



Cabinet Economic Policy Committee

Minute of Decision

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Proposed Amendments to Te Ture Whenua Maori Act 1993: Final Policy Decisions

Portfolio Māori Development

On 19 August 2026, the Cabinet Economic Policy Committee:

Enabling management of land assets, based on the Māori Purposes (Wi Pere) Trust Act 1991

- 1 **agreed in principle**, subject to funding decisions, to amend Te Ture Whenua Maori Act 1993 (TTWM Act) to provide a pathway for owners of Māori freehold land or General land owned by Māori to establish a trust, operating through an incorporated trust board, to hold the land based on the governance structure provided for in the Māori Purposes (Wi Pere Trust) Act 1991;
- 2 **agreed** that the above pathway would be available for blocks of Māori freehold land or General land owned by Māori that are:
 - 2.1 subject to an Ahu Whenua, Whenua Topu, or Kaitiaki trust, or vested in a Māori incorporation; or
 - 2.2 not subject to any formal governance structure, prior to applying to form the proposed alternative management structure; and
 - 2.3 only if the Māori Land Court appoints a person to act as the trustee or agent for any person under disability once the land transferred;
- 3 **agreed** that a land block could only be vested in the proposed new option for management of land assets if the Māori Land Court was satisfied that:
 - 3.1 the holders of beneficial interests in that land had sufficient notice of the proposal and sufficient opportunity to discuss and consider it; and
 - 3.2 there was a sufficient degree of support for the proposal among those interest holders;
- 4 **agreed** that the Māori Land Court would have the power to wind up the relevant trust or incorporation over any land placed under the new option for management of land assets;

5 **authorised** the Minister for Māori Development, Minister of Justice, and Minister for Courts (responsible Ministers) to instruct Parliamentary Counsel Office on any minor and technical matters required to enable the proposed pathway for owners to establish a trust, and for that trust to operate in the manner intended;

6 s9(2)(f)(iv)

Providing the Māori Land Court with a specific jurisdiction to determine ownership of a dwelling and related structures and provide powers in relation to ownership, possession and rights relating to dwellings and related structures

7 **agreed** to:

- 7.1 provide the Māori Land Court with a specific jurisdiction and powers to determine ownership, possession, and rights of a dwelling and related structures on Māori land, including rights to proceeds from alienation;
- 7.2 related amendments to ensure that TTWM Act applies appropriately to dwellings and related structures on Māori land, regardless of whether these are fixtures or chattels;
- 7.3 related amendments to provide for occupation rights and security interests;
- 7.4 set out matters that the Māori Land Court must consider when making orders determining the ownership of dwellings on Māori land; and
- 7.5 any amendments to other legislation necessary to give effect to the Māori Land Court's specific jurisdiction to determine the ownership of dwellings and related structures on Māori land;

Enabling the Māori Land Court to appoint temporary agents to ungoverned Māori land in civil emergencies for response or recovery-related purposes

- 8 **agreed** to enable the Māori Land Court to appoint a timely and temporary agent to ungoverned Māori land in civil emergencies for targeted response or recovery-related purposes;
- 9 **noted** that while implementation is expected to be fiscally neutral, additional costs arising from emergency circumstances may require additional funding through future or out-of-cycle budget processes;

Allowing an adoptee whose deceased birth parent was the beneficial owner of Māori land to apply for intestate succession to that land

- 10 **agreed** to allow an adoptee whose deceased birth parent was the beneficial owner of an interest in Māori freehold land to apply for intestate succession to that interest;

Supporting efficiency of certain Māori Land Court processes

- 11 **agreed** to expand the powers of Judges to appoint a service provider, without first requiring a Registrar's report;

- 12 **agreed** to include authority for Special Aid Fund payment for appointments under the new proposed power to enable Judges to appoint a service provider, without first requiring a Registrar's report;
- 13 **agreed** to grant Registrars powers to approve extensions of occupation orders and for these Registrar decisions to be treated as an order of the Court;
- 14 **authorised** the responsible Ministers to make any minor decisions as necessary to improve the workability of the legislation, noting that any substantive policy decisions will be referred to Cabinet;

Minor and miscellaneous

- 15 **agreed** to lower the age of majority for Kaitiaki trusts and for minors who hold interests in land vested in a Māori incorporation from 20 years-old to 18 years-old;
- 16 **agreed** to remove the right of review for certificates of confirmation in respect of mortgages for a sole owner;
- 17 **agreed** to enable all Māori Land Court Judges to correct simple errors to Court orders that are over 10 years old;
- 18 **agreed** to provide trustees with the ability to apply to the Māori Land Court for direction (to be consistent with the Trusts Act 2019);
- 19 **agreed** to enable the Māori Land Court to exercise its powers under section 242 of TTWM Act to order the payment of money held in trust by a Māori incorporation;

Targeted investment

- 20 **noted** that Te Puni Kōkiri will progress work to determine whether funding can be allocated from the Māori Development Fund from June 2026 (once completed, Cabinet decisions may be required depending on the scale of investment identified);

Other matters

- 21 **noted** that:
- 21.1 additional funding will be required to support the design and implementation of the proposal in paragraph 1 above and if necessary, brought forward through Budget processes, beginning from Budget 2027;
- 21.2 funding needs will be explored by Te Puni Kōkiri in conjunction with the Treasury and Ministry of Justice;
- 22 **invited** the Minister for Māori Development to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above decisions;
- 23 **authorised** the Minister for Māori Development to further clarify and develop policy matters relating to the proposals in the paper under ECO-26-SUB-0158 in a manner not inconsistent with the above decisions.

Rachel Clarke
Committee Secretary

Present: (see over)

Present:

Hon David Seymour
Rt Hon Winston Peters
Hon Nicola Willis (Chair)
Hon Chris Bishop
Hon Brooke van Velden
Hon Shane Jones
Hon Paul Goldsmith
Hon Louise Upston
Hon Todd McClay
Hon Tama Potaka
Hon Simon Watts
Hon Casey Costello
Hon Nicola Grigg
Hon Andrew Hoggard
Hon Mark Patterson
Hon James Meager
Hon Scott Simpson
Hon Cameron Brewer
Simon Court MP

Officials present from:

Office of the Prime Minister
Office of Hon Tama Potaka
Office of Hon Simon Watts
Officials Committee for ECO

Released by the Minister for Māori Development