

In Confidence

Office of Te Minita Whanaketanga Māori

Cabinet Māori Crown Relations: Te Arawhiti Committee

Māori Purposes Bill 2023 and Associated Regulations – Policy Approvals

Proposal for amendments to Māori affairs legislation

- 1 I am seeking Cabinet agreement to:
 - 1.1 a suite of legislation amendments to eight Acts of Parliament relating to Māori affairs for inclusion in the Māori Purposes Bill 2023;
 - 1.2 repeal three Acts that no longer have operative provisions through the Māori Purposes Bill 2023; and
 - 1.3 amend four regulations on similar policy issues to those in the Bill.
- 2 The Māori Purposes Bill 2023 is on the 2023 Government Legislation Programme as category 5 – instructions to be issued to the Parliamentary Counsel Office before September 2023.

Relation to government priorities

- 3 The proposals in this paper align with the Government’s commitment to be a better Treaty partner and work in partnership with Māori. The proposed minor, technical and non-controversial amendments to legislation relating to Māori affairs will modernise provisions and help Māori entities to operate more smoothly and efficiently, enabling them to better meet the core purpose of their Acts.

Executive Summary

- 4 This Paper has three distinct purposes. Firstly, it proposes amendments be made, through the Māori Purposes Bill 2023, to the following statutes:
 - 4.1 Te Ture Whenua Maori Act 1993 – to clarify that meetings can be held electronically, and clarify the powers of the Māori Land Court when considering contractual matters before it and confer on the Court powers relating to minors’ contracts;
 - 4.2 Māori Trustee Act 1953 – to support the efficient and effective operation of the Māori Trustee;
 - 4.3 Maori Trust Boards Act 1955 – to clarify that meetings can be held electronically, update language and improve the operation, administration and appointment processes of Māori Trust Boards;

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- 4.4 Maori Purposes Fund Act 1934–35 – to clarify that meetings for the Māori Purposes Fund Board can be held electronically, modernise language and remove defunct provisions;
 - 4.5 Maori Soldiers Trust Act 1957 – to clarify that meetings can be held electronically for the Māori Soldiers Trust Committee and district committees, and modernise language and reporting requirements to Parliament;
 - 4.6 Maori Community Development Act 1962 – to clarify that meetings can be held electronically and enable co-chair arrangements;
 - 4.7 Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 – to support Whakaata Māori in engaging audiences and utilising new technologies; and
 - 4.8 Te Ture mō Te Reo Māori 2016 Māori Language Act 2016 (Te Ture mō Te Reo Māori Act 2016) – to update language, clarify the purpose of Te Mātāwai, and further support te reo Māori revitalisation.
- 5 Secondly, it seeks Cabinet approval to repeal, through the Māori Purposes Bill 2023, the following statutes which have no operative provisions:
- 5.1 Maori Purposes Act 1939;
 - 5.2 Maori Purposes Act 1945; and
 - 5.3 Maori Purposes Act 1973.
- 6 Lastly, it seeks your approval to amend the following regulations which cover similar issues to those proposed for inclusion in the Māori Purposes Bill 2023:
- 6.1 Maori Community Development Regulations 1963 – to clarify that Māori Committees can meet electronically;
 - 6.2 Maori Incorporations Constitution Regulations 1994 – to clarify that Māori Incorporations can meet electronically and appoint co-chairs;
 - 6.3 Maori Reservations Regulations 1994 – to clarify that Māori Reservation meetings can be held electronically and that Māori Reservation trustees can appoint co-chairs; and
 - 6.4 Māori Trustee Regulations 2009 – to accurately calculate interest and increase the transparency of fees charged.
- 7 The proposed amendments have been developed in consultation with the relevant entities or rōpū (groups) who are impacted by these proposals.
- 8 Subject to Cabinet agreement, Te Puni Kōkiri officials will provide drafting instructions to the Parliamentary Counsel Office (PCO) by the end of July 2023. I expect that, subject to the business of Cabinet and the House, the draft regulations could be enacted by December 2023 and the draft Bill enacted by October 2024.

Background

- 9 Māori Purposes Bills are omnibus bills that enable amendments to legislation relating to Māori affairs. It is my intent that Māori Purposes Bills should become a more regular part of the legislative programme, introduced biennially to reflect the ongoing programme of work underway to ensure that legislation relating to Māori affairs is modern and fit for purpose. The most recent Māori Purposes Bill was passed in November 2022 and focused on enabling Māori entities to better manage their own affairs, make use of new technologies, exercise their rangatiratanga and reduce unnecessary compliance.
- 10 The Act passed with the full support of Parliament. Many of the speeches in the House made in support of the Māori Purposes Act 2022 noted the amendments were just a first step in the process of removing administrative burden and modernising legislation – and that the next Māori Purposes Bill should continue this work.
- 11 This proposed Māori Purposes Bill continues the work started through the Māori Purposes Act 2022. It primarily proposes minor, technical and non-controversial amendments to:
- 11.1 provide Māori entities with greater autonomy;
 - 11.2 modernise legislation so that it is fit-for-purpose;
 - 11.3 address technical issues within statutes; and
 - 11.4 reduce administrative burden.
- 12 While minor and technical in nature, the impact of these proposed amendments for Māori entities and the people they serve should not be understated. The proposed amendments will enhance the rangatiratanga of Māori entities by supporting them to conduct their business without unnecessary constraints or burdens, and ensuring that they are geared to operate in the modern world, for example, taking advantage of technological advances through clarifying that electronic hui are possible for entities where they wish.

Proposed amendments to legislation

- 13 This section provides a summary of the amendments I seek to make through legislation. Supporting information setting out why these changes are necessary is attached as Appendix 1.

Te Ture Whenua Maori Act 1993

- 14 Te Ture Whenua Maori Act 1993 is the primary Act for whenua Māori (Māori land). It facilitates and promotes the retention, use, development, and control of Māori land as taonga tuku iho by Māori owners, their whānau, their hapū, and their descendants, and it protects wāhi tapu. The Act outlines the special rules and duties when dealing with some types of whenua Māori, including Māori freehold land. It also establishes the jurisdiction of the Māori Land Court.

- 15 I propose amending the Act:
- 15.1 to clarify that the trustees and beneficiaries of Māori land trusts can meet electronically (if they choose to);
 - 15.2 so that the Māori Land Court, when considering contractual matters before it, has the same powers as the High Court in Part 2 of the Contract and Commercial Law Act 2107, including subpart 6 (minors' contracts); and
 - 15.3 to modernise the language used in sections 273 and 279 regarding chairperson(s).
- 16 I also propose amending the Maori Incorporations Constitution Regulations 1994 and Maori Reservations Regulations 1994 to clarify that meetings can be held electronically, co-chairs can be appointed, and address an inconsistency between the Act and the Māori Incorporations Constitution Regulations 1994.
- 17 Consequential amendments to the regulations may be necessary to ensure consistency between the electronic meeting provisions in the Act and regulations.
- 18 The Māori Land Court and Te Tumu Paeroa (the Office of the Māori Trustee), which is responsible for managing some Māori land trusts, support the proposed amendments.

Māori Trustee Act 1953

- 19 The Māori Trustee Act 1953 establishes and regulates the Māori Trustee, who can act as a trustee to administer Māori freehold land and other assets on behalf of beneficial owners.
- 20 I propose amending the Act and consequentially amending the Regulations:
- 20.1 so that the direct investment costs associated with the purchase of an investment are factored into the calculation for distributable income;
 - 20.2 to require the Māori Trustee to report to account holders on prescribed amounts of distributable income (this requires consequential amendments to the Māori Trustee Regulations 2009, including inserting a \$50 threshold as the prescribed amount);
 - 20.3 provide for a new operational account into which fees and commissions can be received;
 - 20.4 change instances of the term 'Maoris' to Māori; and
 - 20.5 update sections that refer to repealed legislation (for example, the Maori Affairs Act 1953).
- 21 I also propose amending the Māori Trustee Regulations 2009 to change how interest is calculated on accounts, change how management fees are to be charged and remove an unnecessary word in the Regulations.

22 These amendments have been requested by the Māori Trustee.

Maori Trust Boards Act 1955

23 The Maori Trust Boards Act 1955 sets out the functions, duties and powers of Māori Trust Boards. Māori Trust Boards represent iwi (or multiple iwi) interests in certain matters involving the Crown and support the development of their constituent members. These trusts were used before the creation of post-settlement governance entities, and some trusts have taken on additional responsibilities as needed. There are currently nine Māori Trust Boards in operation.

24 I propose amending the Act to:

24.1 clarify that Māori Trust Boards and committees can meet electronically, including Māori Trust Board annual general meetings;

24.2 clarify the process to fill extraordinary vacancies on a Māori Trust Board;

24.3 remove the requirement that Board Secretary remuneration receive Ministerial approval;

24.4 make the use of Board seals optional, and update currency references made in pounds; and

24.5 reduce the requirement that Board nominations must be listed over two consecutive days in a local daily newspaper, to being listed once.

25 Eight of the nine Māori Trust Boards support the proposed amendments. The remaining Trust Board, the Taranaki Māori Trust Board, is disestablishing and provided no comment on the proposed amendments.

Maori Purposes Fund Act 1934–35

26 The Maori Purposes Fund Act 1934–35 established the Māori Purposes Fund and Māori Purposes Fund Board. The Māori Purposes Fund provides for a wide range of activities including the promotion of the health, education and social and economic welfare of Māori. Members of the Māori Purposes Fund Board include the Minister for Māori Development, the Chief Executive of Te Puni Kōkiri and the members of Parliament for the Māori electorates.

27 I propose amending the Act to:

27.1 clarify that annual general meetings, ordinary meetings and special meetings can be held electronically;

27.2 modernise the language used in the Act;

27.3 remove the Māori Purposes Fund Board's power to acquire land and chattels; and

27.4 change terminology relating to the tabling of statutory documents in Parliament to 'sitting days' from 'days'.

- 28 Relevant shareholding Ministers were consulted on these proposals. The Rt Hon Adrian Rurawhe, Hon Kelvin Davis and Hon Peeni Henare responded in support. No responses were received opposing the proposed changes.

Maori Soldiers Trust Act 1957

- 29 The Maori Soldiers Trust Act 1957 established a trust for World War I Māori veterans and their dependants and for a scholarship fund to commemorate Sir Apirana Ngata. Funding for the scholarship comes from Hereheretau Station, Wairoa – the major asset of the Māori Soldiers Trust.
- 30 I propose amending the Act to:
- 30.1 modernise language in the Act and remove references to repealed Acts;
 - 30.2 allow appointed members to continue in office until their successor is appointed;
 - 30.3 clarify that the Trust Committee and district committees can meet electronically;
 - 30.4 change quorum requirements so that half, or a majority of appointed members, is a quorum; and
 - 30.5 update how the public can access reports on the Trust Committee’s annual activities.
- 31 Te Tumu Paeroa administers the affairs of the Trust in a support role for the Māori Trustee, who is the deputy chair. Te Tumu Paeroa supports the proposed amendments to the Maori Soldiers Trust Act 1957.

Maori Community Development Act 1962

- 32 The Maori Community Development Act 1962 established the powers and functions of the New Zealand Māori Council, District Māori Councils, Māori Executive Committees, Māori Committees and Māori Wardens.
- 33 I propose amending the Act to:
- 33.1 clarify that meetings can be held electronically; and
 - 33.2 clarify that co-chair arrangements are possible for Māori Associations.
- 34 These amendments have the support of the New Zealand Māori Council, who asked Te Puni Kōkiri in September 2022 to review the Act to clarify if these activities are permitted.
- 35 At the same time, I also propose amending regulation 3 of the Maori Community Development Regulations 1963 to clarify that public meetings called by Māori Committees may be held electronically.

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

- 36 The Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 established Whakaata Māori and sets out its functions, duties and powers. In 2013, the Act was amended to allow Whakaata Māori deliver a range of content and services on a choice of delivery platforms, and in 2016, the Act was amended to provide for the functions, duties and powers of Te Mātāwai.
- 37 I propose amending the Act to:
- 37.1 reflect the Māori Television Service’s trading name changed to Whakaata Māori;
 - 37.2 adjust Whakaata Māori’s principal function to a platform-inclusive approach, no longer specifying and/or expecting one required delivery platform (linear television);
 - 37.3 allow Whakaata Māori to cease broadcasting linear television on the agreement of the Minister for Māori Development, Minister of Finance and Te Mātāwai;
 - 37.4 clarify te reo Māori requirements across all Whakaata Māori delivery platforms;
 - 37.5 update the requirement that statements of intent be tabled in Parliament from once every year to at least once every three years;
 - 37.6 provide for Whakaata Māori to be consulted on the terms of reference for any review of the Act;
 - 37.7 remove the words ‘cost-effective’ from section 8 of the Act; and
 - 37.8 add the words ‘me ngā tikanga Māori’ to relevant parts of the Act that are missing these words.
- 38 The proposed amendments align with recommendations of the Māori Broadcasting Advisory Panel, the Māori Media Sector Business Case, and the Cabinet Paper on strengthening the Māori media sector [DEV-22-MIN-0196]. These processes all engaged the Māori media sector and recommended modernising the legislation governing Māori media to ensure that legislation enables entities to support te reo Māori revitalisation, while being flexible enough to allow entities to adapt to an ever-changing media environment.
- 39 These changes are supported by Whakaata Māori and have been discussed with Te Mātāwai.

Te Ture mō Te Reo Māori 2016

- 40 Te Ture mō Te Reo Māori 2016 established Te Mātāwai as an independent statutory entity to provide leadership on behalf of iwi and Māori in their role as kaitiaki of the Māori language. Te Ture mō Te Reo Māori 2016 also provides for Te Mātāwai and the Crown to develop Māori language strategies to support the revitalisation of the

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Māori language, including by promoting an increase in the number of people speaking the Māori language and improving their fluency in te reo Māori. The Act also adjusted the functions of Te Taura Whiri i te Reo Māori, Te Reo Whakapuaki Irirangi and the Māori Television Service, and disestablished Te Pūtahi Paoho.

- 41 I propose amending the Act to:
- 41.1 update the definition of the word ‘kaitiaki’ in the Act;
 - 41.2 improve the consistency of requirements for decisions made in writing so that they align with in-person requirements;
 - 41.3 provide a new regulation-making power to amend, add or remove the name of an iwi from a grouping of iwi;
 - 41.4 ensure that the title of schedule 3 reflects appropriate terminology for Moriori and ta rē Moriori;
 - 41.5 update the English version of the Act so that it more accurately aligns with the reo version of the Act;
 - 41.6 allow Te Mātāwai to appoint co-chairs;
 - 41.7 update the review requirements of the Act;
 - 41.8 add lifting critical awareness (understanding of language revitalisation) as a purpose of Te Mātāwai;
 - 41.9 clarify the meaning of duties under the Act to promote the Māori language;
 - 41.10 remove the word ‘actual’ from section 23(d) of the Act;
 - 41.11 clarify that Te Mātāwai’s duty is to iwi and Māori rather than to the public;
and
 - 41.12 amend the reo Māori version of the Act to align with amendments already made to the English version by other Acts, including the Coroners Amendment Act 2023.
- 42 These amendments give effect to minor and technical recommendations from the review of Te Ture mō Te Reo Māori 2016. This review was a statutory requirement as set out in section 44(1), which states that the Minister must commence a review on the operations and effectiveness of the Act 3 years after its commencement.
- 43 I note that further substantive amendments to the Act through an Amendment Bill are expected to be sought in the future. This is because legislation is required to give effect to the results of the stakeholder engagement and review of the Act as set out in paragraph 41 above. This Bill is on the 2023 Government Legislation Programme with a category 6 priority (on hold).
- 44 These changes were discussed with Te Mātāwai.

Acts proposed for repeal

45 I am proposing that the Māori Purposes Bill 2023 repeal three Acts that have no operative provisions in them. These are the:

45.1 Maori Purposes Act 1939;

45.2 Maori Purposes Act 1945; and

45.3 Maori Purposes Act 1973.

46 Doing so helps the Government meet its stewardship obligations in ensuring that our statute book is up to date, and easier to understand and apply.

Implementation

47 Should you agree to my proposals, I will instruct Te Puni Kōkiri to issue drafting instructions to PCO on the proposed amendments to these Acts and Regulations. Given the number of Acts proposed for amendment and repeal, I expect that a draft Bill will be ready for Cabinet Legislation Committee consideration by December 2023.

48 The following table sets out the ‘best case’ timeframes for the Māori Purposes Bill 2023. The progress of the Bill will be subject to the time it takes to form the next government, other House business, and a range of matters including whether further policy approvals and Supplementary Order Papers are required due to Select Committee consideration of the Bill.

Activity	Timeframe
Drafting Instructions to PCO	July 2023
BORA Vet	November 2023
Cabinet Legislation Committee consideration of draft Bill and Regulations	November/December 2023
Regulations come into force	December 2023
Introduction to House	December 2023
First Reading	December 2023 (earliest) or February/March 2024
Select Committee	February/March 2024 to August 2024
Second Reading and Committee of the Whole House Stage	September 2024
Third Reading	October 2024
Enactment	October 2024

49 As the proposed amendments to the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 and Te Ture mō Te Reo Māori 2016 require translating from English to te reo Māori, I seek Cabinet agreement to provide the draft Bill to translators and their peer reviewers. Only the relevant parts of the Bill would be provided; translators and peer reviewers would not receive the parts of the Bill that do

not require translating. I also seek Cabinet agreement to provide the dual language parts of the draft Bill to Te Taura Whiri i te Reo Māori and to Te Mātāwai.

Financial Implications

- 50 I anticipate no financial implications of these proposed amendments to legislation. The proposed amendments are primarily of a minor and technical nature.

Legislative Implications

- 51 This paper has legislative implications as it proposes amendments to Te Ture Whenua Maori Act 1993, Māori Trustee Act 1953, Maori Trust Boards Act 1955, Maori Purposes Fund Act 1934–35, Maori Soldiers Trust Act 1957, Maori Community Development Act 1962, Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003, Te Ture mō Te Reo Māori 2016, Maori Purposes Act 1939, Maori Purposes Act 1945, Maori Purposes Act 1973, Maori Community Development Regulations 1963, Maori Incorporations Constitution Regulations 1994, Maori Reservations Regulations 1994, and the Māori Trustee Regulations 2009.
- 52 The proposed Bill will not change the position as to whether any of the legislation to be amended is, or is not, binding on the Crown.

Impact Analysis

Regulatory Impact Statement

- 53 A Regulatory Impact Statement has been completed for the proposed adjustments of Whakaata Māori functions within the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003; this is attached as Appendix 2.
- 54 The Treasury's Regulatory Impact Analysis team has determined that the other regulatory amendments proposed in the Māori Purposes Bill 2023 are exempt from the requirement to provide a Regulatory Impact Statement. These exemptions are granted on the grounds that they repeal or remove redundant legislative provisions, are suitable for inclusion in a Statutes Amendment Bill (as provided for in Standing Orders), or have no or only minor impacts on businesses, individuals, and not-for-profit entities.

Climate Implications of Policy Assessment

- 55 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this proposal as the threshold for significance is not met.

Population Implications

- 56 Proposed amendments under the Māori Purposes Bill 2023 primarily affect Māori rather than the general population of New Zealand. This is because the legislation changes are to legislation that relates to Māori affairs. The changes proposed are expected to be beneficial for Māori and the Māori entities to which the amendments relate.

- 57 The expected impacts and consequences of each of the policy proposals is detailed in this paper.

Human Rights

- 58 The recommendations in this paper are consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Consultation

- 59 The Māori Land Court, New Zealand Māori Council, Te Tumu Paeroa, Whakaata Māori, and the Maori Purposes Fund Board support the amendments relevant to them to be included in the Māori Purposes Bill 2023.
- 60 The changes to Te Ture mō Te Reo Māori 2016 Māori Language Act 2016 and the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 have been discussed with Te Mātāwai. Te Mātāwai supports modernising the Acts so that the legislation is fit for purpose. However, it has outstanding questions regarding the detail of a few of the proposed amendments to both Acts. Te Puni Kōkiri officials will work with Te Mātāwai throughout the process of drafting the Bill to address their questions.
- 61 Eight of the nine Māori Trust Boards support the proposed changes. The remaining Māori Trust Board acknowledged the proposed changes but did not provide comment as it is in the process of being disestablished.
- 62 The following agencies have been consulted on the proposed amendments and have no comment to make: the Treasury, Ministry for Primary Industries, Ministry of Business, Innovation and Employment, Department of Internal Affairs (Local Government and Community/Voluntary) and the Ministry for the Environment.
- 63 The Ministry of Justice (Māori Land Court Administrators and Policy) and Te Arawhiti support the Māori Purposes Bill 2023. Both provided technical feedback on several of the proposed amendments to support the drafting process.
- 64 Te Kawa Mataaho Public Service Commission provided technical feedback on two amendments proposed for inclusion in the Māori Purposes Bill 2023.

9(2)(f)(iv)

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Proactive Release

- 66 Subject to Cabinet approval, Te Puni Kōkiri will proactively release this Cabinet Paper and its appendices within 30 business days of Cabinet approval. Redactions will be made as appropriate in line with the Official Information Act 1982.

Recommendations

67 I recommend that the committee:

- 1 **note** that the Māori Purposes Bill 2023 provides a legislative vehicle for progressing amendments to legislation relating to Māori Affairs;
- 2 **note** that in April 2023 the Māori Purposes Bill 2023 was proposed to be on the Government Legislation Programme Bid with a priority of 5 – drafting instructions to be issued to the Parliamentary Counsel Office before September 2023;
- 3 **note** that the proposed amendments have been developed in partnership with the relevant entities the legislation applies to;

Drafting instructions

- 4 **authorise** Te Puni Kōkiri, on behalf of the Minister for Māori Development, to issue drafting instructions to the Parliamentary Counsel Office for the following amendments:

Te Ture Whenua Maori Act 1993

- 4.1 clarify that the trustees and beneficiaries of Māori land trusts can meet electronically (if they choose to);
- 4.2 amend the law so that the Māori Land Court, when considering contractual matters before it, has the same powers as the High Court in Part 2 of the Contract and Commercial Law Act 2107, including subpart 6 (minors' contracts);
- 4.3 modernise the language used in sections 273 and 279 regarding chairperson(s);
- 4.4 ensure that the electronic meeting provisions in this Act and secondary legislation are consistent;

Māori Trustee Act 1953

- 4.5 amend the Act so that the direct investment costs associated with the purchase of an investment are factored into the calculation for distributable income;
- 4.6 amend the Act to require the Māori Trustee to report to account holders on prescribed amounts of distributable income (this requires consequential amendments to the Māori Trustee Regulations 2009, including inserting a \$50 threshold as the prescribed amount);
- 4.7 provide for a new operational account into which fees and commissions can be received;
- 4.8 change instances of 'Maoris' to Māori;

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- 4.9 update sections that refer to repealed legislation;

Maori Trust Boards Act 1955

- 4.10 clarify that Māori Trust Boards and committees can meet electronically, including Māori Trust Board annual general meetings;
- 4.11 clarify the process to fill extraordinary vacancies on a Māori Trust Board;
- 4.12 remove the requirement that Board Secretary remuneration receive Ministerial approval;
- 4.13 make use of Board seals optional, and update currency references made in pounds;
- 4.14 reduce the requirement that Board nominations must be listed over two consecutive days in a local daily newspaper, to listing it once;

Maori Purposes Fund Act 1934–35

- 4.15 clarify that annual general meetings, ordinary meetings and special meetings can be held electronically;
- 4.16 modernise the language used in the Act;
- 4.17 remove the Māori Purposes Fund Board's power to acquire land and chattels;
- 4.18 change the tabling of statutory documents in Parliament to 'sitting days' from 'days';

Maori Soldiers Trust Act 1957

- 4.19 modernise language in the Act;
- 4.20 allow appointed members to continue in office until their successor is appointed;
- 4.21 clarify that Trust Committees or district committees can meet electronically;
- 4.22 change quorum requirements so that half, or a majority of appointed members, is quorum;
- 4.23 update how the public can access reports on the Trust Committee's annual activities;

Maori Community Development Act 1962

- 4.24 clarify that meetings can be held electronically;
- 4.25 clarify that co-chair arrangements are possible for Māori Associations;

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

- 4.26 reflect the Māori Television Service's trading name changed to Whakaata Māori;
- 4.27 adjust Whakaata Māori's principal function to a platform-inclusive approach, no longer specifying and/or expecting one required delivery platform (linear television);
- 4.28 allow for Whakaata Māori to cease broadcasting linear television on the agreement of the Minister for Māori Development, Minister of Finance and Te Mātāwai;
- 4.29 clarify te reo Māori requirements across all Whakaata Māori delivery platforms;
- 4.30 update the requirement that statements of intent be tabled in parliament from once every year to at least once every three years;
- 4.31 provide for Whakaata Māori to be consulted on the terms of reference for any review of the Act;
- 4.32 remove the words 'cost-effective' from section 8 of the Act;
- 4.33 add the words 'me ngā tikanga Māori' to relevant parts of the Act that are missing these words;

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

- 4.34 update the definition of the word 'kaitiaki' in the Act;
- 4.35 improve the consistency of requirements for decisions made in writing so that they align with in-person requirements;
- 4.36 provide a new regulation-making power to amend, add or remove the name of an iwi from a grouping of iwi;
- 4.37 ensure that the title of schedule 3 reflects appropriate terminology for Moriori and ta rē Moriori;
- 4.38 update the English version of the Act so that it more accurately aligns with the reo version of the Act;
- 4.39 allow Te Mātāwai to appoint co-chairs;
- 4.40 update the review requirements of the Act;
- 4.41 add lifting critical awareness (understanding of language revitalisation) as a purpose of Te Mātāwai;
- 4.42 clarify the meaning of duties under the Act to promote the Māori language;
- 4.43 remove the word 'actual' from section 23(d) of the Act;

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- 4.44 clarify that Te Mātāwai’s duty is to iwi and Māori rather than to the public;
- 4.45 amend the reo Māori version of the Act to align with amendments already made to the English version by other Acts, including the Coroners Amendment Act 2023;

Acts to repeal

- 4.46 Repeal the Maori Purposes Act 1939, Maori Purposes Act 1945 and Maori Purposes Act 1973;

Maori Community Development Regulations 1963

- 4.47 clarify that electronic participation in public meetings called by Māori communities is possible;

Maori Incorporations Constitution Regulations 1994

- 4.48 clarify that shareholders can participate electronically in annual general meetings and special general meetings;
- 4.49 amend the definition of “special resolution” so that it is consistent with notification requirements in Te Ture Whenua Maori Act 1993;
- 4.50 clarify that Māori incorporation management committees may appoint co-chairpersons;

Maori Reservations Regulations 1994

- 4.51 clarify that Māori reservation meetings can be held electronically;
- 4.52 clarify that co-chairpersons can be appointed;

Māori Trustee Regulations 2009

- 4.53 change how interest on accounts is to be calculated, from ‘the last day of the month’ to ‘at the end of each day of the month’;
- 4.54 allow the Māori Trustee to charge management fees as a proportion of costs against the Common Fund as a whole, rather than costs specifically charged to individual accounts;
- 4.55 Remove the word ‘net’ from Regulation 10(1)(c);

- 5 **agree** that parts of the draft Bill be provided to translators (and their peer reviewers) so that relevant amendments to the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 and Te Ture mō Te Reo Māori 2016 can be translated;
- 6 **agree** that relevant parts of the draft Bill be provided to Te Taura Whiri i te Reo Māori and Te Mātāwai for their review; and

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- 7 **agree** that the Minister for Māori Development is authorised to further clarify and develop policy matters relating to the proposals in this Cabinet Paper in a manner consistent with the policy recommendations contained in the paper; and
- 8 **note** that the draft Bill and regulations will be ready for Cabinet Legislation Committee Consideration in November 2023, with a view to possible introduction of the Māori Purposes Bill 2023 in December 2023.

Authorised for lodgement

Hon Willie Jackson

Te Minita Whanaketanga Māori

RELEASED BY THE MINISTER
FOR MĀORI DEVELOPMENT