it is appropriate to regard it as a proprietary right, then it will have the same protection from interference or extinguishment as a proprietary right. Generally speaking, a proprietary right prevails against the whole world, while personal rights do not.

[28] *R v Symonds* p. 390–1; *Mabo* p. 58.
[29] *Mabo* p. 57; *Calder* p. 393.
[30] Dickson J. in *Guerin v the Queen* (1984) 13 DLR (4th) 321 at 339: 'a unique interest in land'.
[31] *Delgamuukw* [1997] 3 SCR 1010 at 1081.
[32] *Mabo* pp.194–5.
[33] Bartlett, Richard H. 1998, 'The proprietary nature of native title', *Australian Property Law Journal*, vol. 6, p. 77

Native title can be possessed only by Aboriginal inhabitants of the land and their descendants.

> So long as the people remain as an identifiable community, ... living under its laws and customs, the communal native title survives to be enjoyed by the members according to the rights and interests to which they are respectively entitled under the traditionally based laws and customs as currently acknowledged and observed.[34]

Membership of the community depends upon 'biological descent ... and on mutual recognition of a particular person's membership ... by the elders or others enjoying traditional authority among those people'.[35]

CONTENT OF NATIVE TITLE

An idea of the content of the native title can be gauged from the determination in the Alice Springs native title case.

> 1. Native title exists in ... the land and waters ... described in the Schedule ...
>
> 2. The persons who hold ... native title ... are those Aboriginals who are descended from the original Arremte inhabitants of the Mpamtwe, Antulye and Irlpme estates who are recognised by the respective *apmereke-artweye* [traditional owners] and *kwertengerle* [traditional managers] of those estates under the traditional laws acknowledged and the traditional customs observed by them as having communal, group or individual rights and interests in relation to such estates.
>
> 3. The ... native title rights ... subject to the rights of others validly granted by the Crown pursuant to statute and to any valid executive or legislative act affecting the native title of the common law holders, [are] as follows:
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> a) the right to possession, occupation, use and enjoyment of the land ...;
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> b) the right to be acknowledged as the traditional Aboriginal owners of the land ...;

[34] *Mabo* p. 61
[35] *Mabo* p. 70

c) the right to take, use and enjoy the natural resources found on or within the land ...;

d) the right to make decisions about the use of the land ... ;

e) the right to protect places and areas of importance in or on the land ...;

f) the right to manage the spiritual forces and to safeguard the cultural knowledge associated with the land and waters of their respective estates ...

4. The nature and extent of other interests in relation to the determination area are:

a) rights and interests validly granted by the Crown pursuant to statute or by any valid executive or legislative act affecting the native title of the common law holders; and

b) other rights and interests of members of the public arising under the common law.

5. The rights referred to in paragraph 4:

a) continue to have effect and may be exercised notwithstanding the existence of the native title rights and interests referred to in paragraph 3; and

b) an activity done in exercise of such rights will prevail over the native title rights and interests referred to in paragraph 3.

6. The native title rights and interests in the common law holders do not confer possession, occupation, use and enjoyment of the land and waters of the determination area on the common law holders to the exclusion of all others.[36]

EXTINGUISHMENT OF NATIVE TITLE

In *Mabo* the High Court stated that native title could be extinguished by the granting of interests in land inconsistent with native title, or the appropriation of land to the use of the Crown. A majority of the High Court in *Mabo* held that extinguishment of native title by inconsistent Crown grant did not give rise to a claim for compensation.

[36] *Hayes v Northern Territory of Australia* [2000] FCA 671.

Native title may be extinguished by the Crown but continues until the Crown takes such action by legislation or executive act as reveals a clear and plain intention to extinguish it.[37] Extinguishment of native title will result from legislative action, or executive or administrative action under legislative authority, which creates rights in third parties with which native title cannot co-exist.[38] An example would be the grant of freehold (fee simple) title.[39] Similarly, leases conferring exclusive possession on the lessee extinguish native title.[40] Additionally, the *Native Title Act* contains a list of public leases which it states have extinguished native title.

Native title is also extinguished if the Aboriginal group, by ceasing to acknowledge traditional laws, and (so far as practicable) observe traditional customs, loses its connection with the land or on the death of the last of the members of the group.[41] Once extinguished, native title cannot be revived.

THE NATIVE TITLE ACT 1993

The *Native Title Act 1993* came into force on 1 January 1994. It was substantially amended in 1996. It sets up a mechanism for recognition of native title and its protection in relation to future dealings with land. In summary, it

- provides for the validation of past acts attributable to the Commonwealth, which acts were invalid because of the existence of native title, and extinguishes native title in respect of some of those past acts;
- enables the validation and extinguishment of past acts attributable to a state/territory by state/territory legislation (and all have now done so);
- provides a process by which native title rights can be established and compensation determined by the Federal Court or National Native Title Tribunal or other body;
- provides a future act regime by which conditions can be agreed between parties, or imposed by an independent body, upon the doing of acts affecting native title.

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[37] *Mabo* p. 64; *Calder* p. 404.
[38] *Mabo* pp. 69–70.
[39] *Fejo v Northern Territory* (1998) 72 ALJR 1442.
[40] *Mabo* pp. 69–70.
[41] *Mabo* p. 64.

The future act regime creates a series of permissible acts that may be done, even though they may affect native title, if the statutory procedure is complied with. If an act will affect native title and complies with the future act regime it will be valid, though compensation may be payable. If an act affects native title and does not comply with the regime, it is invalid to that extent. Future acts may also be authorised by agreement with the native title holders (an indigenous land use agreement).

The *Native Title Act* also provides that certain types of leases and other interests listed in Schedule 1 to the Act have extinguished native title (Scheduled interests). The Schedule principally contains residential, commercial, community purpose and agricultural leases. There are no pastoral leases or mining leases, nor are there lesser interest, such as licences or permits. The Schedule contains historic leases (that is, leases no longer in effect) and current leases. For example, over 1,600 different types of Northern Territory leases are listed. By way of illustration, Crown leases for the following purposes, beginning with the letter 'b', extinguish native title:

> bakery; banana plantation; barge landing; barge terminal; basketball club; basketball court; bathing house; benevolent social work centre; blood centre and meeting rooms; blood transfusion centre; board headquarters; boatyard; botanic gardens; bow hunting club; bow hunting range; bowling club; bowling green; brick factory; brick yard; building or repairing boats; bulk cargo wharf; butcher.

HOW IS NATIVE TITLE ESTABLISHED?

When native title claimants assert that they have particular native title interests in land, it is possible for governments, native title claimants and all other persons with interests in that land to agree on the matter. If the parties agree, this can be recorded in an indigenous land use agreement under the *Native Title Act*. The NNTT can also assist parties to agree, and if they cannot, the Federal Court can determine the issue the same way it determines other disputes about the existence or breach of legal rights. All Australian governments have their own policies on negotiating the recognition of native title.

THE COMMON LAW OF NATIVE TITLE CONTINUES TO BE DEVELOPED

In *Wik*[42] the question before the High Court was whether certain statutory pastoral leases granted to Europeans extinguished all or any part of the native title of the claimants. The majority of the High Court (Toohey, Gaudron, Gummow, Kirby JJ) held that, unlike traditional common law leases, statutory pastoral leases did not confer a right of exclusive possession. They were created by statute and their qualities were to be ascertained by the terms of the statute under which they were created. They held that the pastoralists had no right to exclude native title holders from the leased property, but that their interests were otherwise valid and prevailed over native title rights to the extent of any inconsistency. It followed that the leases extinguished native title to the extent of inconsistency between the terms of the lease and the native title rights.

Since *Wik*, the general legal principles governing native title have continued to be developed by Australian courts.[43] The law of Australia has developed in a way quite different to the law of Canada and the USA.

NATIVE TITLE AND THE WEB

The easiest way to search for information on native title on the Internet is simply to type 'native title' into a search engine, such as Google, Alta Vista or Northern Light. The use of case names such as *Wik* or *Delgamuukw* is also effective – but note that 'mabo' is also a common Japanese word. The appendix to this article lists a number of useful web sites.

[42] *Wik Peoples v Queensland* (1996) 187 CLR 1.
[43] See *Anderson v Wilson* (2000) 171 ALR 705; *Commonwealth v Yarmirr* (1999) 168 ALR 426; *Western Australia v Ward* (2000) 99 FCR 316; *Yanner v Eaton* (1999) 166 ALR 258

APPENDIX

The following list of sites provides a good starting point from which to investigate native title issues on the Internet. Many of the Internet addresses listed have links to other sites of interest.

Legal Sites

These sites usually contain a search facility.

Commonwealth Attorney General's Department
SCALEplus.law.gov.au
Contains all Australian legislation and cases.

AustLII
www.austlii.edu.au
Contains all Australian legislation and cases plus many associated legal sites.

Native Title

National Native Title Tribunal
www.nntt.gov.au
Information on native title applications and their status, plus publications of relevance, registration test decisions and general information on the *Native Title Act 1993*.

Aboriginal and Torres Strait Islander Commission (ATSIC)
www.atsic.gov.au
Information on ATSIC as well as land rights and native title issues.

Australian Institute of Torres Strait Islander Studies (AIATSIS)
www.aiatsis.gov.au
Research from the Native Title Research Unit.

International

Fourth World Development Project
www.halcyon.com/FWDP/fwdp.html
The Center for Fourth World Indigenous Studies' Fourth World Documentation Project (FWDP).

Canada

Indian and Northern Affairs Canada (INAC)
www.inac.gc.ca
Canadian government agency dealing with native Canadian issues, with links to many sites.

British Columbia Treaty Commission
www.bctreaty.net

The Royal Commission on Aboriginal Peoples
www.libraxus.com/RCAP/rcapdetault.htm

Nisga'a Final Agreement
www.aaf.gov.bc.ca/aaf/treaty/nisgaa/docs/aip.htm

Ministry of Aboriginal Affairs, Province of British Columbia
www.aaf.gov.bc.ca/aaf/homepage.html

Canadian Aboriginal Law
www.catalaw.com/topics/Aboriginal.shtml
Constitutional documents and other legal papers affecting First Nations

Canada First Nations Treaties
ellesmere.ccm.emr.ca/wwwnais/select/indian/english/html/indian.html
Treaties and parties involved in negotiations by the National Atlas Information Service. (Maps)

Bill's Aboriginal Links
www.bloorstreet.com/300block/aborl.htm
Toronto lawyer, Bill Henderson's collection of First Nations related sites.

New Zealand

Maori Law Review
www.kennett.co.nz/maorilaw/
The Review covers decisions of the Maori Land Court and general courts, reports of the Waitangi Tribunal and publications of government and law schools.

Te Puni Kokiri – Ministry of Maori Development
www.tpk.govt.nz

Office of Treaty Settlements
203.97.62.167
The primary function of OTS is to negotiate on behalf of the Crown the settlement of historical grievances under the Treaty of Waitangi.

Minister in Charge of Treaty of Waitangi Negotiations
www.executive.govt.nz/minister/wilson/index.html

The Maori Land Court
www.courts.govt.nz
The Maori Land Court has jurisdiction under the *Te Ture Whenua Maori Act 1993* to hear matters relating to Maori Land.

The Waitangi Tribunal
www.knowledge-basket.co.nz/waitangi

United States

US Bureau of Indian Affairs
www.doi.gov/bureau-indian-affairs.html