



ANALYSIS

Title
Preamble
1. Short Title

2. Waitangi Day
3. Provisions as to observance
Schedule

1960, No. 46

**An Act to provide for the commemoration of the signing of
the Treaty of Waitangi** *[21 October 1960]*

WHEREAS on the sixth day of February, eighteen hundred and forty, there was signed at Waitangi the treaty known as the Treaty of Waitangi, a copy of which is set out in the Schedule to this Act: And whereas it is desired to set apart the sixth day of February in every year as a day, to be known as Waitangi Day, on which to commemorate throughout New Zealand the signing of the Treaty of Waitangi:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Waitangi Day Act 1960.

2. Waitangi Day—The sixth day of February in every year shall be known as Waitangi Day and shall be observed throughout New Zealand as a national day of thanksgiving in commemoration of the signing of the Treaty of Waitangi.

3. Provisions as to observance—(1) The Governor-General may from time to time by Proclamation set apart Waitangi Day as a public holiday in such locality or localities and subject to such conditions as to its observance as may be prescribed in the Proclamation.

(2) Any Proclamation under this section may prescribe that Waitangi Day shall be observed in any locality to which the Proclamation relates instead of any public holiday formerly observed in that locality.

(3) Except as otherwise provided by any Proclamation under this section, nothing in this Act shall constitute Waitangi Day a public holiday.

SCHEDULE

THE TREATY OF WAITANGI

HER MAJESTY VICTORIA Queen of the United Kingdom of Great Britain and Ireland regarding with Her Royal Favour the Native Chiefs and Tribes of New Zealand and anxious to protect their just Rights and Property and to secure to them the enjoyment of Peace and Good Order has deemed it necessary in consequence of the great number of Her Majesty's Subjects who have already settled in New Zealand and the rapid extension of Emigration both from Europe and Australia which is still in progress to constitute and appoint a functionary properly authorized to treat with the Aboriginies of New Zealand for the recognition of Her Majesty's Sovereign authority over the whole or any part of those islands - Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the native population and to Her subjects has been graciously pleased to empower and to authorize me William Hobson a Captain in Her Majesty's Royal Navy Consul and Lieutenant Governor of such parts of New Zealand as may be or hereafter shall be ceded to Her Majesty to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.

ARTICLE THE FIRST

The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess over their respective Territories as the sole Sovereigns thereof.

ARTICLE THE SECOND

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof 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; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Preemption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

ARTICLE THE THIRD

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.

W. HOBSON Lieutenant Governor.

SCHEDULE—*continued*

Now therefore We the Chiefs of the Confederation of the United Tribes of New Zealand being assembled in Congress at Victoria in Waitangi and We the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names, having been made fully to understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof: in witness of which we have attached our signatures or marks at the places and the dates respectively specified.

Done at Waitangi this Sixth day of February in the year of Our Lord One thousand eight hundred and forty.

[Here follow signatures, dates, etc.]
