

Amendments to Te Ture Whenua Māori Act 1993



Hon. Nanaia Mahuta, Minister of Māori Development. Source: odt.co.nz

According to Te Puni Kōkiri there are 1.4 million hectares of Māori freehold land in Aotearoa, with much of that land held by multiple owners. Te Ture Whenua Māori Act 1993 is the primary legislation for Māori land.

A statement from Hon. Nanaia Mahuta, Minister of Māori Development explains the Government's current proposed Whenua Māori programme; "In May 2019, the Government announced \$56 million over four years will be invested into a Whenua Māori Programme to support whānau to achieve their aspirations for whenua Māori. The Government believes it the programme will protect of the Māori land as a taonga tuku iho. The programme includes proposed legislative changes to improve the functionality of the Act, providing greater support for Māori landowners, providing access to extensive land capability information and greater access to equity finance."

The current proposed amendments are considered as the first stage of changes to the Act. The Government expects the legislation will help support the Māori Land Court to operate more efficiently and reduce the complexity of compliance for Māori landowners in dealing with the Court. Part two of the yet to be announced changes to Act will relate to issues relating to the Public Works Act 1981 and Māori land rating and valuation.

The current proposed amendments to Te Ture Whenua Māori Act 1993 are currently before Parliament's Select Committee. The purpose of the amendments are to "enhance the intergenerational wellbeing of owners of Māori land".

Te Puni Kōkiri's website ([AZRIEL, PLEASE HYPERLINK THE WORD WEBSITE TO THE FOLLOWING LINK www.tpk.govt.nz/en/a-matou-kaupapa/te-ture-whenua-Māori-amendment-bill](http://www.tpk.govt.nz/en/a-matou-kaupapa/te-ture-whenua-Māori-amendment-bill)) advises that currently Whānau in dispute over land are often required to take the issue to the Māori Land Court.

Under the proposed amendment a mediator could be appointed to work through the dispute with both parties. Another of the proposed changes would enable simple or uncontested succession to land to be decided by a Registrar of the Māori Land Court rather than requiring a full Māori Land Court hearing. In effect if the amendments go through unchanged, it will allow the Māori Land Court to hear applications relating to Māori land associated with the Family Protection Act 1955, in terms of surviving spouse or partner life interests.

Also affected will be the Government Roding Powers Act 1989, Local Government Act 1974 and Property Law Act 2007. Te Puni Kōkiri explains that the Maori Land Court has a better understanding to deal with promises, claims and objections in terms of public and private work affecting Maori land. The proposed Bill effectively increases the jurisdiction and consequently “the range of remedies available to whanau to enforce a decision of the Maori Land Court.”

Submissions to the amendments close until 26 November 2019.

Anyone interested in making a submission have three options: Firstly, submissions can be filed online at www.parliament.nz/en/pb/sc/submissions-and-advice. Secondly post a written submission including two copies to: Māori Affairs Select Committee Select Committee Services, Parliament Buildings, Wellington 6160. Finally, the Select Committee can decide to hear an oral submission either face to face, by phone, or by video conference. These processes are open to everyone. All submissions are received by the Select Committee.