

29 May 2025

File Ref: OIA 50440

[REDACTED]

Tēnā koe [REDACTED]

Official Information Act request

Thank you for your information request dated 20 May 2025. You asked for the following information:

1. *“This email is a request under the Official Information Act for the Terms of Reference for the Independent Technical Advisory Group established to undertake a review of the Treaty of Waitangi Act 1975.”*
2. *“Please also provide any advice from Te Puni Kōkiri on the development of these Terms of Reference, and whether any consultation was undertaken with external stakeholders or guidance sought from independent experts in the development of the Terms of Reference”.*

Your request has been considered in accordance with the Official Information Act 1982 (the Act).

Response to part 1- Terms of Reference

The Terms of Reference and related documents concerning the Independent Technical Advisory Group have been proactively released by Te Puni Kōkiri and are available at the following link: <https://www.tpk.govt.nz/en/a-matou-whakaarotau/proactive-release-of-papers>. Accordingly, your request is refused in full under section 18(d) of the Act as the information requested is now publicly available.

Response to part 2- Consultation

The Government’s intention to review the Treaty of Waitangi Act 1975 was publicly signalled in the coalition agreements released on 24 November 2023. In line with this direction, Te Puni Kōkiri provided internal policy advice to support the development of the Terms of Reference, consistent with its role in advising on Ministerial priorities.

While the development process drew on a range of perspectives, including relevant prior work and public commentary, the Terms of Reference were prepared under Ministerial oversight. No separate consultation with external stakeholders was undertaken, and no formal advice was commissioned from named independent experts for this purpose.

Therefore, your request for “*advice from Te Puni Kōkiri on the development of these Terms of Reference*” is refused in full under section 18(e) of the Act as the information requested does not exist.

I trust my response satisfies your request.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that Te Puni Kōkiri publishes some of its OIA responses on its website, after the response is sent to the requester. The responses published are those that are considered to have a high level of public interest. We will not publish your name, address or contact details.

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact us at oja@tpk.govt.nz.

Ngā mihi



Paula Rawiri
Hautū, Te Puni Kaupapa | Deputy Secretary, Policy