

Pire Take Māori

Pire Kāwanatanga

E ai ki tā te Komiti Whiriwhiri Take Māori i pūrongo ai

Ngā kōrero

Tūtohutanga

Kua oti i te Komiti Whiriwhiri Take Māori te Pire Take Māori te tiroiro, ā, e tūtohu ana kia whakamanatia. Tēnei mātou katoa te tūtohu nei i ngā menemana katoa.

Kupu whakataki

Ko ngā pire take Māori he momo huinga pire e pai ai ngā menemana iti ki ngā whakaturetanga e pā ana ki ngā take Māori. Ka kaha hoki tētahi pire take Māori ki te aro ki ngā whakamanatanga, ngā whakawhitianga, me ngā whakaaetanga e pā ana ki ngā whenua me ngā rawa Māori.

Ka panoni i te pire nei ngā Ture me ngā waeture e raro nei e pā ana ki ngā take Māori:

- te Maori Community Development Act 1962 me ngā Maori Community Development Regulations 1963
- te Maori Purposes Fund Act 1934–35 me te Maori Purposes Fund Regulations 1937
- te Maori Soldiers Trust Act 1957
- te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003
- te Maori Trust Boards Act 1955
- te Māori Trustee Act 1953 me te Māori Trustee Regulations 2009
- Te Ture mō Te Reo Māori 2016 / Māori Language Act 2016
- Te Ture Whenua Maori Act 1993 / Maori Land Act 1993, te Contract and Commercial Law Act 2017, te Maori Incorporations Constitution Regulations 1994, me te Maori Reservations Regulations 1994.

Ko te whakaaro ia ka pakari ake ngā mahi a ētahi rōpū, ētahi hātepe hoki i aua panonitanga; hei tauria mā te whakaae ki ngā huinga matihiko me ngā heamana takirua o ētahi rōpū.

Ka whakakore hoki te pire i ētahi Ture karekau he ritenga o roto e whaitake ana: te Maori Purposes Act 1939, te Maori Purposes Act 1945, me te Maori Purposes Act 1973.

Whakatātaretanga ā-ture

Hei wāhanga o tā mātou whakaarohanga o te pire nei, kua oti i a mātou te tirotiro te hāngai ki ngā mātāpono o te whakaturetanga kounga. Tēnei mātou te whakatakoto nei ki te aroaro o te Whare tētahi take e pā ana ki te rārangi 107, te matapaihia āmikitia nei e mātou hei te tōmuritanga o tēnei pūrongo.

Ngā menemana i marohitia

Ka kapi i te pūrongo nei ngā menemana matua e tūtohu ai mātou ki te pire i whakatakotoria rā. Kāore mātou e wherawhera i ngā menemana itiiti, ngā menemana hangarau rānei.

Unuhanga o te whakahuanga korehāhā ki te whenua

Ka menemana te rārangi 88 o te pire i te wāhanga 49 o te Māori Trustee Act 1953. Ka kapi te wāhi o te huanga korehāhā ki te “District Land Registrar” i te “Registrar-General of Land.”

I ako mātou kei roto i te wāhanga 49 tētahi atu rerenga korehāhā: “Land Registration District in which the land is situated”. Tēnei mātou te tūtohu nei kia menemanatia te rārangi 88 o te pire kia unuhia ai taua huanga korehāhā.

E hāngai tahi ai te tuhinga reo Māori me te tuhinga reo Ingarihi o Te Ture mō te Reo Māori / Māori Language Act

Ko Te Ture mō Te Reo Māori / Māori Language Act he ture reo rua, i tuhia rā ki te reo Māori me te reo Ingarihi. Ka tukituki ana ēnei, ka eke ko te ture reo Māori.

Nā runga i te hapa, e ngaro ana i te tuhinga reo Māori te wāhanga 3(3)(b) o roto i te tuhinga reo Ingarihi. E mea ana te tuhinga reo Ingarihi ka whakaritea e te Ture kia whakawhanaketia ētahi rautaki reo Māori hei tautoko i te whakarauoranga o te reo Māori, “including by promoting an increase in the number of people speaking the Māori language and improving their fluency in that language”. Kāore te rerenga kōrero e tauākītia nei i roto i te tuhinga reo Māori.

Tēnei mātou te tūtohu nei kia whakaurua te rārangi 97A ki roto ki te pire kia rite tahi ai te tuhinga reo Māori o te Ture ki te tuhinga reo Ingarihi. Kei roto taua menemana i te tuhinga reo Māori me te tuhinga reo Ingarihi o te Wāhanga 7 o te pire kei raro nei.

Te mana ki te whakarerekē i te rārangi kōti, rārangi taraipiunara e pai ai te kōrerohia o te reo Māori

Kei te Whakamārama 2 o Te Ture mō Te Reo Māori e rārangi ana ngā kōti me ngā taraipiunara e wātea ai te tangata ki te kōrero Māori i roto i ngā whakahaere ā-ture. Kei te wāhanga 45 o Te Ture mō Te Reo Māori e takoto ana ngā wā e pai ai te menemanatanga o te Whakamārama 2 e tētahi Whakahau ā-Kaunihera. Ka whakaaetia e te wāhanga 45(1) kia tāpirihia, kia unuhia rānei e te Whakahau ā-Kaunihera te ingoa o tētahi kōti, tētahi taraipiunara rānei. Heoi anō, i raro i te wāhanga 45(2), ka kaha ngā Minitia e tika ana ki te tūtohu menemana ki te whakamārama mehemea anake, e ai ki ngā Minitia e tika ana, e “does not include a court or tribunal that ought to be included”.

E hāngai ana te paearu nei ki te whakatau kia tāpirihia anake tētahi kōti, kāore i te mārama te whakamahinga o tētahi mana o nāiane ki te unu i tētahi kōti, taraipiunara rānei. Ka menemana te rārangi 107(2) o te pire i te wāhanga 45(2) kia āhei ai ngā Minitia e tika ana kia tūtohu i tētahi menemana ki te whakamārama mehemea, e ai ki ngā Minitia e tika ana, ko te whakamārama “includes a court or tribunal that ought not to be included”.

Tēnei mātou te hiahia nei ki te whakawhāiti i ngā āhuatanga e kaha ai te Kāwanatanga ki te menemana ture matua. Ki te pēnei, e whakaaro ana mātou kāore i te tika kia wātea ngā Minitia ki te tūtohu kia unuhia he kōti, he taraipiunara rānei i te rārangi e ai ki ō rātou whakaaro anake. Tēnei mātou te tūtohu nei kia menemanatia te rārangi 107(2) kia āhei ai ngā Minitia ki te tūtohu i te unuhanga o te kōti, te taraipiunara rānei, i te rārangi mehemea kua turakina, kua whai ingoa hou rānei me te aha me whakarerekē te ingoa o runga i te rārangi.

Ka whai pānga ki aua panonitanga e marohitia nei ko tā mātou tūtohutanga kia kapi te wāhi o te rārangi mātāmuri (1) i te rārangi mātāmuri hou (3) ki roto o te rārangi 107.

Ngā ture tawhito e tika ana kia whakahoua

E aro ana i a mātou kua tō te rā ki ētahi ritenga huhua o roto i te Maori Community Development Act 1962, ā, ka kīia he kaikiri mehemea i marohitia i te rangi nei. Hei tauira, ka nui ngā kōrero o ngā wāhanga 30 ki te 35 e pā ana ki te iwi Māori anake, tae atu ki ētahi hara e pā ana ki te iwi Māori anake.

Heoi anō, ehara te pire nei i te huarahi tika hei whakakore i aua ritenga, he kore nō te wānangahia o ngā whakaaro ki te whakakore, ki te whakarerekē rānei i ērā ki te Kaunihera Māori o Aotearoa, ngā wātene Māori rānei. Ko tētahi pire hei whakakore, hei whakarerekē rānei i ngā ritenga kua pau te wā ki ērā, me taunaki rawa ki ngā mahi kaupapahere, ki ngā wānanga akoao hoki ki a rātou ka pāngia pea e aua panonitanga.

E aro ana i a mātou te pūrongo 2015 a Te Rōpū Whakamana i te Tiriti o Waitangi mō te WAI 2417, Whaia te Mana Motuhake / In Pursuit of Mana Motuhake: Report on the Māori Community Development Act Claim. I kī te Taraipiunara i roto i tāna pūrongo, nā te Karauna i “breached treaty principles when it decided in 2013 to

proceed with a Te Puni Kōkiri led review of the 1962 Act”. Nāna i tūtohu kia aratakina tētahi whakahouanga o te Ture e te Kaunihera Māori o Aotearoa.

Tēnei te rikarika o te ngākau kia whakahoua te Maori Community Development Act ā te wā, mā tētahi pire kua tika nei te whakaritea ōna, te wānangahia akoakotia ōna hoki. E arohia ana kua hipa te 10 tau mai anō i te putanga o te pūrongo a Te Rōpū Whakamana i te Tiriti o Waitangi, ā, tēnei mātou te akiaki nei i ngā rōpū nei ki te kōkiri i ngā mahi o tētahi pire pērā.

Tāpiritanga

Hātepe komiti

I tukuna te Pire Take Māori ki te komiti nei i te 12 Pepuere 2025. I karangahia e mātou ngā tāpaetanga kōrero mō te pire, ā, ko te rā katinga ko te 27 Maehe 2025. I whiwhi, i whakaarohia hoki e mātou ngā tāpaetanga a ngā rōpū whaipānga me ngā tāngata takitahi e 55. I rongō kōrero taunaki mātou mai i ngā kaitāpae 10.

Nā Te Puni Kōkiri i homai kupu tohutohu mō te pire. Nā Te Tari o te Manahautū i homai kupu tohutohu mō te kounga ā-ture o te pire. Nā Te Tari Tohutohu Pāremata i āwhina ki te tuhi i te pire.

Ngā mema o te komiti

David MacLeod (Heamana)

Benjamin Doyle

Greg Fleming

Shanan Halbert (tae atu ki te 12 Maehe 2025)

Dana Kirkpatrick

Hana-Rawhiti Maipi-Clarke

Rima Nakhle

Tino Hōnore Adrian Rurawhe

Hōnore Jan Tinetti (mai i te 12 Maehe 2025)

Ngā rauemi e hāngai ana

Kei te paetukutuku Pāremata ngā tuhinga i whiwhi rā hei kupu tohutohu, hei kōrero taunaki hoki.

Māori Purposes Bill

Government Bill

As reported from the Māori Affairs Committee

Commentary

Recommendation

The Māori Affairs Committee has examined the Māori Purposes Bill and recommends that it be passed. We recommend all amendments unanimously.

Introduction

Māori purposes bills are a type of omnibus bill that enable minor amendments to legislation relating to Māori affairs. A Māori purposes bill may also deal with authorisations, transfers, and validations in respect of Māori land and property.

This bill would change the following Acts and regulations relating to Māori affairs:

- the Maori Community Development Act 1962 and the Maori Community Development Regulations 1963
- the Maori Purposes Fund Act 1934–35 and the Maori Purposes Fund Regulations 1937
- the Maori Soldiers Trust Act 1957
- the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003
- the Maori Trust Boards Act 1955
- the Māori Trustee Act 1953 and the Māori Trustee Regulations 2009
- Te Ture mō Te Reo Māori 2016 / Māori Language Act 2016
- Te Ture Whenua Maori Act 1993 / Maori Land Act 1993, the Contract and Commercial Law Act 2017, the Maori Incorporations Constitution Regulations 1994, and the Maori Reservations Regulations 1994.

The changes are expected to enable various organisations and processes to work more effectively; for example, by allowing electronic meetings and co-chairs of organisations.

The bill would also repeal three Acts that no longer have any operative provisions: the Maori Purposes Act 1939, the Maori Purposes Act 1945, and the Maori Purposes Act 1973.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We wish to bring the House's attention to an issue relating to clause 107, which we discuss in more detail later in this commentary.

Proposed amendments

This commentary covers the main amendments we recommend to the bill as introduced. We do not discuss minor or technical amendments.

Removal of obsolete reference about land

Clause 88 of the bill would amend section 49 of the Māori Trustee Act 1953. It would replace the obsolete reference to "District Land Registrar" with "Registrar-General of Land."

We have learnt that section 49 also contains another obsolete phrase: "Land Registration District in which the land is situated". We recommend amending clause 88 of the bill to also remove that obsolete reference.

Aligning Māori and English versions of Te Ture mō Te Reo Māori / Māori Language Act

Te Ture mō Te Reo Māori / Māori Language Act is dual language legislation, written in Māori and English. The Māori version prevails in the case of any conflict in meaning between the two.

By mistake, the Māori version of section 3(3)(b) is missing a phrase that is in the English version. The English version states that the Act provides for the development of Māori language strategies to support the revitalisation of the Māori language, "including by promoting an increase in the number of people speaking the Māori language and improving their fluency in that language". The quoted phrase is missing in the reo Māori version.

We recommend inserting clause 97A into the bill so that section 3(3)(b) of the Māori version of the Act matches the English version. This amendment appears in both the Māori and English versions of Part 7 in the bill below.

Power to change the list of courts and tribunals where people may speak Māori

Schedule 2 of Te Ture mō Te Reo Māori lists the courts and tribunals in which people may speak Māori in legal proceedings. Section 45 of Te Ture mō Te Reo Māori sets out when Schedule 2 may be amended by Order in Council. Section 45(1) allows an Order in Council to add or remove the name of a court or tribunal. However, under

section 45(2), the relevant Ministers may recommend an amendment to the schedule only if, in the opinion of the relevant Ministers, it “does not include a court or tribunal that ought to be included”.

Since this condition can only be relevant to a decision to add a court, it is unclear how the existing power could be exercised to remove a court or tribunal. Clause 107(2) of the bill would amend section 45(2) to allow the relevant Ministers to also recommend an amendment to the schedule if, in the opinion of the relevant Ministers, the schedule “includes a court or tribunal that ought not to be included”.

We wish to limit the situations where the Executive may amend primary legislation. In this case, we consider it inappropriate to allow Ministers to recommend the removal of courts or tribunals from the list based purely on their opinion. We recommend amending clause 107(2) so that Ministers could only recommend removal of a court or tribunal from the list if it had been disestablished or if its name had changed and ought to be replaced on the list.

Our proposal to replace subclause (1) with new subclause (3) in clause 107 is consequential to these proposed changes.

Old laws need updating

We are aware that several provisions in the Maori Community Development Act 1962 are outdated and would be described as racist if they were proposed today. For example, much of sections 30 to 35 apply only to Māori, including various offences that only apply to Māori.

However, this bill is not the right tool for repealing these provisions because proposals to repeal or change them have not been discussed with the New Zealand Māori Council or Māori wardens. A bill to repeal or replace the outdated provisions in the Maori Community Development Act should be backed by policy work and consultation with those who might be affected by the changes.

We also acknowledge the 2015 report of the Waitangi Tribunal on WAI 2417, *Whaia te Mana Motuhake / In Pursuit of Mana Motuhake: Report on the Māori Community Development Act Claim*. The Tribunal stated in its report that the Crown “breached treaty principles when it decided in 2013 to proceed with a Te Puni Kōkiri led review of the 1962 Act”. It recommended that any reform of the Act should be led by the New Zealand Māori Council.

We look forward to the eventual amendment of the Maori Community Development Act via a bill that has been properly prepared and consulted on. Noting that 10 years have passed since the Waitangi Tribunal report, we urge the parties to progress work on such a bill.

Appendix

Committee process

The Māori Purposes Bill was referred to this committee on 12 February 2025. We called for submissions on the bill with a closing date of 27 March 2025. We received and considered submissions from 55 interested groups and individuals. We heard oral evidence from 10 submitters.

Advice on the bill was provided by Te Puni Kōkiri. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting.

Committee membership

David MacLeod (Chairperson)

Benjamin Doyle

Greg Fleming

Shanan Halbert (to 12 March 2025)

Dana Kirkpatrick

Hana-Rawhiti Maipi-Clarke

Rima Nakhle

Rt Hon Adrian Rurawhe

Hon Jan Tinetti (from 12 March 2025)

Related resources

The documents we received as advice and evidence are available on the Parliament website.

Key to symbols used in reprinted bill

As reported from a select committee

text inserted unanimously

~~text deleted unanimously~~

Hon Tama Potaka

Māori Purposes Bill

Government Bill

Contents

	Page
1 Title	7
2 Commencement	7
Part 1	
Amendments to Maori Community Development Act 1962	
3 Principal Act	7
4 Section 2 amended (Interpretation)	7
5 Section 3 amended (Act to be administered by Minister)	7
6 Section 23 amended (Meetings)	7
7 New section 45 inserted (Validation in relation to co-chairpersons)	8
45 Validation in relation to co-chairpersons	8
<i>Amendments to Maori Community Development Regulations 1963</i>	
8 Principal regulations	8
9 Regulation 3 amended	8
10 Regulation 5 amended	9
11 Regulation 12 amended	10
12 Schedule amended	10
Part 2	
Amendments to Maori Purposes Fund Act 1934–35	
13 Principal Act	10
14 Section 2 amended (Interpretation)	10
15 Section 7 amended (Maori Purposes Fund Board established)	10
16 Section 9 amended (Meetings of the Board)	11
17 Section 10 amended (Powers of Board with respect to land and chattels)	12

Māori Purposes Bill

18	Section 12 amended (Local authorities and other public bodies, trustees and other bodies, and persons may make donations, etc, to Board)	12
19	Section 14 amended (Annual report, etc)	12
	<i>Amendments to Maori Purposes Fund Regulations 1937</i>	
20	Principal regulations	12
21	Regulation 5 amended (Meetings)	12

Part 3

Amendments to Act previously called Maori Soldiers Trust Act 1957

22	Principal Act	12
23	Title of principal Act changed	13
24	Long Title amended	13
25	Section 2 amended (Interpretation)	13
26	Part 1 heading replaced	13

Part 1

Māori Soldiers Trust

27	Section 3 amended (Establishment of Maori Soldiers Trust)	13
28	Section 4 amended (Separate accounts established)	14
29	Section 5 amended (Accounting provisions)	14
30	Section 5A amended (Investment otherwise than in Māori Trustee's Common Fund)	14
31	Section 6 amended (Farming and development of Trust property)	14
32	Section 7 amended (Acquisition and disposition of land)	14
33	Part 2 heading replaced	14

Part 2

Māori Soldiers Trust Committee

34	Section 8 amended (Maori Soldiers Trust Committee)	14
35	Section 9 amended (Application of money in Soldiers Fund Account)	15
36	Section 10 amended (Application of money in Scholarship Fund Account)	15
37	Section 12 amended (Appointment by Trust Committee of district committees)	16
38	Section 13 amended (Delegation)	16
39	Section 14 amended (Meetings)	16
40	Section 16 amended (Yearly statements of account)	17

Part 4

Amendments to Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003

41	Principal Act	18
42	Section 5 amended (Outline of Act)	18

Māori Purposes Bill

43	Section 6 amended (Interpretation)	18
44	Section 15 amended (Functions of Te Mātāwai)	18
45	Section 16 amended (Joint responsibilities of responsible Ministers and chairperson of Te Mātāwai)	18
46	Section 17 amended (Resolution of disagreement between the responsible Ministers and the chairperson of Te Mātāwai)	18
47	Section 30 amended (Matters for consultation and reporting must be identified)	18
48	Section 31 amended (Creating and finalising statement of intent)	19
49	Section 34 amended (Mandatory amendment of statement of intent)	19
50	Section 36 amended (Effective date of amendments)	19
51	Section 41 amended (Contents of annual report)	19
52	Section 44 amended (Annual report presented to House of Representatives)	19
53	Section 45 amended (Shares or interests in related entities)	19
54	Section 47 amended (Remuneration and allowances)	19
55	Section 50 repealed (Final report of Trust)	19
56	Schedule 1 amended	19
57	Schedule 2 amended	20

Part 5

Amendments to Maori Trust Boards Act 1955

58	Principal Act	20
59	Section 16 amended (Extraordinary vacancies)	20
60	Section 18 amended (Meetings of Board)	21
61	Section 19 amended (Officers of Board)	21
62	Section 22 amended (Meetings of committees)	21
63	Section 23C amended (Annual hui)	22
64	Section 23D amended (Notice of annual hui)	22
65	Section 28 amended (Bank accounts)	22
66	Section 36 amended (Contracts of Board)	23
67	Section 46 amended (Invitation of nominations)	23

Part 6

Amendments to Māori Trustee Act 1953

68	Principal Act	23
69	Section 2 amended (Interpretation)	23
70	Section 9 amended (Delegation of powers of Māori Trustee)	23
71	Section 11 amended (Māori Trustee may accept special trusts)	23
72	Section 12 amended (Pending grant of probate or administration, Māori Trustee may administer estates of deceased Maoris)	24
73	Section 13 amended (General authority for Māori Trustee to act as agent or trustee or in other representative capacity)	24
74	Section 17 amended (Māori Trustee's Account)	24

Māori Purposes Bill

75	Section 24 amended (Māori Trustee may receive moneys for investment otherwise than in Common Fund)	24
76	Section 26 amended (Money held in Common Fund invested in Fund)	24
77	Section 26A amended (Management fees)	25
78	New section 26AB inserted (Trading expenses)	25
	26AB Trading expenses	25
79	Section 26B amended (Disclosure requirements)	25
80	Section 30A amended (Unclaimed agency money)	26
81	Section 32 amended (Special purposes for which moneys in General Purposes Fund may be used)	26
82	Section 33 amended (Authorising establishment and maintenance of Maori hostels out of General Purposes Fund)	26
83	Section 38 amended (Māori Trustee may apply money in General Purposes Fund for purposes of property vested in or controlled by him)	26
84	Section 39 amended (Māori Trustee may acquire land on behalf of Maoris)	26
85	Section 40 amended (Māori Trustee may acquire land to provide sites for Maori dwellings)	27
86	Section 45 amended (Māori Trustee may accept payment and give discharge for moneys payable to Maoris)	27
87	Section 46C amended (Power of Māori Trustee to make small payments without order)	27
88	Section 49 amended (Māori Trustee may register memorial of charge against land)	27
89	Section 50 amended (Memorandum of extension of lease)	27
90	Section 52 amended (Regulations)	28
91	Amendments to various references to “Maori” and “Maoris”	28
	<i>Amendments to Māori Trustee Regulations 2009</i>	
92	Principal regulations	28
93	Regulation 8 amended (Calculation of distributable income)	28
94	Regulation 10 amended (Māori Trustee must report to account holders)	28
95	Schedule amended	29
	Te Wāhanga 7/Part 7	
	Ngā Whakahounga Panonitanga o Te Ture mō Te Reo Māori 2016/Amendments to Māori Language Act 2016	
	<i>Ngā Whakahounga Panonitanga o Te Ture mō Te Reo Māori 2016</i>	
96	Te Ture Matua	29
97	Kua panonitia te wehenga 2 (Te tīmatanga)	29
<u>97A</u>	<u>Kua panonitia te wehenga 3 (Te korahi me te aronga o tēnei Ture)</u>	<u>29</u>

Māori Purposes Bill

98	Kua panonitia te wehenga 7 (Te mana ki te kōrero Māori i roto i ngā whakahaerenga ā-ture)	29
99	Kua panonitia te wehenga 13 (Te whakahāngaitanga)	29
100	Kua panonitia te wehenga 16 (Te anga o te Ture)	30
101	Kua panonitia te wehenga 17 (Te whakatūnga o Te Mātāwai)	30
102	Kua panonitia te wehenga 18 (Te aronga o Te Mātāwai)	30
103	Kua panonitia te wehenga 20 (Ngā mema o Te Mātāwai)	30
104	Kua panonitia te wehenga 22 (Te kopoutanga o te tumu whakarae)	31
105	Kua panonitia te wehenga 23 (Te aronga o te kirimana hoko)	31
106	Kua panonitia te wehenga 44 (Te arotakenga o te Ture)	31
44	Te arotakenga o te Ture	31
107	Kua panonitia te wehenga 45 (Ngā waeture)	31
108	Te wehenga 47A e hou ana me te tīpare kua kuhuna	32
<i>Te whakaūnga o te mana e hāngai ana ki ngā kaihautū takirua o Te Mātāwai</i>		
47A	Te whakaūnga o te mana e hāngai ana ki ngā kaihautū takirua o Te Mātāwai	32
109	Kua whakakapia te upoko o te Āpitianga 3	33
110	Kua panonitia te Āpitianga 4	33
111	Kua panonitia te Āpitianga 5	33
<i>Amendments to Māori Language Act 2016</i>		
96	Principal Act	37
97	Section 2 amended (Commencement)	37
<u>97A</u>	<u>Section 3 amended (Scope and purpose of this Act)</u>	<u>38</u>
98	Section 7 amended (Right to speak Māori in legal proceedings)	38
99	Section 13 amended (Interpretation)	38
100	Section 16 amended (Outline of Act)	38
101	Section 17 amended (Te Mātāwai established)	38
102	Section 18 amended (Purpose of Te Mātāwai)	39
103	Section 20 amended (Membership of Te Mātāwai)	39
104	Section 22 amended (Appointment of chief executive)	39
105	Section 23 amended (Purpose of purchase agreement)	39
106	Section 44 replaced (Review of Act)	39
44	Review of Act	39
107	Section 45 amended (Regulations)	40
108	New section 47A and cross-heading inserted	40
47A	Validation in relation to co-chairpersons of Te Mātāwai	41
109	Schedule 3 heading replaced	41
110	Schedule 4 amended	41
111	Schedule 5 amended	41

Part 8

Amendments to Te Ture Whenua Maori Act 1993

112	Principal Act	45
-----	---------------	----

Māori Purposes Bill

113	Section 4 amended (Interpretation)	45
114	Section 22B replaced (Power of court in relation to easements and covenants over Maori freehold land)	46
	22B Power of court in relation to easements and covenants	46
115	Section 24A replaced (Powers of court relating to contracts privity and contractual remedies)	46
	24A Powers of court relating to contracts	46
116	Section 92 amended (Constitution of Rules Committee)	46
117	Section 134 amended (Change to Maori freehold land by vesting order on change of ownership)	47
118	New sections 228 and 228A inserted	47
	228 Meetings of trustees	47
	228A Meetings of beneficiaries	47
119	Section 273 amended (Election of chairman of committee and appointment of secretary)	48
120	Section 279 amended (Register of Maori incorporations)	48
121	New sections 347A and 347B inserted	48
	347A Validation in relation to co-chairpersons of Maori incorporations	48
	347B Validation in relation to co-chairpersons of Maori reservation trustees	49
	<i>Amendment to Contract and Commercial Law Act 2017</i>	
122	Principal Act	49
123	Section 85 amended (Interpretation)	49
	<i>Amendments to Maori Incorporations Constitution Regulations 1994</i>	
124	Principal regulations	49
125	Schedule 1 amended	50
126	Schedule 2 amended	54
	<i>Amendments to Maori Reservations Regulations 1994</i>	
127	Principal regulations	54
128	Regulation 17 amended (Provisions applicable where trustees are not body corporate)	54
	Part 9	
	Repeals	
129	Acts repealed	55
	Schedule	
	Amendments to Māori Trustee Act 1953 relating to references to Maori	
		56

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Māori Purposes Act **2024**.

2 Commencement

- (1) This Act comes into force on the day after Royal assent. 5
- (2) However, **section 93** comes into force 4 months after Royal assent.

Part 1

Amendments to Maori Community Development Act 1962

3 Principal Act

This Part amends the Maori Community Development Act 1962. 10

4 Section 2 amended (Interpretation)

In section 2, replace the definition of **Minister** with:

Minister means the Minister of the Crown who, under the authority of a warrant or with the authority of the Prime Minister, is responsible for the administration of this Act 15

5 Section 3 amended (Act to be administered by Minister)

In section 3, delete “of Maori Affairs”.

6 Section 23 amended (Meetings)

- (1) Replace section 23(a) with:

(a) each Maori Association, or the chairperson or a co-chairperson of a Maori Association, must appoint the times and manner of its meetings: 20

- (2) After section 23(a), insert:

(aa) a meeting of a Maori Association may be held—

(i) by a quorum of the members, being assembled together at the time and place appointed for the meeting; or 25

(ii) by means of audio, audio and visual, or electronic communication, provided that—

(A) all of the members who wish to participate in the meeting in that manner have access to the technology needed to participate in the meeting; and 30

(B) a quorum of members can simultaneously communicate with each other throughout the meeting; or

(iii) by a quorum of the members participating by a combination of the methods described in **subparagraphs (i) and (ii)**:

- (3) Replace section 23(b) with:
- (b) at its first meeting, each Maori Association must elect one of its members to be chairperson or 2 of its members to be co-chairpersons:
- (4) Replace section 23(c) with:
- (c) at a meeting of a Maori Association, the following person presides: 5
- (i) if the Maori Association has a chairperson and the chairperson is present, the chairperson:
- (ii) if the Maori Association has co-chairpersons who are both present, the co-chairperson elected by the members present:
- (iii) if the Maori Association has co-chairpersons and only 1 co-chairperson is present, that co-chairperson: 10
- (iv) if neither the chairperson nor either co-chairperson is present, the member elected by the members present:
- (5) In section 23(f), replace “chairman” with “person presiding”.
- 7 New section 45 inserted (Validation in relation to co-chairpersons) 15**
- After section 44, insert:
- 45 Validation in relation to co-chairpersons**
- (1) This section applies to a member of a Maori Association whom the Maori Association purported to elect as a co-chairperson before the commencement of this section, despite that position not being expressly provided for in this Act. 20
- (2) The member is declared to have been lawfully elected to the office of co-chairperson and to always have been lawfully elected.
- (3) The performance of a function, or the exercise of a power, by the member as a co-chairperson before the commencement of this section is declared to be and to always have been validly done if— 25
- (a) the member acted in accordance with any procedure adopted by the Maori Association under section 23(h); and
- (b) the member was acting lawfully (not taking into account any matters relating to their election). 30

Amendments to Maori Community Development Regulations 1963

- 8 Principal regulations**
- Sections 9 to 12** amend the Maori Community Development Regulations 1963.
- 9 Regulation 3 amended 35**
- (1) Replace regulation 3(3) with:

- (3) At the meeting, the following person presides:
- (a) if the outgoing Maori Committee has a chairperson and the chairperson is present, the chairperson:
 - (b) if the outgoing Maori Committee has co-chairpersons who are both present, the co-chairperson elected by the members of the outgoing Maori Committee who are present: 5
 - (c) if the outgoing Maori Committee has co-chairpersons and only 1 co-chairperson is present, that co-chairperson:
 - (d) if neither the chairperson nor either co-chairperson of the outgoing Maori Committee is present, a person present who is elected by the members of the outgoing Maori Committee who are present: 10
 - (e) if none of the methods in **paragraphs (a) to (d)** produce a person to preside, the person present who is elected by the meeting.
- (3A) The meeting may be held by the attendees—
- (a) being assembled together at the time and place of the meeting; or 15
 - (b) participating in the meeting by means of audio, audio and visual, or electronic communication; or
 - (c) by a combination of both of the methods described in **paragraphs (a) and (b)**.
- (2) After regulation 3(4), insert: 20
- (4A) Any person may participate in the meeting by means of audio, audio and visual, or electronic communication if—
- (a) the outgoing Maori Committee approves those means; and
 - (b) the person complies with any conditions imposed by the outgoing Maori Committee in relation to the use of those means (including, for example, conditions relating to the identity of the person and that person’s approval or authentication (including electronic authentication) of the information communicated by electronic means). 25
- (3) In regulation 3(9) and (10), replace “chairman of” with “person presiding at”.
- 10 Regulation 5 amended** 30
- (1) Replace regulation 5(1) with:
- (1) Notice in writing of the time and manner appointed for any ordinary meeting of a Maori Association must be given to every member at least 3 working days before the meeting.
- (1A) Despite **subclause (1)**, the initial meeting of a newly elected Maori Committee may be held immediately after, or at a time arranged at, the meeting of Maori residents at which it was elected. 35
- (2) Replace regulation 5(3) with:

- (3) Despite **subclause (1)**, an urgent special meeting may be called if necessary, but the members must be given as much notice as is reasonably possible in the circumstances.
- (3) In regulation 5(4), replace “to such time and place as is” with “to be held at the time and in the manner”. 5
- (4) In regulation 5(5), replace “The chairman may, with the consent of the members present, adjourn any meeting from time to time or from place to place,” with “The person presiding may, with the consent of the members present, adjourn any meeting.”.
- 11 Regulation 12 amended** 10
- (1) In regulation 12, replace “chairman or” with “chairperson or a co-chairperson, or the” in each place.
- (2) In regulation 12, replace “his” with “their”.
- 12 Schedule amended**
- In the Schedule, signature block, replace “Chairman/Secretary” with “Chairperson/Co-chairperson/Secretary”. 15

Part 2

Amendments to Maori Purposes Fund Act 1934–35

- 13 Principal Act**
- This Part amends the Maori Purposes Fund Act 1934–35. 20
- 14 Section 2 amended (Interpretation)**
- In section 2, insert in its appropriate alphabetical order:
- Minister** means the Minister of the Crown who, under the authority of a warrant or with the authority of the Prime Minister, is responsible for the administration of this Act 25
- 15 Section 7 amended (Maori Purposes Fund Board established)**
- (1) Replace section 7(2)(a) with:
- (a) the Minister, who is the chairperson:
- (2) Repeal section 7(3).
- (3) In section 7(4), replace “his” with “their”. 30
- (4) Replace section 7(5) with:
- (5) An appointed member may at any time be removed from office by the Governor-General in Council, and in such case, or in case of their death, or of their resignation in writing delivered to the Minister, their office will become vacant. 35

(5A) If an appointed member’s office becomes vacant, the Governor-General must fill the vacancy by appointing some person to hold office for the remainder of the term for which the person vacating office was appointed.

16 Section 9 amended (Meetings of the Board)

- (1) Replace section 9(1) and (2) with: 5
- (1) The Board—
- (a) must in each year hold an annual meeting at the time and in the manner appointed by the chairperson; and
- (b) may hold ordinary meetings for the transaction of its business at the time and in the manner appointed by the Board by resolution or by the chairperson; and 10
- (c) must hold a special meeting, if the chairperson or any 2 members of the Board call a special meeting by giving notice of the meeting in accordance with the regulations made under this Act and of the business to be transacted at the meeting, at the time and in the manner appointed by the chairperson or the members calling the meeting. 15
- (2) A meeting of the Board may be held—
- (a) by a quorum of the members, being assembled together at the time and place appointed for the meeting; or
- (b) by means of audio, audio and visual, or electronic communication, provided that— 20
- (i) all of the members who wish to participate in the meeting in that manner have access to the technology needed to participate in the meeting; and
- (ii) a quorum of members can simultaneously communicate with each other throughout the meeting; or 25
- (c) by a quorum of the members participating by a combination of the methods described in **paragraphs (a) and (b)**.
- (2A) A decision of the Board must be made by a resolution passed at an annual meeting, an ordinary meeting, or a special meeting. 30
- (2) Replace section 9(4) with:
- (4) In the absence of the Minister from any meeting of the Board, the members present must appoint one of their number to be the chairperson for that meeting.
- (3) In section 9(5), replace “Chairman” with “chairperson”. 35
- (4) In section 9(7), replace “his” with “their”.
- (5) In section 9(8), delete “by letter or telegram”.

- 17 Section 10 amended (Powers of Board with respect to land and chattels)**
Repeal section 10(1)(d).
- 18 Section 12 amended (Local authorities and other public bodies, trustees and other bodies, and persons may make donations, etc, to Board)**
In section 12, delete “, him,”. 5
- 19 Section 14 amended (Annual report, etc)**
Replace section 14(2) with:
- (2) The Minister must present the documents referred to in subsection (1) to the House of Representatives within 14 sitting days after the annual meeting.
- Amendments to Maori Purposes Fund Regulations 1937* 10
- 20 Principal regulations**
Section 21 amends the Maori Purposes Fund Regulations 1937.
- 21 Regulation 5 amended (Meetings)**
- (1) Replace regulation 5(1) with:
- (1) Notice of a meeting— 15
- (a) must be written, and state the time and manner of the meeting; and
- (b) may be given by post, delivery, or electronic communication; and
- (c) must be given or sent to each member at least 5 working days (or any shorter period that all the members agree) before the meeting; and
- (d) in the case of the annual meeting or an ordinary meeting, must be given 20
by the chairperson or the Secretary.
- (2) In regulation 5(3), delete “of Maori Affairs”.
- (3) Replace regulation 5(4) with:
- (4) The chairperson may, with the consent of any meeting at which a quorum is present, adjourn the meeting, but no business may be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. 25

Part 3

Amendments to Act previously called Maori Soldiers Trust Act 1957

- 22 Principal Act** 30
- This Part amends the Act that was previously called the Maori Soldiers Trust Act 1957.

- 23 Title of principal Act changed**
In section 1(1), replace “Maori” with “Māori”.
- 24 Long Title amended**
In the Long Title, replace “Maori” with “Māori” in each place.
- 25 Section 2 amended (Interpretation)** 5
- (1) In section 2, insert in their appropriate alphabetical order:
- financial statements** has the meaning given in section 6 of the Financial Reporting Act 2013
- generally accepted accounting practice** has the meaning given in section 8 of the Financial Reporting Act 2013 10
- Māori Trustee** has the meaning given in section 2(3) of the Māori Trustee Act 1953
- (2) In section 2, repeal the definition of **Maori**.
- (3) In section 2, replace the definition of **Maori veteran** with:
- Māori veteran** means a Māori who served overseas during the First World War as a member of any of the armed forces of the Crown 15
- (4) In section 2, replace the definition of **Minister** with:
- Minister** means the Minister of the Crown who, under the authority of a warrant or with the authority of the Prime Minister, is responsible for the administration of this Act 20
- (5) In section 2, definition of **Soldiers Fund Account**, replace “Maori” with “Māori”.
- (6) In section 2, definition of **Trust**, replace “Maori” with “Māori”.
- (7) In section 2, definition of **Trust Committee**, replace “Maori” with “Māori”.
- 26 Part 1 heading replaced** 25
Replace the Part 1 heading with:
- Part 1**
Māori Soldiers Trust
- 27 Section 3 amended (Establishment of Maori Soldiers Trust)**
- (1) In the heading to section 3, replace “Maori” with “Māori”. 30
- (2) In section 3(1), replace “Maori Trustee” with “Māori Trustee”.
- (3) In section 3(1), replace “Maori Soldiers Trust” with “Māori Soldiers Trust”.
- (4) In section 3(2) and (3), replace “Maori” with “Māori”.

28	Section 4 amended (Separate accounts established)	
(1)	In section 4, replace “Maori Trustee” with “Māori Trustee” in each place.	
(2)	In section 4, replace “Maori Trustee’s” with “Māori Trustee’s”.	
(3)	In section 4(c), replace “Maori” with “Māori”.	
29	Section 5 amended (Accounting provisions)	5
	In section 5(5), replace “Maori” with “Māori”.	
30	Section 5A amended (Investment otherwise than in Māori Trustee’s Common Fund)	
	In section 5A, replace “Maori” with “Māori” in each place.	
31	Section 6 amended (Farming and development of Trust property)	10
	In section 6, replace “Maori” with “Māori” in each place.	
32	Section 7 amended (Acquisition and disposition of land)	
	In section 7, replace “Maori” with “Māori” in each place.	
33	Part 2 heading replaced	15
	Replace the Part 2 heading with:	
Part 2		
Māori Soldiers Trust Committee		
34	Section 8 amended (Maori Soldiers Trust Committee)	
(1)	In the heading to section 8, replace “Maori” with “Māori”.	
(2)	In section 8(1), replace “Maori” with “Māori”.	20
(3)	Replace section 8(2) with:	
(2)	The Trust Committee must consist of—	
(a)	the Minister, who must be the chairperson:	
(b)	the Māori Trustee, who must be the deputy chairperson:	
(c)	the number of Māori, to be appointed by the Minister, as is necessary to give each Māori Land Court District 1 representative on the Committee.	25
(2A)	Despite subsection (2)(c) , Te Waipounamu and the Tākitimu Māori Land Court Districts may be treated as 1 district only.	
(4)	Replace section 8(3) to (4B) with:	
(3)	A member of the Committee appointed under subsection (2)(c) or (4C) must, as far as practicable, be a person who has at any time served overseas as a member of the armed forces of the Crown.	30

- (4) A member of the Committee appointed under **subsection (2)(c)** must be appointed for a term of 2 years but may be reappointed. This subsection is subject to **subsections (4A) and (4B)**.
- (4A) The Minister may remove a member of the Committee from office if the Minister is satisfied that the member— 5
- (a) is unable to perform the functions of a member; or
 - (b) is bankrupt; or
 - (c) has neglected their duties as a member; or
 - (d) has been guilty of misconduct.
- (4B) A member of the Committee may resign from office by giving notice in writing to the Minister. 10
- (4C) The Minister may appoint a qualified person to fill a vacancy in the membership of the Committee. The person must be appointed—
- (a) in the same manner as the vacating member was appointed; and
 - (b) for the remainder of the term for which the vacating member was appointed. 15
- (5) In section 8(5), replace “chairman of the University Grants Committee” with “chairperson of Universities New Zealand”.
- (6) After section 8(6), insert:
- (7) A member of the Committee appointed under **subsection (2)(c)** or **(4C)** continues in office despite the expiry of their term of office until the member’s successor is appointed. 20
- (8) **Subsection (7)** is subject to **subsection (4A)**.
- 35 Section 9 amended (Application of money in Soldiers Fund Account)**
- (1) Replace section 9(1) and (2) with: 25
- (1) The Trust Committee must administer the Soldiers Fund Account for the benefit of dependants of Māori veterans.
 - (2) The Trust Committee may authorise the payment of money from the Soldiers Fund Account for the relief, assistance, and support of dependants of Māori veterans. 30
- (2A) **Subsection (2)** does not limit **subsection (1)**.
- (2) In section 9(3), replace “Maori” with “Māori”.
- 36 Section 10 amended (Application of money in Scholarship Fund Account)**
- (1) In section 10(1), replace “Maoris” with “Māori”.
 - (2) In section 10(1), replace “Maori veterans” with “Māori veterans”. 35
 - (3) In section 10(2), replace “Maoris” with “Māori” in each place.

37 Section 12 amended (Appointment by Trust Committee of district committees)

Replace section 12(2) and (3) with:

- (2) A district committee must have as a member of the committee an employee of the Office of the Māori Trustee nominated by the Māori Trustee. 5
- (2A) The employee must be the chairperson of the district committee.
- (3) A district committee must consist of a maximum of 4 members in addition to the chairperson.
- (3A) The Trust Committee may decide the number of members of a district committee. 10
- (3B) **Subsection (3A)** is subject to **subsection (3C)**.
- (3C) The members must, as far as practicable, be persons who have at any time served overseas as members of the armed forces of the Crown.

38 Section 13 amended (Delegation)

- (1) In section 13(1), replace “Maori” with “Māori”. 15
- (2) In section 13(3), replace “50 pounds” with “\$5,000”.

39 Section 14 amended (Meetings)

- (1) Replace section 14(1) to (4) with:
 - (1) The chairperson may appoint, or the Trust Committee or any district committee may direct by resolution, the time and manner of meetings of the Trust Committee or of any district committee. 20
 - (1A) A meeting of the Trust Committee or of any district committee may be held—
 - (a) by a quorum of the members, being assembled together at the time and place appointed for the meeting; or
 - (b) by means of audio, audio and visual, or electronic communication, provided that— 25
 - (i) all of the members who wish to participate in the meeting in that manner have access to the technology needed to participate in the meeting; and
 - (ii) a quorum of members can simultaneously communicate with each other throughout the meeting; or 30
 - (c) by a quorum of the members participating by a combination of the methods described in **paragraphs (a) and (b)**.
 - (2) The chairperson must preside at any meeting at which they are present. In the absence of the chairperson, the deputy chairperson (if any) must preside and, in the absence of both the chairperson and the deputy chairperson, the members present must appoint one of their number to preside at that meeting. 35

- (3) The Māori Trustee or, in the case of a district committee, the chairperson, if they are unable to attend a meeting, may nominate in writing an employee of the Office of the Māori Trustee to attend the meeting in their place, and that person must be treated as a member for the purposes of the meeting.
- (4) A quorum for a meeting of the Trust Committee or of any district committee is the number that is— 5
- (a) half the number of members (if the committee has an even number of members); or
- (b) a majority of the members (if the committee has an odd number of members). 10
- (2) Replace section 14(7) with:
- (7) A resolution signed or assented to in writing (whether sent by post, delivery, or electronic communication) by the number of members of any committee that constitutes a quorum of that committee is as valid and effectual as if it had been passed at a meeting of the committee duly called and constituted. 15
- (7A) The resolution may consist of several documents containing the same resolution, each signed or assented to in writing by 1 or more members.
- 40 Section 16 amended (Yearly statements of account)**
- (1) Replace the heading to section 16 with “**Annual financial statements**”.
- (2) Replace section 16(1) with: 20
- (1) The Māori Trustee must, within 5 months after the end of each financial year, prepare—
- (a) financial statements that comply with generally accepted accounting practice in relation to the Trust for that financial year; and
- (b) a report of the activities of the Trust Committee for that financial year (the **annual report**). 25
- (3) Replace section 16(3) with:
- (3) The Māori Trustee must provide a copy of the financial statements and the annual report to any person who requests them.
- (4) The Ministry of Māori Development—Te Puni Kōkiri must— 30
- (a) provide a copy of the financial statements and the annual report to any person who requests them; and
- (b) publish the financial statements and the annual report on an Internet site maintained by, or on behalf of, the Ministry of Māori Development—Te Puni Kōkiri. 35

Part 4
**Amendments to Māori Television Service (Te Aratuku Whakaata
 Irirangi Māori) Act 2003**

- 41 Principal Act** 5
 This Part amends the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003.
- 42 Section 5 amended (Outline of Act)**
 In section 5(2)(c), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- 43 Section 6 amended (Interpretation)** 10
 In section 6, insert in its appropriate alphabetical order:
co-chairperson of Te Mātāwai means,—
 (a) if Te Mātāwai has a chairperson, that chairperson;
 (b) if Te Mātāwai has co-chairpersons, either of those co-chairpersons
- 44 Section 15 amended (Functions of Te Mātāwai)** 15
 Replace section 15(b) with:
 (b) to provide direction to a co-chairperson of Te Mātāwai in the performance and exercise of their functions and powers under section 16; and
- 45 Section 16 amended (Joint responsibilities of responsible Ministers and chairperson of Te Mātāwai)** 20
 (1) In the heading to section 16, replace “**chairperson**” with “**co-chairperson**”.
 (2) In section 16(1) and (2), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- 46 Section 17 amended (Resolution of disagreement between the responsible Ministers and the chairperson of Te Mātāwai)** 25
 (1) In the heading to section 17, replace “**the responsible Ministers and the chairperson**” with “**responsible Ministers and co-chairperson**”.
 (2) In section 17(1), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- 47 Section 30 amended (Matters for consultation and reporting must be identified)** 30
 In section 30(a) and (b), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.

- 48 Section 31 amended (Creating and finalising statement of intent)**
- (1) In section 31, replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai” in each place.
- (2) In section 31(4)(a), replace “chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”. 5
- 49 Section 34 amended (Mandatory amendment of statement of intent)**
- (1) In section 34(1)(a), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- (2) In section 34(3), replace “chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”. 10
- 50 Section 36 amended (Effective date of amendments)**
- In section 36(a) and (b), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- 51 Section 41 amended (Contents of annual report)**
- In section 41(2)(k), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”. 15
- 52 Section 44 amended (Annual report presented to House of Representatives)**
- In section 44(1), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”. 20
- 53 Section 45 amended (Shares or interests in related entities)**
- (1) In section 45(1), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- (2) In section 45(2), replace “chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”. 25
- 54 Section 47 amended (Remuneration and allowances)**
- In section 47(1)(a), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- 55 Section 50 repealed (Final report of Trust)**
- Repeal section 50. 30
- 56 Schedule 1 amended**
- In Schedule 1, clause 13(1) and (2), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.

57 Schedule 2 amended

- (1) In Schedule 2, clause 3(1)(c), replace “chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- (2) In Schedule 2, clause 3(2)(c), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”. 5
- (3) In Schedule 2, clause 4(4)(a), (b), and (c), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- (4) In Schedule 2, clause 5(1), (3)(b), and (4), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- (5) In Schedule 2, clause 8(1)(a)(ii), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”. 10
- (6) In Schedule 2, clause 10(2)(a), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- (7) In Schedule 2, clause 21(2), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”. 15
- (8) In Schedule 2, clause 26(4)(e), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- (9) In Schedule 2, clause 29, replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.
- (10) In Schedule 2, clause 33(1) and (2), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”. 20
- (11) In Schedule 2, clause 35(4)(c), replace “the chairperson of Te Mātāwai” with “a co-chairperson of Te Mātāwai”.

Part 5**Amendments to Maori Trust Boards Act 1955**

25

58 Principal Act

This Part amends the Maori Trust Boards Act 1955.

59 Section 16 amended (Extraordinary vacancies)

Replace section 16(3) with:

- (3) In the case of an extraordinary vacancy, the Governor-General may appoint a qualified person nominated under **subsection (3A)** to be a member of the Board for the residue of the term for which the vacating member was appointed. 30
- (3A) For the purpose of nominating a qualified person to fill an extraordinary vacancy, the Board may— 35
- (a) nominate a qualified person, without holding an election, after carrying out any nomination process it thinks fit; or

- (b) hold an election in the manner the Board thinks fit.
- (3B) An election under **subsection (3A)** does not need to comply with Part 3 of this Act or any regulations made under this Act.
- 60 Section 18 amended (Meetings of Board)**
- (1) Replace section 18(2) with: 5
- (2) A Board must appoint the times and manner of meetings of the Board.
- (2A) A meeting of a Board may be held—
- (a) by a quorum of the members, being assembled together at the time and place appointed for the meeting; or
- (b) by means of audio, audio and visual, or electronic communication, provided that— 10
- (i) all of the members who wish to participate in the meeting in that manner have access to the technology needed to participate in the meeting; and
- (ii) a quorum of members can simultaneously communicate with each other throughout the meeting; or 15
- (c) by a quorum of the members participating by a combination of the methods described in **paragraphs (a) and (b)**.
- (2B) Despite **subsection (2)**, the first meeting of a Board following the triennial appointment of its members must be held— 20
- (a) at the time and in the manner that the Secretary, after consultation with a quorum of the members, appoints; and
- (b) not later than 2 months after the date of the appointment of its members.
- (2) In section 18(6), replace “to such time and place as” with “to be held at the time and in the manner that”. 25
- 61 Section 19 amended (Officers of Board)**
- (1) In section 19(3), replace “workmen” with “employees” in each place.
- (2) In section 19(4), delete “: provided that the rate of remuneration of the Secretary shall be fixed only with the prior approval of the Minister”.
- (3) After section 19(4), insert: 30
- (5) A Board may determine the rate of remuneration to be paid to the Secretary.
- 62 Section 22 amended (Meetings of committees)**
- (1) After section 22(1), insert:
- (1A) A committee must appoint the times and manner of meetings of the committee.
- (2) After section 22(2), insert: 35
- (2A) A meeting of a committee may be held—

- (a) by a quorum of the members, being assembled together at the time and place appointed for the meeting; or
- (b) by means of audio, audio and visual, or electronic communication, provided that—
 - (i) all of the members who wish to participate in the meeting in that manner have access to the technology needed to participate in the meeting; and
 - (ii) a quorum of members can simultaneously communicate with each other throughout the meeting; or
- (c) by a quorum of the members participating by a combination of the methods described in **paragraphs (a) and (b)**.

63 Section 23C amended (Annual hui)

After section 23C(1), insert:

- (1A) A hui may be held—
 - (a) by the participating beneficiaries being assembled together at the time and location appointed for the hui; or
 - (b) by the participating beneficiaries participating in the hui by means of audio, audio and visual, or electronic communication; or
 - (c) by a combination of the methods described in **paragraphs (a) and (b)**.
- (1B) A beneficiary may participate in a hui by means of audio, audio and visual, or electronic communication if—
 - (a) the Board approves those means; and
 - (b) the beneficiary complies with any conditions imposed by the Board in relation to the use of those means (including, for example, conditions relating to the identity of the beneficiary and that person’s approval or authentication (including electronic authentication) of the information communicated by electronic means).

64 Section 23D amended (Notice of annual hui)

Replace section 23D(1)(a) with:

- (a) the time of a hui to be held under section 23C, and either or both of the following (as applicable):
 - (i) its location;
 - (ii) details of how beneficiaries may participate in a hui by means of audio, audio and visual, or electronic communication; and

65 Section 28 amended (Bank accounts)

Replace section 28(2) with:

- (2) No money may be withdrawn from a Maori Trust Board Account except with the authority of the Board.

66 Section 36 amended (Contracts of Board)

- (1) In section 36(1), delete “under the seal of the Board”.
- (2) After section 36(1), insert: 5
- (1A) A Board may, in addition to complying with subsection (1), affix its common seal, if it has one, to the contract.
- (3) In section 36(3), replace “10 pounds” with “\$500”.

67 Section 46 amended (Invitation of nominations)

- Replace section 46(2)(a) with: 10
- (a) by either or both of the following means that the Board determines:
- (i) by newspaper advertisement published in 1 or more newspapers determined by the Board:
- (ii) by a notice on an internet site that is maintained by or on behalf of the Board; and 15

Part 6

Amendments to Māori Trustee Act 1953

68 Principal Act

This Part amends the Māori Trustee Act 1953.

69 Section 2 amended (Interpretation) 20

- (1) Replace section 2(1) with:
- (1) Unless the context otherwise requires, terms and expressions that are defined in Te Ture Whenua Maori Act 1993 have, when used in this Act, the meanings that are given by that Act.
- (2) In section 2(2), replace “powers conferred on him by the Maori Affairs Act 1953” with “powers conferred on the Māori Trustee by Te Ture Whenua Maori Act 1993”. 25
- (3) In section 2(3), insert in its appropriate alphabetical order:
- Minister** means the Minister for Māori Development.

70 Section 9 amended (Delegation of powers of Māori Trustee) 30

In section 9(7), replace “Part 23 of the Maori Affairs Act 1953” with “Part 9 of Te Ture Whenua Maori Act 1993”.

71 Section 11 amended (Māori Trustee may accept special trusts)

- (1) Replace section 11(2) with:

- (2) An alienation of Māori land to the Māori Trustee made for the purposes of this section does not require—
- (a) a memorandum of transfer ordered under Part 7 of Te Ture Whenua Maori Act 1993; or
 - (b) confirmation by a vesting order under Part 8 of that Act. 5
- (2) In section 11(3), replace “in trust for any Maoris or for any persons being descendants of Maoris, or in trust for Maoris or the descendants of Maoris of any specified group or class” with “in trust for any Māori or for any Māori of a specified group or class”.
- (3) Replace section 11(5) with: 10
- (5) On the application of the Māori Trustee, the court may make a vesting order vesting in the Māori Trustee any Māori land or any General land owned by Māori to which subsection (1) or (3) relates.
- 72 Section 12 amended (Pending grant of probate or administration, Māori Trustee may administer estates of deceased Maoris) 15**
- (1) In section 12(2) and (2A), delete “or by telegram”.
 - (2) In section 12(2A), delete “or the dispatching of the telegram”.
- 73 Section 13 amended (General authority for Māori Trustee to act as agent or trustee or in other representative capacity)**
- In section 13(4),— 20
- (a) replace “Maori or descendant of a Maori” with “Māori”; and
 - (b) replace “District Land Registrar” with “Registrar-General of Land”; and
 - (c) replace “Land Transfer Act 1952” with “Land Transfer Act 2017”.
- 74 Section 17 amended (Māori Trustee’s Account)**
- Repeal section 17(3)(a) and (b). 25
- 75 Section 24 amended (Māori Trustee may receive moneys for investment otherwise than in Common Fund)**
- Replace section 24(1) with:
- (1) The Māori Trustee may, in the Māori Trustee’s discretion, receive moneys for investment on behalf of any Māori or on behalf of the owners of any Māori land incorporated under Part 4 of the Maori Affairs Amendment Act 1967 or Part 13 of Te Ture Whenua Maori Act 1993, subject to an express direction given by or on behalf of the depositor that it must be invested otherwise than in the Common Fund. 30
- 76 Section 26 amended (Money held in Common Fund invested in Fund) 35**
- (1) In section 26(2), replace—

- (a) “section 52(a)(i)” with “section 52(1)(a)(i)”; and
- (b) “section 52(a)(ii)” with “section 52(1)(a)(ii)”.
- (2) In section 26(3), formula, item b, replace “management fees that the Māori Trustee is entitled to charge or retain under section 26A” with “management fees and trading expenses that the Māori Trustee is entitled to charge, retain, or deduct under sections 26A and **26AB**”. 5
- (3) In section 26(3), formula, item c, replace “section 52(b)” with “section 52(1)(b)”.
- 77 Section 26A amended (Management fees)** 10
In section 26A, replace “section 52(c)” with “section 52(1)(c)”.
- 78 New section 26AB inserted (Trading expenses)**
After section 26A, insert:
- 26AB Trading expenses**
- The Māori Trustee may deduct the following trading expenses from the money received by the Māori Trustee as income referred to in section 26(3): 15
- (a) expenses associated with bond premiums for financial products that are acquired as Common Fund investments:
- (b) other expenses incurred in connection with acquiring or disposing of financial products that are acquired as Common Fund investments.
- 79 Section 26B amended (Disclosure requirements)** 20
- (1) Before section 26B(1), insert:
- (1AA) Subsection (1) applies to an account if the amount of distributable income that the Māori Trustee must pay under section 26(2) in respect of the account is more than or equal to the amount prescribed in regulations.
- (2) In section 26B(1), replace “section 52(d)” with “section 52(1)(d)”. 25
- (3) In section 26B(1)(a), after “income”, insert “paid or”.
- (4) After section 26B(1)(b), insert:
- (ba) the trading expenses referred to in **section 26AB**; and
- (5) Replace section 26B(1)(c) with:
- (c) the amount of distributable income paid or payable by the Māori Trustee in total to all account holders in the year to which the report relates; and 30
- (6) After section 26B(2), insert:
- (3) Despite subsection (1), if the Māori Trustee is unable to contact an account holder after reasonable inquiry, the Maori Trustee—
- (a) is not obliged to report to that account holder; but 35

	(b) must retain a summary of the information on that holder’s account to enable appropriate disclosure to the account holder as soon as contact is able to be made with that account holder.	
80	Section 30A amended (Unclaimed agency money)	
	Replace section 30A(1)(a) with:	5
	(a) any trust constituted or continued under Te Ture Whenua Maori Act 1993; or	
81	Section 32 amended (Special purposes for which moneys in General Purposes Fund may be used)	
	In section 32(1)(a) and (b), replace “Maoris or descendants of Maoris” with “any Māori”.	10
82	Section 33 amended (Authorising establishment and maintenance of Maori hostels out of General Purposes Fund)	
(1)	In the heading to section 33, replace “Maori” with “Māori”.	
(2)	Repeal section 33(1).	15
(3)	In section 33(2)(a), (b), and (e), replace “Maoris or the descendants of Maoris” with “Māori”.	
83	Section 38 amended (Māori Trustee may apply money in General Purposes Fund for purposes of property vested in or controlled by him)	
	Replace section 38(4) with:	20
(4)	Subsections (1) to (3) apply, with any necessary modifications, to empower the Māori Trustee to make advances out of the General Purposes Fund for any of the following:	
	(a) purposes relating to the administration by the Māori Trustee of any estate:	25
	(b) the purposes of exercising any rights under any of the following:	
	(i) section 104 of the Public Works Act 1928 as continued by section 248(3) of the Public Works Act 1981:	
	(ii) section 198(1), (2), and (3) of Te Ture Whenua Maori Act 1993.	
84	Section 39 amended (Māori Trustee may acquire land on behalf of Maoris)	30
(1)	In the heading to section 39, replace “Maoris” with “Māori”.	
(2)	Replace section 39(1) with:	
(1)	The Māori Trustee may, on the application by or on behalf of any Māori or a body corporate of owners incorporated under Part 4 of the Maori Affairs Amendment Act 1967 or Part 13 of Te Ture Whenua Maori Act 1993, acquire by purchase or otherwise any land or interest in land for and on behalf of that Māori or body corporate.	35

- (3) Replace section 39(3) with:
- (3) Despite Parts 7 and 8 of Te Ture Whenua Maori Act 1993, an instrument of alienation for the acquisition by the Māori Trustee of any Māori land or interest under this section does not require confirmation by the court.
- 85 Section 40 amended (Māori Trustee may acquire land to provide sites for Maori dwellings)** 5
- (1) In the heading to section 40, replace “Maori” with “Māori”.
- (2) In section 40(1), replace “Maoris or descendants of Maoris” with “any Māori”.
- (3) In section 40(2), replace “Maori or descendant of a Maori” with “Māori” in each place. 10
- 86 Section 45 amended (Māori Trustee may accept payment and give discharge for moneys payable to Maoris)**
- (1) In the heading to section 45, replace “Maoris” with “Māori”.
- (2) Replace section 45(1) with:
- (1) The Māori Trustee may, if the Māori Trustee thinks fit, accept payment of any moneys held by any person on behalf of or owing by any person to any Māori or the owners of any Māori freehold land. 15
- 87 Section 46C amended (Power of Māori Trustee to make small payments without order)**
- Replace section 46C(2) with: 20
- (2) The Māori Trustee’s power under subsection (1) includes a power to make a payment to a minor in respect of whose property, or any of it, the Māori Trustee has been appointed as a trustee of a kai tiaki trust under section 222 of Te Ture Whenua Maori Act 1993.
- (2A) The receipt of the minor discharges the Māori Trustee for the amount paid by the Māori Trustee. 25
- (2B) A payment may be made under **subsection (2)** regardless of the terms of the order under section 222 relating to the Māori Trustee’s appointment.
- 88 Section 49 amended (Māori Trustee may register memorial of charge against land)** 30
- ~~In section 49(2), replace “District Land Registrar” with “Registrar-General of Land”.~~
- In section 49(2), replace “District Land Registrar or Registrar of Deeds, as the case may be, of the Land Registration District in which the land is situated” with “Registrar-General of Land or Registrar of Deeds, as the case may be”. 35
- 89 Section 50 amended (Memorandum of extension of lease)**
- (1) Replace the heading to section 50 with “Lease variation instrument”.

- (2) In section 50(2), replace “execute a memorandum of extension of the lease in accordance with the provisions of this section” with “execute a lease variation instrument in accordance with section 92 of the Land Transfer Act 2017”.
- (3) Repeal section 50(3).
- (4) In section 50(4), replace “memorandum of extension” with “lease variation instrument”.
- 90 Section 52 amended (Regulations)**
In section 52(1), replace “Minister of Māori Affairs” with “Minister”.
- 91 Amendments to various references to “Maori” and “Maoris”**
- (1) In the provision specified in **Part 1 of the Schedule**, replace “Maoris” with “Māori”.
- (2) In the provisions specified in **Part 2 of the Schedule**, replace “Maori” with “Māori” in each place.
- (3) In the provision specified in **Part 3 of the Schedule**, replace “Maoris or descendants of Maoris ” with “Māori”.
- (4) In the provisions specified in **Part 4 of the Schedule**, replace “Maori or any descendant of a Maori ” with “Māori” in each place.
- (5) In the provisions specified in **Part 5 of the Schedule**, replace “Maoris or the descendants of Maoris ” with “Māori” in each place.
- Amendments to Māori Trustee Regulations 2009* 20
- 92 Principal regulations**
Sections 93 to 95 amend the Māori Trustee Regulations 2009.
- 93 Regulation 8 amended (Calculation of distributable income)**
- (1) In the heading to regulation 8, replace “Calculation” with “Apportionment”.
- (2) In regulation 8(b)(i), replace “on the last day of the month” with “at the end of each day of the month”.
- 94 Regulation 10 amended (Māori Trustee must report to account holders)**
- (1) Before regulation 10(1), insert:
- (1AA) For the purposes of **section 26B(1AA)** of the Māori Trustee Act 1953, the prescribed amount is \$50.
- (2) Replace regulation 10(1)(b) with:
- (b) the total amount of the management fee charged or retained, as provided for in regulation 7; and
- (ba) the total amount of the trading expenses deducted under **section 26AB** of the Māori Trustee Act 1953; and

- (3) In regulation 10(1)(c), delete “net”.
- (4) Revoke regulation 10(4).

95 Schedule amended

In the Schedule, clause 5(a), replace “an administrator or trustee under Part 10 of the Maori Affairs Act 1953” with “an administrator under Part 4 of Te Ture Whenua Maori Act 1993 or a trustee under Part 12 of that Act”. 5

Te Wāhanga 7/Part 7

**Ngā Whakahounga Panonitanga o Te Ture mō Te Reo Māori 2016/
Amendments to Māori Language Act 2016**

Ngā Whakahounga Panonitanga o Te Ture mō Te Reo Māori 2016 10

96 Te Ture Matua

E panoni ana tēnei Wāhanga i Te Ture mō Te Reo Māori 2016.

97 Kua panonitia te wehenga 2 (Te tīmatanga)

- (1) I te wehenga 2(1)(a), whakakapia te “Ōta Kaunihera” ki te “Whakahau ā-Kaunihera”. 15
- (2) I te wehenga 2(3), whakakapia te “ōta” ki te “Whakahau ā-Kaunihera”.

97A Kua panonitia te wehenga 3 (Te korahi me te aronga o tēnei Ture)

Whakakapia te wehenga 3(3)(b) ki te:

(b) hoki e whakatau kia whakawhanake rautaki reo Māori a Te Mātāwai me te Karauna hei tautoko i te whakarauoratanga o te reo Māori, mā te whakatairanga hoki i te piki haeretanga o te tokomaha e kōrero Māori ana, e whakapakari ake ana hoki i tō rātou matatau ki taua reo; 20

98 Kua panonitia te wehenga 7 (Te mana ki te kōrero Māori i roto i ngā whakahaerenga ā-ture)

I te wehenga 7(7), i te whakamāramatanga o ngā whakahaerenga ā-ture, whakakapia te kōwae (b) ki te: 25

(b) ngā whakahaerenga kei te aroaro o tētahi kaitirotiro matewhawhati, o tētahi turuki kaitirotiro matewhawhati rānei:

99 Kua panonitia te wehenga 13 (Te whakahāngaitanga)

- (1) I te wehenga 13, whakakorengia ngā whakamahuki, arā, te **kāhui ā-iwi** me te **kāhui o Te Reo Tukutuku**. 30
- (2) I te wehenga 13, kuhuna ki ō rāua wāhi e tika ana i te raupapa arapū:
ko te **kāhui ā-iwi** tētahi huinga iwi ka tautohua i raro i tētahi o ngā upoko e whitu i te Āpitihianga 3

ko te **kāhui o Te Reo Tukutuku** tētahi huinga o ngā rōpū whakahaere ka tautohua i raro i tētahi o ngā upoko iti e whā i te Āpitihianga 4

100 Kua panonitia te wehenga 16 (Te anga o te Ture)

- (1) Whakakapia te wehenga 16(4) ki te:
- (4) Ka whakatau te Wāhanga 4 kia tū tonu a Te Taura Whiri me Te Reo Whakapuaki Irirangi hei hinonga Karauna whai mana motuhake kua herea ki te Crown Entities Act 2004, ā, mō Te Reo Whakapuaki Irirangi, ki te Wāhanga 4A o te Broadcasting Act 1989. Ka whakaūngia hoki i konei te whakakorenga o Te Pūtahi Paoho, kia kopou hoki a Te Mātāwai i te tokowhā o ngā kaiurungi tokowhitu o te poari o Te Ratonga Whakaata Māori. 5 10
- (2) Whakakapia te wehenga 16(6)(c) ki te:
- (c) i roto i te Āpitihianga 3, ko ngā kāhui ā-iwi e whitu:
- (3) Whakakapia te wehenga 16(6)(d) ki te:
- (d) i roto i te Āpitihianga 4, ko ngā kāhui e whā o Te Reo Tukutuku:

101 Kua panonitia te wehenga 17 (Te whakatūnga o Te Mātāwai)

15

Whakakapia te wehenga 17(4) ki te:

- (4) Ka hāngai te wehenga iti (3) i runga i ngā herenga ki ngā whakataunga o tēnei Ture, o tētahi atu whakaturetanga me te ture whānui.

102 Kua panonitia te wehenga 18 (Te aronga o Te Mātāwai)

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I raro tonu i te wehenga 18(b), kuhuna te:

- (ba) hei toko ake hoki i te whakarauoratanga o te reo Māori mā ēnei mahi hoki—
- (i) mā te whakarewa i te tūohotanga ki ngā mahi whakarauora; wai-hoki
- (ii) mā te whakatenatena, mā te tautoko, mā te whakaū hoki i te mana o ngā iwi me ngāi Māori e ako nei, e kōrero nei hoki i te reo Māori; 25

103 Kua panonitia te wehenga 20 (Ngā mema o Te Mātāwai)

- (1) Whakakapia te wehenga 20(1)(a) ki te:
- (a) kia tokowhitu ngā mema, mā tēnā, mā tēnā o ngā kāhui ā-iwi e whitu, e whakarārangitia ana i te Āpitihianga 3, tētahi mema e kopou; ā, 30
- (2) Whakakapia te wehenga 20(1)(b) ki te:
- (b) kia tokowhā ngā mema, mā tēnā, mā tēnā o ngā kāhui e whā o Te Reo Tukutuku, e whakarārangitia ana i te Āpitihianga 4, tētahi mema e kopou; ā, 35
- (3) Whakakapia te wehenga 20(5) ki te:

- (5) Me whakatau rawa e Te Mātāwai tāna ake tukanga kopoutanga, ā, me kopou rawa hoki e ia—
- (a) tētahi rānei o ōna mema hei kaihautū;
 - (b) tētahi tokorua rānei o ōna mema hei kaihautū takirua.
- 104 Kua panonitia te wehenga 22 (Te kopoutanga o te tumu whakarae)** 5
- Whakakapia te wehenga 22(3)(a) ki te:
- (a) me whakatau rawa i ngā whakaritenga me ngā herenga o te mahi a te tumu whakarae, i runga i te whiriwhiri kōrero ki Te Kawa Mataaho:
- 105 Kua panonitia te wehenga 23 (Te aronga o te kirimana hoko)** 10
- Whakakapia te wehenga 23(d) ki te:
- (d) kia whai pūtake hoki e āhei ai te aromatawai i te mahi.
- 106 Kua panonitia te wehenga 44 (Te arotakenga o te Ture)**
- Whakakapia te wehenga 44 ki te:
- 44 Te arotakenga o te Ture**
- (1) I ōna wā, ko te Minita— 15
 - (a) me arotake rawa i te whakamahinga me te whai hua o tēnei Ture e ai ki ngā paearu i whakatauria ai e te Minita me Te Mātāwai; ā,
 - (b) me whakarite rawa i tētahi pūrongo mō taua arotakenga.
 - (2) I mua i te tīmatanga o te arotakenga, me whiriwhiri kōrero rawa te Minita me Te Mātāwai ki te poari o Te Ratonga Whakaata Māori e pā ana ki ngā paearu. 20
- 107 Kua panonitia te wehenga 45 (Ngā waeture)**
- (1) I te wehenga 45(1) me te (3), whakakapia te “Ōta Kaunihera” ki te “Whakahau ā-Kaunihera”.
 - (2) Whakakapia te wehenga 45(1) me te (2) ki te:
 - (1) Ka āhei tā te Kāwana-Tianara hanga waeture, mā te Whakahau ā-Kaunihera, i runga i te tūtohunga a te Minita me te Minita o ngā Kōti, hei panoni i te Āpitianga 2 mā te tāpiri rānei, mā te unu rānei, mā te whakakapi rānei i te ingoa o tētahi kōti, o tētahi taraipiunara rānei. 25
 - (2) Ka āhei anake tā ngā Minita, i kōrerotia ai i roto i te **wehenga iti (1)**, tuku tūtohunga i raro i taua wehenga iti mehemea, ki ō rāua whakaaro— 30
 - (a) kāore rānei i roto i taua ā-Āpitianga tētahi kōti, tētahi taraipiunara rānei me whai wāhi ka tika e tika ana kia whai wāhi;
 - (b) kei taua ā-Āpitianga rānei tētahi kōti, tētahi taraipiunara rānei kāore e tika ana kia whai wāhi— nā te whakakorenga o te kōti, o te taraipiunara rānei; 35

- (c) e tika ana rānei kia whakakapia te ingoa o tētahi kōti, o tētahi taraipiu-nara rānei i taua āpitihanga nā te mea kua panonitia.
- (2A) Ka āhei tā te Kāwana-Tianara hanga waeture, mā te Whakahau ā-Kaunihera, i runga i te tūtohunga a te Minita, hei panoni i te Āpitihanga 3 mā te mahi i tētahi rānei, i ngā mea e rua rānei o ēnei e whai ake nei: 5
- (a) te panoni i te ingoa o tētahi kāhui ā-iwi:
- (b) te tāpiri, te unu rānei i te ingoa o tētahi iwi i tētahi kāhui ā-iwi.
- (2B) Ka āhei anake tā te Minita tuku tūtohunga i raro i te **wehenga iti (2A)** mehemea te Minita kua whiwhi ki tētahi whakaūnga ā-tuhi e whakaatu ana i tā Te Mātāwai whiriwhiri kōrero ki ngā iwi e hāngai ana. 10
- (2C) I te horopaki o te **wehenga iti (2B)**, ko ngā iwi e hāngai ana, mehemea te Whakahau ā-Kaunihera—
- (a) ka panoni i te ingoa o tētahi kāhui ā-iwi, ko te huinga o ngā iwi e whakarārangitia ana i te Āpitihanga 3 i hua rā te kāhui ā-iwi e hāngai ai te Whakahau ā-Kaunihera: 15
- (b) ka tāpiri i te ingoa o tētahi iwi ki tētahi kāhui ā-iwi,—
- (i) ko te huinga o ngā iwi e whakarārangitia ana i te Āpitihanga 3 i hua rā te kāhui ā-iwi e hāngai ai te Whakahau ā-Kaunihera; ā,
- (ii) ko te iwi e tāpiritia ana ki te kāhui ā-iwi:
- (c) ka unu i te ingoa o tētahi iwi i tētahi kāhui ā-iwi, ko te huinga o ngā iwi e whakarārangitia ana i te Āpitihanga 3 i hua rā te kāhui ā-iwi e hāngai ai te Whakahau ā-Kaunihera. 20
- (3) I te wehenga 45(3), whakakapia te “Ōta Kaunihera” ki te “Whakahau ā-Kaunihera”.
- 108 Te wehenga 47A e hou ana me te tīpare kua kuhuna** 25
- I raro tonu i te wehenga 47, kuhuna te:
- Te whakaūnga o te mana e hāngai ana ki ngā kaihautū takirua o Te Mātāwai*
- 47A Te whakaūnga o te mana e hāngai ana ki ngā kaihautū takirua o Te Mātāwai**
- (1) Ka pā tēnei wehenga ki te mema o Te Mātāwai i kīia rā e Te Mātāwai kua kopoua hei kaihautū takirua i mua i te tīmatanga o tēnei wehenga, ahakoa kāore he āhuatanga i āta whakaritea mō taua tūranga i tēnei Ture. 30
- (2) Ka ōkawa te kīia o te mema, kua kopoua ia ki te tūranga o te kaihautū takirua i raro i te ture, ka mutu, nō tōna kopoutanga rā anō i mana ai te kopoutanga i raro i te ture. 35
- (3) Ka ōkawa te kīia, kua mana te kawenga o te āheinga, te whiunga rānei o te mana, e te mema hei kaihautū takirua i mua i te tīmatanga o tēnei wehenga, ka mutu, nō tōna kopoutanga rā anō i mana ai aua mahi mehemea—

- (a) te mema kua mahi—
- (i) tahi rānei me tētahi atu mema i kīia rā kua kopoua hei kaihautū takirua;
- (ii) takitahi rānei; ā,
- (b) i te mahi te mema i raro i te ture (hāunga rā ōna take e hāngai ana ki tōna kopoutanga). 5

109 Kua whakakapia te upoko o te Āpitihianga 3

Whakakapia te upoko o te Āpitihianga 3 ki te:

Te Āpitihianga 3
Ngā kāhui ā-iwi

ngā wehenga 13, me te 20

10

110 Kua panonitia te Āpitihianga 4

- (1) I te Āpitihianga 4, o te whakaputanga reo Pākehā o te Ture matua, whakakapia te upoko iti ki te:

Ngā kāhui o Te Reo Tukutuku

- (2) I te Āpitihianga 4, o te whakaputanga reo Pākehā o te Ture matua, whakakapia te “clusters” ki te “groups”. 15

111 Kua panonitia te Āpitihianga 5

- (1) I te Āpitihianga 5, whakakapia te rārangi 1(3) ki te:
- (3) E hangā ai tētahi rōpū kōwhiri i te horopaki o te **wehenga 20(1)(a)** (e whai pānga ana ki ngā mema tokowhitu ka kopoua e ngā kāhui ā-iwi e whitu),— 20
- (a) me whakawātea rawa te ara ki ia iwi i te kāhui ā-iwi kia tautapa i tētahi tangata hei māngai mō taua iwi ki te rōpū kōwhiri; ā,
- (b) me tautapa rawa tētahi māngai e te 60%, e te ōrau nui ake rānei, o ngā iwi i te kāhui ā-iwi kotahi. 25
- (2) I te Āpitihianga 5, whakakapia te rārangi 1(4) ki te:
- (4) E hangā ai tētahi rōpū kōwhiri i te horopaki o te **wehenga 20(1)(b)** (e whai pānga ana ki ngā mema tokowhā ka kopoua e ngā kāhui e whā o Te Reo Tukutuku), me tautapa rawa e ia rōpū whakahaere i te kāhui o Te Reo Tukutuku tētahi tangata hei māngai mō taua rōpū whakahaere ki te rōpū kōwhiri. 30
- (3) I te Āpitihianga 5, whakakapia te rārangi 2 ki te:

2 Te whai tikanga o ngā mahi a ngā mema

Ka whai tikanga ngā mahi a te tangata e noho ana hei mema rānei, hei kaihautū rānei, hei kaihautū takirua rānei mō Te Mātāwai ahakoa—

- (a) he takarepa rānei i roto i te kopoutanga o te tangata; 35

- (b) kāore rānei i ara ake, i mutu rānei te take mō te mahi a te tangata, mō te kopoutanga rānei o te tangata.
- (4) I te Āpitianga 5, whakakapia te rārangi 3(1) ki te:
- (1) Kāore e whakakorengia te whai tikanga o te kopoutanga o te tangata hei mema rānei, hei kaihautū rānei, hei kaihautū takirua rānei mō Te Mātāwai nā te mea he takarepa i roto i te kopoutanga o te tangata. 5
- (5) I te Āpitianga 5, whakakapia te rārangi 4(3)(e) ki te:
- (e) ka whakamōhio rānei te kaihautū, te kaihautū takirua rānei o Te Mātāwai i te mema mā te pānui ā-tuhi e kore te mema e kopoua anō, ā, e kore e kopoua tētahi piki tūranga i taua wā tonu. 10
- (6) I te Āpitianga 5, whakakorengia te rārangi 4(4).
- (7) I te Āpitianga 5, whakakapia te rārangi 5(1) ki te:
- (1) Ahakoa te wā, ahakoa hoki te take, ka āhei te tangohia o tētahi mema o Te Mātāwai e—
- (a) te kāhui ā-iwi rānei nāna nei taua mema i kopou; 15
- (b) te kāhui o Te Reo Tukatuku rānei nāna nei taua mema i kopou;
- (c) te Minita rānei, mehemea i kopoua te mema i raro i te wehenga 20(1)(c).
- (8) I te Āpitianga 5, whakakapia te rārangi 5(5) ki te:
- (5) Kei rangirua, me kua rawa te kāhui ā-iwi, te kāhui rānei o Te Reo Tukatuku, te Minita rānei e tango i tētahi mema, atu i ngā wā i āta whakaaroarotia ai te take, ā, me whai rawa te tukanga tango i tētahi mema i ngā mātāpono o te tika me te pono. 20
- (9) I te Āpitianga 5, whakakapia te tīpare i runga tonu o te rārangi 7 ki te:
- Te kaihautū me ngā kaihautū takirua*
- (10) I te Āpitianga 5, whakakapia te rārangi 7 ki te: 25
- 7 Te roa o te kopoutanga o te kaihautū, o te kaihautū takirua hoki**
- Ka noho te kaihautū rānei, te kaihautū takirua rānei o Te Mātāwai i tōna tūranga tae atu ki te wā—
- (a) ka rīhaina rānei ia i tōna tūranga;
- (b) ka tangohia rānei ia i tōna tūranga e Te Mātāwai; 30
- (c) ka mutu rānei tāna noho i te tūranga hei mema;
- (d) ka pau rānei te wā o te tūranga i tohua ai i te kopoutanga, atu i ngā wā ka kopoua anō te mema kia noho mai mō tētahi wā anō.
- (11) I te Āpitianga 5, whakakapia te upoko o te rārangi 8 ki te “**Te rīhainatanga o te kaihautū, o te kaihautū takirua rānei**”. 35
- (12) I te Āpitianga 5, whakakapia te rārangi 8(1) ki te:

Māori Purposes Bill

- (1) Ka āhei tā te kaihautū, tā te kaihautū takirua rānei o Te Mātāwai rihaina i taua tūranga, me te noho tonu hei mema, mā te pānui ā-tuhi ki a Te Mātāwai.
- (13) I te Āpitihianga 5, whakakapia te upoko o te rārangi 9 ki te “**Te tangohanga o te kaihautū, o te kaihautū takirua rānei**”.
- (14) I te Āpitihianga 5, whakakapia te rārangi 9(1) ki te: 5
- (1) I muri i te whiriwhiri kōrero me te tangata kua tohua, e āhei ana tā Te Mātāwai tango i te kaihautū, i te kaihautū takirua rānei, o Te Mātāwai i taua tūranga, ahakoa ka tangohia hoki taua tangata hei mema, kāore rānei, mā te pānui ā-tuhi ki te tangata.
- (15) I te Āpitihianga 5, whakakapia te rārangi 9(3) ki te: 10
- (3) Kei rangirua, me kua rawa a Te Mātāwai e tango i te kaihautū, i te kaihautū takirua rānei, atu i ngā wā i āta whakaaroarotia ai te take e Te Mātāwai, ā, me whai rawa te tukanga tango i te tangata i ngā mātāpono o te tika me te pono.
- (16) I te Āpitihianga 5, i raro tonu i te rārangi 9, kuhuna te:
- 9A Ngā āheinga me ngā mana o ngā kaihautū takirua** 15
- (1) Mehemea he kaihautū takirua ka kopoua, e whakaaetia ana tā ia kaihautū takirua kawē i ngā āheinga o te kaihautū takirua, tāna whiu hoki i ngā mana o te kaihautū takirua—
- (a) mā te mahi tahi rānei me tērā atu kaihautū takirua;
- (b) mā te mahi takitahi rānei. 20
- (2) Ka herea te **rārangi iti (1)** ki te āhua o te kawenga o te āheinga, o te whiunga rānei o te mana i tēnei Ture, i tētahi atu Ture rānei.
- (17) I te Āpitihianga 5, whakakapia te rārangi 10 ki te:
- 10 Te korenga o te moni whakaea i te poronga o te tūranga**
- Ehara i te mea me whakawhiwhi atu ki te mema rānei, ki te kaihautū rānei, ki te kaihautū takirua rānei o Te Mātāwai, he moni whakaea, he momo utu atu anō rānei, he whiwhinga rānei e pā ana ki te mutunga o tōna tūranga hei mema rānei, hei kaihautū rānei, hei kaihautū takirua rānei, ahakoa te take. 25
- (18) I te Āpitihianga 5, whakakapia te rārangi 12(1) ki te:
- (1) Me whakarite rawa e Te Mātāwai, e tōna kaihautū rānei, e te kaihautū takirua kotahi rānei, e ngā kaihautū takirua e rua rānei, ngā wā me ngā wāhi huihui o Te Mātāwai, ā, me tuku pānui rawa mō aua hui ki ia mema kāore i reira i te wā ka tau te whakaritenga. 30
- (19) I te Āpitihianga 5, whakakapia te rārangi 12(2) ki te:
- (2) Me whakahaere rawa e te kaihautū, e te kaihautū takirua rānei, te hui mehemea kei reira te kaihautū, te kaihautū takirua rānei, ā, kāore ia e whai pānga ana (e ai ki ngā whakamahuki kei te rārangi 26(5)) ki te take. 35
- (20) I te Āpitihianga 5, whakakapia te rārangi 12(3) ki te:

- (3) Mehemea kei reira ngā kaihautū takirua, ā, kāore rāua e whai pānga ana ki te take, me whakahaere rawa e Te Mātāwai tāna ake tukanga ki te whakatau i te kaiwhakahaere o te hui.
- (21) I te Āpitihianga 5, whakakapia te rārangi 12(4) ki te:
- (4) Me kopou rawa e Te Mātāwai tētahi o ōna mema hei kawē i ngā āheinga me ngā mana whakahaere o te kaihautū, o te kaihautū takirua rānei, e pā ana ki te take mehemea— 5
- (a) kāore te kaihautū i reira, mehemea rānei kei reira ia, ā, e whai pānga ana ia ki te take;
- (b) mehemea rānei kāore ngā kaihautū takirua i reira; 10
- (c) mehemea rānei kei reira ngā kaihautū takirua, ā, e whai pānga ana rāua ki te take;
- (d) mehemea rānei kāore tētahi o ngā kaihautū takirua i reira, ā, kei reira tērā atu kaihautū, ka mutu, e whai pānga ana ia ki te take.
- (22) I te rārangi 12(6) o te Āpitihianga 5, whakakapia ko “te rārangi iti (5) me te rārangi 13” ki te “te rārangi iti (5), te rārangi 13, me te **rārangi 14(1A)**”. 15
- (23) I te Āpitihianga 5, whakakapia te rārangi 12(7) ki te:
- (7) Kotahi te pōti kei ia mema, ā, hei tāpiritanga ki tāna pōti whānui, kei te kaiwhakahaere hoki o te hui tētahi pōti whakatau mehemea e ōrite ana te maha o ngā pōti i tēnā taha, i tēnā taha o te take e pōtingia ana. 20
- (24) I te Āpitihianga 5, i raro tonu i te rārangi 14(1), kuhuna te:
- (1A) Heoi anō, ka whai tikanga, ka whai take hoki tētahi whakataunga kua waitohua, kua whakaaetia ā-tuhitia rānei (ahakoa ka tukuna mā te poutāpeta rānei, mā te karere hari reta rānei, mā te whitiwhiti kōrero ā-tāhiko rānei) e tētahi kōrama o ngā mema anō nei i whakamanatia i tētahi hui a Te Mātāwai i tika rā te karangatia, te whakatūria hoki i raro i te ture, mehemea ka tau ngā whakaaro o te kaihautū, o te kaihautū takirua rānei e mea ana— 25
- (a) me oti rawa tētahi whakatau totoa; ā,
- (b) ahakoa te whai i ngā ara katoa e wātea ana, kāore i taea te whakapā te katoa o ngā mema e pā ana ki te take, kāore rānei e taea e te katoa te tino whai wāhi ki te whiriwhiri i te take; ā, 30
- (c) me mātua oti he mahi e pā ana ki te take i mua i te wā e taea ai ngā mema katoa te whakapā e pā ana ki te take, i mua rānei i te wā e taea ai te tino whai wāhi ki te whiriwhiri i te take.
- (1B) Mehemea ka oti tētahi whakatau i raro i te **rārangi iti (1A)**,— 35
- (a) me puta i te kaihautū, i te kaihautū takirua rānei tētahi kōrero e mau nei—
- (i) ngā take i tau ai ōna whakaaro e pā ana ki ngā take e kōrerohia ana i te **rārangi iti (1A)**; me

Māori Purposes Bill

- (ii) te whakatau; ā,
- (b) i te wā tonu ka wātea, me tuku rawa e te kaihautū, e te kaihautū takirua rānei, tētahi tārua o taua kōrero ki—
- (i) a Te Mātāwai; me
- (ii) ngā mema o Te Mātāwai kāore nei i waitohu, i whakaae ā-tuhi rānei ki te whakatau. 5
- (25) I te Āpitihianga 5, whakakapia te rārangi 17(1)(a) ki te:
- (a) atu i ngā wā ka tohua kia aha kē atu, ki te kawē i ngā āheinga, ki te whiu rānei i te mana whakahaere, kia rite tonu te karawhiu, i runga i te noho here ki aua herenga anō, me taua hua anō hoki ānō nei ko Te Mātāwai tonu tērā i tohua ai; ā, 10
- (26) I te Āpitihianga 5, whakakapia te rārangi 17(1)(b)(iii) with:
- (iii) noho here ki aua herenga anō, me taua hua anō hoki ānō nei ko te tuarua a wai rānei i tohua ai, te mea tuatahi tonu i tohua ai; ā,
- (27) I te Āpitihianga 5, whakakapia te rārangi 17(1)(c) ki te: 15
- (c) me noho motuhake rawa hoki, ā, kāore e noho haepapa ana—
- (i) ki te kāhui ā-iwi rānei nāna nei taua mema i kopou;
- (ii) ki te kāhui rānei o Te Reo Tukutuku nāna nei taua mema i kopou;
- (iii) ki te Minita rānei, mehemea i kopoua te mema i raro i te wehenga 20(1)(c) rānei, i te (4) rānei. 20
- (28) I te Āpitihianga 5, whakakapia te rārangi 20(2)(b) me (c) ki te:
- (b) kia hāngai tonu ki te whakaaro nui ki te āwhina i ngā iwi me ngāi Māori; ā,
- (c) me mahi i te taha o ētahi atu hinonga tūmatanui (e ai ki te tikanga o taua ingoa i raro i te wehenga 5 o te Public Audit Act 2001) mehemea ka taea. 25
- (29) I te Āpitihianga 5, whakakapia te rārangi 26(1)(a) ki te:
- (a) ki te kaihautū, ki te kaihautū takirua rānei, o Te Mātāwai; ā,

Amendments to Māori Language Act 2016

- 96 Principal Act** 30
This Part amends the Māori Language Act 2016.
- 97 Section 2 amended (Commencement)**
- (1) In section 2(1)(a) of te reo Māori version of the principal Act, replace “Ōta Kaunihera” with “Whakahau ā-Kaunihera”.
- (2) In section 2(3) of te reo Māori version of the principal Act, replace “ōta” with “Whakahau ā-Kaunihera”. 35

97A Section 3 amended (Scope and purpose of this Act)

Replace section 3(3)(b) of te reo Māori version of the principal Act with:

- (b) hoki e whakatau kia whakawhanake rautaki reo Māori a Te Mātāwai me te Karauna hei tautoko i te whakarauoratanga o te reo Māori, mā te whakatairanga hoki i te piki haeretanga o te tokomaha e kōrero Māori ana, e whakapakari ake ana hoki i tō rātou matatau ki taua reo; 5

98 Section 7 amended (Right to speak Māori in legal proceedings)

In section 7(7) of te reo Māori version of the principal Act, definition of **whakahaerenga ā-ture**, replace paragraph (b) with:

- (b) ngā whakahaerenga kei te aroaro o tētahi kaitirotiro matewhawhati, o tētahi turuki kaitirotiro matewhawhati rānei: 10

99 Section 13 amended (Interpretation)

- (1) In section 13, repeal the definitions of **iwi cluster** and **Te Reo Tukutuku cluster**.

- (2) In section 13, insert in their appropriate alphabetical order: 15

kāhui ā-iwi means a group of iwi identified under one of the 7 headings in Schedule 3

kāhui o Te Reo Tukutuku means a group of organisations identified under one of the 4 subheadings in Schedule 4

100 Section 16 amended (Outline of Act) 20

- (1) Replace section 16(4) of te reo Māori version of the principal Act with:

- (4) Ka whakatau te Wāhanga 4 kia tū tonu a Te Taura Whiri me Te Reo Whakapuaki Irirangi hei hinonga Karauna whai mana motuhake kua herea ki te Crown Entities Act 2004, ā, mō Te Reo Whakapuaki Irirangi, ki te Wāhanga 4A o te Broadcasting Act 1989. Ka whakaūngia hoki i konei te whakakorenga o Te Pūtahi Paoho, kia kopou hoki a Te Mātāwai i te tokowhā o ngā kaiurungi tokowhītu o te poari o Te Ratonga Whakaata Māori. 25

- (2) Replace section 16(6)(c) with:

(c) in Schedule 3, the 7 kāhui ā-iwi:

- (3) Replace section 16(6)(d) with: 30

(d) in Schedule 4, the 4 kāhui o Te Reo Tukutuku:

101 Section 17 amended (Te Mātāwai established)

Replace section 17(4) of te reo Māori version of the principal Act with:

- (4) Ka hāngai te wehenga iti (3) i runga i ngā herenga ki ngā whakataunga o tēnei Ture, o tētahi atu whakaturetanga me te ture whānui. 35

102 Section 18 amended (Purpose of Te Mātāwai)

After section 18(b), insert:

- (ba) to promote the revitalisation of the Māori language, including by—
- (i) raising awareness of revitalisation activity; and
 - (ii) encouraging, supporting, and empowering iwi and Māori who are Māori language learners and speakers; and

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103 Section 20 amended (Membership of Te Mātāwai)

(1) Replace section 20(1)(a) with:

- (a) 7 members, 1 appointed by each of the 7 kāhui ā-iwi listed in Schedule 3; and

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(2) Replace section 20(1)(b) with:

- (b) 4 members, 1 appointed by each of the 4 kāhui o Te Reo Tukatuku listed in Schedule 4; and

(3) Replace section 20(5) with:

(5) Te Mātāwai must determine its own procedure for appointing, and appoint,—

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- (a) 1 of its members to be its chairperson; or
- (b) 2 of its members to be its co-chairpersons.

104 Section 22 amended (Appointment of chief executive)

Replace section 22(3)(a) of te reo Māori version of the principal Act with:

- (a) me whakatau rawa i ngā whakaritenga me ngā herenga o te mahi a te tumu whakarae, i runga i te whiriwhiri kōrero ki Te Kawa Mataaho:

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105 Section 23 amended (Purpose of purchase agreement)

Replace section 23(d) with:

- (d) to provide a base against which performance can be assessed.

106 Section 44 replaced (Review of Act)

25

Replace section 44 with:

44 Review of Act

(1) The Minister must, from time to time,—

- (a) review the operation and effectiveness of this Act in accordance with the terms of reference set by the Minister and Te Mātāwai; and
- (b) prepare a report on that review.

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(2) Before commencing a review, the Minister and Te Mātāwai must consult on the terms of reference with the board of the Māori Television Service.

107 Section 45 amended (Regulations)

- (1) ~~In section 45(1) and (3) of te reo Māori version of the principal Act, replace “Ōta Kaunihera” with “Whakahau ā-Kaunihera”.~~
- (2) Replace section 45(1) and (2) with:
- (1) The Governor-General may, by Order in Council, on the recommendation of the Minister and the Minister for Courts, make regulations to amend Schedule 2 by adding, removing, or replacing the name of a court or tribunal. 5
- (2) The Ministers referred to in **subsection (1)** may make a recommendation under that subsection only if, in their opinion, ~~that schedule—~~
- (a) that schedule does not include a court or tribunal that ought to be included; or 10
- (b) that schedule includes a court or tribunal that ought not to be included because the court or tribunal has been disestablished; or
- (c) the name of a court or tribunal in that schedule ought to be replaced because it has changed. 15
- (2A) The Governor-General may, by Order in Council, on the recommendation of the Minister, make regulations to amend Schedule 3 by doing either or both of the following:
- (a) amending the name of a kāhui ā-iwi:
- (b) adding or removing the name of an iwi in a kāhui ā-iwi. 20
- (2B) The Minister may make a recommendation under **subsection (2A)** only if the Minister has received written confirmation that Te Mātāwai has consulted relevant iwi.
- (2C) For the purposes of **subsection (2B)**, **relevant iwi** means, if the Order in Council will— 25
- (a) amend the name of a kāhui ā-iwi, the group of iwi listed in Schedule 3 that make up the kāhui ā-iwi to which the Order in Council will apply:
- (b) add the name of an iwi in a kāhui ā-iwi,—
- (i) the group of iwi listed in Schedule 3 that make up the kāhui ā-iwi to which the Order in Council will apply; and 30
- (ii) the iwi that is being added to the kāhui ā-iwi:
- (c) remove the name of an iwi from a kāhui ā-iwi, the group of iwi listed in Schedule 3 that make up the kāhui ā-iwi to which the Order in Council will apply.
- (3) In section 45(3) of te reo Māori version of the principal Act, replace “Ōta Kaunihera” with “Whakahau ā-Kaunihera”. 35

108 New section 47A and cross-heading inserted

After section 47, insert:

*Validation in relation to co-chairpersons of Te Mātāwai***47A Validation in relation to co-chairpersons of Te Mātāwai**

- (1) This section applies to a member of Te Mātāwai whom Te Mātāwai purported to appoint as a co-chairperson before the commencement of this section, despite that position not being expressly provided for in this Act. 5
- (2) The member is declared to have been lawfully appointed to the office of co-chairperson and to always have been lawfully appointed.
- (3) The performance of a function, or the exercise of a power, by the member as a co-chairperson before the commencement of this section is declared to be and to always have been validly done if— 10
- (a) the member acted—
- (i) together with another member who was purportedly appointed as co-chairperson; or
- (ii) individually; and
- (b) the member was acting lawfully (not taking into account any matters relating to their appointment). 15

109 Schedule 3 heading replaced

Replace the Schedule 3 heading with:

Schedule 3
Kāhui ā-iwi

20

ss 13, 20

110 Schedule 4 amended

- (1) In Schedule 4, replace the subheading with:

Ngā kāhui o Te Reo Tūkūtu

- (2) In Schedule 4, replace “clusters” with “groups”. 25

111 Schedule 5 amended

- (1) In Schedule 5, replace clause 1(3) with:
- (3) To form a selection group for the purpose of **section 20(1)(a)** (which relates to the 7 members to be appointed by the 7 kāhui ā-iwi),— 30
- (a) each iwi included in a kāhui ā-iwi must be given an opportunity to nominate a representative on behalf of that iwi for the selection group; and
- (b) at least 60% of the iwi in a kāhui ā-iwi must nominate a representative.
- (2) In Schedule 5, replace clause 1(4) with:

- (4) To form a selection group for the purpose of **section 20(1)(b)** (which relates to the 4 members to be appointed by the 4 kāhui o Te Reo Tūkūtuku), each organisation in a kāhui o Te Reo Tūkūtuku must nominate a representative on behalf of that organisation for the selection group.
- (3) In Schedule 5, replace clause 2 with: 5
- 2 Validity of members' acts**
- The acts of a person as a member, the chairperson, or a co-chairperson of Te Mātāwai are valid even though—
- (a) a defect existed in the appointment of the person; or
- (b) the occasion for the person acting, or for their appointment, had not arisen or had ended. 10
- (4) In Schedule 5, replace clause 3(1) with:
- (1) The appointment of a person as a member, the chairperson, or a co-chairperson of Te Mātāwai is not invalid only because a defect existed in the appointment of the person. 15
- (5) In Schedule 5, replace clause 4(3)(e) with:
- (e) the chairperson or a co-chairperson of Te Mātāwai informs the member by written notice that the member is not to be reappointed and no successor is to be appointed at that time.
- (6) In Schedule 5, repeal clause 4(4). 20
- (7) In Schedule 5, replace clause 5(1) with:
- (1) A member of Te Mātāwai may, at any time and for any reason, be removed by—
- (a) the kāhui ā-iwi that appointed that member; or
- (b) the kāhui o Te Reo Tūkūtuku that appointed that member; or 25
- (c) the Minister, if the member was appointed under section 20(1)(c).
- (8) In Schedule 5, replace clause 5(5) with:
- (5) To avoid doubt, a kāhui ā-iwi, a kāhui o Te Reo Tūkūtuku, or the Minister must not remove a member without properly considering the matter, and the procedure to remove a member must comply with the principles of natural justice. 30
- (9) In Schedule 5, replace the cross-heading above clause 7 with:
- Chairperson and co-chairpersons*
- (10) In Schedule 5, replace clause 7 with:
- 7 Term of appointment of chairperson and co-chairperson** 35
- The chairperson or a co-chairperson of Te Mātāwai holds office until—

Māori Purposes Bill

- (a) they resign from their office; or
(b) they are removed from it by Te Mātāwai; or
(c) they cease to hold office as a member; or
(d) any term of office that was specified on appointment expires, unless the member is reappointed for a further term. 5
- (11) In Schedule 5, replace the heading to clause 8 with “**Resignation of chairperson or co-chairperson**”.
- (12) In Schedule 5, replace clause 8(1) with:
(1) The chairperson or a co-chairperson of Te Mātāwai may, without resigning as a member, resign that office by written notice to Te Mātāwai. 10
- (13) In Schedule 5, replace the heading to clause 9 with “**Removal of chairperson or co-chairperson**”.
- (14) In Schedule 5, replace clause 9(1) with:
(1) Te Mātāwai may, after consultation with the person concerned, remove the chairperson or a co-chairperson of Te Mātāwai from that office, with or without also removing that person as a member, by written notice to the person. 15
- (15) In Schedule 5, replace clause 9(3) with:
(3) To avoid doubt, Te Mātāwai must not remove the chairperson or a co-chairperson unless Te Mātāwai has properly considered the matter, and the procedure to remove the person must comply with the principles of natural justice. 20
- (16) In Schedule 5, after clause 9, insert:
9A Functions and powers of co-chairpersons
(1) If co-chairpersons are appointed, each co-chairperson may perform the functions of, and exercise the powers of, a co-chairperson by acting—
(a) together with the other co-chairperson; or 25
(b) individually.
(2) **Subclause (1)** is subject to this Act or another Act providing for how a function is performed or a power is exercised.
- (17) In Schedule 5, replace clause 10 with:
10 No compensation for loss of office 30
A member, the chairperson, or a co-chairperson of Te Mātāwai is not entitled to any compensation or other payment or benefit relating to their ceasing, for any reason, to hold office as a member, the chairperson, or a co-chairperson.
- (18) In Schedule 5, replace clause 12(1) with:
(1) Te Mātāwai, its chairperson, a co-chairperson, or both co-chairpersons must 35
appoint the times and places of meetings of Te Mātāwai and give notice of those meetings to each member not present when the appointment is made.

- (19) In Schedule 5, replace clause 12(2) with:
- (2) The chairperson or a co-chairperson must preside at a meeting if the chairperson or a co-chairperson is present and not interested (as defined in clause 26(5)) in the matter.
- (20) In Schedule 5, replace clause 12(3) with: 5
- (3) If both co-chairpersons are present and not interested in the matter, Te Mātāwai must determine its own procedure to decide who will preside at a meeting.
- (21) In Schedule 5, replace clause 12(4) with:
- (4) Te Mātāwai must appoint one of its members to exercise the functions and powers of the chairperson or a co-chairperson in relation to a matter if— 10
- (a) the chairperson is not present, or is present and interested in the matter; or
 - (b) both co-chairpersons are not present; or
 - (c) both chairpersons are present and interested in the matter; or
 - (d) 1 co-chairperson is not present and the other chairperson is present and interested in the matter. 15
- (22) In Schedule 5, clause 12(6), replace “subclause (5) and clause 13” with “subclause (5), clause 13, and **clause 14(1A)**”.
- (23) In Schedule 5, replace clause 12(7) with:
- (7) Each member has 1 vote and, in addition to their general vote, the person who is presiding has a casting vote in the case of an equality of votes. 20
- (24) In Schedule 5, after clause 14(1), insert:
- (1A) However, a resolution signed or assented to in writing (whether sent by post, delivery, or electronic communication) by a quorum of the members is as valid and effectual as if it had been passed at a meeting of Te Mātāwai duly called and constituted if the chairperson or a co-chairperson is satisfied that— 25
- (a) an urgent decision is needed; and
 - (b) despite the use of all reasonable means available, all members have not been able to be contacted about the matter or are unable to fully participate in dealing with the matter; and 30
 - (c) action on the matter is required before all members will be able to be contacted about the matter or be able to fully participate in dealing with the matter.
- (1B) If a decision is made under **subclause (1A)**,— 35
- (a) the chairperson or co-chairperson must make a record of—
 - (i) their reasons for being satisfied of the matters referred to in **subclause (1A)**; and
 - (ii) the decision; and

- (b) the chairperson or co-chairperson must, as soon as practicable, provide a copy of that record to—
- (i) Te Mātāwai; and
 - (ii) the members of Te Mātāwai who did not sign or assent to the decision in writing. 5
- (25) In Schedule 5 of te reo Māori version of the principal Act, replace clause 17(1)(a) with:
- (a) atu i ngā wā ka tohua kia aha kē atu, ki te kawē i ngā āheinga, ki te whiu rānei i te mana whakahaere, kia rite tonu te karawhiu, i runga i te noho here ki aua herenga anō, me taua hua anō hoki ānō nei ko Te Mātāwai tonu tērā i tohua ai; ā, 10
- (26) In Schedule 5 of te reo Māori version of the principal Act, replace clause 17(1)(b)(iii) with:
- (iii) noho here ki aua herenga anō, me taua hua anō hoki ānō nei ko te tuarua a wai rānei i tohua ai, te mea tuatahi tonu i tohua ai; ā, 15
- (27) In Schedule 5, replace clause 17(1)(c) with:
- (c) must act independently and is not responsible to—
 - (i) the kāhui ā-iwi that appointed the member; or
 - (ii) the kāhui o Te Reo Tūkutuku that appointed the member; or
 - (iii) the Minister, if the member was appointed under section 20(1)(c) or (4). 20
- (28) In Schedule 5, replace clause 20(2)(b) and (c) with:
- (b) in a manner consistent with the spirit of service to iwi and Māori; and
 - (c) in collaboration with other public entities (within the meaning of that term under section 5 of the Public Audit Act 2001) where practicable. 25
- (29) In Schedule 5, replace clause 26(1)(a) with:
- (a) to the chairperson or a co-chairperson of Te Mātāwai; and

Part 8

Amendments to Te Ture Whenua Maori Act 1993

- 112 Principal Act** 30
This Part amends Te Ture Whenua Maori Act 1993.
- 113 Section 4 amended (Interpretation)**
In section 4, replace the definition of **Minister** with:
Minister means the Minister for Māori Development

114 Section 22B replaced (Power of court in relation to easements and covenants over Maori freehold land)

Replace section 22B with:

22B Power of court in relation to easements and covenants

- (1) The court may exercise all of the powers conferred on a court by sections 313, 314, 317, and 318(3) of the Property Law Act 2007 with respect to the following: 5
- (a) Maori freehold land:
- (b) Maori freehold land and other land (if the matter before the court also relates to other land). 10
- (2) If any proceedings in respect of those powers are before the Maori Land Court or the District Court in respect of both Maori freehold land and other land, the Maori Land Court or the District Court (as the case may be) may refer the proceedings, or any question in those proceedings, to the other court referred to in this subsection if it considers that the proceedings or question would be more appropriately dealt with by the other court. 15
- (3) The Maori Land Court or the District Court may refer the proceedings or question on its own initiative or on application by a party to the proceedings.
- (4) Despite **subsection (1)**, any appeal from an order of the Maori Land Court made under section 313 or 317 of the Property Law Act 2007 must be made to the High Court. 20

115 Section 24A replaced (Powers of court relating to contracts privity and contractual remedies)

Replace section 24A with:

24A Powers of court relating to contracts

- (1) The court may exercise any power conferred on a court by subparts 1 to 5 and 7 of Part 2 of the Contract and Commercial Law Act 2017. 25
- (2) However, a power conferred on the court by **subsection (1)** may be exercised only if the occasion for the exercise of that power arises in the course of proceedings properly before the Court under section 18. 30
- (3) *See also* the definition of court in section 85 of the Contract and Commercial Law Act 2017 (which allows the court to exercise powers in relation to minors under subpart 6 of Part 2 of that Act).

116 Section 92 amended (Constitution of Rules Committee)

In section 92(1)(f), delete “of Maori Affairs”. 35

117 Section 134 amended (Change to Maori freehold land by vesting order on change of ownership)

In section 134(3)(d), delete “of Maori Affairs”.

118 New sections 228 and 228A inserted

After section 227A, insert:

5

228 Meetings of trustees

(1) The trustees of any trust constituted under this Part may appoint the times and manner of meetings of the trustees.

(2) A meeting of the trustees may be held—

(a) by the trustees being assembled together at the time and place appointed for the meeting; or 10

(b) by means of audio, audio and visual, or electronic communication, provided that—

(i) all of the trustees have access to the technology needed to participate in the meeting; and 15

(ii) the trustees can simultaneously communicate with each other throughout the meeting; or

(c) by a combination of the methods described in **paragraphs (a) and (b)**.

(3) **Subsection (2)(b) and (c)** does not apply if audio, audio and visual, or electronic communication meetings are expressly prohibited by a trust order. 20

228A Meetings of beneficiaries

(1) The trustees of any trust constituted under this Part may appoint the times and manner of meetings of the beneficiaries.

(2) A meeting of beneficiaries called by the trustees may be held—

(a) by the participating beneficiaries being assembled together at the time and place appointed for the meeting; or 25

(b) by means of audio, audio and visual, or electronic communication, provided that—

(i) all of the beneficiaries who wish to participate in the meeting in that manner have access to the technology needed to participate in the meeting; and 30

(ii) as far as is reasonably practicable, the participating beneficiaries can simultaneously communicate with each other throughout the meeting; or

(c) by a combination of the methods described in **paragraphs (a) and (b)**. 35

(3) **Subsection (2)(b) and (c)** do not apply if audio, audio and visual, or electronic communication meetings are expressly prohibited by a trust order.

- (4) This section does not limit any quorum requirements in a trust order.
- 119 Section 273 amended (Election of chairman of committee and appointment of secretary)**
- (1) In the heading to section 273, replace “**chairman**” with “**chairperson or co-chairpersons**”. 5
- (2) Replace section 273(1) with:
- (1) The committee of management of a newly constituted Maori incorporation must hold its first meeting within 1 month after the date of its appointment.
- (1A) At the first meeting, the committee of management must— 10
- (a) elect 1 of its members to be chairperson or 2 of its members to be co-chairpersons; and
- (b) determine the period for which that person is, or those persons are, to hold office.
- (3) Replace section 273(3)(a) with: 15
- (a) the name, occupation, and address of the elected chairperson or each of the co-chairpersons, and the period for which that person is, or those persons are, to hold office:
- (4) In section 273(4), replace “chairman” with “chairperson or co-chairperson”.
- 120 Section 279 amended (Register of Maori incorporations)**
- (1) In section 279(2)(c), replace “chairman” with “chairperson or co-chairpersons”. 20
- (2) In section 279(3), replace “place” with “manner”.
- 121 New sections 347A and 347B inserted**
- After section 347, insert:
- 347A Validation in relation to co-chairpersons of Maori incorporations** 25
- (1) This section applies to a member of a Maori incorporation whom the committee of management purported to elect as a co-chairperson before the commencement of this section, despite that position not being expressly provided for in this Act.
- (2) The member is declared to have been lawfully elected to the office of co-chairperson and to always have been lawfully elected. 30
- (3) The performance of a function, or the exercise of a power, by the member as a co-chairperson before the commencement of this section is declared to be and to always have been validly done if—
- (a) the member acted in accordance with any procedure adopted by the committee of management under clause 25 of Schedule 1 of the Maori Incorporations Constitution Regulations 1994; and 35

- (b) the member was acting lawfully (not taking into account any matters relating to their election).

347B Validation in relation to co-chairpersons of Maori reservation trustees

- (1) This section applies where trustees appointed under section 338(7) have purported to appoint 2 of their number to act as co-chairpersons before the commencement of this section, despite that position not being expressly provided for in the Maori Reservations Regulations 1994. 5
- (2) Any trustee purportedly appointed as a co-chairperson is declared to have been lawfully appointed to the office of co-chairperson and to always have been lawfully appointed. 10
- (3) The performance of a function, or the exercise of a power, by the trustee as a co-chairperson before the commencement of this section is declared to be and to always have been validly done if—
- (a) the trustee acted in accordance with any procedure adopted by the trustees; and 15
- (b) the trustee was acting lawfully (not taking into account any matters relating to their appointment).

Amendment to Contract and Commercial Law Act 2017

122 Principal Act

Section 123 amends the Contract and Commercial Law Act 2017. 20

123 Section 85 amended (Interpretation)

In section 85, replace the definition of **court** with:

- court** means—
- (a) the High Court; or
- (b) the District Court if it has jurisdiction under section 113; or 25
- (c) the Disputes Tribunal if it has jurisdiction under section 114; or
- (d) the Maori Land Court, or the Maori Appellate Court, if the occasion for the exercise of a power under this subpart arises in the course of proceedings properly before the Maori Land Court or the Maori Appellate Court under section 18 of Te Ture Whenua Maori Act 1993 30

Amendments to Maori Incorporations Constitution Regulations 1994

124 Principal regulations

Sections 125 and 126 amend the Maori Incorporations Constitution Regulations 1994.

125 Schedule 1 amended

- (1) In Schedule 1, clause 1(1), definition of **special resolution**, replace “21 clear ” with “20 working”.
- (2) In Schedule 1, clause 2(2), replace “chairperson” with “chairperson, the co-chairpersons,”. 5
- (3) In Schedule 1, clause 2(3), replace “a time and place for” with “the time and manner of”.
- (4) In Schedule 1, clause 3(1), replace “place of” with “manner fixed for”.
- (5) In Schedule 1, clause 3(2), replace “21 clear” with “20 working”.
- (6) In Schedule 1, clause 3(5), replace “chairperson” with “chairperson or co-chairpersons”. 10
- (7) In Schedule 1, after clause 3, insert:

3A Methods of holding meetings

A general meeting of shareholders (whether an annual general meeting or a special general meeting) may be held— 15

- (a) by a quorum of the shareholders, being assembled together at the time and place appointed for the meeting; or
- (b) by means of audio, audio and visual, or electronic communication, provided that—
- (i) all of the shareholders who wish to participate in the meeting in that manner have access to the technology needed to participate in the meeting; and 20
- (ii) as far as is reasonably practicable, a quorum of shareholders can simultaneously communicate with each other throughout the meeting; or 25
- (c) by a quorum of the shareholders participating by a combination of the methods described in **paragraphs (a) and (b)**.

- (8) In Schedule 1, clause 4(4), replace “date and place” with “time and manner”.
- (9) In Schedule 1, clause 5, replace “place” with “in a manner”.
- (10) In Schedule 1, replace clauses 7 and 8 with: 30

7 Chairperson or co-chairpersons

Every general meeting of shareholders will be presided over as follows:

- (a) if the committee of management has a chairperson and that chairperson is present, the chairperson will preside:
- (b) if the committee of management has co-chairpersons who are both present, the shareholders present must elect one of the co-chairpersons to preside: 35

(c)	if the committee of management has co-chairpersons and only 1 co-chairperson is present, that co-chairperson will preside:	
(d)	if neither the chairperson nor either co-chairperson is present, the committee members present must elect a committee member to preside.	
8	Postponement	5
	At any time before the time fixed for the holding of any general meeting of shareholders, the chairperson or a co-chairperson of the committee may postpone the meeting to be held at the time and in the manner that the chairperson or co-chairperson thinks fit, and notice of any such altered time or manner must be given in accordance with rule 3.	10
(11)	In Schedule 1, clause 10(1), replace “such other date, time, and place as” with “be held at the time and in the manner that”.	
(12)	In Schedule 1, clause 10(2), replace “place” with “in the new manner”.	
(13)	In Schedule 1, clause 10(3), replace “chairperson” with “chairperson or co-chairpersons”.	15
(14)	In Schedule 1, replace clause 11 with:	
11	Adjournment	
	The person presiding at a meeting may, with the consent of the meeting, adjourn any general meeting of shareholders to be held at the time and in the manner that the person presiding thinks fit.	20
(15)	In Schedule 1, clause 12(4), replace “chairperson of” with “person presiding at”.	
(16)	In Schedule 1, clause 13(c), replace “chairperson” with “person presiding at a meeting”.	
(17)	In Schedule 1, replace clause 14(3) and (4) with:	25
(3)	If a vote on shareholding is taken, it must be taken in the manner directed by the person presiding at the meeting (P). The secretary, with or without some person or persons appointed by P and approved by the meeting, must—	
(a)	record the voting accordingly; and	
(b)	count the aggregate value of votes cast for and against the resolution; and	30
(c)	report the result to P.	
(4)	P must declare the resolution carried or lost accordingly.	
(5)	If the meeting has otherwise finished its business before the count is concluded, P may—	35
(a)	close the meeting; and	
(b)	on the conclusion of the counting, declare the result of the vote on shareholding by an entry in the minute book of the incorporation that is	

- signed by P and the secretary and any other person or persons appointed to count the votes.
- (18) In Schedule 1, clause 15(1), replace “chairperson” with “chairperson or a co-chairperson”.
- (19) In Schedule 1, clause 16(1)(a), replace “chairperson” with “chairperson or a co-chairperson”.
- (20) In Schedule 1, clause 16(1)(b) and (c), replace “chairperson of” with “person presiding at”.
- (21) In Schedule 1, clause 16(2), replace “chairperson” with “person presiding at the meeting”.
- (22) In Schedule 1, clause 16(3), replace “chairperson of the meeting shall” with “person presiding at the meeting must”.
- (23) In Schedule 1, clause 18(1), replace “chairperson of” with “person presiding at”.
- (24) In Schedule 1, replace clause 18(3) with:
- (3) If a person who has appointed a proxy participates in the meeting personally and notifies the person presiding at the meeting (**P**) that they are present, and P notifies the meeting accordingly, the proxy must not vote on behalf of that person after P’s notification; but the validity of voting that has already been completed before that notification to the meeting will not be affected.
- (25) In Schedule 1, clause 19(1), replace “chairperson of the committee” with “chairperson or a co-chairperson of the committee”.
- (26) In Schedule 1, clause 19(1), replace “chairperson of the meeting” with “person presiding at the meeting”.
- (27) In Schedule 1, clause 19(2), replace “chairperson” with “person presiding at the meeting”.
- (28) In Schedule 1, clause 19(3), replace “chairperson of the meeting shall” with “person presiding at the meeting must”.
- (29) In Schedule 1, clause 20(7) to (10), replace “chairperson of” with “person presiding at”.
- (30) In Schedule 1, clause 23(5), replace “chairperson of” with “person presiding at”.
- (31) In Schedule 1, clause 23(6) to (9), replace “chairperson shall” with “person presiding at the meeting must”.
- (32) In Schedule 1, clause 23(6), replace “by the chairperson” with “by the person presiding at the meeting”.
- (33) In Schedule 1, clause 23(6), replace “to the chairperson” with “to the person presiding at the meeting”.

- (34) In Schedule 1, clause 23(11), replace “chairperson” with “person presiding at the meeting” in each place.
- (35) In Schedule 1, clause 25(3), replace “a chairperson” with “a chairperson or co-chairpersons”.
- (36) In Schedule 1, clause 25(3), replace “of chairperson” with “of chairperson, co-chairperson,”. 5
- (37) In Schedule 1, clause 25(5), replace “places as” with “in the manner that”.
- (38) In Schedule 1, clause 25(5) and (6), replace “chairperson” with “chairperson or co-chairpersons”.
- (39) In Schedule 1, replace clause 25(9) with: 10
- (9) At any meeting of the committee of management, the meeting will be presided over as follows:
- (a) if the committee of management has a chairperson and that chairperson is present, the chairperson will preside:
- (b) if the committee of management has co-chairpersons who are both present, the members present must elect one of the co-chairpersons to preside: 15
- (c) if the committee of management has co-chairpersons and only 1 co-chairperson is present, that co-chairperson will preside:
- (d) if neither the chairperson nor either co-chairperson is present, the members present must elect a member to preside. 20
- (40) In Schedule 1, clause 25(11), replace “chairperson shall” with “person presiding at the meeting will”.
- (41) In Schedule 1, replace clause 26 with:
- 26 Meetings of committee may be held electronically** 25
- A meeting of the committee of management may be held—
- (a) by a quorum of the members, being assembled together at the time and place appointed for the meeting; or
- (b) by means of audio, audio and visual, or electronic communication, provided that— 30
- (i) all of the members who wish to participate in the meeting in that manner have access to the technology needed to participate in the meeting; and
- (ii) a quorum of members can simultaneously communicate with each other throughout the meeting; or 35
- (c) by a quorum of the members participating by a combination of the methods described in **paragraphs (a) and (b)**.

- (42) In Schedule 1, clause 36(2), replace “chairperson of” with “person presiding at”.

126 Schedule 2 amended

- (1) In Schedule 2, forms 1 to 3, delete “at [*place*]”.
- (2) In Schedule 2, form 1, note, replace “chairperson” with “chairperson or co-chairpersons” 5
- (3) In Schedule 2, form 3, replace “Chairperson” with “Person presiding at the meeting”.
- (4) In Schedule 2, form 4 heading, replace “chairperson” with “chairperson or co-chairpersons” 10
- (5) In Schedule 2, form 4, replace “of Chairperson” with “of Chairperson or Co-Chairpersons”.
- (6) In Schedule 2, form 4, replace “chairperson is” with “chairperson or co-chairperson is”.

Amendments to Maori Reservations Regulations 1994 15

127 Principal regulations

Section 128 amends the Maori Reservations Regulations 1994.

128 Regulation 17 amended (Provisions applicable where trustees are not body corporate)

- (1) Replace regulation 17(e) with: 20
- (e) at their first meeting, the trustees must appoint 1 of the trustees to act as chairperson or 2 of the trustees to act as co-chairpersons, and each of those persons will remain in office until the trustees appoint a new chairperson or co-chairperson:
- (2) Replace regulation 17(f) with: 25
- (f) if the trustees are unable to comply with **paragraph (e)**, the court may appoint a chairperson, 2 co-chairpersons, or a second co-chairperson as the case requires, and any person appointed by the court under this paragraph will hold office for any term specified by the court or until a new chairperson or co-chairperson is appointed by the trustees or the court: 30
- (3) Replace regulation 17(h) with:
- (h) at a meeting of the trustees, the following person presides:
- (i) if the trustees have a chairperson and the chairperson is present, the chairperson: 35
- (ii) if the trustees have co-chairpersons who are both present, the co-chairperson chosen by the trustees who are present:

- (iii) if the trustees have co-chairpersons and only 1 co-chairperson is present, that co-chairperson:
- (iv) if neither the chairperson nor either co-chairperson is present, the trustee chosen by the trustees who are present:
- (ha) at a meeting of the trustees, the person presiding has a deliberative vote, and a casting vote if the votes are equal on any matter: 5

Part 9 Repeals

129 Acts repealed

The following Acts are repealed:

10

- (a) the Maori Purposes Act 1939 (1939 No 28):
- (b) the Maori Purposes Act 1945 (1945 No 42):
- (c) the Maori Purposes Act 1973 (1973 No 11).

Schedule
Amendments to Māori Trustee Act 1953 relating to references to
Maori

s 91

Part 1

5

Replacing reference to “Maoris” with “Māori”

Heading to section 12

Part 2**Replacing references to “Maori” with “Māori”**

Section 12(1)

Section 12A(1)

Section 12B(1)

Section 12C(1)

Section 12D(1)

Section 13B(1)

Section 28(1)

Section 30(5) and (7)

Section 38(2)

Section 43

Heading to section 44

Heading to section 45A

Section 45A(1)

Heading to section 46

Section 46(1)

Section 46A

Part 3**Replacing reference to “Maoris or descendants of Maoris” with**
“Māori”

10

Section 14A

Part 4**Replacing references to “Maori or any descendant of a Maori” with**
“Māori”

Section 13(1)

Section 25

Section 44(1)

Part 5
**Replacing references to “Maoris or the descendants of Maoris” with
“Māori”**

Section 11(1)

Section 13(1)

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