

## LEGISLATIVE STATEMENT

### MĀORI PURPOSES BILL: THIRD READING

Presented to the House in accordance with Standing Order 272

#### Overview

1. The Māori Purposes Bill (the Bill) is an omnibus bill that enables amendments to be made to Acts relating to Māori affairs.
2. The objective of the Bill is to propose amendments to Te Ture Whenua Maori Act 1993, the Maori Purposes Act 1959, the Maori Trust Boards Act 1955, and the Maori Community Development Act 1962 on matters outlined in this statement.

#### Proposed Amendments to Te Ture Whenua Maori Act 1993

3. The first set of proposed amendments to Te Ture Whenua Maori Act 1993 provide that the Māori Land Court's powers under that Act to terminate a trust do not apply to the Ruapuha Uekaha Hapū Trust. The Trust was established by the Māori Land Court in 1990 to give effect to the settlement of a Treaty of Waitangi claim concerning the Waitomo Caves (WAI 51). It is now an ahu whenua trust under Te Ture Whenua Maori Act 1993. Issues have arisen in regard to succession orders and to the possibility that if the Court was to terminate the Trust, the people who would be entitled may not align with the beneficiaries of the Trust as established. The intention is that the Trust continue to exist with the same beneficiaries in a manner consistent with the settlement of the WAI 51 claim.
4. Other proposed amendments to Te Ture Whenua Maori Act 1993 will extend the notification period for exercising rights of first refusal on proposed sales and certain other alienations of Māori freehold land. They will also extend the notice period for Māori incorporations to notify shareholders of a general meeting to consider a special resolution. Also included are proposed amendments to enable meetings of assembled owners to be held by electronic means and to correct a grammatical error in the pre-amble.
5. The Māori Affairs Select Committee did not recommend any changes to these amendments.

#### Proposed Amendments to the Maori Purposes Act 1959

6. The amendments to the Maori Purposes Act 1959 are proposed to give the Lake Rotoaira Trust more autonomy and flexibility to manage Lake Rotoaira and the trout fishery associated with it. Lake Rotoaira is a privately owned Māori freehold land, and the Trust is an ahu whenua trust under Te Ture Whenua Maori Act 1993. The proposed amendments address issues affecting the Lake fishery and access to the Lake. The proposed amendments will:
  - remove a requirement to hold a trout licence to fish for fish other than trout;
  - clarify that a right of entry to the lake without an entry permit does not authorise fishing;
  - include the Trustees of Motuopuhi Māori Reservation and their invitees in the list of people allowed access to the lake without an entry permit;

- increase outdated maximum penalties for offences from \$100 to \$5,000;
  - include a warranted officer under the Conservation Act 1987 in the definition of a stipendiary ranger;
  - enable the Lake Rotoaira Trustees to recommend all fishing conditions for an Anglers Notice to the Minister of Conservation, not just open and closed seasons;
  - add a specified area to the definition of adjoining waters forming part of the Lake to enable the Trustees to manage trout spawning areas;
  - revoke provisions that tie the daily bag and size limits for Lake Rotoaira to those set for the Lake Taupō fishery; and
  - correct misspelling of the name Wairehu Canal in the Act.
7. The Māori Affairs Select Committee recommended that two minor errors relating to this section be amended. One of these was capitalising the word “District” in relation to the Taupō District. The other amendment corrected a clause number in the Rotoaira Trout Fishing Regulation 1979.

#### **Proposed Amendments to the Maori Trust Boards Act 1955**

8. The proposed amendments to the Maori Trust Boards Act 1955 will provide Māori Trust Boards with the options of being able to conduct trust board elections by electronic voting, or by a combination of electronic voting and postal voting, or by postal voting only (the current position under the Act). Other proposed amendments remove Māori Trust Boards from the Cabinet Fees Framework, simplify the process for resignations of members of trust boards, and remove the Taranaki Māori Trust Board annuity payment provision from the Act consequent upon the Crown buyout of the annuity.
9. The Māori Affairs Select Committee did not recommend any changes to these amendments.

#### **Proposed Amendment to the Maori Community Development Act 1962**

10. Finally, an amendment is proposed to the Maori Community Development Act 1962 to require District Māori Councils to provide a copy of their audited financial statements directly to the New Zealand Māori Council, rather than to the Chief Executive of Te Puni Kōkiri.
11. The Māori Affairs Select Committee did not recommend any changes to this amendment.