

House of Representatives
Supplementary Order Paper

Tuesday, 19 June 2012

Mixed Ownership Model Bill

Proposed amendment

Hon David Parker, in Committee, to move the following amendment:

Clause 16

In *clause 16*, after *new section 45Q(2)* (after line 12 on page 8), insert:

- (3) For the avoidance of doubt, **subsection (1)** also applies to any person who holds a director or management position within a mixed ownership model company.
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Explanatory note

New section 45Q renders unclear what protection will actually be available for Maori interests. If only 51% of a mixed ownership model company is responsible for these interests, this could mean that the company has no duty to act in accordance with the Treaty of Waitangi, only that the Crown has to pay the bill when the company fails to do so.

This amendment removes the lack of clarity in the provision by making clear that the management of any mixed ownership model is still deemed to be part of the Crown and as such the company itself must still take actions consistent with their obligations under the Treaty of Waitangi.
