

Reprint  
as at 7 August 2020



## Ministry of Maori Development Act 1991

Public Act      1991 No 145  
Date of assent      18 December 1991  
Commencement      see section 1(2)

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### Consequential amendments

**An Act to make provision in relation to the establishment of the Ministry of Maori Development and to abolish the Iwi Transition Agency and the Ministry of Maori Affairs**

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#### Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This Act is administered by Te Puni Kōkiri.**

## 1 Short Title and commencement

- (1) This Act may be cited as the Ministry of Maori Development Act 1991.
- (2) This Act shall come into force on 1 January 1992.

## 2 Interpretation

In this Act, unless the context otherwise requires,—

**Maori** means a person of the Maori race of New Zealand; and includes a descendant of any such person

**Ministry of Maori Development** means the Ministry of Maori Development that, by virtue of the State Sector Order 1991, becomes, on 1 January 1992, a department of the public service.

Section 2 **Ministry of Maori Development**: amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

## 3 Act to bind the Crown

This Act shall bind the Crown.

## 4 Name of Ministry of Maori Development

The name of the Ministry of Maori Development is, in the Maori language, Te Puni Kokiri.

## 5 Particular responsibilities of Ministry of Maori Development

- (1) The responsibilities of the Ministry of Maori Development include—
  - (a) promoting increases in the levels of achievement attained by Maori with respect to—
    - (i) education:
    - (ii) training and employment:
    - (iii) health:
    - (iv) economic resource development:
  - (b) monitoring, and liaising with, each department and agency that provides or has a responsibility to provide services to or for Maori for the purpose of ensuring the adequacy of those services.
- (2) The responsibilities of the Ministry of Maori Development under subsection (1) are in addition to the other responsibilities conferred on that Ministry from time to time.
- (3) Nothing in this section limits the provisions of the Treaty of Waitangi Act 1975 or of any other Act.

**6 Vesting in Ministry of Maori Development of rights, etc, of Iwi Transition Agency and Ministry of Maori Affairs**

- (1) All rights (including, but not exclusively, any rights of ownership or possession), powers, duties, liabilities, directions, and contracts (other than contracts of employment) exercisable by, vested in, or binding on the Crown in right of the Iwi Transition Agency or the Ministry of Maori Affairs immediately before 1 January 1992 shall, on and from that date, become exercisable by, vested in, or binding on the Crown in right of the Ministry of Maori Development.
- (2) All documents made or things done by or on behalf of the Crown, the Iwi Transition Agency, or the Ministry of Maori Affairs before 1 January 1992 in the exercise of any functions, powers, or duties previously conferred or imposed on the Crown in right of the Iwi Transition Agency or the Ministry of Maori Affairs shall, to the extent that they are subsisting and in force on that date, continue to have effect for all purposes in all respects as if they had been made or done by the Crown in right of the Ministry of Maori Development.

**7 Existing employees**

- (1) Notwithstanding any other provision of this Act or any provision of the State Sector Act 1988,—
  - (a) on 1 January 1992 every person who, immediately before that date, is employed in the Iwi Transition Agency or the Ministry of Maori Affairs (other than a person whose employment in that Agency or Ministry would have ceased, even if this Act had not been passed, with the close of 31 December 1991) shall become a person employed in the Ministry of Maori Development; and
  - (b) the terms and conditions of employment of every person who, by virtue of paragraph (a), becomes a person employed in the Ministry of Maori Development shall, until varied or until a new contract of employment is entered into, be based on the employment contract that applied to that person immediately before 1 January 1992 in respect of that person's employment in the Iwi Transition Agency or the Ministry of Maori Affairs.
- (2) For the purposes of every enactment, law, award, determination, contract, and agreement at any time relating to the employment of a person who, by virtue of paragraph (a) of subsection (1), becomes a person employed in the Ministry of Maori Development,—
  - (a) the contract of employment that applied immediately before 1 January 1992 in respect of that person's employment in the Iwi Transition Agency or the Ministry of Maori Affairs shall be deemed not to have been broken by that person having so become a person employed in the Ministry of Maori Development; and

- (b) any period recognised by the chief executive of the Iwi Transition Agency or the chief executive of the Ministry of Maori Affairs as continuous service in the Iwi Transition Agency or the Ministry of Maori Affairs shall be deemed to have been a period of continuous service in the Ministry of Maori Development.
- (3) No person who becomes, by virtue of subsection (1)(a), a person employed in the Ministry of Maori Development shall be entitled to any payment or other benefit by reason only of that person having ceased to be a person employed in the Iwi Transition Agency or the Ministry of Maori Affairs.

## **8 Abolition of Iwi Transition Agency and Ministry of Maori Affairs**

The Iwi Transition Agency and the Ministry of Maori Affairs are hereby abolished.

## **9 Consequential amendments**

- (1) The enactments specified in the Schedule are hereby amended in the manner indicated in that schedule.
- (2) Every reference in Parts 2 and 3 of the Maori Affairs Restructuring Act 1989 to the General Manager of the Iwi Transition Agency shall be read as if it were a reference to the chief executive of the Ministry of Maori Development.
- (3) Unless in any case the context otherwise requires, and subject to the provisions of this Act, in any other enactment or in any regulations or in any instrument—
  - (a) every reference to the Iwi Transition Agency or the Ministry of Maori Affairs shall be read as a reference to the Ministry of Maori Development;
  - (b) every reference to the General Manager of the Iwi Transition Agency or to the chief executive of the Ministry of Maori Affairs shall be read as a reference to the chief executive of the Ministry of Maori Development.

## **10 Repeals, revocation, and savings**

- (1) *Amendment(s) incorporated in the Act(s).*
- (2) *Amendment(s) incorporated in the Act(s).*
- (3) The repeal of any enactment by subsection (1) shall not affect any amendments made by any such enactment to any other enactment.

## Schedule Consequential amendments

s 9(1)

**Maori Affairs Act 1953 (1953 No 94) (RS Vol 8, p 13)**

*Amendment(s) incorporated in the Act(s).*

**Maori Affairs Amendment Act 1967 (1967 No 124) (RS Vol 8, p 265)**

*Amendment(s) incorporated in the Act(s).*

**Maori Affairs Amendment Act 1974 (1974 No 73) (RS Vol 8, p 332)**

*Amendment(s) incorporated in the Act(s).*

**Maori Affairs Restructuring Act 1989 (1989 No 68)**

*Amendment(s) incorporated in the Act(s).*

**Maori Community Development Act 1962 (1962 No 133) (RS Vol 8, p 361)**

*Amendment(s) incorporated in the Act(s).*

**Maori Education Foundation Act 1961 (1961 No 46) (RS Vol 8, p 393)**

*Amendment(s) incorporated in the Act(s).*

**Maori Housing Act 1935 (1935 No 34) (RS Vol 8, p 413)**

*Amendment(s) incorporated in the Act(s).*

**Maori Housing Amendment Act 1938 (1938 No 17) (RS Vol 8, p 421)**

*Amendment(s) incorporated in the Act(s).*

**Maori Purposes Fund Act 1934–35 (1934–35 No 45) (RS Vol 8, p 595)**

*Amendment(s) incorporated in the Act(s).*

**Maori Trust Boards Act 1955 (1955 No 37) (RS Vol 8, p 683)**

*Amendment(s) incorporated in the Act(s).*

**Maori Trustee Act 1953 (1953 No 95) (RS Vol 3, p 393)**

*Amendment(s) incorporated in the Act(s).*

**New Zealand Maori Arts and Crafts Institute Act 1963 (1963 No 51) (RS Vol 8, p 835)**

*Amendment(s) incorporated in the Act(s).*

**Ombudsmen Act 1975 (1975 No 9) (RS Vol 21, p 657)**

*Amendment(s) incorporated in the Act(s).*

**Pacific Islands Polynesian Education Foundation Act 1972 (1972 No 138) (RS  
Vol 8, p 847)**

*Amendment(s) incorporated in the Act(s).*

**State Sector Act 1988 (1988 No 20)**

*Amendment(s) incorporated in the Act(s).*

## Reprints notes

### **1** *General*

This is a reprint of the Ministry of Maori Development Act 1991 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### **2** *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3** *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4** *Amendments incorporated in this reprint*

Public Service Act 2020 (2020 No 40): section 135