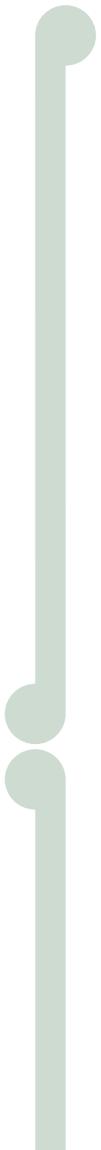




Te Puni Kōkiri
MINISTRY OF MĀORI DEVELOPMENT

Applying for Succession

When whānau are ready to succeed to the whenua, get in touch with kaimahi at Māori Land Court — they can help you with your application.



Complete an application form

When you're ready to start your succession application, gather together all the information you've already found about your whānau member who died, and everyone you think is eligible to succeed to them. It's good to have it at your fingertips when you start filling in an application form.

You can get a succession application form:

- from your local Māori Land Court (MLC) office
- from the MLC website, or
- by phoning the court and asking them to post or email you the form you need.

Get contact details for Māori Land Court



MLC form



MLC website



Phone the court

There are different forms depending on your circumstances — for example, if your Mum or your Nan left a will or not. Our form finder tool can help you work out which one's right for you.

Filling in the form

The application forms go into a lot of detail — but it's all important. MLC use the information you share with them to:

- find details of all the Māori freehold land or Māori incorporations the whānau member who died had interests in, and
- make sure they're looking at the right records when they research your succession application.

The form will ask you for:

- the names of everyone applying to succeed
- details about the whānau member who died and your relationship to them
- your whakapapa.

It'll also ask you to provide some supporting documents with your application — there's a checklist at the back of each form that will tell you what you need. The kind of documents you'll be asked for include:

- a copy of the death certificate for your whānau member (either the original, or a copy)
- a copy of their will, if there is one (either the original, or a certified copy)
- details of probate, if it has been granted
- any letters of administration that have been granted
- adoption certificates for any tamariki your whānau member legally adopted into the whānau.

If you submit your application at an MLC office, kaimahi will take a copy of the documents and then return them to you. If you apply by post, you can ask to have your documents returned to you on the day of your succession hearing.

Certified copies of documents

If you don't want to send an original copy of a document to MLC with your application, you can send a certified copy instead.

A certified copy is one that someone who is authorised by law — like a Justice of the Peace — stamps or signs to confirm that it matches the original. In New Zealand you can get documents certified by:

- a Justice of the Peace (JP)
- a lawyer
- a notary public
- a court official, or
- certain ranks of police officers.

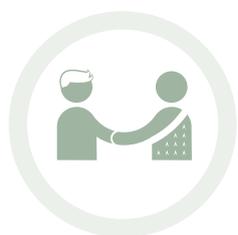


It's free to see a JP in New Zealand. You can make an appointment to see a JP at their home, or you could ask your local public library or Citizens Advice Bureau if they have a service desk you can visit.

Find a Justice of the Peace near you

Find your local JP service desk

If you don't have the original version of a document — if you only have a copy — you can sign a statutory declaration form stating that the copy you have matches the original. The JP will ask you to sign the form during your appointment.



It's **FREE** to see a
Justice of the Peace
in New Zealand

Probate and letters of administration

Before someone dies, they may decide to create a will giving instructions for what they want to happen to any property or assets they own after their death. When they die, their property and assets become known as their “estate”.

A will names the person who will administer the estate — they're known as the “executor” of the will. This person may need to apply to the High Court to prove that they have the right to administer the estate. This is called “getting probate” or “probating the will”.

If a person dies without leaving a will, you may need to apply to the High Court for “letters of administration” (instead of probate). If you're not sure if you need to do this, talk to kaimahi at MLC.

If you need help to fill in the application form

If you need any help completing your application, have a chat to kaimahi at MLC. They can help you make sure you include all the information you need in the form, and will show you where to look for any information you're missing.

They may be able to help cover the cost of any documents you need to get hold of too, like a death certificate, for example.

Submitting your application

You can submit your application:



- by post, or
- in person at any Māori Land Court (MLC) office.

If you can, submit your form in person. It'll give you a chance to talk to kaimahi at MLC to make sure you have everything you need in your application before you hand it in.

What it costs

It costs \$60 to apply for succession. You need to pay the application fee when you apply. You can pay by:

- cash
- cheque, or
- EFTPOS.

You may also be able to pay by bank transfer — this can be a good option if you live overseas. Talk to kaimahi at MLC about setting up a transfer if this is the best option for you.

If you need help to cover the cost of your application, talk to a kaimahi at MLC. Depending on your circumstances, they might be able to give you a discount or waive the fee altogether. If so, you'll need to fill in a request form and submit it with your succession application.

If you have a Supergold card or a Community Services card, take it with you when you apply. You may be able to get a waiver or discount on the fees with your card.

If your application isn't complete

When you submit your application form, MLC will check it to make sure you've included everything they need.

If there's anything missing in your application — if you've forgotten to include a particular document, for example — MLC will return the form to you along with the fee. When you've completed your application, resubmit it with the payment.

What happens next

When you've submitted your application to Māori Land Court (MLC), they'll send you:

- a letter to tell you that your application has been accepted
- a receipt for the \$60 application fee
- the name and contact details for your MLC case manager.

You'll get these about 2-4 weeks after you've submitted your application.

Researching your application

MLC will assign your application to a case manager. They'll research the information you included in the application form to find details of all the shares and land blocks your whanaunga owned. How long this takes depends on how straightforward your application is. If your whanaunga held interests in multiple blocks, it could take some time to track down all of the information MLC hold about them.

MLC will also contact Te Tumu Paeroa — the Māori Trustee — to see if there's any money (known as dividends) owed to the estate.

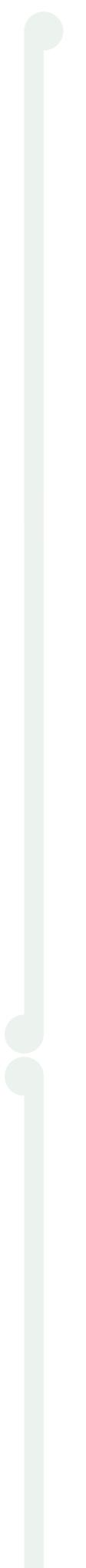
All the information your case manager finds, along with the information included in your original application, will be pulled together into what's known as a draft submission. Your case manager will send it to a Māori Land Court judge for review.

Getting a succession hearing date

When your case manager has finished their research, they'll confirm a date with you for a succession hearing at the court. They'll send you:

- a letter — known as a court notice — confirming the date and time of your hearing, and
- a copy of the draft submission they've prepared.

You'll get these in the post at least 2 weeks before your hearing.



Check the spelling of the names of the people mentioned in the draft submission carefully when you get it. This information will be formally entered into MLC's records after your succession. If you realise any names are spelled wrong later, you'll need to apply to MLC to have them changed.