

Te Pire mō Te Reo Māori

Māori Language (Te Reo Māori) Bill

Pire Kāwanatanga

Tērā nā Te Komiti Whiriwhiri Take Māori i whakatakoto

Ngā Kōrero

Tūtōhutanga

Kua āta tiroirohia e Te Komiti Whiriwhiri Take Māori Te Pire mō Te Reo Māori, ā, ka tūtohu kia whakaaetia Te Pire mō Te Reo Māori me ngā whakatikatika kua oti te whakaatu.

Kupu Whakataki

Ka whakapakari Te Pire mō Te Reo Māori i te mana o Te Reo Māori ki roto o Aotearoa. Rapu ai pire kia whakakorea Te Ture Reo Māori o te tau 1987, me te whakatū hinonga wehe kē, ko Te Mātāwai tērā, te hoatu kairatakitanga mō te iwi me ngāi Māori kia ora ai Te Reo Māori. Whakaturaki ai i Te Pūtahi Paoho, ā, me te whakawhiti i āna mahi ki Te Mātāwai.

Kohinga Tuku Whakamaherehere mō Te Reo Māori

I tonoa Te Pire mō Te Reo Māori ki Te Komiti Whiriwhiri Take Māori i te mutunga o Te Pāremata e 50. I te marama o Hakihea tau 2014, i te wā i mua te pire i te aroaro o Te Komiti Whiriwhiri Take Māori o Te Pāremata e 51, ka poua e Te Minita mō Te Puni Kōkiri he Kohinga Tuku Whakamaherehere mō Te Reo Māori (KTWTRM), ā, ko tāna whāinga he hoatu whakamaherehere motuhake ki Te Minita e pā ana ki ngā whakahīautanga whakamahinga i te pire, ā, me ngā whakarere kētanga i whakaarohia mō ngā kaupapa here. Nā KTWTRM a Te Puni Kōkiri me tana noho motuhake mai i te hātepe pāremata i tautoko i a ia e kawe ana i āna ake rapunga whakamaherehere mō te pire.

I whakatakoto pūrongo a KTWTRM ki Te Minita i te 30 o Pipiri tau 2015. Ka whakaaetia e Te Rūnanga Kāwanatanga i te marama Whiringa-ā-nuku tau 2015 ngā whakarere ketanga i whakaarohia, otirā, ērā i ara mai i āna tūtōhutanga mō te pire i te

marama o Whiringa-a-nuku tau 2015, ā, ka whakaurua hei whakarere kētanga i whakaarohia ki te pire i roto i te rīpoata ā-tari nā Te Puni Kōkiri i takatū mō te tari nei.

I roto i ngā whakaarohanga matua i whakaaetia e Te Rūnanga Kāwanatanga ka uru atu ko ēnei:

- te hoatu mana ā-ture ki ngā Rautaki Reo Māori e rua: te mea tuatahi ko te haepapa o Te Karauna e hāngai aro tahi tonu ana ki runga i ngā take taumata ā-motu, te mea tuarua ko te haepapa o te iwi me ngāi Māori e hāngai aro tahi tohu ana ki runga i ngā take taumata ā-iwi, taumata ā-hapori.
- te waiho i te haepapa matua ki Te Mātāwai mō te arataki, tautoko, whakatairanga i te hauora, i te oranga o Te Reo Māori i te taumata iwi, hapū, whānau, hapori ēngari, me tētahi tūranga whai mana te whakaawe kāwanatanga hoki.
- te whakatika i te mematangā o Te Matawai kia pūmau ai te māngaitanga mā te hunga taone Māori me wāhi ki Te Puni Kōkiri ki te whakangāwari i te hātepe kōwhiringa.
- te pupuri i Te Taura Whiri i Te Reo Māori me Te Reo Whakapuaki Irirangi kia noho hinonga Karauna tonu ai.
- te whakatū kia rua ngā wānanga mō te whakahaere, mō te whakawarenga kei roto a Te Mātāwai me Te Karauna, ā, me te whakahau, ko te toru o ngā kōpounga e rima ka puta mai i ngā kōharitanga a Te Mātāwai, ka haere ērā mā ngā poari a Te Taura Whiri i Te Reo Māori me Te Reo Whakapuaki Irirangi.

Ahakoa i wehe kē mai te hātepe rapunga whakamaherehere a KTWTRM, i te hātepe pāremata i kawea e te komiti nei, i hikia e mātou tā mātou whakaaroarohanga o te pire i te wā i whakahaerea te rapunga whakamaherehere motuhake nei.

Ngā whakatikatika i tūtohungia ki te pire

Ka tautoko mātou i ngā whakarere kētanga i whakaarotia rā ki te pire kua whakatakotia e Te Kāwanatanga nā runga i ngā tūtohunga a Te Kohinga Tuku Whakamaherehere mō Te Reo Māori. Matapaki ai ngā tekiona e whai ake nei o tēnei korero i ngā whakatikatika i hua ake i tūtohu rā mātou ki te pire. Kīhai ngā whakatikatika iti me ngā whakatikatika hangarau rānei i matapakia e mātou.

Mō te whakawhitinga ā-tuhituhi o Te Reo Māori

Ka tūtohu mātou me whakatikaina te pire mā te whakauru i te katoa o tētahi whakamāoritanga ā-tuhituhi mō te tuhinga Pākehā. Mā tēnei pire e noho mai ai i ēnei wā hou hei pire tuarua o ngā pire reo-rua kia oti i Aotearoa. I whakatikaina pēneitia tētahi atu pire, ā, ko te tau 2013¹ tōna tau whakamanatanga.

Ka tūtohu mātou me whakaurua a rara hou 7C hei āwhina i te whakamāramatanga o te pire reo-rua. Ko te ōrite o te mana o te tuhinga Pākehā me te tuhinga Māori tā rara

¹ Te Ture Mokomoko (Whakaoranga o Te Āhuatanga, Te Mana, me Te Ingoa Pai) o te tau 2013.

7C(2) ka hōmai ēngari, ka tukituki ana he tikanga i waenganui i ngā tuhinga Pākehā me ngā tuhinga Māori, ko te mana o te tuhinga Māori tērā ka noho ki runga i te mana o te tuhinga Pākehā.

Mō te rā tīmatatanga

Ko tērā ka tūtohu mātou me whakatikaina te rā tīmatatanga o te pire. Mā rara hou 2(1) e āta titiro, kāore he āputa i te wā hōmai mahi ā-ture, pērā i te whakaaetanga o ngā tauākī koro, ka whakaturakingia ana Te Pūtahi Paoho, ā, ka whakawhitia āna mahi ki Te Mātāwai.

Mō te koronga o Te Ture

Ko tā mātou ka tūtohu me whakatikaina te koronga o Te Ture i rara 3(2) ki te whakataukī i te mana o Te Reo Māori, he taonga nō te iwi me ngāi Māori, he reo taketake o Aotearoa, ā, he reo e uaratia ana e te motu.

Mō te tūranga whai tikanga o Te Mātāwai

Ka tūtohu anō hoki mātou me whakaurua a rara hou 3(3) kia pai ai te hoatu i ētahi atu mokamoka kōrero e pā ana ki te tūranga whai tikanga o Te Mātāwai. Mā tēnei rara e tohu tā Te Mātāwai mahi whakawhanake rautaki Reo Māori me tāna arataki i te mahi e pā ana ki te whakarauoratanga o Te Reo Māori.

Mō te tūranga whai tikanga o te hinonga Karauna

Ka tūtohu mātou, me whakakorea te hāngai tika o tā Te Mātāwai aratakitanga i Te Taura Whiri i Te Reo Māori, me Te Reo Whakapuaki Irirangi. Ahakoa ki tō mātou whakapono, he wāhi nui tonu tōna i roto i ngā mahi arataki rautaki Reo Māori, ka whakaaro anō me mau tonu ki ngā rōpū whakahaere rurua nei i ō rāua tūranga whai tikanga hei hinonga Karauna, ā, me ō rāua herenga ka pā ki te whakarauaoratanga o Te Reo Māori, ā, mā tēnei e whakaū ka noho here tahi tonu rāua tahi ki Te Ture Pūtea Tūmatanui, ki Te Pāremata mō ō rātau mahi, ō rāua whakapaunga pūtea.

Nā runga i tērā, ka tūtohu mātou kia whakaurua he rara hou 3(3)(c) hei whakaatu, ko te whakatau tērā ka noho ngā rōpū whakahaere e rua nei hei hinonga Karauna i nāianei.

Mō ngā whakamāramatanga mō te whakawhitinga reo ā-waha, ā-tuhituhi

Ka tūtohu mātou kia whakaurua he rara hou 6(7) e hoatu whakamāramatanga ana mō “whakawhitinga reo ā-waha” me “whakawhitinga reo ā-tuhituhi” nā te mea, pā ai ngā kītanga nei ki te tika ki te kōrero Māori i roto whakahaerenga ā-ture (rara 6), ki ngā tiwhikete tohungatanga mō Te Reo Māori (Pukapuka Āpiti 5). Ka pā te tikanga i tētahi papakupu noa ki wāhi kē atu i te pire.

Mō ngā mātāpono

Hei tautoko i te matapae rite tonu mō Te Reo Māori i waenganui i a ngāi Māori, ā, me Te Karauna, ka tūtohu mātou kia whakaurua he rara hou 6A. Whakatakoto mātāpono ai te rara hou nei, tērā pea hei kaiarataki i tā Te Ture whakamāramatanga me te whanaketanga rautaki Reo Māori. Kapi ai i ngā mātāpono, Te Reo Māori, tōna hononga ki te iwi me ngāi Māori, Te Reo Māori me Te Karauna, Te Reo Māori me te porihanga Aotearoa.

Mō te kaiaratakitanga mō ngā tari Kāwanatanga

Ka tūtohu mātou, me whakatikaina te taitara mō rara 7 mai i “Ngā mātāpono”, ki “Kaiaratakitanga mō ngā tari Kāwanatanga”. Mā tēnei te whakawehetanga mai i rara hou 6A e pai kē ake ai te whakamārama i te koronga o te rara nei.

Mō ngā rautaki Reo Māori

Ka tūtohu mātou me whakaurua ngā rara hou a 7A, 7B e pā ana ki ngā rautaki Reo Māori e rua.

Mō te rautaki Maihi Karauna

Pā ai a rara hou 7A ki te rautaki Maihi Karauna me tōna hiahia kia noho haepapa ai mō Te Karauna me te whakahāngai i tōna arotahi ki ngā take taumata ā-motu. Mā rara hou ngā haepapa hei whakatakoto mā Te Minita e ai rā ki te whakaputanga o te rautaki nei, tae atu ki āna whāinga me te aronga o te rautaki. Ka whakatakoto whakaritenga anō hoki mō te rapunga whakamaherehere mua atu i te whakaputanga, whakakorenga, whakakapinga, whakatikatanga rautaki rānei.

Mō te rautaki Maihi Māori

Pā ai a rara 7B kite rautaki Maihi Māori, ā, ka noho nei te haepapa ki Te Mātāwai mō te taha ki te iwi, mō ngāi Māori ki te whakahāngai i tōna arotahi ki runga i ngā take kei te taumata iwi, taumata hapori. Ka āta whakahuatia ake e rara hou ngā haepapa o Te Mātāwai i roto i ngā mahi whakawhanake i te rautaki nei me ngā whāinga mō te rautaki, ā, mō ngā whakaritenga e pā ana ki te rapunga whakamaherehere.

Mō te whakamāramatanga

He maha ngā whakarere kētanga ka tūtohu mātou mō ngā kītanga kei roto i rara 8.

Ka tūtohu anō mātou me whakaurua he ritenga Pākehā o te kītanga Māori e whakamāramatia ana, ā, ka hurihia pērātia anō mō ia reo.

Mō ngā hua, ngā taunaha

Ka tūtohu mātou me whakatikaina te kītanga “ngā hua”, me te kītanga “taunaha” ki “ngā hua” i roto te hononga o ngā kītanga nei ki tētahi hinonga, ā, ka tūtohu anō hoki ki te tangahanga o ngā ingoa, Te Taura Whiri i Te Reo Māori me te ingoa, Te Reo Whakapuaki Irirangi kia hāngai hoki ai ki tā mātou tūtohutanga, ka mau tonu e ēnei

rōpū whakahaere ō rāua tūranga hinonga Karauna. Ko te tikanga ia o tēnei, kua kore noa iho rāua e whakarārangitia takitahitia i nāiane.

Mō te tari kāwanatanga

Ka tūtohu mātou me whakatikaina te whakamāramatanga o “tari kāwanatanga” i roto rara 8 kia mārama ai he “tari kāwanatanga” kē. Whakaatu ai tēnei i te kītanga e whakamahia ana puta noa te pire i nāiane.

Mō iwi me ngāi Māori

Mō tētahi māramatanga, ka tūtohu mātou me whakatikaina mā te whakawhānui atu i te whakamāramatanga o te iwi me ngāi Māori kia uru mai ai te whānau me te hapū o ia iwi.

Mō te rāpoi iwi

Ka tūtohu mātou me whakaurua he whakamāramatanga mō “rāpoi iwi” hei whakamārama i te kītanga i whakamahia i roto i Pukapuka Āpiti 3.

Mō ngā rautaki Reo Māori

Ka tūtohu mātou me whakaurua he whakamāramatanga mō “Ngā rautaki Reo Māori”, tae atu ki te whakamāramatanga takitahi o “ rautaki Maihi Karauna” me rautaki Maihi Māori.

Mō ngā whakapuakanga hinonga

Ka tūtohu mātou me whakatikaina “Te Māngai Pāho” ki “Te Reo Whakapuaki Irirangi”. Whakaatu ai tēnei i te ingoa tika o te hinonga i raro i Te Ture. Ka tūtohu anō hoki, me whakarerekēhia te whakamāramatanga o te rōpū whakahaere nei mai i “te rangatōpū ā-ture” ki te “hinonga Karauna motuhake”. Whakaatu ai ēnei i ngā whakare kētanga kua tūtohungia e mātou puta noa i te pire.

Ā, he ritenga anō tō tēnei, ka tūtohu mātou me whakahoungia te whakamāramatanga o Te Taura Whiri i Te Reo Māori, mai i te “rangatōpū ā-ture” ki te “hinonga Karauna motuhake”.

Ka tūtohu mātou me whakaurua he whakamāramatanga mō “Te Pūtahi Paoho”.

Mō Te Reo Tukutuku

Ka tūtohu mātou me whakatikaina te whakamāramatanga o Te Reo Tukutuku. I te wā nei, ka whakarārangitia kēngia ngā rōpū whakahaere o roto i tēnei kohinga kaipupuri pānga, ki roto i a Pukapuka Āpiti hou 3A, kaua ki roto i tēnei rara.

Ka tūtohu anō hoki mātou me whakaurua he whakamāramatanga o “Te rāpoi o Te Reo Tukutuku”. Whakaatu ai tēnei i ngā kaupapa kua hoatu ki ngā rāpoi hou e whā, e pā ana ki te mātauranga, te hunga pāpāho, te haporī, ā, me ngā pānga tāone.

Mō te tauwhirowhiro, penapena me ngā wāhanaga ritenga e pā ana

Ka tūtohu mātou me whakaurua he rara hou 8A. Mā te rara nei e whakamana te tauwhirowhiro, te penapena, ā, me ngā wāhanga e pā ana kua whakarārangitia i roto Pu-kapuka Āpiti 1.

Mō te whakamārama e pā ana ki Te Ture

Ka tūtohu mātou me whakatikaina te whakamārama e pā ana ki Te Ture i roto rara 10 kia whakaatu ai i ngā whakarere kētanga kua tūtohua e mātou ki te pire.

A Te Mātāwai

I te wā o tā mātou whakaaroarohanga o te pire, ka rongohia mātou i ngā kōrero a ngā kaitāpae mō te anga e whakaarotia ana mō Te Mātāwai. I tūtohu anō hoki a TKTWRM, me whakarere kēngia te korongo me ngā mahi a Te Mātāwai, kia whakaatu ai i tōna tūranga aratakitanga whai tikanga i roto i tāna mahi whakarauoratanga o Te Reo Māori, kia kaha kē atu ai te whai hua o tōna hononga ki Te Karauna. Nā Te Tari a Te Tumuaki o Te Mana Arotake me Te Komiti Tuku Whakamaherehe Hangan-ga Ture i homai he whakamaherehere mō ngā ritenga whakatakoto mahere, whakata-koto pūrongo mā Te Mātāwai, ā, me pēhea ēnei te whakapakari ake, te whakahāngai ake ki Te Ture Hinonga Karauna o te tau 2004.

Nō muri mai i tā mātou whakaroaro i ngā take i maranga ake, ka tūtohu i ngā whakarere kētanga e whai ake nei.

Mō te tāketanga

Ka tūtohu mātou me whakakorea a rara 11(5) me te whakauru i tētahi rara hou ko 21C tērā. Whakaatu mai ai te rara hou i tā mātou tūtohutanga me whakatūria a Te Mātāwai hei hinonga ā-ture tū motuhake. Te tikanga kē, me whakawāteatia kēngia tāna whi-whinga moni mō ngā take e pā ana ki Te Ture Tāke Whiwhinga Moni tau 1982.

Mō te koronga o Te Mātāwai

Ka tūtohu mātou me whakatikaina a rara 12(a) kia whakaatu ai i te tūranga kaiaratakitanga o Te Mātāwai, he tūranga kaiwhakatairanga o Te Reo Māori tērā. Ka tūtohu anō hoki mātou kia whakahuatia te kaiaratakitanga ka hoatu e ia ki te iwi, kia ngāi Māori, ki te hāpori.

Ka tūtohu mātou kia whakakorea a rara 12(b) o te pire i whakatakotoria rā i te mea, kua kore hāngai i nāianeī nā te mahi whakahou hinonga. Nā runga kē i tērā, ka tūtohu mātou kia whakaurua he rara hou 12(b), kia nui kē atu ai te whakahāinga i te aronga ki te hononga i waenganui i Te Karauna me ngāi Māori.

Ka tūtohu anō hoki mātou me whakatikaina a rara 12(c) tērā e whakahau rā me haere ki ngā Minita o Te Karauna, ka mahara te haere ki Te Minita Take Māori. Whakaatu ai tēnei he whānui kē atu te haepapa Karauna i roto i tōna hononga ki ngāi Māori.

Ka tūtohu mātou me whakaurua he rara hou 12(d) mō te hapanga o Te Aratuku Whakaata Irirangi Māori. I te tīmatanga, i roto kē te matū o te rara nei me ētahi atu hinon-

ga rara 12(b). Mō tētahi māramatanga, ā, i runga anō hoki i tōna ake tika kua noho mai i naianeī hei rara wehe kē.

Mō ngā mahi a Te Mātāwai

Ka tūtohu mātou me whakakorea ngā kōwae (a) ki (g) i rara 13(1), ā, me whakakapia e ngā kōwae hou (a) ki (l).

Whakatakoto ai ngā kōwae hou (a) ki (e), i te tūranga whai tikanga o Te Mātāwai e pā ana ki ngā rautaki reo Māori e rua. Ka āta whakahuatia anōtia hoki te āhuatanga mahi ngātahi a te hononga i hiahiatia rā i waenganui i a Te Mātāwai, i a Te Karauna.

Ka hoatu e kōwae hou (f) te mana ki Te Mātāwai ki te whakatakoto kōharinga mō ngā kopounga ki Te Taura Whiri i Te Reo Māori me Te Reo Whakapuaki Irirangi. Ka noho tēnei hei wāhanga o te tūranga kaiaratakitanga o Te Mātāwai i roto i ngā rautaki Reo Māori.

Ka tūtohu mātou me tangohia mai te whakapuakanga ki Te Māngai Pāho i rara 13(2) i te mea, ko Te Reo Whakapuaki Irirangi tēra ka noho mai hei hinonga Karauna.

Mō ngā kopounga ki Te Mātāwai

Ka tūtohu mātou me whakatikaina a rara 14(1) kia noho e 13 mai ai ngā mema ka mahara kē i ngā mema e 12. Ka noho rite tēnei ki te whiwhi rāpoi e 4 a Te Reo Tuku-tuku ka mahara te whiwhi rāpoi e 3 e ai ki tērā kua whakatakotoria i roto pukapuka āpiti hou 3A. Ka whakatakoto rāpoi hou mātou kia kaha ai te toha mematanga ki a tāone Māori mā i te mea, kore rawa he wāhi e kitea mō rātou ake i te pire kua whakatotohia rā.

Ka tūtohu anō hoki mātou me whakatikaina a rara 14(3) kia āta whakahuatia ake ai ngā wā ngā kopounga tuatahi me ērā whai muri atu, ā, tua atu i tērā ka āta whakahua a rara hou 14(3A) mā Te Minita aua kopounga e whakaputa.

Ka tūtohu mātou me whakatikaina a rara 15 kia whakatakoto ai i ngā pukenga me ngā tohu mātauranga ka hiahiatia kia kopoua ai tētahi ki Te Mātāwai, ā, me te tono kia whakaarotia ēnei e Te Minita, ka tae ana ki te wā whakatau kopounga.

Mō ngā ritenga whakatakoto pūrongo

I whakaarotia he tikanga whakahaere hou mā Te Mātāwai mō te whakatakoto mahere me te whakatakoto pūrongo i roto i te pire i whakatakotohia rā. Heoi anō i te mea, kua oti kē te tikanga whakatakoto mahere me te tikanga whakatatakoto pūrongo te hoatu i raro i Te Ture Hinonga Karauna o te tau 2004, ka tūtohu whakatikatika mātou ki ngā rara 17, 18, 19, 20, ā, me te whakaurunga atu o ngā rara hou 20A, 20B, 20C, 20D. I te nuinga o te wā, he whakakapenga ēnei o ngā ritenga kei roto i Te Ture Hinonga Karauna o te tau 2004 e takoto ana.

Ka tūtohu mātou me whakaurua ngā rara hou 16A, 16B e pā ana ki ngā whakaaetanga hoko mai, ā, mā rara 16A e whakatakoto te koronga whakaaetanga hoko mai. Ko tā rara 16B ka tono, mā Te Mātāwai tētahi whakaaetanga hoko mai e takatū, e whakaaetia i te taha o Te Minita ia tau pūtea.

Ka tūtohu anō hoki mātou kia whakaurua ngā rara hou 21A me 21B, ā, mā rara 21A e hoatu te mana ki Te Minita mō Te Puni Kōkiri ki te arotake i ngā mahi me te otinga mahi a Te Mātāwai, ā, mā rara 21B e whakatakoto ngā tikanga e pā ana ki ngā tono mōhiohio i Te Minita. Mā ēnei wāhanga e pūmau ai te mātau kei Te Minita te mōhiohio ka hiahiatia ana mō te whakatakoto whakaritenga e pā ana ki a Te Mātāwai.

Te Taura Whiri i Te Reo Māori, Te Reo Whakapuaki Irirangi me Te Aratuku Whakaata Irirangi Māori

I roto i ō mātou whakaaroarohanga mō te pire, ka rongo i ngā kōrero a ngā kaitāpae mō te anga e whakaarotia ana mō Te Taura Whiri i Te Reo Māori, mō Te Reo Whakapuaki Irirangi, ā, mō Te Aratuku Whakaata Irirangi Māori, ā, whakaae ana mātou ki te kitenga, me noho tonu Te Taura Whiri i Te Reo Māori me Te Reo Whakapuaki Irirangi hei hinonga Karauna i te mea, mā tēnei e pakari ake ai ō rāua herenga ki te tikanga o ō rāua mahi, ā, nā runga i tērā, ka whakatakoto mātou i ngā whakatikati ka whai ake nei.

Mō Te Taura Whiri i Te Reo Māori, me Te Reo Whakapuaki Irirangi

Ka tūtohu mātou kia whakatikaina a rara 22 me rara 23 kia noho tonu ai Te Taura Whiri i Te Reo Māori me Te Reo Whakapuaki Irirangi hei hinonga Karauna noho motuhake, ā, me te whakamārama i te whakamahinga o Te Ture Hinonga Karauna o te tau 2004.

Mō ngā mahi a Te Taura Whiri i Te Reo Māori

Ka tūtohu mātou me whakaurua ngā kōwae hou 25(1) (ba) me (bb), ā, mā aua kōwae te tūranga kaiaratakitanga e whakatakoto, otirā, e tika ana kei Te Taura Whiri i Te Reo Māori ka tae mai ana ki te whakatinana rautaki Maihi (Karauna) me te whakatakoto pūrongo ki Te Minita mō ngā take e pā ana ki Te Reo Māori.

Mō ngā mahi a Te Reo Whakapuaki Irirangi (Te Māngai Pāho)

Ka tūtohu mātou me whakakorea a rara 26 i te mea, kua kore e hiahiatia i nāianei, kei roto kē ngā mahi me ngā mana o Te Reo Whakapuaki Irirangi i Te Ture Pāhotanga o te tau 1989 (kua oti rā te whakatika), e ai ki tērā i roto i Pukapuka Āpiti 8.

Ngā kopounga ki Te Taura Whiri i Te Reo Māori me Te Reo Whakapuaki Irirangi.

Ka tūtohu mātou me whakatikaina a rara 27 kia pā ai ki ngā kopounga anake a Te Taura Whiri i Te Reo Māori. Ka tūtohu anō hoki kia whakarerekēhia te rara nei kia riro ai mā Te Minita anake ngā mema e rima nei e kopoua. Ka riro mā Te Mātāwai te toru o ngā mema e rima nei e tūtohu ki Te Minita. Me whakamahia anō hoki ngā kopounga, kia rite anō ai ki te paearu kua whakatakotohia i roto rara 15.

Mō ngā kopounga e pā ana ki Te Reo Whakapuaki Irirangi, ka tūtohu mātou me whakaurua a rara hou 27A kia taea ai te whakaheke i te kaute o ngā mema poari mai i te whitu ki te rima, ā, me te āta whakahua, mā Te Minita anake rātou e kopoua. Kia mārāma mai anō hoki, mā Te Mātāwai anake e tūtohu te toru o ngā mema e rima ki Te

Minita. E whakaatu mai ana anō hoki tēnei i te āhuatanga noho motuhake o te anga kua whakaarohia.

Mō ngā kopounga ki te poari o Te Aratuku Whakaata Irirangi Māori

Ka tūtohu mātou me whakaurua a rara hou 27B mō ngā kopounga ki te poari o Te Aratuku Whakaata Irirangi Māori. Ka noho tonu ngā mema e whitu o te poari ēngari, ka riro kē mā Te Mātāwai i nāianeī, kāpā mā mā Te Māngai Pāho, ēnei mema e whā e kopoua. Kei te whakaturakinatia kētia hoki Te Māngai Pāho. Whakatakoto kē ai te rara hou nei i te hātepe mā Te Mātāwai mō ēnei kopounga. Mō ngā mema e toru kei te toe, ka riro tonu te mahi whakapoua i a rātou mā ngā Minita nō rātou te haepapa e ai ki te whakahau a Te Ture mō Te Aratuku Whakaata Irirangi Māori o te tau 2003.

Mō ngā tauākī whakamaunga atu, ngā pūrongo ā-hauwhā, ā-tau hoki, ngā kaiwhakamaherehere Karauna, me ngā kaiwhakahaere ā-Ture

Ka tūtohu mātou kia whakakorea ngā rara 28 ki te 32 i te mea, kapi ai ngā ritenga whakatakoto mahere, whakatakoto pūrongo e Te Ture Hinonga Karauna o te tau 2004, ā, kua kore e hiahiatia i nāianeī.

Mō te arotakenga o Te Ture

Ka tūtohu mātou me whakatikaina a rara 33(3), kia whakaatu mai ko tērā te haerenga tonu o Te Taura Whiri i Te Reo Māori me Te Reo Whakapuaki Irirangi hei hinonga Karauna. Ka tangohia māua rāua i te rārangi ingoa mō ngā hinongara, otirā, tērā rārangi ingoa ka haere a Te Mātāwai me Te Minita ki te rapu whakamahere ai.

Ngā ture ārahi

Ka tūtohu mātou me whakaurua he rara hou 33A ki te whakamaua mana hanga-ture āwhina, kia taea ai:

- e Te Minita me Te Minita mō ngā Kōti ki te whakarere ē i ngā kōti, ngā tarai-piunara kua whakarārangitia i roto Pukapuka Āpiti 2
- e te Minita te whakarere kē i ngā rōpū whakahaere kua whakarārangitia i roto i ngā rāpoi o Te Reo Tukutuku i Pukapuka Āpiti 3A.

Mā tēnei e tukua Te Minita kia mau tonu ai te hanganga ture o te wā nei, me te whai whakatikatika ā-ture mehemea ka hiahiatia tētahi.

Kua kite mātou, ka pā ngā mahi tirotiro, me ngā mahi whakawhārite e whai ake nei:

- mō te kēhi ture ārahi whakatikatika Pukapuka Āpiti 2, me tino whakatakoto ngā Minita e rua, tērā mō ngā Te Puni Kōkiri, tērā hoki mō ngā Kōti, i tētahi tūtohutanga mehemea, me tāpirihia atu, me tangohia atu he kōti, he taraipiu-nara rānei.
- mō te kēhi ture ārahi whakatikatika Pukapuka Āpiti 23A, me tino rapu whaka-maherehere Te Minita mō Te Puni Kōkiri i Te Mātāwai mehemea, me whakarere kēhia ngā rōpū whakahaere kua whakarārangitia i roto i ngā rāpoi o Te Reo Tukutuku.

Mō te whakamahinga Ture kē atu

Ka tūtohu mātou me whakatikaina ngā rara 34, 35, kite whakaatu ko tērā te haerenga tonu o Te Taura Whiri i te Reo Māori me Te Reo Whakapuaki Irirangi hei hinonga Karauna. Ka whakakore mai ērā i te rārangi ingoa mō ngā rōpū whakahaere me ngā hinonga kua āta whakahuatia i roto i ēnei rara.

Mō ngā wāhanga whakatikatika, pīra, tauwhirowhiro

Ka tūtohu mātou me whakakorea a rara 36 nā te mea ka whakakapia e rara hou 8A.

Pukapuka Āpiti 1: Te tauwhirowhiro, ngā penapena me ngā wāhanga e pā ana

I te mea, kua whakaarotia te haerenga tonu o Te Taura Whiri i Te Reo Māori me Te Reo Whakapuaki Irirangi hei hinonga Karauna, arā noa atu te maha o ngā whakatikatika ka tūtohu e mātou i roto Pukapuka Āpiti 1.

Ka tūtohu mātou me whakakorea ngā rara 2 ki te 4, i te mea, kua kore ēnei i te whakamahia.

Ka tūtohu mātou me whakatikaina a rara 5, kia haere tonu ai ngā apatono i raro i Te Ture o Te Reo Māori o te tau 1987 mā Te Taura Whiri i Te Reo Māori.

Ka tūtohu anō hoki mātou me whakaurua a rara hou 5A me rara hou 6, e pā ana ki ngā wāhanga tauwhirowhiro mō te wā tū ai ngā kaiwhakahaere mō te wā nei o te poari o Te Reo Whakapuaki Irirangi me Te Aratuku Whakaata Irirangi Māori.

Ka tūtohu anō mātou kia whakaurua a rara hou 7 e pā ana ki te whakaturakitanga o Te Pūtahi Paoho. Whakamārama ai te rara hou nei i te mana o ngā kirimana me ētahi atu huarahi i roto i te tauwhironga atu ki Te Mātāwai.

Pukapuka Āpiti 2: Ngā kōti me ngā taraipiunara e taea ai te kōrero Māori ki reira

Ka tūtohu mātou me whakakorea ngā whakapuakanga ki Te Taraipiunara Whakaōrite Whiwhinga Wā i te mea, kua roa kē e kore ana, ā, me te whakakapi mā Te Taraipiunara Arotakenga Tikanga Tangata.

Pukapuka Āpiti 3: Ngā rāpoi ā-rohe o te iwi

Ka tūtohu mātou me whakatikaina te pukapuka āpiti nei ki te whakatika i te tātaki kupu o te huhua noa atu o tēnā iwi, o tēnā iwi, o tēnā iwi.

Ka tūtohu anō hoki me whakakorea ngā whakapuakanga ki Te Matau a Māui, ki Te Whanganui a Tara, ki Wharekauri, ā, Te Waipounamu; i ngā wāhi e puta ake ana ēnei i te taha o te ingoa o te iwi i roto i te tuinga Pākehā. Ināianei, ko te ingoa-wāhi Pākehā anake ka puta ake i te tuinga Pākehā o te pire kei roto i te reo Pākehā.

Pukapuka Āpiti 3A: Ngā ropū whakahaere o Te Reo Tukutuku

Ka tūtohu mātou me whakaurua te pukapuka āpiti hou nei, kei roto he rārangi ingoa o ngā rāpoi me ngā rōpu whakahaere o Te Reo Tukutuku.

Ka whakamahia ngā rāpoi o Te Reo Tukutuku ki te whakamōhio atu i te mematangā o Te Mātāwai.

Pukapuka Āpiti 4: Ngā wāhanga e pā ana ki Te Mātāwai me ana mema

Ka tūtohu mātou me whakatikaina te pukapuka āpiti kia hāngai tika tonu ki Te Mātāwai, kua ki “ngā hinonga”, kia mārama mai ai te kite ko Te Mātāwai anake te hinonga ā-ture. Ka noho hinonga tonu ērā e rua, a Te Taura Whiri i Te Reo Māori me Te Reo Whakapuaki Irirangi.

Ngā kōharinga me ngā kopounga

Ka tūtohu mātou kia whakatikaina a rara 2(3) kia āta whakahuatia ai, ka whai wā ia iwi o tētahi kohinga rāpoi ki te kōhari māngai mō taua iwi ki roto i te kohinga whiriwhiringa. Ka rerekē mai tēnei i rara 3 o te pire i whakatakotoria, tērā i hoatu wāhi ai ki ia iwi, ki te kōhari māngai. I raro i tā mātou rara kua whakatikaina, tata ki te ōrau e 60 o te iwi i roto rāpoi, me kōhari māngai.

Ko te tikanga o ēnei whakarere kētanga, ka haere tonu ngā mahi a tēnā rāpoi, ā tēnā rāpoi, ā tēnā rāpoi ahakoa, te kore whai wāhitanga o te katoa o taua mehemea ka hiahia. Ēngari, me tauake te whai wāhitanga o te nuinga o te iwi.

Ka tūtohu anō hoki me whakatikaina a rara 2(4) kia āta whakahuatia ai, me tino kōhari māngai ia rāpoi o roto i Te Reo Tukutuku mō taua rōpū whakahere, kia uru atu ai ki roto kohinga whiriwhiringa. Ka rerekē mai ai tēnei i te rara 3 i te pire i whakatakotoria rā i te mea, whakaatu ai tērā i te rere kē o tētahi anga rāpoi mō Te Reo Tukutuku, ka maharā te whiwhi mānagi a ia rōpū whakahaere.

Ka tūtohu mātou me whakaurua he rara hou 2(5A), tērā e tono ana me whakangāwariatia e Te Puni Kōkiri te hātepe kopounga tuatahi mā Te Mātāwai.

Ka tūtohu mātou me whakakorea a rara 3, tērā e pā ana ki ngā kopounga mema a Te Taura Whiri i te Reo Māori, a Te Reo Whakapuaki Irirangi, ā, me ngā kaiwhakahaere a Te Aratuku Whakaata Irirangi Māori. Kua kore noa te rara nei e hiahia i nāiane.

Te whakamanatanga o ngā ture, o ngā kopounga a ngā mema

Ka tūtohu mātou me whakatikaina ngā rara 4 me te 5, me āta whakahuatia ko ngā rara ēnei ka pā ki te heamana me te heamana tuarua o Te Mātāwai.

Te wā tūnga

Ka tūtohu anō hoki mātou me whakaurua he rara hou 6(4) e āta whakahua ana, kāore te wā o te tūnga e neke atu i ngā tau-e-rua mō ngā mema tuatahi o Te Mātāwai, nā tētahi rāpoi o Te Reo Tukutuku, nā Te Minita rānei i kopoua. Mā tēnei tētahi huringa o ngā mema mō Te Mātāwai kia tina ai.

Tangohanga mema

Ka tūtohu anō hoki me whakatikaina a rara 7, kia pai ai te whakawhānui atu i te rārangi ingoa o te hunga ka whakamanahia ki te tango mema mai i Te Mātāwai. Kei ia rāpoi iwi, kei ia rāpoi o Te Reo Tukutuku, ā, kei Te Minita, te mana ki te tango mema atu nā rātou i kopoua. I raro i te pire i whakatakotoria rā, ko Te Minita anake te mea ka kaha ki te tango mema.

Ka tūtohu mātou me whakatikaina a rara 7(5), tērā e tono rā kia poua he huarahi tango mema atu e ai ki ngā mātāpono tikanga tūturu.

Tangohanga heamana, heamana tuarua rānei

Ka tūtohu anō hoki mātou me whakatikaina a rara 11(3), tērā e tono rā kia poua he huarahi tango atu i tētahi heamana, heamana tuarua rānei e ai ki ngā mātāpono tikanga tūturu.

Te mana tautapa

Kua tūtohu anō mātou me whakatikaina te kōwai 19(1)(c), tērā e tono ana kia mahi mana motuhake ngā māngai o te kohinga rāpoi iwi, o te rāpoi o Te Reo Tukutuku, ā, me Te Minita hoki (o ngā kohinga kopounga e toru a Te Mātāwai). I roto i te pire kua whakatakotoria, ko tērā anake i tono te rara nei, kia mahi wehe mai ngā māngai i te Minita. Ko tā te whakarere kētanga e tino whakahau nei, me mahi tētahi māngai mō te taha ki Te Mātāwai. Ka whakatau tēnei panoni me mahi kē te māngai mō te taha ki Te Mātāwai, kāpā mō tō rātou kohinga kopoua.

Herenga mahi takitahi

Ka tūtohu mātou me whakaurua he rara hou 29(2A) e hoatu ana i te tika mā Te Mātāwai ki te whakapae i tētahi mema mō te whatinga o tētahi mahi takitahi. Mā tēnei e whakapakari te herenga o ngā mema o Te Mātāwai ki te tikanga o ō ratou.

Pukapuka Āpiti 5: Ngā tiwhikete tohungatanga mō Te Reo Māori

Kia kore ai e puta he pōkaikahatanga ki ētahi atu wāhi o te pire, ka tūtohu mātou me whakarere kē “te whakamāramatanga o” ki “te whakawhitinga ā-waha”, ā, “te whakawhitinga ā-tuhi o” ki “te whakawhitinga”, i roto ake i te pukapuka āpiti nei. Ka tūtohu anō hoki me whakatikaina a rara 3(2) kia whakaatu ai i te koronga, arā, ka noho Te Taura Whiri i Te Reo Māori hei hinonga Karauna, ā, ka whai herenga i raro i Te Ture Hinonga Karauna o te tau 2004.

Pukapuka Āpiti 6: Ngā wāhanga ka pā ki Te Māngai Pāho

Ka tūtohu mātou me whakakorea te pukapuka āpiti nei i te mea, ka noho tonu Te Reo Whakapuaki Irirangi hei hinonga Karauna e ai ki Te Ture Pāpāho o te tau 1989. Nā runga i tērā, kua kore noa iho te pukapuka āpiti nei e hiahiatia i nāianei.

Pukapuka Āpiti 7: Ngā whakatika ki Te Ture o Te Aratuku Whakaata Irirangi Māori o te tau 2003

Ka tūtohu mātou me whakatikaina te pukapuka āpiti whakakoikoi ake i te koronga o Te Aratuku Whakaata Irirangi Māori, mā te whakakapi i ngā kupu “ōna tikanga” mā ngā kupu, “ngā tikanga Māori”. Whakaatu mai ai te pono o te kōrero, kei Te Aratuku Whakaata Irirangi anō te haepapa ki te whakatairanga, ki te whakarahi ahurea Māori, kāpā anake ko Te Reo Māori.

Pukapuka Āpiti 8: Ngā whakatikatika whai muri mō ētahi atu whakaturetanga

Herenga mahi takitahi

Ka tūtohu mātou me whakatikaina Te Ture Pāpāho o te tau 1989, hei whakauru atu kōwae hou 53(B)(2)(d). Anō nei rā, mā tēnei e mārama ai te kite atu kei Te Aratuku Whakaata Irirangi Māori te haepapa whakatairanga, whakarahi ahurea Māori, kāpā anake ko Te Reo Māori.

Ka tūtohu anō hoki mātou me whakarere kētia a tekiona 53(1) i te mea, kua kore ngā mema o Te Reo Whakapuaki Irirangi e neke atu i te rima i nāianei, e whitu kē hoki i ngā tau ki muri.

Taitara reo-rua

Ka tūtohu mātou me whakatikaina ngā whakapuakanga ki te taitara o te pire nei, puta noa i rot oi te pukapuka āpiti nei. Ka whakaurua ngā ingoa e rua o te pire, arā, te ingoa Pākehā, te ingoa Māori, taha-ki-te-taha, i roto i te pukapuka āpiti nei.

Hinonga Karauna tū-motuhake

Ka tūtohu mātou me whakatikaina te pukapuka āpiti nei mā te tango atu i ngā whakapuakanga ki Te Taura Whiri i Te Reo Māori me Te Reo Whakapuaki Irirangi (Te Māngai Pāho) i te mea, ka noho hinonga Karauna tū-motuhake tonu rāua tahi.

Tāpiritanga

Hātepe komiti

I tonoa te pire ki Te Komiti Whiriwhiri Take Māori o Te Pāremata e 50, i te 24 o Hōngongoi tau 2014, ā, ka karanga te komiti mō ngā tāpaetanga a te marea mō te pire. Ka whakatakoto Te Komiti o Te Pāremata e 51 ko te 5 o Hakihea tau 2014, te rā kati mō ngā tāpaetanga. E 41 ngā tāpaetanga i whiwhi, e 22 ngā tāpaetanga i rongohia ā-wahatia i Te Whanga-nui-a-Tara, ā, i Tāmaki-makau-rau. Nā mātou tētahi pūrongo mō te wā nei i whakatakoto ki mua i aroaro o Te Whare, i te 2 o Paenga-whāwhā tau 2015

I whiwhi whakamaherehere mātou mai i Te Puni Kōkiri.

Ko ngā memātanga o te komiti, ko

Tūtehounuku Kōrako (Heamana)

Hōnore Chester Borrows

Mārama Davidson

Kelvin Davis

Mārama Fox

Joanne Hayes

Hōnore Nanaia Mahuta

Pita Paraone

He mema whakakapi a Peeni Hēnare mō tēnei tūemi o ngā take.

Māori Language (Te Reo Māori) Bill

Government Bill

As reported from the Māori Affairs Committee

Commentary

Recommendation

The Māori Affairs Committee has examined the Māori Language (Te Reo Māori) Bill and recommends that it be passed with the amendments shown.

Introduction

The Māori Language (Te Reo Māori) Bill would reinforce the status of the Māori language in New Zealand. The bill seeks to repeal the Māori Language Act 1987. It would establish an independent entity, Te Mātāwai, to provide leadership on behalf of iwi and Māori regarding the health of the Māori language. Te Pūtahi Paoho would be disestablished and its functions transferred to Te Mātāwai.

Māori Language Advisory Group

The Māori Language (Te Reo Māori) Bill was referred to the Māori Affairs Committee at the end of the 50th Parliament. In December 2014, while the bill was before the Māori Affairs Committee of the 51st Parliament, the Minister for Māori Development established a Māori Language Advisory Group (MLAG). The group's aim was to provide the Minister with independent advice on the practical implications of the bill and the proposed changes to policy. The MLAG was supported by the Ministry of Māori Development (Te Puni Kōkiri) and was independent from the parliamentary process, undertaking its own consultation on the bill.

The MLAG reported to the Minister on 30 June 2015. Proposed changes to the bill arising from its recommendations were approved by Cabinet in October 2015, and were included as proposed changes to the bill in the departmental report prepared for this committee by Te Puni Kōkiri.

The key proposals approved by Cabinet included:

- giving legislative status to two Māori Language Strategies: one would be the responsibility of the Crown, focusing on national-level issues, while the other would be the responsibility of iwi and Māori, focusing on matters at iwi and community level
- making Te Mātāwai primarily responsible for leading, supporting, and promoting the health and well-being of the Māori language at the iwi, hapū, whānau, and community levels, but also with a role in influencing government
- adjusting the membership of Te Mātāwai to ensure representation for urban Māori and providing for Te Puni Kōkiri to facilitate the selection process
- maintaining Te Taura Whiri I Te Reo Māori (the Māori Language Commission) and Te Reo Whakapuaki Irirangi (the Māori Broadcasting Funding Agency) (Te Māngai Pāho) as Crown entities
- establishing two governance and engagement forums involving Te Mātāwai and the Crown, and stipulating that for the boards of Te Taura Whiri I Te Reo Māori, and Te Reo Whakapuaki Irirangi, three of the five appointments to each board would come from nominations made by Te Mātāwai.

Although the MLAG consultation process was separate from the parliamentary process undertaken by this committee, we deferred our consideration of the bill while this independent consultation took place.

Recommended amendments to the bill

We support the changes to the bill proposed by the Government based on the recommendations of the Māori Language Advisory Group. The following sections of this commentary discuss the resulting amendments that we recommend to the bill. We do not discuss minor or technical amendments.

Te Reo Māori translation

We recommend amending the bill by inserting a complete Te Reo Māori translation of the English text. This would make the bill the second complete dual-language bill in New Zealand in modern times. One other, enacted in 2013, was amended this way.²

We recommend inserting new clause 7C to assist with interpretation of the dual-language bill. Clause 7C(2) provides that the Māori and English texts would be of equal authority and the Te Reo Māori text would prevail in the event of a conflict in meaning between the English and Te Reo Māori texts.

Commencement date

We recommend amending the bill's commencement date. New clause 2(1) would ensure there was no gap in the provision of statutory functions, such as the approval of

² Mokokoko (Restoration of Character, Mana, and Reputation) Act 2013.

statements of intent, when Te Pūtahi Paoho was disestablished and its functions transferred to Te Mātāwai.

Purpose of the Act

We recommend amending the purpose of the Act in clause 3(2) to emphasise the status of the Māori language as a taonga of iwi and Māori, as the indigenous language of New Zealand, and as a language valued by the nation.

Role of Te Mātāwai

We also recommend inserting new clause 3(3) to give more detail about the role of Te Mātāwai. This clause would indicate the role of Te Mātāwai in developing Māori language strategies and leading the revitalisation of the Māori language.

Crown entity status

We recommend that Te Mātāwai no longer have direct leadership over Te Taura Whiri I Te Reo Māori (the Māori Language Commission) and Te Reo Whakapuaki Irirangi (the Māori Broadcasting Funding Agency) (Te Māngai Pāho). While we believe that Te Mātāwai would in practice have an important role in leading Māori language strategies, we consider that both these organisations should retain their status as Crown entities and their obligation for the revitalisation of the Māori language. This would ensure that they were both still subject to the Public Finance Act and accountable to Parliament for their operations and expenditure.

We therefore recommend inserting new clause 3(3)(c) to reflect the fact that these two organisations would now remain as Crown entities.

Definitions of interpreting and translating

We recommend inserting new clause 6(7) to provide definitions of “interpreting” and “translating” as they apply to the right to speak Māori in legal proceedings (clause 6) and to certificates of competency in Māori language (Schedule 5). The ordinary dictionary meaning would apply elsewhere in the bill.

Principles

To support the shared vision for the Māori language between Māori and the Crown, we recommend inserting new clause 6A. This new clause sets out principles which would guide the Act’s interpretation and the development of the Māori language strategies. The principles cover the Māori language, its relationship to iwi and Māori, Māori language and the Crown, and Māori language and New Zealand society.

Guidance for departments of State

We recommend amending the title of clause 7 from “Principles” to “Guidance for departments of State”. This would differentiate it from new clause 6A and better describe the purpose of this clause.

Māori language strategies

We recommend inserting new clauses 7A and 7B relating to the two Māori language strategies.

Maihi Karauna strategy

New clause 7A relates to the Maihi Karauna strategy, which is intended to be the responsibility of the Crown and to focus on national-level issues. The new clause would set out the responsibilities of the Minister in issuing this strategy, including its objectives and strategic direction. It would also set requirements for consultation before issuing, revoking, replacing, or amending the strategy.

Maihi Māori strategy

New clause 7B relates to the Maihi Māori strategy, which would be the responsibility of Te Mātāwai on behalf of iwi and Māori and would focus on issues at iwi and community level. The new clause would specify the responsibilities of Te Mātāwai in developing this strategy, the objectives of the strategy, and consultation requirements.

Interpretation

We recommend several changes to the definitions of terms in clause 8.

We also recommend including the English equivalent of the Māori term being defined and vice versa in each language version.

Assets and liabilities

We recommend amending the term “assets and liabilities” to “assets and liabilities in relation to an entity”. We also recommend removing the names of Te Taura Whiri, and Te Reo Whakapuaki Irirangi, in line with our recommendation that these organisations would retain their Crown entity status. This means they would no longer need to be individually listed.

Government department

We recommend amending the definition of “government department” in clause 8 to define instead “department of State”. This reflects the term now used throughout the bill.

Iwi and Māori

For clarity, we recommend expanding the definition of iwi and Māori to include the whānau and hapū of each iwi.

Iwi cluster

We recommend inserting a definition of “iwi cluster” to explain the term used in Schedule 3.

Māori language strategies

We recommend inserting a definition of the “Māori language strategies”, including individual definitions of “Maihi Karauna strategy” and “Maihi Māori strategy”.

References to entities

We recommend amending “Te Māngai Pāho” to “Te Reo Whakapuaki Irirangi”. This reflects the correct legal name of the entity. We also recommend changing the description of this organisation from “statutory body” to “autonomous Crown entity”, to reflect the changes we have recommended throughout the bill.

Similarly, we recommend changing the description of Te Taura Whiri I Te Reo Māori from “statutory body” to “autonomous Crown entity”.

We recommend inserting a definition of “Te Pūtahi Paoho”.

Te Reo Tukutuku

We recommend amending the definition of “Te Reo Tukutuku”. The organisations that make up this stakeholder group would now be listed in new Schedule 3A rather than in this clause.

We also recommend inserting a definition of “Te Reo Tukutuku cluster”. This reflects the themes allocated to the four new clusters for Te Reo Tukutuku of education, media, community, and urban interests.

Transitional, savings, and related provisions

We recommend inserting new clause 8A. This clause would give effect to the transitional, savings, and related provisions listed in Schedule 1.

Outline of the Act

We recommend amending the outline of the Act in clause 10 to reflect the changes we have recommended to the bill.

Te Mātāwai

During our consideration of the bill, we heard from submitters about the proposed structure of Te Mātāwai. The MLAG also recommended that the purpose and functions of Te Mātāwai be changed to reflect its leadership role in Māori language revitalisation, and to give it a more meaningful relationship with the Crown. The Office of the Auditor-General and the Legislation Advisory Committee provided advice about the planning and reporting requirements for Te Mātāwai and how these could be strengthened and aligned with the Crown Entities Act 2004.

After considering the points raised, we recommend the following changes.

Taxation

We recommend deleting clause 11(5) and inserting new clause 21C. The new clause reflects our recommendation that Te Mātāwai be established as an independent statu-

tory entity. Its income should be exempt income for the purposes of the Income Tax Act 1982.

Purpose of Te Mātāwai

We recommend amending clause 12(a) to reflect Te Mātāwai's leadership role as a promoter of the Māori language. We also recommend specifying that its leadership is provided for iwi, Māori and the community.

We recommend deleting clause 12(b) of the bill as introduced, as this is no longer applicable due to the restructuring of the entities. Instead, we recommend inserting new clause 12(b) to provide greater emphasis to the relationship between the Crown and Māori.

We also recommend amending clause 12(c) to refer to Ministers of the Crown rather than the Minister of Māori Affairs. This would reflect the wider responsibility of the Crown in its relationship with Māori.

We recommend inserting new clause 12(d) regarding oversight of the Māori Television Service. The substance of this clause was originally part of clause 12(b), with other entities. For clarity, it would now be a separate clause in its own right.

Functions of Te Mātāwai

We recommend deleting paragraphs (a)–(g) in clause 13(1), and replacing them with new paragraphs (a)–(l).

New paragraphs (a)–(e) set out the role of Te Mātāwai in relation to the two Māori language strategies. They also specify the collaborative nature of the intended relationship between Te Mātāwai and the Crown.

New paragraph (f) would give Te Mātāwai the power to make nominations for appointments to Te Taura Whiri I Te Reo Māori and Te Reo Whakapuaki Irirangi. This would be part of Te Mātāwai's leadership role in the Māori language strategies.

We recommend removing the reference to Te Māngai Pāho from clause 13(2) as Te Reo Whakapuaki Irirangi (Te Māngai Pāho) would remain a Crown entity.

Appointments to Te Mātāwai

We recommend amending clause 14(1) so that there would be 13 members of Te Mātāwai instead of 12. This would be consistent with having four Te Reo Tukutuku clusters instead of three, as set out in new Schedule 3A. We propose a new cluster to allow membership to be allocated to urban Māori, who would not have been specifically represented in the bill as introduced.

We also recommend amending clause 14(3) to specify the time-frames by which initial and subsequent appointments would be made. New clause 14(3A) specifies that such appointments would be made by the Minister.

We recommend amending clause 15 to set out the skills and qualifications necessary to be appointed to Te Mātāwai, and to require the Minister to take these into account when making the appointments.

Reporting requirements

A new planning and reporting regime was proposed for Te Mātāwai in the bill as introduced. However, as planning and reporting models are already provided for under the Crown Entities Act 2004, we recommend amendments to clauses 17, 18, 19, and 20, and the insertion of new clauses 20A, 20B, 20C, and 20D. These amendments would largely replicate the planning and reporting requirements set out in the Crown Entities Act 2004.

We recommend inserting new clauses 16A and 16B relating to purchase agreements. Clause 16A would set out the purchase agreement's purpose. Clause 16B would require Te Mātāwai to prepare and agree a purchase agreement with the Minister for each financial year.

We also recommend inserting new clauses 21A and 21B. Clause 21A would give the Minister for Māori Development the power to review the operations and performance of Te Mātāwai. Clause 21B would set out the rules relating to information requests from the Minister. These provisions would ensure that the Minister had the information required to make decisions relating to Te Mātāwai.

Te Taura Whiri I Te Reo Māori, Te Reo Whakapuaki Irirangi, and Māori Television Service

During our consideration of the bill, we heard from submitters about the proposed structure of Te Taura Whiri I Te Reo Māori, Te Reo Whakapuaki Irirangi, and the Māori Television Service. We agree with the view that Te Taura Whiri I Te Reo Māori, and Te Reo Whakapuaki Irirangi should remain as Crown entities as this would strengthen their accountability, and propose the following amendments.

Te Taura Whiri I Te Reo Māori and Te Reo Whakapuaki Irirangi

We recommend amending clauses 22 and 23 so that Te Taura Whiri I Te Reo Māori and Te Reo Whakapuaki Irirangi would continue as autonomous Crown entities, and to clarify the application of the Crown Entities Act 2004.

Functions of Te Taura Whiri I Te Reo Māori

We recommend inserting new paragraphs 25(1)(ba) and (bb). They would set out the leadership role that Te Taura Whiri I Te Reo Māori would have in the implementation of the Maihi Karauna (Crown) strategy and give it the power to report to the Minister on matters relating to the Māori language.

Functions of Te Reo Whakapuaki Irirangi (Te Māngai Pāho)

We recommend deleting clause 26 as it would not be needed. The functions and powers of Te Reo Whakapuaki Irirangi are already set out in the Broadcasting Act 1989 (as amended), as set out in Schedule 8.

Appointments to Te Taura Whiri I Te Reo Māori and Te Reo Whakapuaki Irirangi (Te Māngai Pāho)

We recommend amending clause 27 so that it would only apply to appointments to Te Taura Whiri I Te Reo Māori. We also recommend changing this clause so that the five members must be appointed by the Minister. Three of the five members would need to be recommended to the Minister by Te Mātāwai. Appointments should also be made using the same criteria as set out in clause 15.

We recommend inserting new clause 27A regarding appointments to Te Reo Whakapuaki Irirangi. This new clause would reduce the number of members of the board from seven to five, and specify that they must be appointed by the Minister. Three of the five members would need to be recommended to the Minister by Te Mātāwai, again reflecting the autonomous nature of the proposed structure.

Appointments to the board of the Māori Television Service

We recommend inserting new clause 27B regarding appointments to the board of the Māori Television Service. The board would remain at seven members, but four members would now be appointed directly by Te Mātāwai instead of by Te Pūtahi Paoho, which would be disestablished. This new clause sets out the process for Te Mātāwai to make these appointments. The remaining three members would continue to be appointed by the responsible Ministers as prescribed by the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003.

Statements of intent, Quarterly and annual reports, Crown advisers, and Statutory managers

We recommend deleting clauses 28–32 as these planning and reporting requirements are covered by the Crown Entities Act 2004 and would no longer be needed.

Review of the Act

We recommend amending clause 33(3) to reflect the continuance of Te Taura Whiri I Te Reo Māori and Te Reo Whakapuaki Irirangi as Crown entities. They would be removed from the list of entities that Te Mātāwai and the Minister must consult.

Regulations

We recommend inserting new clause 33A conferring regulation-making powers to enable:

- the Minister and the Minister for Courts to change the courts and tribunals listed in Schedule 2
- the Minister to change the organisations listed in the Te Reo Tukutuku clusters in Schedule 3A.

This would allow the Minister to keep the legislation current without the need for legislative amendment.

We note that the following checks and balances would apply:

- in the case of regulations amending Schedule 2, both the Minister for Māori Development and the Minister for Courts would need to make a recommendation on whether a court or tribunal should be added or removed
- in the case of regulations amending Schedule 3A, the Minister for Māori Development would need to consult Te Mātāwai on whether to change the organisations listed in the Te Reo Tukutuku clusters.

Application of other Acts

We recommend amending clauses 34 and 35 to reflect the continuance of Te Taura Whiri I Te Reo Māori and Te Reo Whakapuaki Irirangi as Crown entities. They would be removed from the list of organisations and entities specified in these clauses.

Transitional, repeal, and amendment provisions

We recommend deleting clause 36, which would be replaced by new clause 8A.

Schedule 1: Transitional, savings, and related provisions

With the proposed continuance of Te Taura Whiri I Te Reo Māori and Te Reo Whakapuaki Irirangi as Crown entities, we recommend several amendments in Schedule 1.

We recommend deleting clauses 2–4 as they would no longer apply.

We recommend amending clause 5 to continue the delegations under the Māori Language Act 1987 for Te Taura Whiri I Te Reo Māori.

We recommend inserting new clauses 5A and 6 regarding transitional provisions for the term of office of existing directors of the board of Te Reo Whakapuaki Irirangi and the Māori Television Service.

We also recommend inserting new clause 7 relating to the disestablishment of Te Pūtahi Paoho. This new clause outlines the status of contracts and other instruments in the transition to Te Mātāwai.

Schedule 2: Courts and tribunals before which Māori may be spoken

We recommend deleting references to the Equal Opportunities Tribunal, which no longer exists, and replacing them with the Human Rights Review Tribunal.

Schedule 3: Regional clusters of iwi

We recommend amending this schedule to correct the spelling of several iwi.

We also recommend deleting references to Te Matau a Māui, Te Whanganui a Tara, Wharekauri, and Te Waipounamu where these appear next to iwi names in the English version of the text. Instead, the English place-name would appear in the English text in the English version of the bill, and the Māori place-name in the Te Reo version of the bill.

Schedule 3A: Organisations comprising Te Reo Tūkutu

We recommend inserting this new schedule containing a list of clusters and organisations comprising Te Reo Tūkutu.

Te Reo Tūkutu clusters would be used to inform the membership of Te Mātāwai.

Schedule 4: Provisions relating to Te Mātāwai and its members

We recommend amending this schedule to refer specifically to Te Mātāwai instead of “entities”, to make it clear that only Te Mātāwai would be a statutory entity. The other two entities, Te Taura Whiri i Te Reo Māori and Te Reo Whakapuaki Irirangi, would remain Crown entities.

Nominations and appointments

We recommend amending clause 2(3) to specify that each iwi in a cluster group would be given the opportunity to nominate a representative on behalf of that iwi for the selection group. This differs from clause 3 in the bill as introduced, which provided for each iwi to nominate a representative. Under our amended clause, at least 60 percent of the iwi in a cluster would need to nominate a representative.

These changes would mean that each cluster could still operate without the participation of all the iwi within it if necessary, but there must be a positive majority of iwi participation.

We also recommend amending clause 2(4) to specify that each cluster within Te Reo Tūkutu must nominate a representative on behalf of that organisation for the selection group. This differs from clause 3 in the bill as introduced, as it reflects the change to a cluster structure for Te Reo Tūkutu, rather than having representatives for each organisation.

We recommend inserting new clause 2(5A) requiring Te Puni Kōkiri to facilitate the initial appointment process for Te Mātāwai.

We recommend deleting clause 3 relating to the appointments of members of Te Taura Whiri i Te Reo Māori, Te Reo Whakapuaki Irirangi, and directors of the Māori Television Service. This clause would no longer be needed.

Validity of members’ acts and appointments

We recommend amending clauses 4 and 5 to specify that they relate to the chairperson and deputy chairperson of Te Mātāwai.

Term of office

We also recommend inserting new clause 6(4) to specify a two-year maximum term for the first members of Te Mātāwai appointed by a Te Reo Tūkutu cluster or by the Minister. This would provide for a steady rotation of members of Te Mātāwai.

Removal of members

We also recommend amending clause 7 to expand the list of those authorised to remove members of Te Mātāwai. Each iwi cluster, each Te Reo Tūkūtu cluster, and the Minister, would have the authority to remove members they appointed. Under the bill as introduced, only the Minister would have had the power to remove members.

We recommend amending clause 7(5) to require a procedure to be in place for the removal of a member that complies with the principles of natural justice.

Removal of chairperson or deputy chairperson

We also recommend amending clause 11(3) to require a procedure to be in place for the removal of a chairperson or deputy chairperson that complies with the principles of natural justice.

Power to delegate

We also recommend amending paragraph 19(1)(c) to require delegates to act independently of the iwi cluster group, the Te Reo Tūkūtu cluster, and the Minister (the three appointing groups of Te Mātāwai). In the bill as introduced, this clause only required delegates to act independently of the Minister. This change would emphasise that a delegate must act on behalf of Te Mātāwai rather than on behalf of their appointing group.

Accountability for individual duties

We recommend inserting new clause 29(2A) giving Te Mātāwai the right to bring action against a member for breach of any individual duty. This change would strengthen the accountability of members of Te Mātāwai.

Schedule 5: Certificates of competency in Māori language

To avoid confusion with other parts of the bill, we recommend changing “the interpretation of” to “interpreting” and “the translation of” to “translating” within this schedule. We also recommend amending clause 3(2) to reflect the intention that Te Taura Whiri i Te Reo Māori would remain a Crown entity and be subject to the Crown Entities Act 2004.

Schedule 6: Provisions applying to Te Māngai Pāho

We recommend deleting this schedule. As Te Reo Whakapuaki Irirangi would remain a Crown entity subject to the Broadcasting Act 1989, it would no longer be needed.

Schedule 7: Amendments to Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003

We recommend amending this schedule to fine-tune the purpose of the Māori Television Service, replacing “ōna tikanga” with “ngā tikanga Māori”. This reflects the fact that the Māori Television Service is also responsible for promoting and protecting Māori culture, not just the Māori language.

Schedule 8: Consequential amendments to other enactments

Accountability for individual duties

We recommend amending the Broadcasting Act 1989 to insert new paragraph 53B(2)(d). Again, this would make it clear that the Māori Television Service is responsible for promoting and protecting Māori culture, not just the Māori language.

We also recommend changing section 53I as there would now be no more than five members of Te Reo Whakapuaki Irirangi, instead of seven.

Dual-language title

We recommend amending references to the title of this bill throughout this schedule. Both the English and Te Reo Māori names of the bill would be included side-by-side in this schedule.

Autonomous Crown entities

We recommend amending this schedule to remove references to Te Taura Whiri I Te Reo Māori and Te Reo Whakapuaki Irirangi (Te Māngai Pāho), as they would both remain as autonomous Crown entities.

Appendix

Committee process

The bill was referred to the Māori Affairs Committee of the 50th Parliament on 24 July 2014, and the committee called for public submissions on the bill. The closing date for submissions of 5 December 2014 was set by the Māori Affairs Committee of the 51st Parliament. We received 41 submissions and heard 22 of the submissions orally, in Wellington and Auckland. We presented an interim report to the House on 2 April 2015.

We received advice from the Ministry of Māori Development (Te Puni Kōkiri).

Committee membership

Tutehounuku Korako (Chairperson)

Hon Chester Borrows

Marama Davidson

Kelvin Davis

Marama Fox

Joanne Hayes

Hon Nanaia Mahuta

Pita Paraone

Peeni Henare was a replacement member for this item of business.

Key to symbols used in reprinted bill

As reported from a select committee

text inserted unanimously

~~text deleted unanimously~~

Hon Te Ururoa Flavell

Te Pire mō Te Reo Māori
Māori Language (Te Reo Māori) Bill

Te Pire a Te Kāwanatanga/Government Bill

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Ka whakaturetia e te Pāremata o Niu Tirenī ēnei e whai ake nei / The Parliament of New Zealand enacts as follows:

Te Wāhanga 1AA

Ko te ingoa me ngā whakataunga tīmatanga i te reo Māori

- | | | |
|----------|--|----|
| 1 | <u>Te Upoko</u> | 5 |
| | <u>Ko tēnei te Ture mō Te Reo Māori 2014.</u> | |
| 2 | <u>Te Tīmatanga</u> | |
| (1) | <u>Ka mana te wehenga 24 (e whakatau ana i te whakakorenga o Te Pūtahi Paoho) hei te rā tōmua ake o ngā rā e whai ake nei:</u> | |
| | (a) <u>ko tētahi rā ka whakaritea e te Kāwana-Tianara mā te Ōta Kaunihera;</u> | 10 |
| | (b) <u>ko te 30 o Poutū-te-rangi 2017 hoki.</u> | |
| (2) | <u>Ka mana te toenga o tēnei Ture hei te rā ka whai i muri atu i te rangi ka whakaaetia te Ture nei e te Upoko Ariki o Niu Tirenī.</u> | |

Te Wāhanga 1

He whakataunga horopaki

- | | | |
|----------|--|----|
| 3 | <u>Te korahi me te aronga o tēnei Ture</u> | |
| (1) | <u>Mā tēnei Ture—</u> | |
| | (a) <u>te Māori Language Act 1987 e whakakapi;</u> | |
| | (b) <u>te Broadcasting Act 1989 hoki e whakahou;</u> | |
| | (c) <u>hoki te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 hoki e whakahou.</u> | 20 |
| (2) | <u>Ko te aronga o tēnei Ture—</u> | |
| | (a) <u>he whakaū i te mana o te reo Māori hei—</u> | |
| | (i) <u>reo taketake mō Niu Tirenī;</u> | |
| | (ii) <u>taonga hoki mā ngā iwi me ngāi Māori;</u> | 25 |
| | (iii) <u>reo hoki ka kaingākauria e te motu;</u> | |

- (iv) reo whai mana ā-ture hoki mō Niu Tirenī;
- (b) he tuku āwhina hoki hei tautoko, hei whakarauora hoki i te reo Māori.
- (3) Hei āwhina ki te whakatutuki i tōna aronga, mā tēnei Ture—
- (a) a Te Mātāwai e whakatū hei hinonga ā-ture motuhake hei kaiārahi mā
ngā iwi, mā ngāi Māori hoki i tā rātou tū hei kaitiaki mō te reo Māori; 5
- (b) hoki e whakatau kia whakawhanake rautaki reo Māori a Te Mātāwai me
te Karauna hei tautoko i te whakarauoratanga o te reo Māori;
- (c) hoki e panoni ngā āheinga o Te Taura Whiri, o Te Reo Whakapuaki
Irirangi, o Te Ratonga Whakaata Māori e panoni hoki, ā, mā tēnei ture
hoki e whakakore Te Pūtahi Paoho. 10

Te whakaū i te reo Māori

4 Te whakaū i te reo Māori hei taonga

- (1) He taonga te reo Māori mā ngā iwi me ngāi Māori.
- (2) Ko ngā iwi me ngāi Māori ngā kaitiaki o te reo Māori.
- (3) Kāore e herea, e pāngia rānei e tēnei wehenga ngā haepapatanga o te Karauna e
pā ana ki te reo Māori. 15

5 He reo whai mana ā-ture mō Niu Tirenī te reo Māori

He reo whai mana ā-ture mō Niu Tirenī te reo Māori.

6 Te mana ki te kōrero Māori i roto i ngā whakahaerenga ā-ture

- (1) I roto i ngā whakahaerenga ā-ture katoa, e whai ake nei ko ngā tāngata ka āhei
te kōrero Māori, ahakoa ka taea, kāore rānei e taea e rātou te whai
māramatanga, te whakawhitiwhiti kōrero rānei ki te reo Pākehā, ki reo kē atu
rānei: 20
- (a) he mema nō te kōti, nō te taraipiunara, nō rangatōpū kē atu rānei kei mua
i tōna aroaro ngā whakahaerenga e whakahaeretia ana: 25
- (b) ko tērā rānei, ko ērā rānei kei mua i te aroaro o te kōti, o ngā taraipiunara
kē, ko ngā kaiwhakaatu rānei:
- (c) he rōia:
- (d) he tangata kē atu, i runga i te whakaaetanga a te āpiha whakahaere.
- (2) Kāore te mana ki te kōrero Māori, i tukuna ai i raro i te **wehenga iti (1)** e— 30
- (a) tuku i aua tāngata, i kōrerotia rā i taua wehenga iti, ki te tohe atu kia
kōrero Māori mai tētahi, kia whakautua rānei āna kōrero ki te reo Māori;
- (b) tuku rānei i aua tāngata i kōrerotia rā i taua wehenga iti, atu i te āpiha
whakahaere, kia tohe kia hopukina ki te reo Māori ngā whakahaerenga,
tētahi wāhanga rānei o aua whakahaerenga. 35

- (3) Ki te whai tētahi tangata ki te kōrero Māori i roto i ngā whakahaerenga ā-ture, me whakarite rawa e te āpiha whakahaere kia wātea tētahi e mōhio ana ki te whakawhiti reo ā-waha.
- (4) Ki te ara ake he pātai i roto i ngā whakahaerenga e pā ana ki te tika o te whakawhitinga reo ā-waha mai i te reo Māori rānei ki te reo Pākehā, mai i te reo Pākehā rānei ki te reo Māori, me whakatau rawa e te āpiha whakahaere te take i runga i tā te āpiha whakahaere e pai ai. 5
- (5) Ka āhei te whakatau ētahi tikanga o te kōti, ētahi atu tukanga whakahaere rānei e tika ana, hei here i ngā tāngata e whai ana ki te kōrero Māori i roto i ngā whakahaerenga ā-ture, kia āta tuku pānui ā-tuhi mō taua hiahia, hei whakahaere noa hoki i te tukanga hei whai mehemea kei te kōrero Māori, ka kōrero Māori rānei tētahi i roto i aua whakahaerenga. 10
- (6) I raro i ngā tikanga o te kōti, i ētahi atu tukanga whakahaere rānei e tika ana, ka hāngai pea te whai wāhitanga o te korenga o tētahi whakamōhiotanga ki te whakatau e pā ana ki te whakataunga utu, engari e kore rawa e aukatihia tō te tangata hiahia ki te kōrero Māori i roto i ngā whakahaerenga ā-ture, i te korenga ōna i tuku whakamōhiotanga. 15
- (7) I roto i tēnei wehenga me te **Āpitihanga 5**,—
ko ngā whakahaerenga ā-ture (legal proceedings), ko—
- (a) ngā whakahaerenga kei te aroaro o tētahi kōti, o tētahi taraipiunara rānei kua whakahuatia i te **Āpitihanga 2**: 20
- (b) ngā whakahaerenga kei te aroaro o tētahi Kaitirotiro Matewhawhati:
- (c) ngā whakahaerenga hei whakatewhatewha, hei tuku pūrongo hoki mō tētahi take whai pānga ki ngā iwi me ngāi Māori i te aroaro o—
- (i) tētahi whakatewhatewhatanga e pāngia ai e te wehenga 6 o te Inquiries Act 2013: 25
- (ii) tētahi taraipiunara, tētahi atu rangatōpū rānei kua whai i te mana whakahaere o tētahi kōmihana whakatewhatewha i raro i tētahi whakaturetanga kē atu:
- (iii) tētahi kōmihana whakatewhatewha i raro i te Commissions of Inquiry Act 1908 30
- ko te whakawhiti reo ā-tuhi (translating), e pā ana ki te reo Māori, ko te—
- (a) whakapuaki ā-tuhitanga o ngā tuhinga reo Māori ki te reo Pākehā;
- (b) whakapuaki ā-tuhitanga hoki o ngā tuhinga reo Pākehā ki te reo Māori
- ko te whakawhiti reo ā-waha (interpreting), e pā ana ki te reo Māori, ko— 35
- (a) te whakapuaki ā-wahatanga o ngā kōrero Māori ki te reo Pākehā;
- (b) te whakapuaki ā-wahatanga o ngā kōrero Pākehā ki te reo Māori.

Ngā Mātāpono

6A Ngā Mātāpono me ngā aratohu

- (1) Ka whakatakoto tēnei wehenga i ngā mātāpono ka whāia hei ārahi i—
- (a) te whakahāngaitanga whānui o tēnei Ture; otirā;
- (b) te whakawhanaketanga hoki o ngā rautaki reo Māori me hua ake i tēnei Ture. 5
- (2) E whai ake nei ngā mātāpono:
- Ko te reo Māori*
- (a) ko te reo Māori te reo taketake o Niu Tirenī;
- (b) he mana motuhake, he mana pūmau tō te reo Māori: 10
- Te reo Māori me ngā iwi me ngāi Māori*
- (c) ko ngā iwi me ngāi Māori ngā kaitiaki o te reo Māori;
- (d) ko te reo Māori te tūāpapa o te ahurea Māori, o te tuakiri Māori hoki;
- (e) ka whakarākei te mōhiotanga me te whakamahinga o te reo Māori i te ao o ngā iwi me ngāi Māori: 15
- (f) ka ukaukatia te mōhiotanga me te whakamahinga o te reo Māori mā te tuku ihotanga o te reo mai i tētahi whakatipuranga ki tētahi whakatipuranga o te whānau, mā te whitiwhiti kōrero hoki i ia rā, i ia rā, i roto i te hāpori:
- Te reo Māori me te Karauna* 20
- (g) e tiakina ana te reo Māori hei taonga e te whiti tuarua o te Tiriti o Waitangi;
- (h) e whakaū ana te Karauna ki te hiranga o te reo Māori mō ngā tāngata o Niu Tirenī;
- (i) ka tokona ake te mōhiotanga me te whakamahinga o te reo Māori i roto i te mahi ngātāhitanga a te Karauna me ngā iwi me ngāi Māori, mā Te Mātāwai: 25
- (j) ka taea e te Karauna te kōkiri ake te whakarauoratanga o te reo Māori mā te toko ake i ngā whāinga rautaki i roto i te hāpori whānui o Niu Tirenī: 30
- Te reo Māori me te hāpori o Niu Tirenī*
- (k) he reo whai mana ā-ture mō Niu Tirenī te reo Māori;
- (l) he whakahirahira te reo Māori ki te tuakiri o Niu Tirenī.

7 He ārahitanga mā ngā tari Kāwanatanga

- (1) Ki ōna taumata e taea ana, me noho ngā mātāpono e whai ake nei hei ārahi i te tari Kāwanatanga, ka whiua ia i tōna mana whakahaere, ka kawea hoki ia i ōna āheinga: 35

- (a) me whiriwhiri kōrero me ngā iwi, me ngāi Māori hoki mō ngā take e pā ana ki te reo Māori (pērā i te toko ake i te whakamahinga o te reo, hei tauira):
- (b) me whakamahi te reo Māori i roto i te tokonga ake o ngā ratonga kāwanatanga ki te marea, i roto hoki i te tuku pārongo ki te marea: 5
- (c) me puare ngā ratonga kāwanatanga, ngā pārongo hoki ki ngā iwi me ngāi Māori mā ngā huarahi tika (tae atu hoki ki te whakamahinga o te reo Māori).
- (2) Kāore tēnei ārahitanga e tuku atu ki te tangata i tētahi mana ā-ture e whai niho ai i roto i tētahi kōti ā-ture. 10
- (3) Me tutuki te whiriwhiri kōrero a tētahi tari kāwanatanga i raro i te **wehenga iti (1)(a)** i te tumu whakarae o te tari e whiriwhiri kōrero ana, ki ōna taumata e taea ana, me ngā tāngata, me ngā rōpū whakahaere rānei e tū ana hei kaiāpāpai i ngā pānga o ngā iwi me ngāi Māori, e ai ki te tumu whakarae.

Ngā rautaki reo Māori 15

7A Te rautaki Maihi Karauna

- (1) Hei āwhina ki te whakatutuki i te aronga o tēnei Ture, me tuku rawa e te Minita tētahi rautaki Maihi Karauna e whakatakoto ana i—
- (a) ā te Kāwanatanga whāinga, i āna kaupapa here hoki, me ngā take whai pānga a te Kāwanatanga e pā ana ki te whakarauoratanga o te reo Māori; 20
- (b) ā te Kāwanatanga ahunga rautaki pae tawhiti hoki, me āna kaupapa mātāmua o nāiane, o te pae waenga hoki, hei tautoko i taua whakarauoratanga.
- (2) I mua i te tuku i tētahi rautaki Maihi Karauna, me whiriwhiri kōrero rawa te Minita me ngā tāngata, me ngā rōpū whakahaere rānei e ai ki te Minita me whai wāhi i roto i te whiriwhiringa kōrero, tae atu ki a Te Mātāwai me Te Taura Whiri. 25
- (3) Ka āhei tā te Minita whakakore, tāna whakakapi hoki, tāna whakahou rānei i tētahi rautaki Maihi Karauna, engari me whiriwhiri kōrero rawa me ngā tāngata, me ngā rōpū whakahaere rānei e ai ki te Minita me whai wāhi i roto i te whiriwhiringa kōrero, tae atu ki a Te Mātāwai me Te Taura Whiri. 30

7B Te rautaki Maihi Māori

- (1) Hei āwhina ki te whakatutuki i te aronga o tēnei Ture, me waihanga rawa, me whakaae rawa hoki e Te Mātāwai, mā te huarahi e pai ai ki a ia, ko tētahi rautaki Maihi Māori ka whakatakoto whāinga, ka whakatakoto kaupapa here, ka whakatakoto take whai pānga hoki ki ngā iwi me ngāi Māori e pā ana ki te reo Māori, ā, ka mutu, ka tautoko hoki i tōna whakarauoratanga. 35

- (2) I mua i te whakaae atu ki tētahi rautaki Maihi Māori me whiriwhiri kōrero rawa a Te Mātāwai me ngā tāngata, me ngā rōpū whakahaere rānei e ai ki a Te Mātāwai me whai wāhi i roto i te whiriwhiringa kōrero.
- (3) Ka āhei tā Te Mātāwai whakakore, tāna whakakapi hoki, tāna whakahou rānei i tētahi rautaki Maihi Māori, engari me whiriwhiri kōrero rawa me ngā tāngata, me ngā rōpū whakahaere rānei e ai ki a Te Mātāwai me whai wāhi i roto i te whiriwhiringa kōrero.

5

Te whakahāngaitanga me ētahi atu take

7C Te whakahāngaitanga whānui o te Ture

- (1) Me whakahāngai te whakaputanga reo Māori me te whakaputanga reo Pākehā o tēnei Ture, e tino whakatairangahia ai te aronga o te Ture me ngā mātāpono e whakatakotoria ana i roto i te **wehenga 6A**.
- (2) He mana ōrite tō te whakaputanga reo Māori, tō te whakaputanga reo Pākehā hoki, heoi anō, ki te ara ake he tohe mō te rerekē o te tikanga o ngā kōrero i ngā whakaputanga e rua, ka tino whāia te whakaputanga reo Māori.

10

15

8 Te Whakahāngaitanga

I roto i tēnei Ture, māna, he horopaki anō e hāngai kē ake ana,—

ko te **āpiha whakahaere** (*presiding officer*), e pā ana ki ngā whakahaerenga ā-ture, ko te Kaiwhakawā, ko tētahi atu tangata rānei e whakahaere ana i ngā whakahaerenga

20

ko ngā hua me ngā taunahatanga (*assets and liabilities*), e pā ana ki tētahi hinonga—

- (a) ko te katoa, ko tētahi wāhanga rānei o ngā hua me ngā taunahatanga i tau ai i raro i te rangatiratanga, i te mana whakahaere, i te mana pupuri rānei o te hinonga, i mua tata tonu i te tīmatanga o tēnei Ture;

25

- (b) kei roto hoki i tēnei huinga—

- (i) ngā hua katoa ahakoa te momo, ahakoa whenua, ahakoa rawa whaiaro rānei, ahakoa moni, ahakoa hea, ahakoa pānga rawa, ahakoa mana, ahakoa pānga rānei;

- (ii) ngā taunahatanga katoa hoki, pērā i ngā moni tārewa, i ngā utu taunaha, i ngā tiuti, i ngā kirimana, i ētahi herenga kē atu rānei (ahakoa nō ināianei, ahakoa nō anamata, ahakoa kua tau, ahakoa e tārewa ana, ahakoa kāore anō kia utua, me aro rānei, me kawē rānei i roto i Niu Tirenī, i whea kē rānei)

30

ko ngā iwi me ngāi Māori (*iwi and Māori*), ko tētahi rānei, ko ngā mea e rua rānei o ēnei e whai ake nei:

35

- (a) ko tētahi, ko ētahi rānei o ngā iwi kei te rārangi i te **Āpitihanga 3**, tae atu ki ngā whānau me ngā hapū o ia iwi:

- (b) ko ngāi Māori whānui
ko te **kāhui ā-iwi** (*iwi cluster*) tētahi huinga iwi ka tautohua i raro i tētahi o ngā upoko e whitu kei roto i te **Āpitihanga 3**
ko te **kāhui o Te Reo Tukutuku** (*Te Reo Tukutuku cluster*) tētahi huinga o ngā rōpū whakahaere ka tautohua i raro i tētahi o ngā upoko iti e whā kei roto i te **Āpitihanga 3A** 5
ko te **kaitiaki** te tangata rānei, te rōpū rānei ka tiaki i tētahi mea
ko **Te Mātāwai** te hinonga ka whakatūria e te **wehenga 11**
ko te **Minita** (*Minister*) te Minita Whanaketanga Māori
ko te tikanga o te **pāho** (*broadcasting*) ko tērā kei te wehenga 2(1) o te Broadcasting Act 1989 10
ko te **poari** (*board*) te mana ārahi o te Ratonga Whakaata Māori ka kopoua i raro i te wehenga 18 o te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003
ko **Te Puni Kōkiri** te ingoa Māori o te Ministry of Māori Development 15
ko **Te Pūtahi Paoho** te rangatōpū ka kōrerotia i roto i te **wehenga 24**, ka whakakorengia hoki e taua wehenga
ko te **rautaki Maihi Karauna** (*Maihi Karauna strategy*) te rautaki reo Māori a te Karauna ka whakawhanaketia i raro i te **wehenga 7A**
ko te **rautaki Maihi Māori** (*Maihi Māori strategy*) te rautaki reo Māori ka whakawhanaketia i raro i te **wehenga 7B** 20
ko te **rautaki Reo Māori** (*Māori language strategies*) te rautaki Maihi Karauna me te rautaki Maihi Māori
ko **Te Reo Tukutuku** te hunga whai pānga ki te reo Māori, arā, ko ngā rōpū whakahaere kua whakarārangitia i roto i te **Āpitihanga 3A** 25
ko **Te Reo Whakapuaki Irirangi** te hinonga Karauna whai mana motuhake, e mōhiotia nei hoki ko Te Māngai Pāho, ka tū tonu i te **wehenga 23**
ko te **rōpū kōwhiri** (*selection group*) tētahi rōpū ka whakawhāitihia e ai ki te **rārangi 2 o te Āpitihanga 4** hei kopou tangata hei mema mō Te Mātāwai
ko te **tari Kāwanatanga** (*department of State*) tētahi tari Kāwanatanga ka whakahuatia i roto i te **Āpitihanga 1** o te State Sector Act 1988 30
ko **Te Taura Whiri i te Reo Māori** me **Te Taura Whiri** te hinonga Karauna whai mana motuhake, ka tū tonu i te **wehenga 22**
ko te **tohu whakatau i te mōhio** (*certificate of competency*) me te **tohu** (*certificate*) tētahi tohu whakatau i te mōhio ki te reo Māori ka tukuna i raro i tēnei Ture e Te Taura Whiri. 35

8A Ngā whakataunga whakawhiti, ngā whakataunga pupuri, ngā whakataunga whai pānga hoki

Ka whakamanatia ngā whakataunga whakawhiti, ngā whakataunga pupuri, ngā whakataunga whai pānga hoki ka whakatakotoria i roto i te **Āpitihanga 1** e ai ki ngā whakaritenga o aua whakataunga.

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9 Ka herea te Karauna e te Ture

Ka herea te Karauna e tēnei Ture.

10 Te anga o te Ture

(1) He ārahitanga tēnei wehenga i te hanga whānui me te pānga whānui o tēnei Ture, engari kāore e pā ki tōna whakahāngaitanga, ki tōna whakamahinga rānei.

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(2) Ka whakatau te **Wāhanga 1** i ēnei e whai ake nei:

(a) ka whakatakoto i te aronga o te Ture:

(b) ka whakaū i te reo Māori hei taonga mā ngā iwi me ngāi Māori, hei reo whai mana ā-ture hoki mō Niu Tirenī:

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(c) ka whakaū i te mana o te tangata ki te whakapuaki i te reo Māori i roto i ngā kōti me ngā taraipūnara e whakarārangitia ana i roto i te **Āpitihanga 2**:

(d) ka whakatakoto i ngā mātāpono hei ārahi i te whakahāngaitanga whānui o te Ture, otirā ka āta arohia hoki te whakawhanaketanga o ngā rautaki reo Māori, me te tuku aratohu ki ngā tari Kāwanatanga:

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(e) ka whakatau i te whakawhanaketanga o ngā rautaki reo Māori e rua:

(f) he ōrite te mana o te whakaputanga reo Māori o tēnei Ture ki te mana o te whakaputanga reo Pākehā o tēnei Ture, engari, ki te ara ake he tohe mō te rerekē o te tikanga o ngā kōrero i roto i ngā whakaputanga e rua, nō te whakaputanga reo Māori o te Ture te mana o runga ake:

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(g) ka whakatakoto i ngā kupu matua ka whakamāramatia kia whakamahia i roto i te Ture:

(h) ka whakatū i tētahi āpitihanga whakawhiti, i tētahi āpitihanga pupuri hoki (**Te Āpitihanga 1**):

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(i) ka whakatau e herea ana te Karauna e te Ture.

(3) Ka whakatū te **Wāhanga 2** i a Te Mātāwai hei hinonga ā-ture motuhake, ka whakaūngia ōna āheinga, ā, ka tūtohungia ōna herenga tuku pūrongo, ōna taumata tāke hoki.

(4) Ka whakatau te **Wāhanga 3** kia tū tonu a Te Taura Whiri me Te Reo Whakapuaki Irirangi hei hinonga Karauna whai mana motuhake e ai ki te Crown Entities Act 2004, ā, mō Te Reo Whakapuaki Irirangi, e ai ki te Wāhanga 4A o te Broadcasting Act 1989. Ka whakaūngia hoki i konei te

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whakakorenga o Te Pūtahi Paoho, kia kopou hoki a Te Mātāwai i te tokowhā o ngā kaiurungi tokowhītu o te poari o Te Ratonga Whakaata Māori.

(5) Ka whakatau te **Wāhanga 4** i—

(a) te arotake a te Minita i te Ture ā muri i te toru tau, me te whakakorenga o te Māori Language Act 1987; 5

(ab) ngā mana whakarite waeture hoki e pā ana ki ngā kōrero kei roto i ngā **Āpitihanga 2, 3A hoki**;

(c) te whakahāngaitanga hoki o te Ombudsmen Act 1975 me te Official Information Act 1982 me te Public Audit Act 2001 me ngā āpitihanga e whakatakoto ana i ngā whakahounga i hua ake i muri iho. 10

(6) E waru ngā āpitihanga, e whakatakotoria ana—

(a) i roto i te **Āpitihanga 1**, ngā whakataunga whakawhiti, ngā whakataunga pupuri me ngā whakataunga whai pānga;

(b) i roto i te **Āpitihanga 2**, ngā kōti me ngā taraipiunara e āhei ai te kōrerotia o te reo Māori i ō rātou aroaro; 15

(c) i roto i te **Āpitihanga 3**, ko ngā kāhui ā-iwi e whitu;

(ca) i roto i te **Āpitihanga 3A**, ko ngā kāhui e whā o Te Reo Tukatuku;

(d) i roto i te **Āpitihanga 4**, he whakataunga anō e pā ana ki a Te Mātāwai;

(e) i roto i te **Āpitihanga 5**, ngā whakataunga e pā ana ki te whakawhiwhinga o ngā tohu whakatau i te mōhio ki te reo Māori; 20

(g) i roto i te **Āpitihanga 7**, ngā whakahounga o te Māori Television Service (Te Aratuku Whakaata Irirangi) Act 2003;

(h) i roto i te **Āpitihanga 8**, ngā whakahounga o ētahi atu whakaturetanga i hua ake i muri iho.

Te Wāhanga 2

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Te Mātāwai

Te whakatūnga, ngā mana whakahaere me te aronga

11 Te whakatūnga o Te Mātāwai

(1) Ka whakatūria a Te Mātāwai hei hinonga ā-ture motuhake.

(2) He rangatōpū ā-ture a Te Mātāwai e tūmau ana te whai piki tūranga. 30

(3) E tutuki ai ōna āheinga i raro i tēnei Ture, kei a Te Mātāwai—

(a) te tino raukaha ki te pīkau i te kaupapa pakihi, ngohe rānei, ki te kawē i te mahi, ki te uru atu rānei ki te mahi hoko;

(b) i te horopaki hoki o te **rerenga (a)**, kei a ia ngā mana katoa, ngā mana whakahaere katoa me ngā painga katoa. 35

- (4) Ka hāngai te **wehenga iti (3)** i runga i ngā whakataunga o tēnei Ture, o tētahi atu whakaturetanga me te ture whānui.

12 Te aronga o Te Mātāwai

Ko te aronga o Te Mātāwai kia mahi mā ngā iwi me ngāi Māori—

- (a) ki te tū hei kaiārahi i te tokonga ake o te hauora me te mauri ora o te reo Māori mō ngā iwi me ngāi Māori, mō ngā hāpori anō hoki; 5
- (b) hei tautoko hoki, hei whakamōhio atu, hei whakaaweawe hoki i ngā kaupapa a te Karauna hei whakamarumarū, hei toko ake, hei whakarauora hoki i te reo Māori;
- (c) hei whakamana hoki, mā roto mai i tōna hononga ki ngā Minita o te Karauna, i te hononga o te Karauna ki ngā iwi me ngāi Māori e pā ana ki te reo Māori; 10
- (d) ka mutu, mā te mahi tahi me te Minita me te Minita Tahua Pūtea, ko tāna he mātai, he tuku tohutohu ki a Te Ratonga Whakaata Māori.

Ngā āheinga 15

13 Ngā āheinga o Te Mātāwai

- (1) Ko ngā āheinga o Te Mātāwai, e whai ake nei:
 - (a) he ārahi i te whakawhanaketanga o tētahi rautaki Maihi Māori;
 - (b) he tuku ratonga, he whakahaere kaupapa hoki ka āwhina i te whakatinanatanga o te rautaki Maihi Māori; 20
 - (c) he whakatakoto whakaaro ki a Te Puni Kōkiri me te Minita me pēhea te whakawhanaketanga o tētahi rautaki Maihi Karauna;
 - (d) he āwhina i ngā Minita whai haepapatanga e pā ana ki te aronga o tēnei Ture ki te tautohu i ngā take whai pānga, ki te kimi rongoā, ki te whai huarahi hoki ki te mahi tahi me pokapū kē kei roto i te rāngai tūmatanui, i ngā take e pā ana ki te reo Māori; 25
 - (e) he whakatakoto whakaaro, he ārahi hoki i ngā pokapū Karauna mō tā rātou āwhina ki te whakawhanake, ki te whakatinana rānei i ngā rautaki reo Māori;
 - (f) he tuku tautapanga ki te Minita mō ngā kopoutanga ki a Te Taura Whiri me Te Reo Whakapuaki Irirangi; 30
 - (h) he kopou, he kopou anō, he tango hoki i ngā kaiurungi tokowhā o ngā kaiurungi tokowhitu o te poari o Te Ratonga Whakaata Māori;
 - (i) i te taha o te Minita Tahua Pūtea me te Minita,—
 - (i) he tū hei kaiārahi, hei kaimātai hoki mō Te Ratonga Whakaata Māori i raro i te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003; 35
 - (ii) he whakaū i te tauākī whāinga a Te Ratonga Whakaata Māori;

- (j) he whakahaere i ngā mana whakahaere hihinga i raro i te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:
- (k) ko ērā atu āheinga katoa ka pīkautia e Te Pūtahi Paoho i raro i te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:
- (l) ko ērā atu āheinga ka tukuna ki a Te Mātāwai e tēnei Ture, e whakaturetanga kē atu rānei. 5
- (2) Ahakoā ngā kōrero kei roto i te **wehenga iti (1)**, me kua rawa a Te Mātāwai e tohutohu a Te Ratonga Whakaata Māori, tētahi kaiwhakapāho kē atu, tētahi kaihangā hōtaka kē rānei e pā ana ki—
- (a) tētahi hōtaka motuhake; 10
- (b) te kohinga, te whakaaturanga rānei o ngā pūrongo o te wā;
- (c) te whakaritenga, te whakaaturanga rānei o ngā hōtaka mō ngā take o te wā;
- (d) ngā whakatau pūtea whāiti, ngā whakaritenga kirimana rānei.
- Ngā kopoutanga ki a Te Mātāwai 15
- 14 Ngā mema o Te Mātāwai**
- (1) Tekau mā toru ngā mema o Te Mātāwai, kia kopoua pēneitia:
- (a) kia tokowhitu ngā mema, mā tēnā, mā tēnā o ngā kāhui ā-iwi e whitu, e whakarārangitia ana i roto i te **Āpitihanga 3**, tētahi mema e kopou;
- (b) kia tokowhā hoki ngā mema, mā tēnā, mā tēnā o ngā kāhui e whā o Te Reo Tūkutuku, e whakarārangitia ana i roto i te **Āpitihanga 3A**, tētahi mema e kopou; 20
- (c) mā te Minita hoki ngā mema tokorua e kopou mā te Karauna.
- (2) I mua i ngā kopoutanga i raro i te **wehenga iti (1)(a), i te (b)** rānei, me tuku rawa ngā tautapanga ki ngā rōpū kōwhiri, i runga i ngā here o te **rārangi 2 o te Āpitihanga 4**. 25
- (3) Ka hāngai te **wehenga iti (3A)**, ki te kore e taea tētahi kopoutanga i raro i te **wehenga iti (1)(a), i te (b)** rānei, ahakoā te take—
- (a) i roto i ngā marama e iwa ka whai i muri i te whakamananga o tēnei Ture, e pā ana ki tētahi kopoutanga i te tīmatanga; 30
- (b) i roto i ngā marama e toru ka whai i muri i tētahi whakawāteatanga, i te mutunga rānei o te wā i tētahi tūranga, e pā ana ki tētahi kopoutanga i muri iho.
- (3A) Me oti rawa i te Minita te kopoutanga.
- (5) Me whakatau rawa e Te Mātāwai tāna ake tukanga kopoutanga, me whakarite hoki ia kia tū tētahi o ōna mema hei kaihautū, me tētahi atu hei kaihautū tuarua. 35
- (6) E hāngai ana te **Āpitihanga 4** ki ngā mema ka kopoua i raro i tēnei wehenga.

15 Ngā take e hāngai ana ki ngā whakatauranga kopoutanga

- (1) I roto i ngā mahi kopou mema mō Te Mātāwai, i runga i ngā here o te **wehenga 14(1)(a)** me te **(b)**, ko ia rōpū kōwhiri—
- (a) me whakaaroaro rawa mō te aronga me ngā āheinga o Te Mātāwai;
- (b) me kaua rawa hoki e tohutohu e rangatōpū kē, e rōpū kē rānei, engari ka **āhei** te rapu whakaaro i tētahi tangata kē, i tētahi rangatōpū kē rānei e pai ai ki te rōpū kōwhiri;
- (ba) me whakaaroaro rawa me whai mema a Te Mātāwai, kei a rātou te mātauranga, ngā pūkenga, he whai wheako hoki, tae atu ki ngā take e whakarārangitia ana i roto i te **wehenga iti (3)**, hei āwhina i a Te Mātāwai ki te whakatutuki i āna whāinga, ki te mahi hoki i ōna āheinga;
- (c) me kaua rawa hoki ia e kopou tangata ka tupea i raro i te wehenga 30 o te Crown Entities Act 2004.
- (2) Nō te Minita e kopou tangata ana i raro i te **wehenga 14(1)(c), i te (3A)** rānei, me whakaaroaro rawa e ia me whai mema a Te Mātāwai kei a rātou te mātauranga, ngā pūkenga, he whai wheako hoki, tae atu ki ngā take e whakarārangitia ana i roto i te **wehenga iti (3)**, hei āwhina i a Te Mātāwai ki te whakatutuki i āna whāinga, ki te mahi hoki i ōna āheinga.
- (3) Ka whai pānga ngā take e whai ake nei ki ngā whakaaroarotanga e hāngai ana ki ngā **wehenga iti (1)(ba), me te (2)**:
- (a) ko te matatau ki te reo Māori;
- (b) ko te whakarauora i te reo Māori;
- (c) ko te mana ārahi;
- (d) ko te whanaketanga hapori;
- (e) ko te whakahaeretanga;
- (f) ngā tikanga Māori;
- (g) ko ngā whakahaerenga a te kāwanatanga.

16 Te kopoutanga o te tumu whakarae

- (1) Me kopou rawa e Te Mātāwai tētahi tumu whakarae.
- (2) Ko te tangata ka kopoua hei tumu whakarae mō Te Mātāwai me kaua rawa e noho hei mema mō Te Mātāwai.
- (3) Ko Te Mātāwai—
- (a) me whakatauranga rawa i ngā whakaritenga me ngā herenga o te mahi a te tumu whakarae, i runga i te whiriwhiri kōrero ki Te Kōmihana o Ngā Tari Kāwanatanga;
- (b) me whai rawa i tētahi kaupapa here manaaki kaimahi e whakatauranga ana i roto i te **rārangi 35 o te Āpitiwhanga 4**.

Ngā herenga pūrongo

16A Te aronga o te kirimana hoko

Ko te aronga o te kirimana hoko i runga i ngā here o te **wehenga 16B**—

- (a) kia āhei tā te Minita whai wāhi ki a Te Mātāwai i roto i te tukanga whakarite i ngā putanga ā-tau a Te Mātāwai ka manakotia; 5
- (b) kia āwhinatia hoki a Te Mātāwai ki te whakahaere i ōna haepapatanga e pā ana ki te pūtea me te whakaputa i ngā putanga ka utua e te Karauna;
- (c) kia whai pūtake hoki e āhei ai te whakawāteatanga o te pūtea mā Te Mātāwai i raro i tētahi pūtea tāpui nā te Whare Pāremata;
- (d) kia whai pūtake hoki e āhei ai te aromatawai i te mahi i puta, kāore rānei i puta. 10

16B Te herenga ki te whakarite kirimana hoko

- (1) I te wā tonu ka wātea, i muri i te tīmatanga o tēnei Ture, i mua hoki i te tīmatanga o ia tau pūtea ka whai atu, me whakarite rawa e Te Mātāwai, ka mutu me whakaae rawa e rāua ko te Minita, tētahi kirimana hoko mō taua tau pūtea. 15
- (2) Ko ia kirimana hoko me—
 - (a) whai rawa i ngā tikanga mahi kaute e whakaaetia whānuitia ana;
 - (b) āta tohu rawa hoki i ia putanga a Te Mātāwai ka whai pūtea tāpui nā te Whare Pāremata; 20
 - (c) ā, mō ia putanga,—
 - (i) me whakauru i tētahi whakamārama poto mō ngā mea e whāia ana kia tutuki i te putanga;
 - (ii) me tautohu hoki i te whiwhinga pūtea e manakotia ana me ngā whakapaunga moni e marohitia ana mō te putanga; 25
 - (iii) me whakauru hoki i tētahi whakamārama poto mō te āhua o te aromatawaitanga o te putanga mahi.
- (3) E noho haepapa ana a Te Mātāwai ki te Minita mō te taha ki te whakatutukihanga o ngā whakaritenga o te kirimana hoko.

17 Te tauākī whāinga

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- (1) Me kaua e iti iho i te kotahi te tauākī whāinga me whakarite rawa, me whakaputa rawa hoki e Te Mātāwai i ia toru tau.
- (2) Me whai pānga rawa te tauākī whāinga ki te tau pūtea e kainamu ana me ngā tau pūtea e toru ka whai atu, ka mutu kaua e iti iho i tērā.
- (3) Me whiriwhiri kōrero rawa a Te Mātāwai me te Minita mō ngā kōrero kei roto i tētahi tauākī whāinga i mua mai i te whakaputanga o te tauākī. 35

- (4) I te wā tonu ka wātea, i muri i te tīmatanga o tēnei wehenga, me whai rawa e Te Mātāwai **ngā wehenga iti (1) ki te (3)** me te mea nei ko taua rā te tīmatanga o tōna tau pūtea tuatahi.

18 Te āhua me ngā kōrero o te tauākī whāinga

- (1) Ko te tauākī whāinga ka whakaritea i raro i te **wehenga 17**, mō te wā whai pānga, me whakatakoto rawa i ngā whāinga rautaki e whai ana a Te Mātāwai ki te whakatutuki, ki te whai wāhi atu rānei (ko **ngā whāinga rautaki**). 5
- (2) Waihoki ko te tauākī whāinga, mō te wā whai pānga, me—
- (a) whakamārama rawa i te āhua me te korahi o ngā āheinga o Te Mātāwai me āna whakahaere ka whāia: 10
- (b) whakamārama rawa i tā Te Mātāwai whai ki te whakahaere i ōna āheinga me āna whakahaerenga e tutuki ai āna whāinga rautaki:
- (c) whakamārama rawa i ā Te Mātāwai whakaritenga hei whakahaere i tōna hauora, i tōna kaha hoki hei rōpū whakahaere:
- (d) whakamārama rawa i ā Te Mātāwai whakaritenga hei aromatawai i āna mahi: 15
- (e) whakatakoto rawa, me whakamārama rawa hoki i ētahi take kē atu e tika ana me āta whai wāhi, kia whai māramatanga ai mō ngā whāinga rautaki a Te Mātāwai me tōna kaha.
- (3) Me tuhi rawa te tauākī whāinga, me tohu te rā i mana ai, me waitohu hoki e ngā mema tokorua mā Te Mātāwai. 20

19 Te pūrongo ā-tau

- (1) I te wā tonu ka wātea, i muri tonu i te mutunga o ia tau pūtea, me whakarite rawa e Te Mātāwai tētahi pūrongo mō ngā take o Te Mātāwai.
- (2) Me tuku rawa e Te Mātāwai tāna pūrongo ā-tau ki te Minita i te wā tonu ka wātea, i muri tonu i te whiwhinga o te pūrongo tātari i runga i ngā here o te **wehenga 21**. 25
- (3) Me whakatakoto rawa e te Minita te pūrongo ā-tau ki te aroaro o te Whare Pāremata i te wā tonu ka wātea, i muri tonu i te whiwhinga o te pūrongo i a Te Mātāwai, heoi mehemea kāore te Pāremata i te hui, me tuku i te wā tonu ka taea i muri tonu i te tīmatanga o te huinga o te Pāremata ka whai ake. 30

20 Te āhua me ngā kōrero o te pūrongo ā-tau

- (1) Me whai wāhi rawa ki te pūrongo ā-tau ngā pārongo e whai ake nei me ngā pūrongo mō te tau pūtea ka whai pānga ki te pūrongo ā-tau ka whakaritea e Te Mātāwai: 35
- (a) arā, ko ngā pārongo e tika ana kia taea ai te aromatawai i runga i te māramatanga, o ngā whakahaerenga me ngā mahi a Te Mātāwai i taua tau pūtea, tae atu hoki ki tētahi aromatawai i te kokenga o Te Mātāwai e

pā ana ki āna whāinga rautaki e takoto ana ki tāna tauākī whāinga o nā tata nei;

- (b) ko tētahi tauākī mahi hoki e ai ki te **wehenga 20B**;
 - (c) ko ngā tauākī pūtea ā-tau hoki mō Te Mātāwai e ai ki te **wehenga 20C**;
 - (d) ko tētahi tauākī haepapatanga hoki e ai ki te **wehenga 20D**; 5
 - (e) ko te pūrongo tātari hoki e ai ki te **wehenga 21**;
 - (f) ko ngā pārongo hoki mō tāna whai i tōna herenga kia tū hei kaimanaaki kaimahi (tae atu ki tāna kaupapa whakaōrite whiwhinga mahi);
 - (g) ko ngā pārongo hoki me takoto i runga i ngā here o te **wehenga 20A** (mō ngā utu e pā ana ki ngā mema me ngā kaimahi i taua tau pūtea); 10
 - (h) ko ngā take hoki e pā ana – ka pā atu rānei ki ngā whakahaerenga a Te Mātāwai me takoto rawa kē i te hinonga, kua mahia rānei e ia, e pīrangi ana rānei ia kia pūrongotia, i roto i tāna pūrongo ā-tau.
- (2) Heoi anō, kāore te **wehenga iti (1)(b)** i te hāngai mehemea kāore i āta kōrerotia ngā putanga a Te Mātāwai i roto i te kirimana hoko o taua tau pūtea. 15
- (3) Me tuhi rawa te pūrongo ā-tau, me tohu te rā i mana ai, me waitohu hoki e ngā mema tokorua mā Te Mātāwai.

20A Te whākinga mō te utu i ngā mema me ngā kaimahi

- (1) Me whakauru rawa ki roto i te pūrongo ā-tau mō Te Mātāwai,—
- (a) te wāriu katoa o te taiutu mā ia mema (atu i te moni whakaea, i ngā whiwhinga kē atu rānei e kōrerotia ana i roto i te **rerenga (c)**) i utua, ka utua rānei ki te mema i tāna noho hei mema mō Te Mātāwai i taua tau pūtea rā; 20
 - (b) te nui hoki o ngā kaimahi i whiwhi taiutu i taua tau pūtea (atu i te moni whakaea, i ngā whiwhinga kē atu rānei e kōrerotia ana i roto i te **rerenga (c)**), i utua, ka utua rānei, i tā rātou noho hei kaimahi, \$100,000 i te tau, neke atu rānei, te tōpūtanga me te nui o ngā kaimahi kei ia reanga utu e wehea ana i ia \$10,000; 25
 - (c) te wāriu katoa hoki o ngā moni whakaea, o ngā whiwhinga kē atu rānei i utua, ka utua rānei ki ngā tāngata i mutu te noho hei mema, hei kaimahi rānei i roto i te tau pūtea e pā ana ki taua mutunga mahi, me te nui o ngā tāngata i utua ai, ka utua rānei ki tētahi wāhanga, ki te katoa rānei o taua tōpūtanga; 30
 - (d) ngā kōrero hoki mō ngā ārai i tukuna ai e Te Mātāwai ki te mema, ki te tangata rānei e noho ana i tētahi tūranga, ki te kaimahi rānei i roto i te tau pūtea; 35
 - (e) ngā kōrero hoki mō ngā kapinga inihua i whakamahia ai e Te Mātāwai i roto i te tau pūtea e pā ana ki ngā taunahatanga, ki ngā whiunga utu rānei

o te mema, o te tangata rānei e noho ana i tētahi tūranga, o te kaimahi rānei.

- (2) I roto i te **wehenga iti (1)**, ko te **mema**, ko te **tangata hoki e noho ana i tētahi tūranga**, ko te **kaimahi** hoki tētahi tangata i noho hei mema, hei tangata e noho ana i tētahi tūranga, hei kaimahi rānei i tētahi wā i muri i te tīmatanga o tēnei Ture engari kua kore i noho hei mema, hei tangata e noho ana i tētahi tūranga, hei kaimahi rānei. 5

20B Te āhua me ngā kōrero o te tauākī mahi

Ko te tauākī mahi e pā ana ki a Te Mātāwai me te tau pūtea, me—

- (a) whakarite rawa e ai ki ngā tikanga mahi kaute e whakaaetia whānuitia ana; 10
- (b) whakamārama rawa hoki ia putanga ka tautohua i roto i te kirimana hoko mō te tau pūtea;
- (c) whakauru rawa hoki mō ia putanga,—
- (i) te whakatauritetanga o ngā paerewa whakahaerenga mahi i tutuki ai i a Te Mātāwai, me ngā paerewa i matapaetia ai i roto i te kirimana hoko; 15
- (ii) te whakatauritetanga hoki o te whiwhinga pūtea me ngā whakapaunga moni ā-putanga, me te whiwhinga pūtea i manakotia ai me ngā whakapaunga moni ā-putanga i marohitia ai i roto i te kirimana hoko. 20

20C Ngā tauākī ā-tau mō te pūtea

- (1) I te wā tonu ka wātea i muri i te mutunga o ia tau pūtea, me whakarite rawa e Te Mātāwai ngā tauākī pūtea mōna anō, mō taua tau pūtea.
- (2) Ko ngā tauākī pūtea me— 25
- (a) whai rawa i ngā tikanga mahi kaute e whakaaetia whānuitia ana;
- (b) whakauru rawa hoki i ngā pārongo kē atu, i ngā kōrero whakamārama kē atu rānei e tika ai te whakaaturia o ngā whakahaerenga pūtea me te āhua o te pūtea; ā
- (c) whakauru rawa hoki i ngā tauākī pūtea matapae i whakaritea ai i te tīmatanga o te tau pūtea, kia whakatauritea atu ki ngā tauākī pūtea tūturu. 30

20D Te tauākī haepapatanga

Ko te tauākī haepapatanga me—

- (a) whai rawa i tētahi tauākī o te haepapatanga o ngā ringa waitohu ki te whakarite i ngā tauākī pūtea me te tauākī mahi me ngā kōrero whakatau kei roto i ērā; 35

- (b) whai rawa hoki tētahi tauākī o te haepapatanga o ngā ringa waitohu ki te whakatū, ki te tiaki tonu hoki i tētahi pūnaha whakahaere ā-roto e waihangatia ai hei āta whakaū i te pono me te tika o te tuku pūrongo pūtea;
- (c) whai rawa hoki i tētahi tauākī, e ai ki ngā ringa waitohu, e tika ana te whakaaturia o te āhua o te pūtea me ngā whakahaerenga a Te Mātāwai i roto i ngā tauākī pūtea me te tauākī mahi mō taua tau pūtea; 5
- (d) tohu rawa hoki te rā i mana ai, i waitohua ai hoki e ngā mema tokorua mā Te Mātāwai.
- 21 Te pūrongo tātari** 10
- (1) Me tuku rawa e Te Mātāwai ki te Kaitātari Kaute Matua,—
- (a) i mua i te paunga o ngā marama e toru i muri i te mutunga o ia tau pūtea, āna tauākī pūtea ā-tau, tāna tauākī mahi ratonga me ētahi pārongo kē atu kua whakaaetia, kua āta tonoa rānei e te Kaitātari Kaute Matua hei tātari māna; 15
- (b) tāna pūrongo ā-tau hoki, ka mutu me wawe te tuku kia āhei ai tā te Kaitātari Kaute Matua arotake i taua pūrongo i mua i tāna tuku i te pūrongo tātari me puta, i raro i te **wehenga iti (2)(b).**
- (2) Ko te Kaitātari Kaute Matua me—
- (a) tātari rawa i ngā tauākī ka kōrerotia i roto i te **wehenga iti (1)(a);** 20
- (b) tuku rawa hoki i tētahi pūrongo tātari mō aua tauākī ki a Te Mātāwai i mua i te paunga o ngā marama e whā i muri i te mutunga o ia tau pūtea.
- Te mana o te Minita ki te arotake i a Te Mātāwai, ki te tono pārongo hoki*
- 21A Te arotake i ā Te Mātāwai whakahaerenga, mahi hoki**
- (1) Ka āhei tā te Minita arotake i ngā whakahaerenga me ngā mahi a Te Mātāwai, ahakoa te wā. 25
- (2) I mua i tā te Minita arotake i raro i tēnei wehenga, me whai rawa e ia te—
- (a) whiriwhiri kōrero me Te Mātāwai mō te aronga me te āhua o te arotake;
- (b) whakaaroaro hoki i ngā tāpaetanga nā Te Mātāwai mō te arotake e marohitia ana. 30
- (3) Me āta whai rawa e Te Mātāwai ngā huarahi e tika ana kia mahi ngātahi i te arotake.
- 21B Te mana ki te tono pārongo**
- (1) Me tuku rawa e Te Mātāwai ki te Minita ngā pārongo katoa e pā ana ki ngā whakahaerenga me te mahi a Te Mātāwai ka tonoa e te Minita. 35
- (2) Heoi anō, ka āhei te karo i tētahi tono mehemea—

- (a) me tāwhi pārongo ka tika hei whakamarumaru i te noho matatapu o tētahi tangata (he tangata kua mate hoki);
- (b) mehemea rānei mā te tuku pārongo e pā ana ki tētahi take, e tāmi te āhei o Te Mātāwai, o āna kaimahi rānei, o ōna mema rānei, o te tangata e noho ana i tētahi tūranga rānei ki te whai i te ture, ki te mahi rānei i ngā āheinga motuhake, ā-ture nei, o te hinonga, e pā ana ki tētahi take. 5
- (3) Ka hāngai te take kei roto i te **wehenga iti (2)(a)** mehemea kāore i te kaha ake te whakatau a te Minita me whai rawa ia i aua pārongo e taea ai e ia te whakatutuki ā te Minita kawenga.
- (4) Atu i ngā take kei roto i te **wehenga iti (2)** kāore e taea te tāwhi pārongo, ā, kāore rawa e taea te tāwhi mehemea kāore i te tika te tāwhi i raro i te Official Information Act 1982. 10

Tō Te Mātāwai mana tāke

21C Ngā whakaritenga whakawāteatanga tāke

- (1) I te horopaki o te Income Tax Act 2007, kua wātea ngā whiwhinga moni a Te Mātāwai i te tāke. 15
- (2) Heoi anō, ka hāngai te wāteatanga ka whakatauria e te **wāhanga iti (1)** mehemea kāore he panonitanga ki **ngā wāhanga 16A ki te 21**, ki te whakamahinga rānei o ērā ki a Te Mātāwai.

Te Wāhanga 3

20

Ko Te Taura Whiri, ko Te Reo Whakapuaki Irirangi, ko Te Ratonga Whakaata Māori hoki

Ka tū tonu a Te Taura Whiri me Te Reo Whakapuaki Irirangi

22 Ka tū tonu a Te Taura Whiri i te Reo Māori

- (1) Ka tū tonu a Te Taura Whiri i te Reo Māori, i whakatūria ai i raro i te wehenga 6 o te Māori Language Act 1987 hei hinonga Karauna whai mana motuhake. 25
- (2) Ka hāngai tonu te Crown Entities Act 2004 ki a Te Taura Whiri ki te kore e āta whakatauria tētahi whakahāngaitanga rerekē i roto i tēnei Ture.

23 Ka tū tonu a Te Reo Whakapuaki Irirangi

- (1) Ka tū tonu a Te Reo Whakapuaki Irirangi, i whakatūria ai i raro i te wehenga 53A o te Broadcasting Act 1989 hei hinonga Karauna whai mana motuhake. 30
- (2) Ka hāngai tonu te Crown Entities Act 2004 me te Wāhanga 4A o te Broadcasting Act 1989 ki a Te Reo Whakapuaki Irirangi ki te kore e āta whakatauria tētahi whakahāngaitanga rerekē i roto i tēnei Ture.

Te whakakorenga o Te Pūtahi Paoho

24 Ka whakakorengia a Te Pūtahi Paoho

- (1) Ka whakakorengia a Te Pūtahi Paoho, i whakatūria ai e te wehenga 12 o te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003.
- (2) Ka huri ngā āheinga me ngā kawenga a Te Pūtahi Paoho i raro i taua Ture hei āheinga mō Te Mātāwai, hei kawenga hoki mā Te Mātāwai. 5
- (3) Ka huri ngā hua me ngā taunahatanga o Te Pūtahi Paoho hei hua, hei taunahatanga hoki mō Te Mātāwai.
- (4) I te horopaki o ngā ture a Te Tari Taake, i te rā tonu ka riro ngā hua me ngā taunahatanga i a Te Mātāwai i raro i tēnei wehenga, ā haere ake,— 10
- (a) he tangata ā-ture kotahi a Te Mātāwai me Te Pūtahi Paoho;
- (b) ko ngā mahi katoa hoki i oti i a Te Pūtahi Paoho i mua i te rironga o ngā hua me ngā taunahatanga i a Te Mātāwai ānō nei nā Te Mātāwai i mahi, i te rā i mahia ai e Te Pūtahi Paoho.
- (5) I roto i te **wehenga iti (4)**, kei roto te tikanga o **Ngā Ture a Te Tari Taake** i te wehenga 3(1) o te Tax Administration Act 1994. 15

Ngā āheinga me ngā mana whakahaere

25 Ngā āheinga me ngā mana whakahaere o Te Taura Whiri

- (1) Ko ngā āheinga o Te Taura Whiri—
- (a) kia āta whāia ngā huarahi e tika ana, e ai ki a Te Taura Whiri, hei whakaū i te mana o te reo Māori hei reo whai mana ā-ture mō Niu Tirenī; 20
- (b) kia toko ake hoki i te reo Māori—
- (i) hei reo ora;
- (ii) hei reo whitiwhiti noa hoki; 25
- (ba) kia tū hoki hei kaiārahi ki te whakarite i te whakatinanatanga o te rautaki Maihi Karauna;
- (bb) kia whakaaroaro hoki, kia tuku pūrongo hoki mō ngā take e pā ana ki te reo Māori, ki te Minita;
- (c) kia whakaritea hoki, kia whakawhiwhia hoki ngā tohu e ai ki te **ĀpitiHanga 5**; 30
- (d) kia whakaritea hoki, kia whakahoua, kia whakaputaina hoki tētahi rēhita o te hunga e whai tohu ana i whakawhiwhia ai i raro i tēnei Ture, tae atu hoki ki te whakamanatanga o tētahi tohu.
- (2) Kua whai a Te Taura Whiri i ngā mana whakahaere e tika ana hei whakatutuki i ōna āheinga. 35

Ngā kopoutanga

27 Ngā kopoutanga ki a Te Taura Whiri

(1) Me kopou rawa e te Minita kia tokorima ngā tāngata hei mema mō Te Taura Whiri, kia pēnei:

(a) ko tētahi o aua tāngata hei kaihautū mō Te Taura Whiri, ā, ko tētahi tangata hei kaihautū tuarua; 5

(b) me ahu rawa mai hoki ngā kopoutanga e toru o ngā kopoutanga e rima i ngā tautapanga ka tukuna atu ki te Minita e Te Mātāwai.

(1A) I ngā kopoutanga i raro i tēnei wehenga, me aro nui rawa e te Minita, me whai mema a Te Taura Whiri kei a rātou te mātauranga, ngā pūkenga, he whai wheako hoki, tae atu ki ngā take e whakarārangitia ana i roto i te **wehenga 15(3).** 10

27A Ngā kopoutanga ki a Te Reo Whakapuaki Irirangi

I runga i ngā here o te wehenga 53I o te Broadcasting Act 1989 me kopou rawa e te Minita kia tokorima ngā tāngata, hei mema mō te poari o Te Reo Whakapuaki Irirangi, kia pēnei: 15

(a) ko tētahi o ngā tāngata tokorima kua kopoua ka noho hei kaihautū mō Te Reo Whakapuaki Irirangi, ā, ko tētahi tangata ka noho hei kaihautū tuarua;

(b) me ahu rawa mai hoki ngā kopoutanga e toru o ngā kopoutanga e rima i ngā tautapanga ka tukuna atu ki te Minita e Te Mātāwai. 20

27B Ngā kopoutanga ki te poari o Te Ratonga Whakaata Māori

(1) Me kopou rawa e Te Mātāwai kia tokowhā o ngā tāngata tokowhiti i runga i ngā here o te wehenga 19(1) o te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003, kia kopoua hei kaiurungi mō te poari o Te Ratonga Whakaata Māori. 25

(2) Mehemea ka whakaaro te Minita, kua tupea tētahi tangata i kopoua ai i raro i te **wehenga iti (1)** e ai ki te wehenga 30 o te Crown Entities Act 2004, he take anō rānei i kore ai taua tangata i tika mō te tūranga, ka āhei tā te Minita tonu atu ki a Te Mātāwai kia kopoua he tangata hou. 30

(3) Ki te kore a Te Mātāwai e whakatū i te tangata hou i roto i tētahi wā kua āta whakaarotia, ka āhei tā te Minita kopou i tētahi tangata rerekē i tā Te Mātāwai i kopou ai.

(4) Ko Te Mātāwai—

(a) me whakatau rawa i āna ake tikanga hei kopou, hei kopou anō, hei tango kaiurungi i te poari o Te Ratonga Whakaata Māori ka kopoua i raro i tēnei wehenga; 35

(b) me kaua rawa hoki e kopou i ōna ake mema hei kaiurungi;

- (c) me kua rawa hoki e kopou i ngā tātanga ka tupea i raro i te wehenga 30 o te Crown Entities Act 2004;
- (d) i te kopoutanga hoki, me noho rawa te aronga me ngā āheinga o Te Ratonga Whakaata Māori hei ārahi i a Te Mātāwai.
- (5) Mā te tuku pānui ā-tuhi ki te tangata kua tohua e mana ai te kopoutanga. 5
- (6) Me whakaae ā-tuhi rawa te tangata kua kopoua ki te kopoutanga.
- (7) Ko tētahi pānui i raro i te **wehenga iti (5)** me—
- (a) whakapuaki rawa i te rā e tīmata ai te kopoutanga, ka mutu me kua rawa taua rā e tōmua ake i te rā ka whiwhi te tangata ki te pānui;
- (b) whakapuaki rawa hoki i te roa o te kopoutanga. 10
- (8) Ka hāngai tonu, i runga i te whai take, ngā whakataunga o te Māori Television Service (Te Aratuku Whakaata Māori) Act 2003 ki ngā kaiurungi ka kopoua i raro i tēnei wehenga, ki te kore e āta whakatauria tētahi whakahāngaitanga kē atu.

Te Wāhanga 4 15
Ko ētahi atu take

Te arotakenga o tēnei Ture

33 Te arotakenga o te Ture

- (1) I te wā tonu ka wātea, i muri i te paunga o te 3 tau, atu i te tīmatanga o tēnei Ture, ko te Minita,— 20
- (a) me tīmata rawa i tētahi arotakenga o te whakamahinga me te whai hua o te Ture e ai ki ngā paearu i whakatauria ai e te Minita me Te Mātāwai;
- (b) me whakarite rawa hoki i tētahi pūrongo mō taua arotakenga.
- (2) Hei tāpiritanga ki ngā herenga o te **wehenga iti (1)**, i ōna wā ka āhei tā te Minita arotake i te whakamahinga me te whai hua o tēnei Ture e ai ki ngā paearu i whakatauria ai e te Minita me Te Mātāwai. 25
- (3) I mua i te tīmatanga o tētahi arotakenga i raro i te **wehenga iti (1), i te (2)** rānei, me whiriwhiri kōrero rawa te Minita me Te Mātāwai ki te poari o Te Ratonga Whakaata Māori e pā ana ki ngā paearu.

Ngā waeture 30

33A Ngā waeture

- (1) Ka āhei tā te Kāwana-Tianara hanga waeture, mā te Ōta Kaunihera, i runga i te tūtuhunga a te Minita me te Minita mō ngā Kōti, hei whakahou i te **Āpitihangā 2** mā te tāpiri, mā te tango rānei i te ingoa o tētahi kōti, o tētahi taraipiunara rānei. 35

- (2) Ka āhei tā ngā Minita i kōrerotia ai i roto i te **wehenga iti (1)** tuku tūtohunga i raro i te **wehenga iti (1)** mehemea, ki ō rāua whakaaro, kāore i roto i taua āpitihanga tētahi kōti, tētahi taraipiunara rānei me whai wāhi ka tika.
- (3) Ka āhei tā te Kāwana-Tianara hanga waeture, mā te Ōta Kaunihera, i runga i te tūtohunga a te Minita, i muri i tana whiriwhiri kōrero me Te Mātāwai, hei whakahou i te **Āpitihanga 3A** mā te tāpiri, mā te tango rānei i te ingoa o tētahi rōpū whakahaere. 5
- (4) Ka āhei tā te Minita tuku tūtohunga i raro i te wehenga iti (3) mehemea rawa, ki ngā whakaaro o te Minita, kāore te **Āpitihanga 3A** i te whakaatu i te whānuitanga tika o ngā rōpū whakahaere. 10
- (5) I roto i te **wehenga iti (1)**, ko te **Minita mō Ngā Kōti** te Minita o te Karauna, i raro i te mana o tētahi whakamananga, i raro rānei i te mana o te Pirīmia, e whai haepapatanga ana mō tētahi tari, mō ētahi tari rānei, e whakahaere ana i ngā kōti me ngā taraipiunara e whakarārangitia ana i roto i te **Āpitihanga 2**.

Te whakahāngai i Ture kē

- 34 Te whakahāngai i te Ombudsmen Act 1975 me te Official Information Act 1982** 15
He rōpū whakahaere a Te Mātāwai i te horopaki o te Ombudsmen Act 1975 me te Official Information Act 1982.
- 35 Te whakahāngai i te Public Audit Act 2001** 20
He hinonga tūmatanui a Te Mātāwai e tautuhia ana i roto i te wehenga 5 o te Public Audit Act 2001, ā, ko te Kaitātari Kaute Matua tōna kaitātari kaute.
- Ngā whakataunga whakakore me ngā whakataunga whakahou*
- 37 Te whakakore** 25
Ka whakakorengia te Māori Language Act 1987 (1987 No 176).
- 39 Ka whakahoungia te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003** 30
Nā konā ka whakahoungia te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 e ai ki ngā āhuatanga ka whakaaturia i roto i te **Āpitihanga 7**.
- 40 Ko ētahi atu whakahoungia**
Ka whakahoungia ngā whakaturetanga e tautuhia ana i roto i te **Āpitihanga 8** e ai ki ngā āhuatanga ka whakaaturia i roto i taua āpitihanga.

Part 1AA

Title and commencement provisions in English

1 Title

- (1) This Act is the Māori Language (~~Te Reo Māori~~) Act **2014**.
- (2) The Act may also be cited as— 5
- (a) ~~Te Reo Māori Act 2014; or~~
- (b) ~~the Māori Language Act 2014.~~

2 Commencement

- (1) **Section 24** (which provides for the disestablishment of Te Pūtahi Paoho) comes into force on the earlier of the following dates: 10
- (a) a date set by the Governor-General by Order in Council; and
- (b) 30 March 2017.
- (2) ~~This~~ The rest of this Act comes into force on the day after the date on which it receives the Royal assent.

Part 1

15

Preliminary provisions

3 ~~Purpose~~ Scope and purpose of this Act

- (1) This Act—
- (a) replaces the Māori Language Act 1987; and
- (b) amends the Broadcasting Act 1989; and 20
- (c) amends the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003.
- (2) ~~The purpose of these changes is to affirm the status of the Māori language as a taonga of iwi and Māori and an official language of New Zealand by—~~
- (a) ~~establishing 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; and~~ 25
- (b) ~~in support of that role, providing for the roles of Te Taura Whiri i te Reo Māori and Te Māngai Pāho under the leadership of Te Mātāwai.~~
- (2) The purpose of this Act is— 30
- (a) to affirm the status of the Māori language as—
- (i) the indigenous language of New Zealand; and
- (ii) a taonga of iwi and Māori; and
- (iii) a language valued by the nation; and

- (iv) an official language of New Zealand; and
- (b) to provide means to support and revitalise the Māori language.
- (3) To assist in achieving its purpose, this Act—
 - (a) establishes 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; and 5
 - (b) provides for Te Mātāwai and the Crown to develop Māori language strategies to support the revitalisation of the Māori language, including by promoting an increase in the number of people speaking the Māori language and improving their fluency in that language; and 10
 - (c) adjusts the functions of Te Taura Whiri, Te Reo Whakapuaki Irirangi, and the Māori Television Service and disestablishes Te Pūtahi Paoho.

Recognition of Māori language

4 Recognition of Māori language as taonga

- (1) The Māori language is a taonga of iwi and Māori. 15
- (2) Iwi and Māori are the kaitiaki of the Māori language.
- (3) This section does not limit or affect any responsibilities of the Crown in relation to the Māori language.

5 Māori language is an official language of New Zealand

The Māori language is, ~~and continues to be,~~ an official language of New Zealand. 20

6 Right to speak Māori in legal proceedings

- (1) In any legal proceedings, the following persons may speak Māori, whether or not they are able to understand or communicate in English or any other language: 25
 - (a) any member of the court, tribunal, or other body before which the proceedings are being conducted:
 - (b) any party or witness:
 - (c) any counsel:
 - (d) any other person with leave of the presiding officer. 30
- (2) The right conferred by **subsection (1)** to speak Māori does not—
 - (a) entitle any person referred to in that subsection to insist on being addressed or answered in Māori; or
 - (b) entitle any person referred to in that subsection, other than the presiding officer, to require the proceedings or any part of them to be recorded in Māori. 35

- (3) If a person intends to speak Māori in any legal proceedings, the presiding officer must ensure that a competent interpreter is available.
- (4) If, in any proceedings, any question arises as to the accuracy of any interpreting from Māori into English or from English into Māori, the question must be determined by the presiding officer in any manner that the presiding officer thinks fit. 5
- (5) Rules of court or other appropriate rules of procedure may be made requiring any person intending to speak Māori in legal proceedings to give reasonable notice of that intention, and generally regulating the procedure to be followed if Māori is, or is to be, spoken in those proceedings. 10
- (6) Rules of court or other appropriate rules of procedure may make failure to give the required notice a relevant consideration in relation to an award of costs, but no person may be denied the right to speak Māori in any legal proceedings because of that failure.
- (7) In this section and **Schedule 5**, 15
interpreting (*whakawhiti reo ā-waha*), in relation to the Māori language, means—
 (a) giving oral expression in English of words spoken in Māori;
 (b) giving oral expression in Māori of words spoken in English
legal proceedings (*whakahaerenga ā-ture*) means— 20
 (a) proceedings before a court or tribunal named in **Schedule 2**;
 (b) proceedings before a coroner;
 (c) proceedings to inquire into and report on any matter of particular interest to iwi and Māori before—
 (i) an inquiry to which section 6 of the Inquiries Act 2013 applies; 25
 (ii) a tribunal or other body that has any of the powers of a commission of inquiry under any other enactment;
 (iii) a commission of inquiry under the Commissions of Inquiry Act 1908
translating (*whakawhiti reo ā-tuhi*), in relation to the Māori language, means— 30
 (a) giving written expression in English of words written in Māori; and
 (b) giving written expression in Māori of words written in English.

Principles and guidelines

- 6A Principles** 35
- (1) This section sets out the principles that are intended to guide—
 (a) the interpretation of this Act generally; and

- (b) in particular, the development of the Māori language strategies required by this Act.
- (2) The principles are as follows:
- Māori language*
- (a) the Māori language is the indigenous language of New Zealand: 5
- (b) the Māori language has inherent mana and is enduring:
- Māori language and iwi and Māori*
- (c) iwi and Māori are the kaitiaki of the Māori language:
- (d) the Māori language is the foundation of Māori culture and identity:
- (e) knowledge and use of the Māori language enhance the lives of iwi and Māori: 10
- (f) knowledge and use of the Māori language are sustained through transmission of the language from generation to generation among whānau and by daily communication in the community:
- Māori language and the Crown* 15
- (g) the Māori language is protected as a taonga by article 2 of the Treaty of Waitangi:
- (h) the Crown recognises the value of the Māori language for the people of New Zealand:
- (i) knowledge and use of the Māori language are promoted by an active partnership of the Crown with iwi and Māori through Te Mātāwai: 20
- (j) the Crown is able to advance the revitalisation of the Māori language by promoting strategic objectives in the wider New Zealand society:
- Māori language and New Zealand society*
- (k) the Māori language is an official language of New Zealand: 25
- (l) the Māori language is important to the identity of New Zealand.
- 7 Principles Guidance for departments of State**
- (1) As far as is reasonably practicable, a government department of State should, when exercising its functions and powers and performing its functions, be guided by the following principles: 30
- (a) iwi and Māori should be consulted on matters relating to the Māori language (including, for example, the promotion of the use of the language):
- (b) the Māori language should be used in the promotion to the public of government services and in the provision of information to the public: 35
- (c) government services and information should be made accessible to iwi and Māori through the use of appropriate means (including the use of the Māori language).

- (2) ~~These principles do~~ This guidance does not confer on any person any legal right that is enforceable in a court of law.
- (3) Consultation by a ~~government~~ department of State under **subsection (1)(a)** is to be carried out by the chief executive of the ~~government~~ department consulting, to the extent that is reasonably practicable, with the persons or organisations that the chief executive considers to be representative of the interests of iwi and Māori. 5

Māori language strategies

7A Maihi Karauna strategy

- (1) To assist in achieving the purpose of this Act, the Minister must issue a Maihi Karauna strategy that sets out— 10
- (a) the Government’s objectives and policies, and related matters, relevant to the revitalisation of the Māori language; and
- (b) the Government’s long-term strategic direction, and the current and medium-term priorities, to support that revitalisation. 15
- (2) Before issuing a Maihi Karauna strategy, the Minister must consult any person or organisation that the Minister thinks ought to be consulted, including Te Mātāwai and Te Taura Whiri.
- (3) The Minister may revoke and replace or amend a Maihi Karauna strategy, but must first consult any person or organisation that the Minister thinks ought to be consulted, including Te Mātāwai and Te Taura Whiri. 20

7B Maihi Māori strategy

- (1) To assist in achieving the purpose of this Act, Te Mātāwai must develop and approve, in the manner it thinks fit, a Maihi Māori strategy that provides objectives, policies, and related matters for iwi and Māori relevant to the Māori language and supports its revitalisation. 25
- (2) Before approving a Maihi Māori strategy, Te Mātāwai must consult any person or organisation that it thinks ought to be consulted.
- (3) Te Mātāwai may revoke and replace or amend a Maihi Māori strategy, but must first consult any person or organisation that Te Mātāwai thinks ought to be consulted. 30

Interpretation and other matters

7C Interpretation of Act generally

- (1) The Māori and English versions of this Act are to be interpreted in a manner that best furthers the purpose of the Act and the principles set out in **section 6A**. 35

- (2) The Māori and English versions of this Act are of equal authority, but in the event of a conflict in meaning between the 2 versions, the Māori version prevails.

8 Interpretation

In this Act, unless the context otherwise requires,—

5

assets and liabilities (*ngā hua me ngā taunahatanga*), in relation to an entity,—

- (a) means the assets and liabilities of ~~Te Taura Whiri, Te Māngai Pāho, or Te Pūtahi Paoho, as the case may be,~~ that the entity that it owned, controlled, or held, wholly or in part, immediately before the commencement of this Act; and

10

- (b) includes—

- (i) all assets of any kind, whether in the form of real or personal property, money, shares, securities, rights, or interests; and
- (ii) all liabilities, including debts, charges, duties, contracts, or other obligations (whether present, future, actual, contingent, payable, or to be observed or performed in New Zealand or elsewhere)

15

board (*poari*) means the governing body of the Māori Television Service appointed under section 18 of the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003

20

broadcasting (*pāho*) has the meaning given in section 2(1) of the Broadcasting Act 1989

certificate of competency (*tohu whakatau i te mōhio ki te reo Māori*) and **certificate** (*tohu*) mean a certificate of competency in the Māori language issued under this Act by Te Taura Whiri

25

government department of State (*tari Kāwanatanga*) means a government department named in Schedule 1 of the State Sector Act 1988

~~**Inland Revenue Acts**~~ has the meaning given in section 3(1) of the Tax Administration Act 1994

interpretation, in relation to the Māori language, means—

30

- (a) the oral expression in English of words spoken in Māori; and
- (b) the oral expression in Māori of words spoken in English

iwi and Māori (*ngā iwi me ngāi Māori*) means either or both of the following:

- (a) 1 or more of the iwi listed in **Schedule 3**, including the whānau and hapū of each iwi;

35

- (b) Māori people generally

iwi cluster (*kāhui ā-iwi*) means a group of iwi identified under one of the 7 headings in **Schedule 3**

kaitiaki means guardian

~~legal proceedings~~ means—

- (a) ~~proceedings before a court or tribunal named in **Schedule 2**; and~~
- (b) ~~proceedings before a Coroner; and~~
- (c) ~~proceedings to inquire into and report on any matter of particular interest to iwi and Māori before—~~
 - (i) ~~an inquiry to which section 6 of the Inquiries Act 2013 applies; or~~
 - (ii) ~~a tribunal or other body that has any of the powers of a commission of inquiry under any other enactment; or~~
 - (iii) ~~a commission of inquiry under the Commissions of Inquiry Act 1908~~

Maihi Karauna strategy (*rautaki Maihi Karauna*) means the Crown's Māori language strategy developed under **section 7A**

Maihi Māori strategy (*rautaki Maihi Māori*) means the Māori language strategy developed under **section 7B** 15

~~Māori Language Strategy~~ means a statement prepared and published from time to time by the Government that sets out government objectives, policies, and related matters about the Māori language

Māori language strategies (*rautaki Reo Māori*) means the Maihi Karauna strategy and the Maihi Māori strategy 20

Minister (*Minita*) means the Minister of Māori Affairs for Māori Development
presiding officer (*āpiha whakahaere*), in relation to any legal proceedings, means the Judge or other person who is presiding over the proceedings

selection group (*rōpū kōwhiri*) means a group formed in accordance with **clause 2 of Schedule 4** for the purpose of ~~nominating appointing~~ persons to be members of Te Mātāwai 25

~~Te Māngai Pāho~~ means the statutory body continued by **section 23**

Te Mātāwai means the entity established by **section 11**

Te Puni Kōkiri means the Ministry of Māori Development

Te Pūtahi Paoho means the body described in, and disestablished by, **section 24** 30

Te Reo Tukutuku means the Māori language stakeholder group ~~consisting of the following organisations: comprising the organisations listed in **Schedule 3A**~~

- (a) Te Kōhanga Reo National Trust; and 35
- (b) Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa; and
- (c) Te Ringa Raupā o ngā Kura-a-Iwi; and
- (d) Te Tauihu o Ngā Wānanga; and

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(e) Te Ātaarangi; and (f) Te Whakaruruhau o ngā Reo Irirangi Māori o Aotearoa; and (g) Ngā Aho Whakaari; and (h) Ngā Kaiwhakapūmau i te Reo Māori; and (i) Māori Women's Welfare League Incorporated; and (j) Te Huarahi Tika Trust	5
Te Reo Tukutuku cluster (<i>kāhui o Te Reo Tukutuku</i>) means a group of organisations identified under one of the 4 subheadings in Schedule 3A	
Te Reo Whakapuaki Irirangi means the autonomous Crown entity, also known as Te Māngai Pāho, continued by section 23	10
Te Taura Whiri i te Reo Māori and Te Taura Whiri means the statutory body mean the autonomous Crown entity continued by section 22.	
translation, in relation to the Māori language, means the written expression in English of words written in Māori and the written expression in Māori of words written in English.	15
8A Transitional, savings, and related provisions The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.	
9 Act binds the Crown This Act binds the Crown.	20
10 Outline of Act (1) This section is a guide to the general scheme and effect of this Act, but does not affect its interpretation or application. (2) Part 1 provides for recognition of the Māori language as a taonga of which iwi and Māori are the kaitiaki. It affirms the status of the Māori language as a taonga of iwi and Māori, states that the Māori language is and continues to be an official language of New Zealand, and confirms that it may be used in legal proceedings. This Part also provides that this Act binds the Crown and sets out the definitions of terms used in this Act.	25
(2) Part 1 provides as follows: (a) it sets out the purpose of the Act: (b) it provides for the recognition of the Māori language as a taonga of iwi and Māori and as an official language of New Zealand: (c) it confirms the rights of people to use the Māori language in the courts and tribunals listed in Schedule 2:	30
	35

- (d) it sets out principles to guide the interpretation of the Act generally and the development of the Māori language strategies in particular, as well as giving guidelines for departments of State:
- (e) it provides for the development of the 2 Māori language strategies:
- (f) it includes a general provision on interpretation, including the provision that the 2 language versions are of equal authority, but that in the event of a conflict between the 2 versions, the Māori version of the Act prevails: 5
- (g) it sets out key terms that are defined for use in the Act:
- (h) it sets up a transitional and savings schedule (**Schedule 1**): 10
- (i) it provides that the Crown is bound by the Act.
- (3) **Part 2** establishes Te Mātāwai as an independent statutory entity, provides for its functions, and prescribes its reporting obligations and taxation status.
- (4) **Part 3** provides for the establishment continuation of Te Taura Whiri and Te Māngai Pāho and sets out the functions of each and their accountability to Te Mātāwai. Te Reo Whakapuaki Irirangi as autonomous Crown entities subject to the Crown Entities Act 2004 and, in the case of Te Reo Whakapuaki Irirangi, Part 4A of the Broadcasting Act 1989. It also provides for the disestablishment of Te Pūtahi Paoho and for Te Mātāwai to assume the functions of Te Pūtahi Paoho. Te Mātāwai to appoint 4 of the 7 directors of the board of the Māori Television Service. 15 20
- (5) **Part 4** provides for—
 - (a) the review of the Act by the Minister after 3 years, and the repeal of the Māori Language Act 1987 and of Part 4A of the Broadcasting Act 1989; and 25
 - (ab) regulation-making powers in relation to the contents of **Schedules 2 and 3A**; and
 - (b) the removal of Te Taura Whiri i te Reo Māori (the Māori Language Commission) and Te Reo Whakapuaki Irirangi (the Māori Broadcasting Funding Agency) from Part 2 of Schedule 1 of the Crown Entities Act 2004; and 30
 - (c) the application of the Ombudsmen Act 1975, the Official Information Act 1982, and the Public Audit Act 2001 and the schedules that set out transitional provisions and consequential amendments.
- (6) There are 8 schedules, setting out,— 35
 - (a) in **Schedule 1**, transitional, savings, and related provisions:
 - (b) in **Schedule 2**, the courts and tribunals before which Māori may be spoken:
 - (c) in **Schedule 3**, the 7 regional iwi clusters of iwi:
 - (ca) in **Schedule 3A**, the 4 Te Reo Tukutuku clusters: 40

- (d) in **Schedule 4**, further provisions relating to ~~the entities, their chairpersons, and members or directors~~ Te Mātāwai;
- (e) in **Schedule 5**, the provisions relating to the issuing of certificates of competency in the Māori language;
- (f) in ~~**Schedule 6**~~, provisions applying to ~~Te Māngai Pāho~~; 5
- (g) in **Schedule 7**, amendments to the Māori Television Service (Te Aratuku Whakaata Irirangi) Act 2003;
- (h) in **Schedule 8**, consequential amendments to other ~~Acts~~ enactments.

Part 2 Te Mātāwai 10

Establishment, powers, and purpose

11 Te Mātāwai established

- (1) Te Mātāwai is established as an independent statutory entity.
- (2) Te Mātāwai is a body corporate with perpetual succession.
- (3) For the purpose of performing its functions under this Act, Te Mātāwai— 15
 - (a) has full capacity to undertake any business or activity, do any act, or enter into any transaction; and
 - (b) for the purposes of **paragraph (a)**, has full rights, powers, and privileges.
- (4) **Subsection (3)** applies subject to the provisions of this Act, any other enactment, and the general law. 20
- (5) ~~Te Mātāwai is a public authority for the purpose of the Inland Revenue Acts, unless either of those Acts or this Act provides otherwise.~~

12 Purpose of Te Mātāwai

- The purpose of Te Mātāwai is to act on behalf of iwi and Māori— 25
- (a) to provide leadership ~~regarding~~ in promoting the health and well-being of the Māori language for iwi and Māori, and at the community level; and
 - (b) ~~to give practical effect to that leadership through its oversight and direction of—~~ 30
 - (i) Te Taura Whiri; and
 - (ii) Te Māngai Pāho; and
 - (iii) ~~in conjunction with the Minister of Māori Affairs and the Minister of Finance, the Māori Television Service; and~~

- (b) to support, inform, and influence the Crown's initiatives in protecting, promoting, and revitalising the Māori language; and
- (c) to give effect, through its association with the Minister of Māori Affairs Ministers of the Crown, to the relationship of the Crown with iwi and Māori contemplated by the Treaty of Waitangi in relation to the Māori language; and 5
- (d) in conjunction with the Minister and the Minister of Finance, to provide oversight of, and direction to, the Māori Television Service.

Functions

- 13 Functions of Te Mātāwai** 10
- (1) The functions of Te Mātāwai are,— as follows:
- (a) ~~after consulting the Minister and, at its sole discretion, groups that it considers appropriate, to prepare and publish its statement of strategic direction and operating intentions in accordance with **section 17**:~~
 - (b) ~~to provide expert advice to the Minister of Māori Affairs on issues relating to the Māori language, including advice on reviewing and developing the Māori Language Strategy on a 3-yearly cycle:~~ 15
 - (c) ~~to make independent comment, as it sees fit, on Māori language policy:~~
 - (d) ~~to appoint, reappoint, and remove any or all of the members of Te Taura Whiri or Te Māngai Pāho:~~ 20
 - (e) ~~to give directions to Te Taura Whiri and Te Māngai Pāho on their obligations under this Act:~~
 - (f) ~~to affirm the services to be delivered by Te Taura Whiri and Te Māngai Pāho (but not in relation to specific funding decisions):~~
 - (a) to lead the development of a Maihi Māori strategy: 25
 - (b) to provide services and administer programmes that contribute to the implementation of the Maihi Māori strategy:
 - (c) to advise Te Puni Kōkiri and the Minister on the development of a Maihi Karauna strategy:
 - (d) to assist Ministers who have responsibilities relating to the purpose of this Act to identify relevant issues, develop solutions, and take opportunities to collaborate with other agencies in the public sector in matters relating to the Māori language: 30
 - (e) to provide advice and guidance to Crown agencies on how they may contribute to developing or implementing the Māori language strategies: 35
 - (f) to provide the Minister with nominations for appointments to Te Taura Whiri and Te Reo Whakapuaki Irirangi:

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(g)	to negotiate and confirm contracts with the Crown for the purchase and delivery, from Te Māngai Pāho and Te Taura Whiri, of Māori language programmes and services that align with the Māori Language Strategy:		
(h)	to appoint, reappoint, and remove 4 of the 7 directors of the board of the Māori Television Service:		5
(i)	jointly with the Minister of Finance and the Minister of Māori Affairs,—		
	(i) to exercise leadership and oversight of the Māori Television Service under the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:		10
	(ii) to confirm the statement of intent of the Māori Television Service:		
(j)	to manage the spectrum management rights under the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:		
(k)	all other functions undertaken by Te Pūtahi Paoho under the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:		
(l)	other functions conferred on Te Mātāwai by this Act or any other enactment.		15
(2)	Despite anything in subsection (1) , Te Mātāwai must not direct Te Māngai Pāho, the Māori Television Service, or any other broadcaster or programme maker in respect of—		
	(a) a specific programme; or		20
	(b) the gathering or presentation of news; or		
	(c) the preparation or presentation of current affairs programmes; or		
	(d) any specific funding decisions or contractual arrangements.		

Appointments to Te Mātāwai

14	Membership of Te Mātāwai		25
(1)	Te Mātāwai has 12 13 members, to be appointed as follows:		
	(a) 7 members, 1 <u>appointed</u> by each of the 7 <u>iwi</u> clusters of iwi listed in Schedule 3 ; and		
	(b) 3 4 members, by Te Reo Tūkutuku 1 <u>appointed</u> by each of the 4 Te Reo Tūkutuku clusters listed in Schedule 3A ; and		30
	(c) 2 members, <u>appointed</u> by the Minister on behalf of the Crown.		
(2)	Before appointments are made under subsection (1)(a) or (b) , nominations must be made to the selection groups, as required by clause 2 of Schedule 4 .		
(3)	If, for any reason, an appointment cannot be made under subsection (1)(a) or (b) within a reasonable period of time, the Minister may make the appointment.		35

- (3) **Subsection (3A)** applies if, for any reason, an appointment cannot be made under **subsection (1)(a) or (b)**—
- (a) within 9 months after this Act comes into force, in relation to an initial appointment:
 - (b) within 3 months after a vacancy arises or a term of office expires, in relation to a subsequent appointment. 5
- (3A) The Minister must make the appointment.
- (4) ~~The Minister must, in making appointments under **subsection (1)(c)**, consider the need for Te Mātāwai to have a membership with the appropriate mix of knowledge, skills, and experience to assist Te Mātāwai to achieve its objectives and perform its functions.~~ 10
- (5) Te Mātāwai must determine its own procedure for appointing, and make the appointment of, 1 of its members to be its chairperson and another to be its deputy chairperson.
- (6) **Schedule 4** applies to the members appointed under this section. 15
- 15 Matters relevant to appointment decisions**
- (1) ~~In making nominations for membership, and appointing members, of Te Mātāwai as required by **section 14(1)(a) and (b)**, each selection group—~~
- (a) must consider the purpose and functions of Te Mātāwai; and
 - (b) must not be directed by any body or group but may seek advice from any person or body that the selection group considers appropriate; and 20
 - (ba) must consider the need for Te Mātāwai to have a membership with the appropriate mix of knowledge, skills, and experience, including the matters listed in **subsection (3)**, to assist Te Mātāwai to achieve its objectives and perform its functions; and 25
 - (c) must not appoint persons who would be disqualified under section 30 of the Crown Entities Act 2004.
- (2) The Minister, in making appointments under **section 14(1)(c) or (3A)**, must consider the need for Te Mātāwai to have a membership with the appropriate mix of knowledge, skills, and experience, including the matters listed in **subsection (3)**, to assist Te Mātāwai to achieve its objectives and perform its functions. 30
- (3) The following matters are relevant to the considerations required by **subsections (1)(ba) and (2)**:
- (a) Māori language proficiency: 35
 - (b) Māori language revitalisation:
 - (c) governance:
 - (d) community development:
 - (e) management:

- (f) Māori cultural integrity culture:
- (g) central government operations.

16 Appointment of chief executive

- (1) Te Mātāwai must appoint a chief executive.
- (2) The person appointed as the chief executive of Te Mātāwai must not be a member of Te Mātāwai. 5
- (3) Te Mātāwai—
 - (a) must determine the chief executive's terms and conditions of employment, in consultation with the State Services Commission:
 - (b) must operate a good employer personnel policy as provided for in **clause 35 of Schedule 4.** 10

Requirements for statement of strategic direction and annual report Reporting requirements

16A Purpose of purchase agreement

- The purpose of the purchase agreement required by **section 16B** is— 15
- (a) to enable the Minister to participate with Te Mātāwai in the process of setting the annual outputs expected of Te Mātāwai; and
 - (b) to assist Te Mātāwai to manage its responsibilities in relation to the funding and production of outputs paid for by the Crown; and
 - (c) to provide the basis on which money may be made available to Te Mātāwai under an appropriation by Parliament; and 20
 - (d) to provide a base against which actual performance can be assessed.

16B Obligation to prepare purchase agreement

- (1) As soon as practicable after the commencement of this Act, and before the start of each subsequent financial year, Te Mātāwai must prepare, and agree with the Minister, a purchase agreement for that financial year. 25
- (2) Each purchase agreement must—
 - (a) comply with generally accepted accounting practice; and
 - (b) specify each output of Te Mātāwai that is to be funded by an appropriation by Parliament; and 30
 - (c) for each output,—
 - (i) include a concise explanation of what the output is intended to achieve; and
 - (ii) identify the expected revenue and proposed expenses for the output; and 35

- (iii) include a concise explanation of how the performance of the output will be assessed.
- (3) Te Mātāwai is responsible to the Minister for meeting the terms of the purchase agreement.
- 17 Statement of strategic direction intent** 5
- (1) Te Mātāwai must, not later than 20 July each year, prepare and publish a statement of— intent at least once in every 3-year period.
- (a) its strategic direction; and
- (b) its operating intentions.
- (2) The statements required by **subsection (1)** statement of intent must relate to the forthcoming financial year and at least the following 3 financial years—immediately following the date of the statement. 10
- (3) Te Mātāwai must consult the Minister of Māori Affairs about the content of a statement of strategic direction and operating intentions intent before publishing the statement. 15
- (4) As soon as practicable after the commencement of this section, Te Mātāwai must comply with **subsections (1) to (3)** as if that date were the start of its first financial year.
- 18 Contents of strategic direction**
- The statement of strategic direction and operating intentions to be prepared by Te Mātāwai must contain the following information for the full period to which it relates: 20
- (a) background information about Te Mātāwai and its operating environment; and
- (b) the nature and scope of Te Mātāwai's functions and intended operations; and 25
- (c) in specific terms, the objectives, outcomes, and impacts that Te Mātāwai seeks to achieve or contribute to; and
- (d) how Te Mātāwai intends to perform its functions and conduct its operations to achieve those objectives, outcomes, and impacts; and 30
- (e) how Te Mātāwai intends to manage the performance and ensure the capability of its organisation; and
- (f) the main financial and non-financial measures and standards by which its future performance may be judged.
- 18 Form and content of statement of intent** 35
- (1) The statement of intent prepared under **section 17** must, for the period to which it relates, set out the strategic objectives that Te Mātāwai intends to achieve or contribute to (**strategic intentions**).

- (2) The statement of intent must also, for the period to which it relates,—
- (a) explain the nature and scope of Te Mātāwai’s functions and intended operations;
 - (b) explain how Te Mātāwai intends to manage its functions and operations to meet its strategic intentions; 5
 - (c) explain how Te Mātāwai proposes to manage its organisational health and capability;
 - (d) explain how Te Mātāwai proposes to assess its performance;
 - (e) set out and explain any other matters that are reasonably necessary to achieve an understanding of Te Mātāwai’s strategic intentions and capability. 10
- (3) The statement of intent must be in writing, be dated, and be signed on behalf of Te Mātāwai by 2 members.

19 Annual report

- (1) Te Mātāwai must, as soon as practicable after the end of each financial year, prepare a report for that year on— on the affairs of Te Mātāwai. 15
- (a) ~~its operations and financial position for that year; and~~
 - (b) ~~its oversight of Te Taura Whiri, Te Māngai Pāho, and the board of the Māori Television Service; and~~
 - (c) ~~the operations and financial position of Te Taura Whiri and Te Māngai Pāho.~~ 20
- (2) Te Mātāwai must provide its annual report to the Minister as soon as is reasonably practicable after receiving the audit report required by **section 21**.
- (3) The Minister must present the annual report to the House of Representatives as soon as is reasonably practicable after receiving it from Te Mātāwai or, if Parliament is not in session, as soon as possible after the commencement of the next session of Parliament. 25

20 Contents of annual report

The annual report prepared by Te Mātāwai must contain the following information in respect of Te Mātāwai, Te Taura Whiri, and Te Māngai Pāho for the financial year to which the report relates: 30

- (a) ~~the information necessary to enable an informed assessment to be made of the operations and performance of Te Mātāwai, Te Taura Whiri, and Te Māngai Pāho, including an assessment of the performance of each against the intentions, measures, and standards set out in the statement of strategic direction and operating intentions prepared at the beginning of the financial year; and~~ 35
- (b) ~~a statement of service performance for Te Mātāwai, Te Taura Whiri, and Te Māngai Pāho; and~~

-
- (e) ~~the annual financial statements for Te Mātāwai, Te Taura Whiri, and Te Māngai Pāho; and~~
 - (d) ~~a statement of responsibility to accompany the financial report; and~~
 - (e) ~~the audit reports for Te Mātāwai, Te Taura Whiri, and Te Māngai Pāho; and~~ 5
 - (f) ~~a report on the total value of remuneration and other benefits provided to each member of Te Mātāwai, Te Taura Whiri, and Te Māngai Pāho during the financial year; and~~
 - (g) ~~a statement of compliance with the policy of being a good employer; and~~
 - (h) ~~a report on the number of employees of Te Mātāwai, Te Taura Whiri, and Te Māngai Pāho receiving remuneration and other benefits in their capacity as employees the total value of which exceeds \$100,000 per year, and the number of employees in brackets of \$10,000 in remuneration and other benefits.~~ 10
- 20 Form and content of annual report** 15
- (1) The annual report prepared by Te Mātāwai must contain the following information and reports for the financial year to which the annual report relates:
 - (a) the information necessary to enable an informed assessment to be made of Te Mātāwai's operations and performance for that financial year, including an assessment of Te Mātāwai's progress in relation to its strategic intentions as set out in the most recent statement of intent; and 20
 - (b) a statement of performance in accordance with **section 20B**; and
 - (c) the annual financial statements for Te Mātāwai in accordance with **section 20C**; and
 - (d) a statement of responsibility in accordance with **section 20D**; and 25
 - (e) the audit report in accordance with **section 21**; and
 - (f) information on its compliance with its obligation to be a good employer (including its equal employment opportunities programme); and
 - (g) information required by **section 20A** (which relates to payments in respect of members and employees during that financial year); and 30
 - (h) any matters that relate to or affect Te Mātāwai's operations that the entity is otherwise required, or has undertaken, or wishes to report on in its annual report.
 - (2) However, **subsection (1)(b)** does not apply unless the purchase agreement for that financial year specified outputs for Te Mātāwai. 35
 - (3) An annual report must be in writing, be dated, and be signed on behalf of Te Mātāwai by 2 members.

20A Disclosure of payments in respect of members and employees

- (1) The annual report must include, in respect of Te Mātāwai,—
- (a) for each member, the total value of the remuneration (other than compensation or other benefits referred to in **paragraph (c)**) paid or payable to the member in his or her capacity as a member by Te Mātāwai during that financial year; and 5
 - (b) the number of employees to whom, during the financial year, remuneration (other than compensation or other benefits referred to in **paragraph (c)**), the total value of which is or exceeds \$100,000 per annum was paid or payable in their capacity as employees, and the number of those employees in brackets of \$10,000; and 10
 - (c) the total value of any compensation or other benefits paid or payable to persons who ceased to be members or employees during the financial year in relation to that cessation and the number of persons to whom all or part of that total was paid or payable; and 15
 - (d) details of any indemnity provided by Te Mātāwai during the financial year to any member, office holder, or employee; and
 - (e) details of any insurance cover effected by Te Mātāwai during the financial year in respect of the liability or costs of any member, office holder, or employee. 20
- (2) In **subsection (1)**, **member** and **office holder** and **employee** include a person who was a member, an office holder, or an employee at any time after the commencement of this Act but who is no longer a member, an office holder, or an employee.

20B Form and content of statement of performance 25

A statement of performance must, in relation to Te Mātāwai and a financial year,—

- (a) be prepared in accordance with generally accepted accounting practice; and
- (b) describe each output identified in the purchase agreement for the financial year; and 30
- (c) include, for each output,—
 - (i) the standards of delivery performance achieved by Te Mātāwai, as compared with the forecast standards included in the purchase agreement; and 35
 - (ii) the actual revenue earned and output expenses incurred, as compared with the expected revenues and proposed output expenses included in the purchase agreement.

20C Annual financial statements

- (1) As soon as practicable after the end of each financial year, Te Mātāwai must prepare financial statements in relation to itself for that financial year.
- (2) The financial statements must—
- (a) comply with generally accepted accounting practice; and 5
 - (b) include any other information or explanations needed to fairly reflect the financial operations and financial position; and
 - (c) include the forecast financial statements prepared at the start of the financial year, for comparison with the actual financial statements.

20D Statement of responsibility

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The statement of responsibility must—

- (a) contain a statement of the signatories' responsibility for the preparation of the financial statements and statement of performance and for the judgements in them; and
- (b) contain a statement of the signatories' responsibility for establishing and maintaining a system of internal control designed to provide reasonable assurance as to the integrity and reliability of financial reporting; and 15
- (c) contain a statement that, in the opinion of the signatories, the financial statements and statement of performance for the financial year fairly reflect the financial position and operations of Te Mātāwai; and 20
- (d) be dated and signed on behalf of Te Mātāwai by 2 members.

21 Audit report

- (1) Te Mātāwai must forward to the Auditor-General,—
- (a) within 3 months after the end of each financial year, its annual financial statements, statement of service performance, and any other information that the Auditor-General has agreed, or is required, to audit; and 25
 - (b) its annual report in a timely manner to enable the Auditor-General to review that report before providing the audit report required under **subsection (2)(b)**.
- (2) The Auditor-General must— 30
- (a) audit the statements referred to in **subsection (1)(a)**; and
 - (b) provide an audit report on them to Te Mātāwai within 4 months after the end of each financial year.

Minister's powers to review Te Mātāwai and request of information

21A Review of Te Mātāwai's operations and performance

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- (1) The Minister may review the operations and performance of Te Mātāwai at any time.

- (2) Before the Minister undertakes a review under this section, he or she must—
- (a) consult with Te Mātāwai on the purpose and nature of the review; and
 - (b) consider any submissions made by Te Mātāwai on the proposed review.
- (3) Te Mātāwai must take all reasonable steps to co-operate with the review.

21B Power to request information

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- (1) Te Mātāwai must supply to the Minister any information relating to the operations and performance of Te Mātāwai that the Minister requests.
- (2) However, a request may be refused if—
- (a) withholding the information is necessary to protect the privacy of a person (including a deceased person); or
 - (b) the supply of the information would limit the ability of Te Mātāwai or any of its employees, members, or office holders to act judicially, or to carry out the statutorily independent functions of the entity, in relation to a particular matter.
- (3) The reason in **subsection (2)(a)** applies only if it is not outweighed by the Minister’s need to have the information in order to discharge the Minister’s ministerial duties.
- (4) The information cannot be withheld other than for the reasons in **subsection (2)**, and cannot be withheld at all if it could not properly be withheld under the Official Information Act 1982.

10

15

20

Taxation status of Te Mātāwai

21C Terms of taxation exemption

- (1) Income derived by Te Mātāwai is exempt income for the purposes of the Income Tax Act 2007.
- (2) However, the exemption granted by **subsection (1)** applies only if no change is made to **sections 16A to 21** or to their application to Te Mātāwai.

25

Part 3

**~~Te Māngai Pāho~~, Te Taura Whiri, Te Reo Whakapuaki Irirangi, and
Māori Television Service**

*Establishment of Te Taura Whiri and ~~Te Māngai Pāho~~ Te Reo Whakapuaki
Irirangi continued*

30

22 Establishment of Te Taura Whiri

- (1) Te Taura Whiri i te Reo Māori (the Māori Language Commission), established by section 6 of the Māori Language Act 1987, is continued with the name Te Taura Whiri i te Reo Māori by this section, but—

35

- (a) ceases to be a Crown entity; and
- (b) is a statutory entity that is responsible to Te Mātāwai.
- (2) ~~The assets and liabilities of Te Taura Whiri i te Reo Maori (the Māori Language Commission) continue to be the assets and liabilities of Te Taura Whiri, the entity continued by this section.~~ 5

22 Te Taura Whiri i te Reo Māori (the Māori Language Commission) continued

- (1) Te Taura Whiri i te Reo Māori (the Māori Language Commission), established by section 6 of the Māori Language Act 1987, is continued as an autonomous Crown entity. 10
- (2) The Crown Entities Act 2004 continues to apply to Te Taura Whiri unless expressly provided otherwise in this Act.

23 Establishment of Te Māngai Pāho

- (1) ~~Te Māngai Pāho, established as Te Reo Whakapuaki Irirangi by section 53A of the Broadcasting Act 1989, is continued by this section under the name Te Māngai Pāho, but —~~ 15
 - (a) ceases to be a Crown entity; and
 - (b) is a statutory entity that is responsible to Te Mātāwai.
- (2) ~~The assets and liabilities of Te Reo Whakapuaki Irirangi become the assets and liabilities of Te Māngai Pāho, the entity continued by this section.~~ 20

23 Te Reo Whakapuaki Irirangi continued

- (1) Te Reo Whakapuaki Irirangi, established by section 53A of the Broadcasting Act 1989, is continued as an autonomous Crown entity.
- (2) The Crown Entities Act 2004 and Part 4A of the Broadcasting Act 1989 continue to apply to Te Reo Whakapuaki Irirangi unless expressly provided otherwise in this Act. 25

Disestablishment of Te Pūtahi Paoho

24 Te Pūtahi Paoho disestablished

- (1) Te Pūtahi Paoho, established by section 12 of the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003, is disestablished. 30
- (2) The functions and duties of Te Pūtahi Paoho under that Act become the functions and duties of Te Mātāwai.
- (3) The assets and liabilities of Te Pūtahi Paoho become the assets and liabilities of Te Mātāwai.
- (4) For the purposes of the Inland Revenue Acts, on and from the date on which the assets and liabilities vest in Te Mātāwai under this section,— 35

- (a) ~~Te Mātāwai is deemed to be the same person as Te Pūtahi Paoho; and~~
 - (b) ~~everything done by Te Pūtahi Paoho before the assets and liabilities become those of Te Mātāwai is deemed to have been done by Te Mātāwai on the date that it was done by Te Pūtahi Paoho.~~
- (5) In **subsection (4), Inland Revenue Acts** has the meaning given in section 3(1) of the Tax Administration Act 1994. 5

Functions and powers

25 Functions and powers of Te Taura Whiri

- (1) The functions of Te Taura Whiri are—
- (a) to take such steps as are reasonably necessary in the opinion of Te Taura Whiri to give effect to the status of Māori as an official language of New Zealand; and 10
 - (b) to promote the Māori language—
 - (i) as a living language; and
 - (ii) as an ordinary means of communication; and 15
 - (ba) to take the lead in co-ordinating the implementation of the Maihi Karau-na strategy; and
 - (bb) to consider and report to the Minister on matters relating to the Māori language; and
 - (c) to make provision for, and to grant, certificates in accordance with **Schedule 5**; and 20
 - (d) to prepare, maintain, and publish a register of persons who hold certificates granted under this Act, including any endorsement of a certificate.
- (2) Te Taura Whiri has the powers necessary to carry out its functions.

26 Functions and powers of Te Māngai Pāho 25

- (1) ~~The primary function of Te Māngai Pāho is to promote the Māori language and culture by making funds available, on the terms and conditions it thinks fit,—~~
- (a) ~~for broadcasting; and~~
 - (b) ~~for the production of programmes to be broadcast.~~
- (2) ~~Te Māngai Pāho may also make funds available (on the terms and conditions that it thinks fit and, as far as practicable, in a manner consistent with its primary function) for—~~ 30
- (a) ~~transmitting on demand;~~
 - (b) ~~producing content for transmitting on demand;~~
 - (c) ~~archiving content.~~ 35

- (3) ~~In carrying out its functions, Te Māngai Pāho must comply with the requirements of **Schedule 6**.~~
- (4) ~~Te Māngai Pāho has the powers necessary to carry out its functions.~~
- (5) ~~In this section, **transmit on demand** and **content** have the meanings given in section 2(1) of the Broadcasting Act 1989.~~

5

Appointments

27 Appointments to Te Taura Whiri, Te Māngai Pāho, and board of Māori Television Service

- (1) ~~Te Mātāwai must appoint—~~
 - (a) ~~5 persons to be members of Te Māngai Pāho, including 1 person to be the chairperson of that entity and 1 person to be the deputy chairperson; and~~ 10
 - (b) ~~5 persons to be members of Te Taura Whiri, including 1 person to be the chairperson of that entity and 1 person to be the deputy chairperson; and~~
 - (c) ~~4 persons to be directors of the board of the Māori Television Service.~~ 15
- (1) The Minister must appoint 5 persons to be members of Te Taura Whiri, as follows:
 - (a) 1 of the persons appointed is to be the chairperson of Te Taura Whiri and 1 person is to be the deputy chairperson; and
 - (b) 3 of the 5 appointments must be made from nominations made to the Minister by Te Mātāwai. 20
- (1A) In making appointments under this section, the Minister must have regard to the need for Te Taura Whiri to have a membership with the appropriate mix of knowledge, skills, and experience, including the matters listed in **section 15(3)**. 25
- (2) ~~**Schedule 4** applies to appointments made under **subsection (1)(a) and (b)**.~~

27A Appointments to Te Reo Whakapuaki Irirangi

The Minister must appoint 5 persons, as required by section 53I of the Broadcasting Act 1989, to be members of the board of Te Reo Whakapuaki Irirangi, as follows:

30

- (a) 1 of the 5 persons appointed is to be the chairperson of Te Reo Whakapuaki Irirangi and 1 person is to be the deputy chairperson; and
- (b) 3 of the 5 appointments must be made from nominations made to the Minister by Te Mātāwai.

27B Appointments to board of Māori Television Service

- (1) Te Mātāwai must appoint 4 of the 7 persons required by section 19(1) of the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 to be appointed as directors of the board of the Māori Television Service.
- (2) If the Minister considers that a person appointed under **subsection (1)** is disqualified under section 30 of the Crown Entities Act 2004 or is unsuitable for any other reason, the Minister may request Te Mātāwai to make a new appointment. 5
- (3) If Te Mātāwai does not provide a new appointee within a reasonable time, the Minister may appoint a person other than one appointed by Te Mātāwai. 10
- (4) Te Mātāwai—
 - (a) must determine its own procedures for appointing, reappointing, and removing the directors of the board of the Māori Television Service appointed under this section; and
 - (b) must not appoint any of its own members as directors; and 15
 - (c) must not appoint persons who would be disqualified under section 30 of the Crown Entities Act 2004; and
 - (d) when making appointments, must be guided by the purpose and functions of the Māori Television Service.
- (5) Appointments are made by giving written notice to the person concerned. 20
- (6) A person appointed must agree in writing to the appointment.
- (7) A notice under **subsection (5)** must—
 - (a) state the date on which the appointment takes effect, which must not be earlier than the date on which the notice is received; and
 - (b) state the term of the appointment. 25
- (8) The provisions of the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 continue to apply, as relevant, to the directors appointed under this section, unless otherwise expressly provided.

28 Appointment of chief executives

- (1) Te Taura Whiri must appoint a chief executive for Te Taura Whiri, and Te Māngai Pāho must appoint a chief executive for Te Māngai Pāho. 30
- (2) The person appointed as the chief executive of an entity must not be—
 - (a) a person who would be disqualified under section 30 of the Crown Entities Act 2004; or
 - (b) a member of Te Mātāwai. 35
- (3) Each entity—
 - (a) must determine the terms and conditions of employment of its chief executive, in consultation with the State Services Commission;

- (b) ~~must operate a good employer personnel policy as provided for in~~
Schedule 4.

Accountability requirements for Te Taura Whiri and Te Māngai Pāho

29 Statements of intent

- (1) ~~At or before the start of each financial year, Te Taura Whiri and Te Māngai Pāho must each prepare and provide to Te Mātāwai for its approval a statement of intent for that financial year in accordance with any direction given by Te Mātāwai.~~ 5
- (2) ~~The purpose of each entity's statement of intent is to provide information about the operating models for the delivery of the entity's programmes and services.~~ 10
- (3) ~~After it approves a statement of intent, Te Mātāwai must publish the statement of intent no later than 20 July in the year in which it received it from the entity.~~

30 Quarterly and annual reports

- (1) ~~Te Taura Whiri and Te Māngai Pāho must each prepare and provide to Te Mātāwai quarterly and annual reports in accordance with any direction given by Te Mātāwai.~~ 15
- (2) ~~The annual report of Te Taura Whiri and Te Māngai Pāho must include the audit report for the entity.~~
- (3) ~~The purpose of each entity's quarterly and annual reports is to provide information about the delivery of the entity's programmes and services during the reporting period.~~ 20

31 Crown advisers

- (1) ~~The Minister may, after consulting Te Mātāwai, appoint up to 2 Crown advisers to Te Taura Whiri or Te Māngai Pāho, or to each of them, if—~~
- (a) ~~in the opinion of the Minister, the entity has not fulfilled, or is not likely to be able to fulfil, its commitments in its purchase agreement with Te Puni Kōkiri; or~~ 25
- (b) ~~in the opinion of the Minister, after consulting Te Mātāwai, public confidence in the entity has been eroded through any acts or omissions by or on behalf of the entity; or~~ 30
- (c) ~~the chairperson of the entity has requested that a Crown adviser be appointed to investigate.~~
- (2) ~~Te Taura Whiri and Te Māngai Pāho must provide all reasonable assistance to, and comply with all reasonable requests from, a Crown adviser acting under this section.~~ 35
- (3) ~~As directed by the Minister, a Crown adviser may investigate and report on matters affecting either entity or both entities.~~

32 Statutory managers

- (1) The Minister of Māori Affairs may, after consulting Te Mātāwai, appoint a statutory manager to Te Taura Whiri or Te Māngai Pāho.
- (2) The Minister may appoint a statutory manager under this section if he or she is satisfied, after consulting Te Mātāwai, that a statutory manager is required in the circumstances, including (without limitation) any of the following circumstances:
 - (a) the Minister thinks that the entity has significantly failed, or is likely to significantly fail, to fulfil its commitments in its purchase agreement with Te Puni Kōkiri:
 - (b) the Minister thinks that there are sufficient grounds to investigate whether a criminal offence has been or is being committed by the entity, any member of the entity, or any of the entity's staff:
 - (c) the entity has requested Te Mātāwai to appoint a statutory manager for the entity:
- (3) On and from the date on which the statutory manager's appointment takes effect,—
 - (a) the functions, powers, or duties of the entity vest in the statutory manager:
 - (b) the statutory manager may retain or remove all or any of the entity members:
 - (c) the entity has only the functions, powers, or duties (if any) determined by the statutory manager, which must not be inconsistent with its functions under this Act.
- (4) The statutory manager must, within 6 months of the completion of the period of statutory management, prepare a report for the Minister on the duties undertaken during the course of his or her statutory management of an entity.
- (5) The Minister must present the report prepared by the statutory manager under **subsection (4)** to the House of Representatives within 20 working days of receiving that report.

Part 4 Miscellaneous matters

Review of this Act

33 Review of Act

- (1) The Minister must, as soon as practicable after the expiry of 3 years from the commencement of this Act,—

- (a) commence a review of the operation and effectiveness of the Act in accordance with the terms of reference set by the Minister and Te Mātāwai; and
- (b) prepare a report on that review.
- (2) In addition to the requirements of **subsection (1)**, the Minister may, from time to time, review the operation and effectiveness of this Act in accordance with the terms of reference set by the Minister and Te Mātāwai. 5
- (3) Before commencing a review under **subsection (1) or (2)**, the Minister and Te Mātāwai must consult on the terms of reference with—the board of the Māori Television Service. 10
 - (a) Te Taura Whiri; and
 - (b) Te Māngai Pāho; and
 - (c) the board of the Māori Television Service.

Regulations

- 33A Regulations** 15
- (1) The Governor-General may, by Order in Council, on the recommendation of the Minister and the Minister for Courts, make regulations to amend **Schedule 2** by adding or removing the name of a court or tribunal.
 - (2) The Ministers referred to in **subsection (1)** may make a recommendation under **subsection (1)** only if, in their opinion, that schedule does not include a court or tribunal that ought to be included. 20
 - (3) The Governor-General may, by Order in Council, on the recommendation of the Minister, after the Minister has consulted Te Mātāwai, make regulations to amend **Schedule 3A** by adding or removing the name of an organisation.
 - (4) The Minister may make a recommendation under **subsection (3)** only if, in the opinion of the Minister, **Schedule 3A** does not reflect the appropriate range of organisations. 25
 - (5) In **subsection (1)**, **Minister for Courts** means the Minister of the Crown who, under the authority of a warrant or with the authority of the Prime Minister, is responsible for the 1 or more departments that administer the courts and tribunals listed in **Schedule 2**. 30

Application of other Acts

- 34 Application of Ombudsmen Act 1975 and Official Information Act 1982**
- Te Mātāwai, Te Taura Whiri, and Te Māngai Pāho are organisations is an organisation for the purposes of the Ombudsmen Act 1975 and the Official Information Act 1982. 35

35 Application of Public Audit Act 2001

Te Mātāwai, Te Taura Whiri, and Te Māngai Pāho are is a public entities entity as defined in section 5 of the Public Audit Act 2001, and the Auditor-General is ~~their~~ its auditor.

Transitional, repeal, and amendment provisions 5

36 Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in ~~Schedule 1~~ have effect for the purposes of this Act.

Repeal and amendment provisions

37 Repeal 10

The Māori Language Act 1987 (1987 No 176) is repealed.

38 Broadcasting Act 1989 amended

- (1) This section amends the Broadcasting Act 1989.
- (2) Repeal Part 4A.

39 Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 amended 15

The Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 is consequentially amended in the manner shown in **Schedule 7**.

40 Other amendments

The enactments specified in **Schedule 8** are amended in the manner shown in that schedule. 20

Te Āpitihanga 1

Ngā whakataunga whakawhiti, ngā whakataunga pupuri, ngā whakataunga whai pānga hoki

te wehenga 8A

Ngā whakataunga whakawhiti e pā ana ki a Te Taura Whiri 5

1 Te roa o te noho a ngā mema o Te Taura Whiri kei reira kē e noho ana

Ka āhei tā te mema o Te Taura Whiri, kua whai tūranga i te tīmatanga o tēnei rārangi, noho tonu i taua tūranga tae atu ki te mutunga o te wā ki a ia ki taua tūranga, e ai hoki ki aua whakaritenga me aua herenga tonu, kāore i whakaturetia te **wehenga 27**.

10

5 Ngā tāpaetanga mahi kua tatū kē

Ka tūmau tonu te tāpaetanga e tū ana i te tīmatanga o tēnei rārangi e pā nei ki a Te Taura Whiri i raro i te Māori Language Act 1987, ānō nei he tāpaetanga i tāpaetia ai e tēnei Ture, i tāpaetia ai rānei i raro i tēnei Ture.

He whakataunga whakawhiti e pā ana ki a Te Reo Whakapuaki Irirangi 15

5A Te roa o te noho a ngā mema o Te Reo Whakapuaki Irirangi kei reira kē e noho ana

Ka āhei tā te mema o te poari o Te Reo Whakapuaki Irirangi, kua whai tūranga i te tīmatanga o tēnei rārangi, noho tonu i taua tūranga tae atu ki te mutunga i te wā ki a ia i taua tūranga, e ai hoki ki aua whakaritenga me aua herenga tonu, ānō nei kāore i whakaturetia te **wehenga 27A**.

20

He whakataunga whakawhiti e pā ana ki a Te Ratonga Whakaata Māori

6 Te roa o te noho a ngā kaiurungi o te poari o Te Ratonga Whakaata Māori kei reira kē e noho ana

Ka āhei tā te kaiurungi o Te Ratonga Whakaata Māori, kua whai tūranga i te tīmatanga o tēnei rārangi, noho tonu i taua tūranga tae atu ki te mutunga i te wā i a ia i taua tūranga, e ai hoki ki aua whakaritenga me aua herenga tonu, ānō nei kāore i whakaturetia te **wehenga 27B**.

25

He whakataunga whakawhiti e pā ana ki te whakakorenga o Te Pūtahi Paoho

7 Te mana o ngā kirimana me ētahi atu tuhinga ā-ture

30

(1) I roto i te **rārangi iti (2)**, ko ngā kirimana me ētahi atu tuhinga ā-ture ngā kirimana, ngā whakaaetanga, ngā whakaritenga whakawhiti whenua, ngā tīti, ngā rīhi, ngā raihana, me ētahi atu tuhinga ā-ture, ngā pīkaunga, me ngā pānui i whakaaetia e Te Pūtahi Paoho, i waihangatia me Te Pūtahi Paoho, i hoatu ai ki a Te Pūtahi Paoho, e Te Pūtahi Paoho rānei, i tukuna atu rānei ki a Te Pūtahi

35

Paoho (ahakoa nā te tangata kotahi anake, ahakoa nāna me tētahi atu tangata rānei) i mua i te tīmatanga o tēnei āpitiHanga, ā, e whai mana ana i mua tonu mai i taua rā.

- (2) Ka noho ngā kirimana me ētahi atu tuhinga ā-ture hei here i a Te Mātāwai, ā, ka noho hoki hei niho rānei mōna, hei niho ngau rānei i a ia, hei niho taunaki rānei i a ia, ānō nei i whakaaetia aua kirimana me ērā atu tuhinga ā-ture e Te Mātāwai, kaua e Te Pūtahi Paoho, i waihangatia me Te Mātāwai, kaua me Te Pūtahi Paoho, i hoatu ki a Te Mātāwai, kaua ki a Te Pūtahi Paoho, i hoatu rānei e Te Mātāwai, kaua e Te Pūtahi Paoho, i tukuna rānei ki a Te Mātāwai, kaua ki a Te Pūtahi Paoho, i tukuna rānei e Te Mātāwai, kaua e Te Pūtahi Paoho. 5 10

8 Ngā take e tū tonu ana, ngā mea rānei e tiakina tonutia ana

- (1) Kāore te whakakorengia o Te Pūtahi Paoho e te **wehenga 24** e pā atu ki—
- (a) tā Te Mātāwai whakaoti i tētahi take, i tētahi whakaotinga o tētahi take, o tētahi mea rānei i tīmatahia ai e Te Pūtahi Paoho, i whiua ai rānei ki a Te Pūtahi Paoho i raro i te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 i mua i te tīmatanga o tēnei rārangi; 15
- (b) te haringa rānei, te whakaotinga rānei o ngā whakahaerenga e kawea ana e Te Mātāwai, e whiua ana rānei ki a Te Mātāwai e pā ana ki tētahi mana, ki tētahi pānga, ki tētahi taitara, ki tētahi āraitanga, ki tētahi kawenga rānei i tatū kē i mua tonu mai i te tīmatanga o tēnei rārangi; 20
- (c) ngā tuhinga, ngā take, ngā mea rānei ka āhei te tuku kōrero hei taunaki i a Te Pūtahi Paoho, hei whiu rānei ki a Te Pūtahi Paoho.
- (2) Ehara i te mea me whakahou tētahi whakaara, tētahi whakahau ā-pukapuka rānei, ētahi atu tuhinga rānei kia tūmau tonu ai ngā whakahaerenga ka kawea e Te Pūtahi Paoho, ka whiua rānei ki a ia. 25

Te Āpitihanga 2

Ngā kōti me ngā taraipiunara e āhei ai te kōrerotia o te reo Māori i ō rātou aroaro

ngā wehenga 6(7), me te 33A(1) hoki

Te Wāhanga A

5

Ngā Kōti

Te Kōti Mana Nui

Te Kōti Pīra o Aotearoa

Te Kōti Teitei

Ngā Kōti ā-Rohe

10

Te Kōti Taiao o Aotearoa

Te Kōti Take ā-mahi o Aotearoa

Ngā Kōti ā-Whānau

Ngā Kōti Taitamariki, Taiohi hoki

Te Kōti Taiohi o Aotearoa

15

Te Kōti Whenua Māori

Te Kōti Pīra Māori

Te Wāhanga B

Ngā Taraipiunara

Te Rōpū Whakamana i te Tiriti o Waitangi

20

Te Ratonga Hononga Taimahi

Te Taraipiunara Mana Tangata

Te Taraipiunara Retihanga

Ngā Rōpū Wawao Tautohe

Te Āpitianga 3 Ngā kāhui ā-rohe o ngā iwi

ngā wehenga 8, me te 14

Te Tai Tokerau (tae atu hoki ki ngā iwi o Tāmakimakaurau)

<u>Te Aupōuri</u>	5
<u>Ngāti Kahu</u>	
<u>Ngāti Kurī</u>	
<u>Ngāpuhi</u>	
<u>Ngāpuhi ki Whāingaroa-Ngāti Kahu ki Whāingaroa</u>	
<u>Te Rarawa</u>	10
<u>Ngāi Takoto</u>	
<u>Ngāti Wai</u>	
<u>Ngāti Whātua</u>	
<u>Te Kawerau ā Maki</u>	
<u>Te Uri-o-Hau</u>	15
<u>Ngāti Rēhua (Aotea)</u>	
<u>Ngāti Manuhiri</u>	
<u>Ngāti Whātua o Kaipara</u>	
<u>Ngāti Whātua o Ōrākei</u>	
<u>Te Roroa</u>	20
<u>Tainui</u> (tae atu hoki ki ngā iwi o Hauraki)	
<u>Te Ākitai Waiohū</u>	
<u>Ngāti Tamaoho</u>	
<u>Ngāti Hako</u>	
<u>Ngāti Hei</u>	25
<u>Ngāti Maru (Hauraki)</u>	
<u>Ngāti Paoa Patukirikiri</u>	
<u>Ngāti Porou ki Harataunga ki Mataora</u>	
<u>Ngāti Pūkenga ki Waiau</u>	
<u>Ngāti Rāhiri Tumutumu</u>	30
<u>Ngāi Tai (Hauraki)</u>	
<u>Ngāti Tamaterā</u>	
<u>Ngāti Tara Tokanui</u>	
<u>Ngāti Hineuru</u>	

<u>Ngāti Te Ata</u>	
<u>Ngāti Whanaunga</u>	
<u>Ngāti Haua (Waikato)</u>	
<u>Ngāti Maniapoto</u>	
<u>Ngāti Raukawa (Waikato)</u>	5
<u>Pouākani</u>	
<u>Ngāti Koroki Kahukura</u>	
<u>Waikato</u>	
<u>Mātaatua</u>	
<u>Ngāti Pūkenga</u>	10
<u>Ngāiterangi</u>	
<u>Ngāti Ranginui</u>	
<u>Ngāti Awa</u>	
<u>Ngāti Manawa</u>	
<u>Ngāi Tai (Te Moana a Toi Te Huatahi)</u>	15
<u>Tūhoe</u>	
<u>Whakatōhea</u>	
<u>Te Whānau-a-Apanui</u>	
<u>Ngāti Ruapani ki Waikaremoana</u>	
<u>Ngāti Whare</u>	20
<u>Te Arawa</u>	
<u>Ngāti Pīkiao (Te Arawa)</u>	
<u>Ngāti Rangiteaorere (Te Arawa)</u>	
<u>Ngāti Rangitīhi (Te Arawa)</u>	
<u>Ngāti Rangiwewehi (Te Arawa)</u>	25
<u>Tapuika (Te Arawa)</u>	
<u>Tarāwhai (Te Arawa)</u>	
<u>Tūhourangi (Te Arawa)</u>	
<u>Uenuku-Kōpako (Te Arawa)</u>	
<u>Waitaha (Te Arawa)</u>	30
<u>Ngāti Whakaue (Te Arawa)</u>	
<u>Ngāti Tūwharetoa</u>	
<u>Ngāti Mākino</u>	
<u>Ngāti Tūwharetoa ki Kawerau (Te Moana a Toi Te Huatahi)</u>	

<u>Ngāti Tūrangitukua</u>	
<u>Ngāti Kearoa/Ngāti Tuara</u>	
<u>Ngāti Rongomai</u>	
<u>Ngāti Tahu-Ngāti Whaoa (Te Arawa)</u>	
<u>Te Tai Rāwhiti</u>	5
<u>Ngāti Porou</u>	
<u>Te Aitanga-a-Māhaki</u>	
<u>Rongowhakaata</u>	
<u>Ngāi Tāmanuhiri</u>	
<u>Ngāti Kahungunu</u>	10
<u>Rangitāne (Tāmaki Nui a Rua, Te Matau-a-Māui (ehara tēnei ingoa i te ingoa matakwhenua whai mana ā-ture), me Wairarapa)</u>	
<u>Ngāti Pāhauwera</u>	
<u>Mana Ahuriri</u>	
<u>Maungaharuru-Tangitū</u>	15
<u>Heretaunga Tamatea</u>	
<u>Ngāti Rākaipaaka</u>	
<u>Te Tai Hau-ā-uru</u>	
<u>Te Ātiawa (Taranaki)</u>	
<u>Ngāti Maru (Taranaki)</u>	20
<u>Ngāti Mutunga (Taranaki)</u>	
<u>Ngā Rauru</u>	
<u>Ngā Ruahine</u>	
<u>Ngāti Ruanui</u>	
<u>Ngāti Tama (Taranaki)</u>	25
<u>Taranaki</u>	
<u>Ngāti Apa (Rangitīkei)</u>	
<u>Te Āti Haunui-a-Pāpārangi</u>	
<u>Ngāti Haua (Taumarunui)</u>	
<u>Ngāti Rangī</u>	30
<u>Ngāti Hauiti</u>	
<u>Te Ātiawa (Te Whanganui-a-Tara)</u>	
<u>Muaūpoko</u>	
<u>Rangitāne (Manawatū)</u>	

<u>Ngāti Raukawa (Horowhenua me Manawatū)</u>	
<u>Ngāti Toa Rangatira (Te Whanganui-a-Tara)</u>	
<u>Te Ātiawa ki Whakarongotai</u>	
<u>Ngāti Tama ki Te Upoko o Te Ika (Te Whanganui-a-Tara)</u>	
<u>Ngāti Kauwhata</u>	5
 <u>Te Waipounamu</u>	
<u>Te Ātiawa (Te Waipounamu)</u>	
<u>Ngāti Kōata</u>	
<u>Ngāti Kuia</u>	
<u>Mōriori</u>	10
<u>Ngāti Mutunga (Wharekauri)</u>	
<u>Rangitāne (Te Waipounamu)</u>	
<u>Ngāti Rārua</u>	
<u>Ngāi Tahu/Kāi Tahu</u>	
<u>Ngāti Tama (Te Waipounamu)</u>	15
<u>Ngāti Toa Rangatira (Te Waipounamu)</u>	
<u>Ngāti Apa ki Te Rā Tō</u>	

Te Āpitihianga 3A Ngā rōpū whakahaere kei roto i a Te Reo Tukutuku

ngā wehenga 8, 14, 33A(3) hoki

Ngā kāhui o Te Reo Tukutuku

E whai ake nei ko ngā kāhui e whā o ngā rōpū whakahaere kei roto i a Te Reo Tukutuku kua whakarārangitia i roto i tēnei āpitihianga: 5

Te Mātauranga

- (a) ko Te Kōhanga Reo National Trust:
- (b) ko Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa:
- (c) ko Te Ringa Raupā o ngā Kura ā-Iwi: 10
- (d) ko Te Tauihu o Ngā Wānanga:

Te Pāpāho

- (e) ko Te Whakaruruhau o ngā Reo Irirangi Māori o Aotearoa:
- (f) ko Ngā Aho Whakaari:

Te Hapori

- (g) ko Ngā Kaiwhakapūmau i te Reo Māori:
- (h) ko Te Rūnanga o Te Ātaarangi Trust:
- (i) ko Te Rōpū Wāhine Māori Toko i te Ora:
- (j) ko Te Kaunihera Māori:

Te Hunga Noho Tāone

- (k) ko te National Urban Māori Authority. 20

Te Āpitianga 4

Ngā whakataunga e pā ana ki a Te Mātāwai me ōna mema

ngā wehenga 8, 14, 16 hoki

Te rārangi upoko

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	<i>Te kaihautū me te kaihautū tuarua</i>	
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	<i>Te korenga o te moni whakaea i te rironga atu o te tūranga</i>	
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<u>17</u>	<u>Ngā komiti iti</u>	70
	<i>Te mana tāpae</i>	
<u>18</u>	<u>E āhei ana tā Te Mātāwai tāpae āheinga, tāna tāpae mana whakahaere hoki</u>	71
<u>19</u>	<u>Te mana o wai rānei i tohua ai</u>	71
<u>20</u>	<u>Te pānga o te tāpaetanga</u>	72
<u>21</u>	<u>Te whakakorenga o te tāpaetanga</u>	72
	<i>Ngā kawenga ā-tōpū a Te Mātāwai me ngā mema</i>	
<u>22</u>	<u>Ngā kawenga ā-tōpū</u>	72
	<i>Ngā kawenga takitahi a ngā mema</i>	
<u>23</u>	<u>Te kawenga ki te whai i tēnei āpitianga</u>	73
<u>24</u>	<u>Te kawenga kia pono, kia ngākau tapatahi hoki te mahi</u>	73
<u>25</u>	<u>Te kawenga kia mahi i runga i te ngākau pai</u>	73
<u>26</u>	<u>Te kawenga kia āta whakaaro, kia urupū, kia whai pūkenga te mahi</u>	74
<u>27</u>	<u>Te kawenga kia kaua e whāki kōrero</u>	74
<u>28</u>	<u>Te kawenga kia whākina ngā pānga</u>	74
<u>29</u>	<u>Te noho haepapa mō ngā kawenga takitahi</u>	75

Ngā āraitanga me te inihua

30	<u>Te āraitanga i te taunahatanga ā-ture kiri tangata</u>	75
31	<u>Te inihua mō te taunahatanga o te mema rānei, o te tangata rānei e noho ana i tētahi tūranga, o te kaimahi rānei</u>	76
32	<u>Te takahi i ngā taumata inihua</u>	76
33	<u>Ngā whakamahuki mō ngā whakamarutanga i te taunahatanga</u>	76

Ngā utu

34	<u>Ngā utu</u>	76
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Te kaupapa here taimahi

35	<u>Te kaupapa here taimahi</u>	77
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2 Ngā tautapanga me ngā kopoutanga

- (1) E hāngai ana tēnei rārangi ki te tukanga mō ngā tāngata ka kopoua hei mema mō Te Mātāwai.
- (2) I te horopaki o te **wehenga 14(1)(a), me te (b)** hoki, me whakatū rawa he rōpū kōwhiri, i runga i ngā here o te **wehenga 14(2)**. 5
- (3) E hangā ai tētahi rōpū kōwhiri i te horopaki o te **wehenga 14(1)(a)** (e whai pānga ana ki ngā mema tokowhitu ka kopoua e ngā kāhui ā-iwi),—
 - (a) me whai wāhi rawa ia iwi kei roto i tētahi kāhui ā-iwi ki te tautapa i tētahi tangata hei māngai mō taua iwi ki te rōpū kōwhiri;
 - (b) me tautapa rawa hoki tētahi māngai e te 60%, me neke atu rānei, o ngā iwi kei roto i tētahi kāhui ā-iwi kotahi. 10
- (4) E hangā ai tētahi rōpū kōwhiri i te horopaki o te **wehenga 14(1)(b)** (e whai pānga ana ki ngā mema tokowhā ka kopoua e ngā kāhui o Te Reo Tukutuku), me kopou rawa e ia rōpū whakahaere kei roto i ia kāhui o Te Reo Tukutuku tētahi tangata hei māngai mō taua rōpū whakahaere ki te rōpū kōwhiri. 15
- (5) Ko ia rōpū kōwhiri me—
 - (a) whakatau rawa i āna ake tukanga hei kopou mema ki a Te Mātāwai;
 - (d) kaua rawa e kopou ki a Te Mātāwai i te tāngata ka tupea i raro i te wehenga 30 o te Crown Entities Act 2004.
- (5A) Me whakahaere rawa e Te Puni Kōkiri te tukanga mō te kopoutanga o ngā mema tuatahi o Te Mātāwai, tae atu ki te whakatakoto whakaaro mō ngā tukanga a ia rōpū kōwhiri. 20
- (6) Ka whakakorengia ia rōpū kōwhiri i te wā ka oti tōna āheinga ki te kopou i ngā mema o Te Mātāwai, otirā e āhei ana kia tū anō tētahi rōpū kōwhiri mehemea e tika ana hei whakakā i tētahi tūranga mema e wātea ana ki a Te Mātāwai. 25

4 Te whai tikanga o ngā mahi a ngā mema

Ka whai tikanga ngā mahi a tētahi tangata e noho ana hei mema, hei kaihautū rānei, hei kaihautū tuarua rānei mō Te Mātāwai ahakoa—

- (a) he takarepa i roto i te kopoutanga o te tangata;
- (b) kāore rānei i ara ake, i mutu rānei te take mō te mahi a tangata, mō te kopoutanga rānei o te tangata. 5

5 Te whai tikanga o ngā kopoutanga

- (1) Kāore e whakakorengia te whai tikanga o te kopoutanga o tētahi tangata hei mema rānei, hei kaihautū rānei, hei kaihautū tuarua rānei mō Te Mātāwai nā te mea he takarepa i roto i te kopoutanga o te tangata. 10
- (2) E kore tēnei rārangi e hāngai ki tētahi takarepa o roto i ngā tohu mātauranga i te kopoutanga o te tangata.

6 Te roa o te noho i te tūranga

- (1) Ka noho te mema o Te Mātāwai i tōna tūranga mō ngā tau e 3, mō tētahi wā poto iho rānei, ka whakapuakina i roto i te pānui kopoutanga. 15
- (2) E āhei ana te kopoutanga anō o te mema kia kaua e nui ake i ngā wā e 2.
- (3) Ka noho tonu te mema i te tūranga ahakoa te paunga o te roa o tōna tūranga tae atu ki te wā—
 - (a) ka kopoua anō te mema; (b);
 - (b) ka kopoua rānei te piki tūranga o te mema; 20
 - (c) ka rīhaina rānei, ka mate rānei te mema;
 - (d) ka kīia rānei e te ture kua kaihou te mema;
 - (e) ka whakamōhio rānei te kaihautū o Te Mātāwai i te mema mā te pānui ā-tuhi e kore e kopoua anō, ā, e kore e kopoua tētahi piki tūranga i taua wā tonu. 25
- (4) Ahakoa te **rārangi iti (1)**, ka noho ngā mema tuatahi o Te Mātāwai ka kopoua e tētahi kāhui o Te Reo Tūkūtuku, e te Minita rānei, i ngā tūranga mō ngā tau e rua, mō tētahi wā poto iho rānei, ka whakapuakina i roto i te pānui kopoutanga.

7 Te tangohanga o te mema

- (1) Ahakoa te wā, ahakoa hoki te take, ka āhei te tangohia o tētahi mema o Te Mātāwai e— 30
 - (a) te kāhui ā-iwi nāna nei taua mema i kopou;
 - (b) te kāhui o Te Reo Tūkūtuku rānei nāna nei taua mema i kopou;
 - (c) te Minita rānei, mehemea i kopoua te mema i raro i te **wehenga 14(1)(c)**. 35
- (2) Ka āhei te tangohia o te mema i raro i te **rārangi iti (1)(a), i te (b)**—

- (a) e tētahi rōpū kōwhiri anake i hangā ai e ai ki te **rārangi 2(3), ki te (4)** rānei;
- (b) e ai hoki ki te tukanga ka whakamahia hei kopou i taua mema.
- (3) Ko tētahi tangohanga ka oti i raro i te **rārangi iti (1)** me oti rawa mā te pānui ā-tuhi ki te mema (me tuku hoki tētahi kape ki a Te Mātāwai). 5
- (4) Me whakapuaki rawa e te pānui te rā e mana ai te tangohanga, ā, me kua rawa e tōmua ake i te rā i whiwhi ai te mema ki te pānui.
- (5) Kei rangirua, me kua rawa tētahi kāhui ā-iwi, tētahi kāhui o Te Reo Tukutuku rānei, te Minita rānei e tango i tētahi mema, atu i ngā wā i āta whakaaroatia ai te take e Te Mātāwai, ā, me whai rawa te tukanga tango i tētahi mema i ngā mātāpono o te tika me te pono. 10

8 Te rīhainatanga o te mema

- (1) E āhei ana tā te mema o Te Mātāwai ki te rīhaina i tōna tūranga mā te pānui ā-tuhi ki a Te Mātāwai, i waitohua ai hoki e te mema.
- (2) Ka whai mana te rīhainatanga i te taenga o te pānui ki a Te Mātāwai, i tētahi atu wā rānei ka whai i muri i te wā tuhia ai ki te pānui. 15

Te kaihautū me te kaihautū tuarua

9 Te roa o te kopoutanga o te kaihautū, o te kaihautū tuarua hoki

Ka noho te kaihautū o Te Mātāwai i tōna tūranga ka noho te kaihautū tuarua o Te Mātāwai i tōna tūranga tae atu ki te wā— 20

- (a) ka rīhaina ia i tōna tūranga;
- (b) ka tangohia rānei ia e Te Mātāwai;
- (c) ka mutu rānei tāna noho i te tūranga hei mema;
- (d) ka pau rānei te wā o te tūranga i tohua ai i te kopoutanga, atu i ngā wā ka kopoua anō te mema kia noho mai mō tētahi wā anō. 25

10 Te rīhainatanga o te kaihautū, o te kaihautū tuarua rānei

- (1) Ka āhei tā te kaihautū, tā te kaihautū tuarua rānei o Te Mātāwai rīhaina i taua tūranga, me te noho tonu hei mema, mā te pānui ā-tuhi ki a Te Mātāwai.
- (2) Me whakapuaki rawa e te pānui mō te rīhainatanga te rā e mana ai te rīhainatanga, ā, me kua rawa taua rā e tōmua ake i te rā i puta ai te pānui. 30

11 Te tangohanga o te kaihautū, o te kaihautū tuarua rānei

- (1) I muri i te whiriwhiri kōrero me te tangata kua tohua, e āhei ana tā Te Mātāwai tango i te kaihautū, i te kaihautū tuarua rānei, o Te Mātāwai i taua tūranga, ahakoa ka tangohia hoki taua tangata hei mema, kāore rānei, mā te pānui ā-tuhi ki te tangata. 35

- (2) I roto i te pānui mō te tangohanga me whakapuaki rawa te rā e mana ai te tangohanga.
- (3) Kei rangirua, me kaua rawa a Te Mātāwai e tango i te kaihautū, i te kaihautū tuarua rānei, atu i ngā wā i āta whakaaroarotia ai te take e Te Mātāwai, ā, me whai rawa te tukanga tango i te kaihautū, i te kaihautū tuarua ngā mātāpono o te tika me te pono. 5

Te korenga o te moni whakaea i te rironga atu o te tūranga

12 Te korenga o te moni whakaea i te rironga atu o te tūranga

Ehara i te mea me whakawhiwhi atu ki te mema, ki te kaihautū rānei, ki te kaihautū tuarua rānei o Te Mātāwai, he moni whakaea, he momo utu atu anō rānei, he whiwhinga rānei e pā ana ki te mutunga o tōna tūranga hei mema, hei kaihautū rānei, ahakoa te take. 10

Ngā tukanga a Te Mātāwai

13 Ngā tukanga

E āhei ana tā Te Mātāwai whakarite i tāna ake tukanga. 15

14 Ngā hui

- (1) Me whakarite rawa e Te Mātāwai, e tōna kaihautū rānei ngā wā me ngā wāhi huihui o Te Mātāwai, ā, me tuku pānui rawa mō aua hui ki ia mema kāore i reira i te wā ka tau te whakaritenga.
- (2) Me whakahaere rawa e te kaihautū te hui mehemea kei reira te kaihautū, ā, kāore ia i whai pānga (e ai ki te **rārangi 28(5)**) ki te take. 20
- (3) Mehemea kāore te kaihautū i reira, e whai pānga ana rānei ia ki te take, me whakahaere rawa e te kaihautū tuarua, ā, e āhei ana tāna kawē i ngā āheinga me ngā mana whakahaere katoa o te kaihautū e pā ana ki te take.
- (4) Mehemea kāore te kaihautū, kāore rānei te kaihautū tuarua i te wātea ki te whakahaere hui, me kopou rawa e Te Mātāwai tētahi o ōna mema hei kawē i ngā āheinga me ngā mana whakahaere o te kaihautū e pā ana ki te take. 25
- (5) Kāore e āhei te whakatutukihanga o ngā take i roto i te hui a Te Mātāwai mehemea kāore he kōrama i reira.
- (6) I te horopaki o te **rārangi iti (5)** me te **rārangi 15**, ko te kōrama— 30
- (a) tētahi haurua rānei o te tokomaha o ngā mema (mehemea e taurua ana te tokomaha o ngā mema o Te Mātāwai);
- (b) te nuinga rānei o ngā mema (mehemea e taukehe ana te tokomaha o ngā mema o Te Mātāwai);
- (c) ngā mema tokorua rānei (mehemea tokorua noa iho ngā mema o Te Mātāwai). 35

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(7)	<u>Kotahi te pōti kei ia mema, ā, hei tāpiritanga ki tāna pōti whānui, kei te kaihautū hoki tētahi pōti whakatau mehemea e whakamārari ana ngā pōti.</u>
(8)	<u>Ka pāhingia tētahi whakataunga ā-takitini a Te Mātāwai mehemea ka whakaaetia e ngā mema katoa i reira, me te kore o tētahi i whakahē, mehemea rānei ka tautokona e te nuinga o ngā pōti.</u>
	5
15	<u>Ngā tikanga whakatū hui</u>
	<u>E āhei ana tā Te Mātāwai whakatū hui—</u>
(a)	<u>mā te kōrama rānei o ngā mema, e hui tahi ana i te wā me te wāhi i whakaritea ai mō te hui;</u>
(b)	<u>mā te whitiwhiti kōrero ā-rongo rānei, ā-rongo, ā-ataata rānei, ā-tāhiko rānei, engari e taea noatia ai mehemea—</u>
(i)	<u>ka wātea rawa ki ngā mema katoa e pīrangī ana ki te uru ki te hui mā ngā hangarau e tika ana kia whai wāhi ai rātou ki te hui;</u>
(ii)	<u>ka taea rawatia hoki e tētahi kōrama o ngā mema te whakawhitiwhiti kōrero i waenga i a rātou, i te wā kotahi mō te roanga o te hui.</u>
	10
	15
16	<u>Ngā whakataunga tahitanga ā-tuhi</u>
(1)	<u>Ka whai tikanga, ka whai take hoki tētahi whakataunga ā-takitini ka waitohua, ka whakaaetia ā-tuhitia rānei (ahakoa ka tukuna mā te poutāpeta, mā te karere hari reta rānei, mā te whitiwhiti kōrero ā-tāhiko rānei) e ngā mema katoa ānō nei i whakamanatia i tētahi hui a Te Mātāwai i tika rā te karangatia, ā, ko te hunga i te hui te hunga e tika ana.</u>
(2)	<u>Tērā pea arā ētahi atu pepa kei roto i te whakataunga ā-takitini, kei roto rā taua whakataunga anō, kua waitohua, kua whakaaetia ā-tuhitia rānei e te mema kotahi, e ngā mema neke atu rānei i te kotahi.</u>
	20
	25
17	<u>Ngā komiti iti</u>
(1)	<u>Mā te whakataunga ā-takitini e āhei ai tā Te Mātāwai kopou komiti iti kia nōhia e tētahi, e ētahi rānei o ōna mema—</u>
(a)	<u>hei whakatakoto whakaaro ki a Te Mātāwai mō ngā take katoa e pā ana ki ngā āheinga o Te Mātāwai ka tukuna e Te Mātāwai ki te komiti iti:</u>
(b)	<u>hei mahi rānei i ngā āheinga o Te Mātāwai ka tāpaetia e ia ki te komiti iti.</u>
(2)	<u>I ngā mea katoa ka noho tētahi komiti iti i raro i te mana whakahaere o Te Mātāwai, ā, me whakatutuki rawa ngā tohutohu whānui, ngā tohutohu motuhake rānei ka tukuna atu e Te Mātāwai e pā ana ki a Te Mātāwai, ki ngā take rānei a Te Mātāwai.</u>
(3)	<u>Mā te whakataunga ā-takitini, e āhei ai tā Te Mātāwai whakakore, tāna hanga anō rānei i tētahi komiti iti ka kopoua e Te Mātāwai.</u>
	30
	35

- (4) Me mahi rawa e te komiti iti, nā Te Mātāwai i tāpae āheinga ki a ia, i raro i te **rārangi iti (1)(b)**, mahi i aua āheinga kia pērā te āhua, kia pērā hoki te hua, ānō nei i mahia e Te Mātāwai.

Te mana tāpae

- 18 E āhei ana tā Te Mātāwai tāpae āheinga, tāna tāpae mana whakahaere hoki** 5
- (1) E āhei ana tā Te Mātāwai tāpae āheinga, tāna tāpae mana whakahaere hoki i runga i tāna e pai ai, kia whānui, kia whāiti rānei, mā te whakataunga ā-takitini me te pānui ā-tuhi hoki ki a wai rānei i tohua ai.
- (2) Ka āhei tā Te Mātāwai tāpae āheinga ki— 10
- (a) tētahi mema, ki ngā mema rānei o Te Mātāwai;
- (b) te tumu whakarae rānei o Te Mātāwai;
- (c) tētahi kaimahi kē atu rānei, ki te tangata rānei e noho ana i tētahi tūranga o Te Mātāwai.
- (3) Me kua rawa a Te Mātāwai e tāpae atu i te mana tāpae. 15
- (4) Me kua rawa a Te Mātāwai e tāpae i raro i tēnei rārangi, kia ea rā anō ōna hiahia e mea ana,—
- (a) i runga i te āhua o te whakatau a wai rānei i tohua ai, me te nui o te pūtea whai pānga, mā te tāpaetanga e hua ai tētahi tukanga whakatau tōtika kē atu, tētahi tukanga whakatau whai hua kē atu hoki i tā Te Mātāwai whakatau mehemea i riro māna tonu e whakatau; 20
- (b) ka whakatauria hoki ētahi herenga e te tāpaetanga e āhei ai tā Te Mātāwai whakaū kua whāia rawatia e wai rānei i tohua ai ngā whakaritenga o te tāpaetanga.
- 19 Te mana o wai rānei i tohua ai** 25
- (1) Ko tērā i tohua ai kua whai āheinga, kua whai mana whakahaere—
- (a) e āhei ana, atu i ngā wā ka tohua kia aha kē atu, te āheinga te kawē, te mana whakahaere rānei te whiu, kia rite tonu te karawhiu, e ai ki aua herenga anō, me taua hua anō hoki ānō nei ko Te Mātāwai tonu tērā i tohua ai; 30
- (b) e āhei ana hoki te tāpae atu i te āheinga, i te mana whakahaere rānei, engari me—
- (i) mātua whakaae ā-tuhi rawa e Te Mātāwai;
- (ii) pānui ā-tuhi rawa hoki ki te tuarua a wai rānei i tohua ai;
- (iii) pērā rawa hoki ngā herenga, ngā hua hoki ānō nei ko te tuarua a wai rānei i tohua ai, te mea tuatahi tonu i tohua ai; 35
- (c) noho motuhake rawa hoki, ā, kāore e noho haepapa ana ki—

- (i) te kāhui ā-iwi nāna nei taua mema i kopou
 - (ii) te kāhui o Te Reo Tukatuku rānei nāna nei taua mema i kopou;
 - (iii) te Minita rānei, mehemea i kopoua te mema i raro i te **wehenga 14(1)(c), i te (3A)** rānei.
- (2) Ko tētahi i tohua ai e kī ana kei te kawē ia i tētahi āheinga, kei te whiu rānei i tētahi mana whakahaere i raro i tētahi tāpaetanga— 5
- (a) e maharatia ana, i te korenga o te taunakitanga e whakakāhore ana i tērā, kei te pērā ia e ai ki ngā whakaritenga o taua tāpaetanga;
 - (b) ka mutu me whakaatu rawa te taunakitanga o tōna mana ki te mahi pērā, mehemea ka āta tonoa. 10
- 20 Te pānga o te tāpaetanga**
- Kāore he tāpaetanga i hua ake e ai ki tēnei Ture—
- (a) e pā atu, e ārai rānei i te kawenga o te āheinga, i te whiunga rānei o te mana whakahaere e Te Mātāwai;
 - (b) e pā atu rānei ki te haepapatanga o Te Mātāwai mō ngā mahi a wai rānei i tohua ai e mahi ana i raro i te tāpaetanga; 15
 - (c) e pāngia rānei e te panonitanga o ngā mema o Te Mātāwai, o tētahi komiti iti o Te Mātāwai, e tētahi panonitanga rānei ki te tangata e noho ana i tētahi tūranga, o te tumu whakarae rānei, o te kaimahi rānei.
- 21 Te whakakorenga o te tāpaetanga** 20
- (1) Ka āhei tā Te Mātāwai whakakore tāpaetanga i raro i te **rārangi 18(1)**, i te wā e pīrangi ana, mā tētahi whakataunga ā-takitini a Te Mātāwai me tētahi pānui ā-tuhi ki a wai rānei i tohua ai.
 - (2) Ka āhei tā te tangata tuatahi i tohua ai whakakore tāpaetanga i raro i te **rārangi 19(1)(b)** i te wā e pīrangi ana, mā tētahi pānui ā-tuhi a wai rānei i tohua ai ki tana tuarua. 25
- Ngā kawenga ā-tōpū a Te Mātāwai me ngā mema*
- 22 Ngā kawenga ā-tōpū**
- (1) Me hāngai rawa ngā mahi a Te Mātāwai ki āna whāinga, ki ōna āheinga, ki tāna tauākī whāinga o taua wā tonu, me tāna kirimana hoko. 30
 - (2) Me mahi rawa e Te Mātāwai ōna āheinga—
 - (a) kia tōtika, kia whai hua;
 - (b) kia hāngai tonu hoki ki te whakaaro nui ki te āwhina i te marea;
 - (c) i te taha hoki o ētahi atu hinonga tūmatanui (e ai ki te tikanga o taua ingoa i raro i te wehenga 5 o te Public Audit Act 2001) mehemea ka taea. 35

- (3) Me mahi rawa a Te Mātāwai i runga i te whakaaro nui ki te haepapa ā-pūtea, ā, i tēnei horopaki,—
- (a) me āta whakahaere rawa e ia ōna hua me ōna taunahatanga;
- (b) me whai rawa hoki ki te whakaū—
- (i) i tōna whai rawa ā-pae tawhiti; 5
- (ii) kia tū ai hoki hei whakahaere ukiuki e angitu ana.
- (4) Mehemea kāore ngā mema o Te Mātāwai e whai i tētahi kawenga i raro i ngā **rārangi iti (1) ki te (3)**, ka āhei te tangohanga o te katoa, o wai rānei o ngā mema i te tūranga e ai ki te rārangi 7.
- (5) Heoi anō, kāore te **rārangi iti (4)** i te hāngai ki te mema mehemea— 10
- (a) kāore ia i mōhio, ā, kāore i āta whakaarotia me mōhio rawa ia ka takahia, i te takahia rānei tētahi kawenga;
- (b) i runga rānei i ngā āhuatanga o te wā, i āta whai ia i ngā huarahi e tika ana kia kore ai e takahia te kawenga.
- (6) Kāore te mema e whiua mō te takahitanga o tētahi kawenga i raro i tēnei rārangi, atu i ngā wā ka tangohia ia i te tūranga i whakatauria ai i te **rārangi iti (4)**. 15
- (7) Kāore he pānga o tēnei rārangi ki tētahi atu take mō te tango i te mema i tōna tūranga.
- (7A) Kāore te **rārangi iti (6)** e pā ki tētahi atu mea e whiua ai pea taua mema i raro i tētahi atu Ture, i tētahi atu ritenga ā-ture rānei ka puta mai i te mahi, i te hapa rānei e kīia ai he takahitanga. 20
- (8) Ko ngā kawenga a Te Mātāwai me ōna mema i raro i tēnei rārangi he mea here ki ngā iwi me ngāi Māori.
- Ngā kawenga takitahi a ngā mema 25
- 23 Te kawenga ki te whai i tēnei āpitihianga**
- Me kaua rawa te mema e takahi, e mahi rānei kia takahia, e whakaae atu rānei kia takahia e Te Mātāwai tēnei āpitihianga.
- 24 Te kawenga kia pono, kia ngākau tapatahi hoki te mahi**
- Me ngākau pono rawa, me ngākau tapatahi rawa hoki te mema i roto i āna mahi hei mema. 30
- 25 Te kawenga kia mahi i runga i te ngākau pai**
- Me ngākau pai te mema i roto i āna mahi hei mema, ā, me kaua rawa e whai i ngā pānga ōna hei painga mōna e hinga ai ngā pānga o Te Mātāwai.

- 26 Te kawenga kia āta whakaaro, kia urupū, kia whai pūkenga te mahi**
- Me whakaatu rawa e te mema i a ia e mahi ana hei mema i te whakaaro nui, i te urupū, i te pūkenga hoki kia rite ki te tangata āta whakaaro i ngā wā pērā, me te whakaaro anō hoki (me te kore i herea) ki—
- (a) te āhua o Te Mātāwai; 5
- (b) te āhua hoki o te mahi;
- (c) te tūranga hoki o te mema me te āhua o ngā haepapatanga ka pīkautia e ia.
- 27 Te kawenga kia kaua e whāki kōrero**
- (1) Ko te mema ka whiwhi ki te pārongo i roto i tāna mahi hei mema, engari kāore e wātea taua pārongo ki a ia mehemea ehara ia i te mema, me kaua rawa e whāki atu i aua pārongo ki tangata kē, e whakamahi rānei, e mahi rānei i tētahi mahi nā aua pārongo, atu— 10
- (a) i ngā wā ka mahia ngā āheinga o te hinonga;
- (b) i ngā wā rānei ka herea e te ture, ka whakaaetia rānei e te ture; 15
- (c) i ngā wā rānei e ai ki te **rārangi iti (2)**;
- (d) i ngā wā e whāia ana te whakaritenga kia whāki ngā mema i ngā pānga.
- (2) Ka āhei tā te mema whāki, tāna whakamahi, tāna mahi rānei i ētahi mahi i aua pārongo mehemea—
- (a) ka whakamanatia te mema e Te Mātāwai i mua; 20
- (b) kāore rawa hoki, kāore pea rānei taua whākinga, taua whakamahinga rānei, taua mahi rānei e whakakino i a Te Mātāwai.
- 28 Te kawenga kia whākina ngā pānga**
- (1) Me whāki rawa e te mema kua whai pānga ki te take e pā ana ki a Te Mātāwai ngā mokamoka o te āhua me te nui o te whai pānga (tae atu hoki ki te wāriu ā-pūtea o te pānga)— 25
- (a) ki te kaihautū o Te Mātāwai;
- (b) ki tētahi rēhita pānga hoki ka puritia e Te Mātāwai.
- (2) Me whāki rawa i te wā tonu ka wātea i raro i te **rārangi iti (1)** i muri tonu mai i te wā ka mōhio te mema he pānga tōna. 30
- (3) Me kaua rawa te mema whai pānga ki te take e pā ana ki a Te Mātāwai e pōti, e whai wāhi rānei ki te kōrerorero, ki te whakatau rānei a Te Mātāwai e pā ana ki te take.
- (4) I roto i tēnei rārangi, ko te **take** te mahi a Te Mātāwai i ōna āheinga i raro i tēnei Ture. 35
- (5) I te horopaki o tēnei rārangi, ka **whai pānga** te tangata i roto i te take mehemea—

- (a) ka whiwhi painga ā-pūtea ia i taua take:
- (b) he makau rānei ia, he tau piri ā-ture rānei ia, he tau piri māori rānei ia, he tamaiti rānei ia nā te tangata ka whiwhi pea ki tētahi painga ā-pūtea i taua take, he matua rānei ia nō te tangata ka whiwhi pea i te painga ā-pūtea i taua take: 5
- (c) ka whai pānga ā-pūtea rānei ki te tangata, ki te hinonga rānei e whai pānga atu ai taua take:
- (d) he hoa kōtui rānei, he kaiurungi rānei, he āpiha rānei, he mema poari rānei, he kaitiaki rānei i te tangata, i te hinonga rānei ka whai pānga ā-pūtea pea ki te tangata, ki te hinonga rānei e whai pānga atu ai taua take: 10
- (e) he tautika rānei, he autaki rānei te whai pānga ki taua take.
- (6) Heoi anō, kāore te tangata e whai pānga ki te take—
 - (a) nō te mea ka whiwhi ia ki te kapinga inihua, ki te taiutu rānei, ki ētahi whiwhinga kē atu rānei e whakamanatia ana i raro i tēnei Ture:
 - (b) mehemea rānei he pērā rawa te makaro, te iti rānei o tana whai pānga e kore ai e āta whakaarotia mā tērā ia e whakaaweawe i a ia e pīkau ana i ōna haepapatanga i raro i tēnei Ture. 15

29 Te noho haepapa mō ngā kawenga takitahi

- (1) I raro i **ngā rārangi 23 ki te 28** (ngā kawenga takitahi a ngā mema) he mea here ngā kawenga a ngā mema o Te Mātāwai ki a Te Mātāwai tonu. 20
- (2) Mehemea kāore te mema e whai rawa i āna kawenga takitahi, ka āhei tā Te Mātāwai tango i taua mema i te tūranga.
- (2A) Ka āhei tā Te Mātāwai whiu i te mema ki te ture mō te takahitanga o tēnei kawenga takitahi.
- (3) Atu i ngā whakataunga i roto i ngā **rārangi iti (2) me te (2A)**, kāore te mema e whiua mō te takahitanga o te kawenga takitahi i raro i tēnei Ture. 25
- (4) Kāore tēnei rārangi e pā ki take kē atu mō te tangohanga o te mema i te tūranga.
- (5) Kāore te **rārangi iti (3)** e pā ki mea kē atu e whiua ai pea te mema i raro i Ture kē atu, i ritenga ā-ture kē atu rānei ka puta mai i te mahi, i te hapa rānei e kīia ai he takahitanga. 30

Ngā āraitanga me te inihua

30 Te āraitanga i te taunahatanga ā-ture kiri tangata

- (1) Kāore te mema e whiua, i te āhua o tētahi mahi kua mahia, o tētahi mahi rānei kāore i mahia,— 35
 - (a) e Te Mātāwai, atu i ngā wā he takahitanga hoki tērā i te kawenga takitahi i raro i **ngā rārangi 23 ki te 28**:
 - (b) e tangata kē atu.

- (2) Kāore he mea i tēnei rārangi e pā atu ki—
- (a) te taunahatanga o te tangata ehara i te taunahatanga ā-ture kiri tangata;
- (b) te mana o te tangata ki te tono atu, e ai ki te ture, i tētahi arotakenga ā-kōti.
- 31** **Te inihua mō te taunahatanga o te mema rānei, o te tangata rānei e noho ana i tētahi tūranga, o te kaimahi rānei** 5
- Ka āhei tā Te Mātāwai whakamahi i te kapinga inihua mō ōna mema, mō āna kaimahi rānei e pā ana ki āna mahi, ki ōna hapa rānei, atu i te mahi, i te hapa rānei—
- (a) nā te ngākau kino 10
- (b) ehara i te mahi, ehara rānei i te mahi e whāia ana kia mahia i roto i ngā āheinga o Te Mātāwai.
- 32** **Te takahi i ngā taumata inihua**
- (1) Me whakahoki rawa e te mema kua whai inihua i a Te Mātāwai mā reira e takahia ai tēnei Ture, te utu mō te whakarato, mō te whakaū rānei i te kapinga inihua, mehemea he nui ake te kapinga unuhia i te taumata ka taea i raro i tēnei Ture. 15
- (2) Ka āhei tā Te Mātāwai muru i te katoa o te nama e whāia ana i roto i tētahi kōti whai mana i tērā take.
- 33** **Ngā whakamahuki mō ngā whakamarutanga i te taunahatanga** 20
- I roto i **ngā rārangi 30 ki te 32**,—
- ko te **mahi i mahia**, ko te **mahi rānei kāore i mahia** (*excluded act or omission*), te mahi ka mahia e te mema i runga i te ngākau pai, te hapa rānei o te mema i runga i te ngākau pai, i roto hoki i te mahi, i te mahi rānei e whāia ana kia mahia i roto i ngā āheinga o Te Mātāwai 25
- ko te **mema** (*member*) tētahi tangata hoki i noho hei mema i muri i te tīmatanga o tēnei Ture engari kāore i te noho hei mema
- ko te **whakamana inihua** (*effect insurance*) ko te utu, ahakoa te tautika, ahakoa te autaki rānei, i ngā utu mō te inihua.
- Ngā utu 30
- 34** **Ngā utu**
- (1) Ka whai wāhi ka tika ngā mema o Te Mātāwai ki te whiwhi utu, e ai ki te anga utu, arā, ko—
- (a) ngā utu ka whakatauria e Te Mātāwai me te Minita;
- (b) ngā utunga hoki mō ngā utu tautika ka pau i te pīkau i ngā āheinga me ngā mahi o Te Mātāwai. 35

- (2) I roto i te **rārangi iti (1)**, ko te **anga utu** ko te anga ka whakatauria e te Kāwanatanga i tēnā wā, i tēnā wā mō te whakarōpū me te utu i ngā hinonga ā-ture, me rangatōpū kē atu ka whai pānga te Karauna.

Te kaupapa here taimahi

- 35 Te kaupapa here taimahi** 5
- (1) Ki te tuku mahi a Te Mātāwai ki te tangata hei kaimahi,—
- (a) me whakahaere rawa i tētahi kaupapa here manaaki kaimahi e whai ana i te mātāpono o te noho hei kaituku mahi pai;
- (b) me whakawātea rawa hoki i taua kaupapa here (me te kaupapa whakaōrite whiwhinga mahi) ki ōna kaimahi; 10
- (c) me whai rawa hoki e ia taua kaupapa here (me tāna kaupapa whakaōrite whiwhinga mahi) me te tuku pūrongo i roto i tāna pūrongo ā-tau mō te āhua o tāna whai.
- (2) I muri i te whiriwhiri kōrero me te Kaikōmihana o Ngā Tari Kāwanatanga, me whakatau rawa e Te Mātāwai ngā whakaritenga me ngā herenga o te taimahi mō tōna tumu whakarae. 15
- (3) I te horopaki o tēnei rārangi, ko te **kaituku mahi pai** tētahi kaituku mahi e whakahaere ana i tētahi kaupapa here manaaki kaimahi kua whai whakataunga e whakaaetia whānuitia nei me whai rawa e tika ai, e arotau ai te tiakina o ngā kaimahi i roto i ngā āhuatanga katoa o ō rātou taimahinga, tae atu ki ngā whakataunga e mea ana me— 20
- (a) haumaruru rawa, me pai rawa hoki ngā āhuatanga mahi;
- (b) whai rawa hoki i tētahi kaupapa whakaōrite whiwhinga mahi;
- (c) tōkeke rawa hoki te whiriwhiri tangata whai tohu hei kopoutanga;
- (d) whakaū rawa hoki i— 25
- (i) ngā whāinga a ngāi Māori, i ōna wawata hoki;
- (ii) te hiranga hoki o te whai wāhitanga mai o ngāi Māori hei kaimahi mā Te Mātāwai;
- (e) whakaū rawa hoki i ngā whāinga me ngā wawata, i ngā āhuatanga taimahi hoki; i ngā tikanga ahurea rerekē a te hunga nō iwi kē, a ngā hunga tokoiti rānei; 30
- (f) wātea rawa hoki ngā huarahi hei whakapakari ake i ngā pūkenga o te kaimahi takitahi;
- (g) whakaū rawa hoki i ngā āhuatanga taimahi mō te wāhine;
- (h) whakaū rawa hoki i ngā āhuatanga taimahi mō te hunga manauhea. 35
- (4) I te horopaki o tēnei rārangi, ko te **kaupapa whakaōrite whiwhinga mahi** tētahi kaupapa e whai ana kia tautuhia, kia whakakorea hoki ngā āhuatanga katoa o ngā kaupapa here, o ngā tukanga, me ētahi atu ārai ā-whakahaere e hua

ai, e whakapūmau ai rānei, e mahi ai rānei kia hua ai, kia whakapūmautia ai
rānei te rerekētanga e pā ana ki te taimahinga o te tangata, o te rōpū rānei.

Te Āpitianga 5

Ngā tohu whakatau i te mōhio ki te reo Māori

te wehenga 25

1 Ka whakawhiwhi tohu whakatau a Te Taura Whiri

- (1) Me whakawhiwhi rawa e Te Taura Whiri te tohu ki te tangata ka tono kia whakawhiwhia ia ki taua tohu, ā, e ai ki a Te Taura Whiri e tika ana te taumata o tana mōhio e whakawhiwhia ai ia ki tētahi tohu pērā. 5
- (2) Me pēnei rawa i tētahi o ēnei e whai ake nei te tohu:
- (a) he tohu whakatau i te mōhio ki te whakawhiti reo ā-waha:
- (b) he tohu whakatau i te mōhio ki te whakawhiti reo ā-tuhi i: 10
- (c) he tohu whakatau i te mōhio ki te whakawhiti reo ā-waha, ā-tuhi hoki.

Compare: Whakatauritea: 1987 Nama 176 te wehenga 15

2 Ngā tohu mātauranga e riro ai te tohu

I te horopaki o te whakatau, āe rānei, kāore rānei te taumata o te mōhio o te kaitono tohu e tika ana e whakawhiwhia ai ia ki taua tohu, me whakarite rawa, me whakaputa rawa hoki e Te Taura Whiri, e ai ki tāna e pai ai, ngā paearu e aromatawaitia ai te mōhio ki te whakawhiti reo ā-waha, ki te whakawhiti reo ā-tuhi rānei. 15

Compare: Whakatauritea: 1987 Nama 176 te wehenga 16

3 Ka āhei tā Te Taura Whiri tāpae i te mana whakawhiwhi tohu

- (1) Ahako te **rārangi 1(1)**, ka āhei tā Te Taura Whiri tāpae i te mana ki tētahi tangata, ki tētahi rangatōpū rānei,—
- (a) ki te aromatawai i ngā kaitono i ngā tohu:
- (b) ki te whakawhiwhi tohu hoki ki ngā kaitono ka eke ki te taumata o te mōhio e tika ana, e whakawhiwhia ai rātou ki aua tohu. 25

- (2) Ka āhei tā Te Taura Whiri tāpae i tētahi mana whakahaere i raro i te **rārangi iti (1)** mehemea ka whai rawa te tāpaetanga i te wehenga 73 o te Crown Entities Act 2004.

Compare: Whakatauritea: 1987 Nama 176 te wehenga 17

4 Te whakamana mō ngā whakahaerenga ā-ture

- (1) Ka āhei tā Te Taura Whiri whakamana tohu kia kīia ai he mōhio te kaupupuri tohu ki te whakawhiti reo ā-tuhi rānei, ki ngā mea e rua rānei (i runga i ngā āhuatanga o te horopaki) i te horopaki o ngā whakahaerenga ā-ture katoa mehemea kua ea ngā hiahia o Te Taura Whiri e mea ana ko te kaupupuri i te tohu— 30 35

- (a) kua eke ki tōna taumata tika o te mōhio ki te whakawhiti reo ā-waha, ki te whakawhiti reo ā-tuhi rānei, ki ngā mea e rua rānei (i runga i ngā āhuatanga o te horopaki):
- (b) kua tika hoki te whakangungua ōna, te ākona rānei ōna ki ngā kawenga a te kaiwhakawhiti reo ā-waha, a te kaiwhakawhiti reo ā-tuhi rānei, ki ngā mea e rua rānei i roto i ngā whakahaerenga ā-ture. 5
- (2) Me whakaū rawa te mōhio o te kaupupuri i tētahi tohu kua whakamanatia i raro i tēnei rārangi, ki te whakawhiti reo ā-waha, ki te whakawhiti reo ā-tuhi rānei, ki ngā mea e rua rānei (i runga i ngā āhuatanga o te horopaki) ina whakaaturia te tohu, i te horopaki o ngā whakahaerenga ā-ture. Ina whakaaturia te tohu, me whakaū rawa te mōhio o te kaupupuri i tētahi tohu kua whakamanatia i raro i tēnei rārangi, ki te whakawhiti reo ā-waha, ā-tuhi rānei, i ngā mea e rua rānei (i runga i ngā āhuatanga o te horopaki) i te horopaki o ngā whakahaerenga ā-ture. 10
- (3) Heoi anō, kāore e āhei tā te kaupupuri tohe kia tū ia hei kaiwhakawhiti reo ā-waha rānei, hei kaiwhakawhiti reo ā-tuhi rānei, hei kaiwhakawhiti reo ā-waha, ā-tuhi hoki rānei, i roto i tētahi whakahaerenga, ā, kāore e āhei tā tērā rānei, ko ērā rānei kei mua i te aroaro o te kōti, o ngā taraipiunara kē, tā te kaiwhakaatu rānei, tā tangata kē atu rānei tohe kia tū taua kaupupuri hei kaiwhakawhiti reo ā-waha rānei, hei kaiwhakawhiti reo ā-tuhi rānei, hei kaiwhakawhiti reo ā-waha, ā-tuhi hoki rānei. 15
20
- (4) I roto i ngā whakahaerenga ā-ture, ka āhei tā te āpiha whakahaere tuku pūrongo ki a Te Taura Whiri e tuku ana i ōna whakaaro mō te kaupupuri i tētahi tohu (ahakoa i whakamanatia i raro i tēnei rārangi, kāore rānei) e mea ana—
- (a) kāore i eke ngā mahi whakawhiti reo ā-waha, ngā mahi whakawhiti reo ā-tuhi rānei, i te horopaki o ngā whakahaerenga: 25
- (b) kāore rānei i hāngai tāna mahi ki ngā kawenga a tētahi kaiwhakawhiti reo ā-waha, ki tētahi kaiwhakawhiti reo ā-tuhi rānei, i roto i ngā whakahaerenga ā-ture.
- (5) Ki te whiwhi a Te Taura Whiri ki tētahi pūrongo i raro i te **rārangi iti (4)**, me whai rawa i te **rārangi 5** anō nei he amuamu taua pūrongo ka tukuna i raro i taua rārangi. 30

Compare: Whakatauritea: 1987 Nama 176 te wehenga 18

5 Ngā amuamu mō ngā kaupupuri tohu

- (1) Ka āhei tā wai rānei tuku amuamu ki a Te Taura Whiri mō tētahi kaupupuri i tētahi tohu i runga i te take— 35
- (a) kua whakaatu te kaupupuri tohu nōna e whakawhiti ā-waha ana i te reo Māori, e whakawhiti reo ā-tuhi ana rānei, i te taumata o te kore i mōhio nā reira e whakananotia ai te tika o tā te kaupupuri whai i te tohu:
- (b) i te kaupupuri rānei e mahi ana hei kaiwhakawhiti reo ā-waha, hei kaiwhakawhiti reo ā-tuhi rānei, i roto i tētahi whakahaerenga ā-ture, 40

kāore i hāngai tāna mahi ki ngā kawenga a te kaiwhakawhiti reo ā-waha, a te kaiwhakawhiti reo ā-tuhi rānei, i roto i ngā whakahaerenga ā-ture.

- (2) Atu i ngā wā ka ea ngā hiahia o Te Taura Whiri e mea ana he take kore, he matangerengere rānei te amuamu, me tuku rawa e Te Taura Whiri tētahi kape o te amuamu ki te tangata mōna taua take, kia āta whai wāhi ai taua tangata ki te tū ki te aroaro o Te Taura Whiri, ki te tuku tāpaetanga ā-tuhi rānei (māna anō e kōwhiri) ki a Te Taura Whiri, hei urupare i te amuamu. 5
- (3) Ki te ea ngā hiahia o Te Taura Whiri i muri i te whakatewhatewhanga o tētahi amuamu i tae ki tōna aroaro i raro i te **rārangi iti (1)(a)**, kāore e tika ana te taumata o te mōhio o te tangata mōna te amuamu e mau tonu ai ia ki te tohu e puritia ana e ia, ka āhei tāna— 10
- (a) whakakore i te tohu:
- (b) whakatārewa rānei i te tohu tae rawa ki te wā ka ea rā anō ngā hiahia o Te Taura Whiri e mea ana e tika ana te taumata o tōna mōhio e mau tonu ai ia ki te tohu. 15
- (4) Ki te ea ngā hiahia o Te Taura Whiri i muri i te whakatewhatewhanga o tētahi amuamu i tae ki tōna aroaro i raro i te **rārangi iti (1)(b)**, kāore i hāngai te mahi a te tangata mōna te amuamu, ki ngā kawenga a tētahi a tētahi kaiwhakawhiti reo ā-waha, a tētahi kaiwhakawhiti reo ā-tuhi rānei, i roto i ngā whakahaerenga ā-ture, ka āhei tāna— 20
- (a) whakakore i te whakamananga o te tohu ka tukuna i raro i te **rārangi 4**:
- (b) whakamana rānei i te tohu, mehemea kāore anō kia whakamanatia, kia kīia, kāore e whakaūngia te taumata o te mōhio o te kaupupuri tohu ki te whakawhiti reo ā-waha, ki te whakawhiti reo ā-tuhi rānei, ki ngā mea e rua rānei (i runga i ngā āhuatanga o te horopaki) i te horopaki o ngā whakahaerenga ā-ture katoa. 25
- (5) I te wā tonu ka wātea i muri i te whakatau ka kawea i raro i te **rārangi iti (3), i te (4)** rānei, me tuku rawa e Te Taura Whiri ki te tangata mōna te amuamu tētahi pānui ā-tuhi mō te whakatau me ngā take i pērā ai te whakatau.
- (6) Ki te whakakore, ki te whakatārewa, ki te whakamana rānei a Te Taura Whiri i te tohu, me whakauru rawa ki taua pānui tētahi herenga kia whakahokia e te kaupupuri tohu te tohu ki a Te Taura Whiri. 30

Compare: Whakatauritea: 1987 Nama 176 te wehenga 19

6 He hara

Ki te kore te tangata e whakahoki i tētahi tohu, me te kore i āta whai takunga, i te wā ka whakamōhioia ia i raro i te **rārangi 5(6)**, kua hara ia, ā, ina mau tangetange ka whiua ki tētahi whaina kāore e nui ake i te \$500. 35

Compare: Whakatauritea: 1987 Nama 176 te wehenga 21

Te Āpitihanga 7
Ngā whakahounga ki te Māori Television Service (Te Aratuku
Whakaata Irirangi Māori) Act 2003

te wehenga 39

Te Wāhanga 1

5

Ngā tohutoro kua whakakapia

I roto i ngā whakataunga o te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 e whai ake nei, whakakapia “Te Pūtahi Paoho” ki “Te Mātāwai” i ia wāhi.

Te wehenga 3(c) 10

Te wehenga 5(3)

Te wehenga 10

Te wāhanga iti 3 o te upoko o te Wāhanga 1

Te wehenga 15

Te upoko o te wehenga 16 15

Te wehenga 16(2)

Te upoko o te wehenga 17

Te wehenga 19

Te wehenga 24A, ko te whakamārama o te kaiwhakahaere

Te wehenga 24E 20

Te wehenga 31(3)(b), me te (7)

Te wehenga 34(3)

Te wehenga 39(2)(d)

Te wehenga 45(2)

Te wehenga 56 25

Te āpitihanga 1, te rārangi 13(2)

Te āpitihanga 2, te rārangi 4(1), me te (2)

Te āpitihanga 2, te rārangi 5(2)

Te āpitihanga 2, te rārangi 11

Te āpitihanga 2, te rārangi 12 30

Te āpitihanga 2, te rārangi 15

Te āpitihanga 2, te rārangi 26(2)(a)(ii)

Te Wāhanga 2 **Ētahi atu whakahounga**

Whakakapia te upoko o te Wāhanga 1 ki ngā kupu:

Te Wāhanga 1

Ngā whakataunga horopaki me ngā whakataunga e pā ana ki te whakatūnga o Te Ratonga Whakaata Māori me ngā āheinga, aha atu, aha atu, o te Ratonga me Te Mātāwai

5

Whakakapia te wehenga 3(a) ki ngā kupu:

(a) the establishment of the Service and the functions, duties, and powers of the Service and Te Mātāwai:

10

I roto i te wehenga 3(b), whakakapia ngā kupu “ōna tikanga” ki ngā kupu “ngā tikanga Māori”.

(c) subpart 3 provides for the joint responsibilities of the chairperson of Te Mātāwai and the responsible Ministers, and for the resolution of disputes between Te Mātāwai and the responsible Ministers.

15

I roto i te wehenga 5(3)(b), whakakapia ngā kupu “ōna tikanga” ki ngā kupu “ngā tikanga Māori”.

I roto i te wehenga 5(3)(ba)(iii), whakakapia ngā kupu “ōna tikanga” ki ngā kupu “ngā tikanga Māori”.

Whakakapia te wehenga 5(5)(a) ki ngā kupu:

20

(a) Schedule 1 provides procedures for the resolution of disputes between the responsible Ministers and Te Mātāwai:

I roto i te wehenga 6, whakakorengia ngā whakamārama o **ōna tikanga me Te Pūtahi Paoho**.

I roto i te wehenga 6, whakaurua ngā kupu e ai ki te raupapa arapū tika:

25

Te Mātāwai means the entity established by **section 11 of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**

I roto i te wehenga 8(1), whakakapia ngā kupu “ōna tikanga” ki ngā kupu “ngā tikanga Māori”.

Whakakorengia ngā wehenga 12 ki te 14.

30

Whakakorengia te wehenga 15(c).

I roto i te wehenga 16(1), whakakapia ngā kupu “Te Pūtahi Paoho, acting jointly,—” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai, acting jointly,—”.

I roto i te wehenga 17(1), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”.

35

I roto i te upoko o te Wāhanga 2, whakakapia ngā kupu “**UHF right**” ki ngā kupu “**spectrum management rights**”.

Whakakorengia te tīpare kei runga i te wehenga 24A.

I roto i te wehenga 24A, whakakapia te whakamārama o ngā mana whakahaere hihinga ki ngā kupu nei:

spectrum management rights means the management right held by Te Mātāwai for the frequency range 606–622 MHz for the period expiring on 30 November 2033

5

Whakakapia te wehenga 24B ki ngā kupu:

24B Terms and conditions for exercise of spectrum management rights

(1) The terms and conditions under which Te Mātāwai must manage the spectrum management rights must be set out in a deed executed by the responsible Ministers.

10

(2) The deed may be modified by written agreement between the responsible Ministers, on behalf of the Crown, and Te Mātāwai.

(3) The responsible Ministers must consult the Minister responsible for the administration of the Radiocommunications Act 1989 before modifying the deed under **subsection (2)**.

15

(4) The deed may, by agreement, provide that if Te Mātāwai breaches 1 or more specified terms or conditions (a serious breach), the responsible Ministers may require Te Mātāwai to transfer the spectrum management rights to the Crown, and in such case Te Mātāwai must transfer the spectrum management rights as required by the responsible Ministers.

20

I roto i te wehenga 24H(1)(a), whakakapia ngā kupu “ōna tikanga” ki ngā kupu “ngā tikanga Māori”.

I roto i te wehenga 24H(2), whakakapia ngā kupu “ōna tikanga” ki ngā kupu “ngā tikanga Māori”.

25

I roto i te wehenga 30, whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai,” i ia wāhi.

I roto i te wehenga 31(1), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, who receives it on behalf of Te Mātāwai,”.

I roto i te wehenga 31(2), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai,”.

30

I roto i te wehenga 31(4), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai”.

I roto i te wehenga 31(4)(a), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai,”.

35

I roto i te wehenga 34(1)(a), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai,”.

I roto i te wehenga 36(a), whakakapia ngā kupu “Te Pūtahi Paoho,” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai,”.

- I roto i te wehenga 36(b), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai”.
- I roto i te wehenga 39(5)(a), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai”.
- I roto i te wehenga 41(2)(k), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”. 5
- I roto i te wehenga 44(1), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, who receives the report on behalf of Te Mātāwai”.
- I roto i te wehenga 45(1), whakakapia ngā kupu “Te Pūtahi Paoho,” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”. 10
- I roto i te wehenga 47(1)(a), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”.
- I roto i te wehenga 50, whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, who receives the report on behalf of Te Mātāwai”.
- I roto i te Āpitihanga 1, whakakorengia te Wāhanga 1. 15
- I roto i te Āpitihanga 1, whakakorengia ngā rārangi 2 ki te 12 me ngā tīpare kei runga i ngā rārangi 3, 4, 11, me te 12.
- I roto i te Āpitihanga 1, i te rārangi 13(1), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai”.
- I roto i te Āpitihanga 2, i te rārangi 3(1)(c), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai”. 20
- I roto i te Āpitihanga 2, i te rārangi 3(2)(c), whakakapia ngā kupu “Te Pūtahi Paoho,” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”.
- I roto i te Āpitihanga 2, i ngā rārangi 4(4)(a), i te (b), me te (c), whakakapia ngā kupu “Te Pūtahi Paoho,” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”. 25
- I roto i te Āpitihanga 2, i ngā rārangi 5(1), i te (3)(b), i te (4) hoki, whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”.
- I roto i te Āpitihanga 2, i te rārangi 8(1)(a)(ii), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai”.
- I roto i te Āpitihanga 2, i te rārangi 10(2)(a), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”. 30
- I roto i te Āpitihanga 2, i te rārangi 21(2), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”.
- I roto i te Āpitihanga 2, i te rārangi 26(4)(e), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”. 35
- I roto i te Āpitihanga 2, i te rārangi 29, whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai.”.
- I roto i te Āpitihanga 2, i te rārangi 33, whakakapia ngā kupu “Te Pūtahi Paoho,” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai,” i ia wāhi.

I roto i te Āpitiḡanga 2, i te rārangi 35(4)(c), whakakapia ngā kupu “Te Pūtahi Paoho” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai”.

Te Āpitihanga 8

Ngā whakahounga o ētahi whakaturetanga kē atu ka hua ake i muri iho

te wehenga 40

Te Wāhanga 1

5

Ngā Whakahounga o ngā Ture

Broadcasting Act 1989 (1989 No 25)

I roto i te wehenga 53B(2)(c), i muri i te kupu “content” whakaurua te “; and”.

I roto i te wehenga 53B(2), i muri i te rerenga (c) whakaurua:

(d) other activities to promote the Māori language and Māori culture.

10

I roto i te wehenga 53I, whakakapia ngā kupu “7 members” ki ngā kupu “5 members appointed by the Minister for Māori Development in accordance with **section 27A of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**”.

Children, Young Persons, and Their Families Act 1989 (1989 No 24)

I roto i te wehenga 9(3), whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “**Te Ture mō Te Reo Māori 2014/Māori Language Act 2014**”.

15

Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (2012 No 72)

I roto i te wehenga 53(3)(b), whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “**Te Ture mō Te Reo Māori 2014/Māori Language Act 2014**”.

20

I roto i te Āpitihanga, i te rārangi 2(3)(b), whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “**Te Ture mō Te Reo Māori 2014/Māori Language Act 2014**”.

Judicature Act 1908 (1908 No 89)

I roto i te Āpitihanga 2, i te ritenga 1.11(1), whakakapia ngā kupu “section 4(1) of the Māori Language Act 1987” ki ngā kupu “**section 6(1) of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**”.

25

I roto i te Āpitihanga 2, i te ritenga 1.12(3), whakakapia ngā kupu “section 18 of the Māori Language Act 1987” ki ngā kupu “**clause 4 of Schedule 5 of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**”.

30

I roto i te Āpitihanga 2, i te ritenga 1.13(a), whakakapia ngā kupu “section 15(2)(a) or (c) of the Māori Language Act 1987” ki ngā kupu “**clause 1(a) or (c) of Schedule 5 of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**”.

I roto i te Āpitihanga 2, i te Āpitihanga 1 o taua āpitihanga, i te puka G 12, i te tuhipoto 1, whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “**Te Ture mō Te Reo Māori 2014/Māori Language Act 2014**”.

35

Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37)

I roto i te wehenga 136(3)(c), whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “**Te Ture mō Te Reo Māori 2014/Māori Language Act 2014**”.

I roto i te wehenga 136(3)(c), whakakapia ngā kupu “Schedule 1” ki ngā kupu “**Schedule 2**”.

5

New Zealand Public Health and Disability Act 2000 (2000 No 91)

I roto i te wehenga 77(f), whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “**Te Ture mō Te Reo Māori 2014/Māori Language Act 2014**”.

Ombudsmen Act 1975 (1975 No 9)

I roto i te Āpitihanga 1, i te Wāhanga 2, whakaurua ngā kupu e ai ki te raupapa arapū tika:

10

Te Mātāwai

Public Audit Act 2001 (2001 No 10)

I roto i te Āpitihanga 2, whakaurua ngā kupu e ai ki te raupapa arapū tika:

Te Mātāwai

15

Resource Management Act 1991 (1991 No 69)

I roto i te wehenga 39(2)(b), whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “**Te Ture mō Te Reo Māori 2014/Māori Language Act 2014**”.

I roto i te wehenga 276(3), whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “**Te Ture mō Te Reo Māori 2014/Māori Language Act 2014**”.

20

Te Ture Whenua Maori Act 1993 (1993 No 4)

I roto i te wehenga 68, whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “**Te Ture mō Te Reo Māori 2014/Māori Language Act 2014**”.

Te Wāhanga 2

Ngā whakahounga o ngā tuhinga ā-ture

25

Criminal Procedure Rules 2012 (SR 2012/415)

I roto i te ritenga 1.9(1), whakakapia ngā kupu “section 4(1) of the Māori Language Act 1987” ki ngā kupu “**section 6(1) of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**”.

I roto i te ritenga 1.10(6)(a), whakakapia ngā kupu “section 18 of the Māori Language Act 1987” ki ngā kupu “**clause 4 of Schedule 5 of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**”.

30

District Courts Rules 2014 (LI 2014/179)

I roto i te ritenga 1.15(1), whakakapia ngā kupu “section 4(1) of the Māori Language Act 1987” ki ngā kupu “**section 6(1) of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**”.

I roto i te ritenga 1.16(3), whakakapia ngā kupu “section 18 of the Māori Language Act 1987” ki ngā kupu “**clause 4 of Schedule 5 of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**”. 5

I roto i te ritenga 1.17(a), whakakapia ngā kupu “section 15(2)(a) or (c) of the Māori Language Act 1987” ki ngā kupu “**clause 1(a) or (c) of Schedule 5 of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**”. 10

I roto i te Āpitianga 2, i te puka 4, i te tuhipoto 1, whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “**Te Ture mō Te Reo Māori 2014/Māori Language Act 2014**”.

Schedule 1

Transitional, savings, and related provisions

s-36 8A

Transitional provisions relating to Te Taura Whiri and Te Māngai Pāho

- | | | |
|----------|---|----|
| 1 | Term of office of existing members of entities <u>Te Taura Whiri</u> | 5 |
| (1) | Every member of Te Taura Whiri and of Te Māngai Pāho in office at the commencement of this clause may continue in office for the remainder of his or her current term of office, and on the same terms and conditions, as if section-34 27 had not been enacted. | |
| (2) | The chairperson and deputy chairperson of each of those entities in office at the commencement of this clause are not affected by any change in the method of appointment to those positions under this Act. | 10 |
| 2 | Continuation of existing committees | |
| (1) | A committee of Te Taura Whiri or of Te Māngai Pāho that exists at the commencement of this clause may continue in existence until it is disestablished by the relevant entity. | 15 |
| (2) | Every member of a committee in office at the commencement of this clause remains in office until the person is removed by Te Mātāwai under this Act, his or her term of office expires, or the relevant committee is disestablished. | |
| 3 | Continuation of existing employment | 20 |
| (1) | The chief executive and all persons employed by Te Taura Whiri and Te Māngai Pāho at the commencement of this clause— | |
| (a) | do not, solely because of the coming into force of this Act, cease to be employees; and | |
| (b) | continue to be employed on terms and conditions no less favourable to each employee than those applying immediately before the commencement of this Act. | 25 |
| (2) | Subclause (1)— | |
| (a) | continues to apply to the terms and conditions of employment until they are varied by agreement between the employee and the entity concerned; but | 30 |
| (b) | does not apply to an employee who receives a subsequent appointment with the entity. | |
| (3) | Despite the coming into force of this Act, for the purpose of an enactment, rule of law, determination, contract, or agreement relating to the employment of persons by or on behalf of an entity,— | 35 |

-
- (a) ~~the agreement or contract of employment must be treated as having been unbroken; and~~
- (b) ~~the period of employment with the entity must be treated as an unbroken period of employment.~~
- (4) ~~A person who becomes an employee of an entity under this clause is not entitled to receive any payment or other benefit solely because of the coming into force of this Act.~~ 5
- 4 Existing entitlements, indemnities, and other rights**
- (1) ~~If a member or an employee of Te Taura Whiri or Te Māngai Pāho is, immediately before the commencement of this clause,—~~ 10
- (a) ~~entitled under any contract or arrangement to compensation or other payment or benefit relating to his or her ceasing to hold office for any reason, the entitlement is not affected by the enactment of this Act:~~
- (b) ~~entitled to be indemnified in respect of any proceedings for any liability or costs arising from any act or omission as a member or employee that occurred before that date, the indemnity is not affected by the enactment of this Act:~~ 15
- (c) ~~covered under an insurance contract in respect of any liability or costs arising from any act or omission as a member or employee, the insurance cover is not affected by the enactment of this Act.~~ 20
- (2) ~~This Act does not affect any entitlement of a member, employee, or office holder of a Crown entity under the Government Superannuation Fund Act 1956.~~
- 5 Existing delegations and directions to continue**
- ~~A delegation that is in effect at the commencement of this clause in respect of Te Taura Whiri or Te Māngai Pāho under an enactment repealed by this Act under the Māori Language Act 1987 continues in effect as if it were a delegation conferred by or under this Act.~~ 25
- 6 Existing matters or things protected**
- (1) ~~The commencement of this Act does not affect the completion of a matter or thing, or the bringing or completion of proceedings, that relate to an existing right, interest, title, immunity, or duty of an entity.~~ 30
- (2) ~~On and from the commencement of this Act, a matter or thing done, made, or entered into by or on behalf of an entity is treated as if it were made, done, or entered into before the commencement of this Act.~~ 35
- 7 Status of contracts and other instruments**
- (1) ~~In **subclause (2), contracts and other instruments** means contracts, agreements, conveyances, deeds, leases, licences, other instruments, undertakings,~~

and notices entered into by, made with, given to or by, or addressed to Te Pūtahi Paoho (whether alone or with another person) before the commencement of this Act and having effect immediately before that date.

- (2) ~~Contracts and other instruments are binding on, and enforceable by, against, or in favour of, Te Mātāwai as if the contracts or other instruments had been entered into by, made with, given to or by, or addressed to or by Te Mātāwai and not Te Pūtahi Paoho.~~ 5

Transitional provision relating to Te Reo Whakapuaki Irirangi

5A Term of office of existing members of board of Te Reo Whakapuaki Irirangi 10

Every member of the board of Te Reo Whakapuaki Irirangi in office at the commencement of this clause may continue in office for the remainder of his or her current term of office, and on the same terms and conditions, as if **section 27A** had not been enacted.

Transitional provision relating to Māori Television Service 15

6 Term of office of existing directors of board of Māori Television Service

Every director of the board of the Māori Television Service in office at the commencement of this clause may continue in office for the remainder of his or her current term of office, and on the same terms and conditions, as if **section 27B** had not been enacted. 20

Transitional provisions relating to disestablishment of Te Pūtahi Paoho

7 Status of contracts and other instruments

- (1) In **subclause (2)**, **contracts and other instruments** means contracts, agreements, conveyances, deeds, leases, licences, other instruments, undertakings, and notices entered into by, made with, given to or by, or addressed to Te Pūtahi Paoho (whether alone or with another person) before the commencement of this schedule, and having effect immediately before that date. 25
- (2) Contracts and other instruments are binding on, and enforceable by, against, or in favour of, Te Mātāwai as if the contracts or other instruments were entered into by, made with, given to or by, or addressed to or by Te Mātāwai and not Te Pūtahi Paoho. 30

8 Existing matters or things protected

- (1) The disestablishment of Te Pūtahi Paoho by **section 24** does not affect—
- (a) the completion by Te Mātāwai of a matter or thing commenced by or against Te Pūtahi Paoho under the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 before the commencement of this clause; or 35

-
- (b) the bringing or completion of proceedings by or against Te Mātāwai that relate to a right, interest, title, immunity, or duty that existed immediately before the commencement of this clause; or
- (c) documents, matters, or things that would have been admissible as evidence for or against Te Pūtahi Paoho. 5
- (2) It is not necessary to amend a pleading, writ, or other document to continue proceedings by or against Te Pūtahi Paoho.

Schedule 2

Courts and tribunals before which Māori may be spoken

~~s 8~~ ss 6(7), 33A(1)

Part A

Courts

The Supreme Court	5
The Court of Appeal	
The High Court	
District Courts	
The Environment Court	10
The Employment Court	
Family Courts	
Children and Young Persons Courts	
Youth Courts	
The Māori Land Court	15
The Māori Appellate Court	

Part B

Tribunals

The Waitangi Tribunal	
The Employment Relations Authority	20
The Equal Opportunities Tribunal	
<u>The Human Rights Review Tribunal</u>	
The Tenancy Tribunal	
Disputes Tribunals	

Schedule 3

Regional clusters of iwi

ss 8, 14

Te Tai Tokerau (also includes Tāmaki iwi)

Te Aupōuri	5
Ngāti Kahu	
Ngāti Kuri	
Ngāpuhi	
Ngāpuhi ki Whaingaroa-Ngāti Kahu ki Whaingaroa	
Te Rarawa	10
Ngāi Takoto	
Ngāti Wai	
Ngāti Whātua	
Te Kawerau (o Maki) <u>ā Maki</u>	
Te Uri-o-Hau	15
Ngāti Rehua (Great Barrier Island)	
Ngāti Manuhiri	
Ngāti Whātua o Kaipara	
Ngāti Whātua o Ōrākei	
Te Roroa	20

Tainui (also includes Hauraki iwi)

Te Ākitai Waiohua	
Ngāti Tamaoho	
Ngāti Hako	
Ngāti Hei	25
Ngāti Maru (Hauraki)	
Ngāti Paoa	
Patukirikiri	
Ngāti Porou ki Harataunga ki Mataora	
Ngāti Pūkenga ki Waiau	30
Ngāti Rāhiri Tumutumu	
Ngāi Tai (Hauraki)	
Ngāti Tamaterā	
Ngāti Tara Tokanui	

Te Pire mō Te Reo Māori

Schedule 3

Māori Language (~~Te Reo Māori~~) Bill

Ngāti Hineuru	
Ngāti Te Ata	
Ngāti Whanaunga	
Ngāti Haua (Waikato)	
Ngāti Maniapoto	5
Ngāti Raukawa (Waikato)	
Pouākani	
Ngāti Koroki Kahukura	
Waikato	
Mātaatua	10
Ngāti Pūkenga	
Ngaiterangi	
Ngāti Ranginui	
Ngāti Awa	
Ngāti Manawa	15
Ngāi Tai (Tauranga Moana/Mātaatua) (<u>Bay of Plenty</u>)	
Tūhoe	
Whakatōhea	
Te Whānau-a-Apanui	
<u>Ngāti Ruapani</u> ki Waikaremoana <u>Waikaremoana</u>	20
Ngāti Whare	
Te Arawa	
Ngāti Pikiao (Te Arawa)	
Ngāti Rangiteaorere (Te Arawa)	
Ngāti Rangitihi (Te Arawa)	25
Ngāti Rangiwhewehi (Te Arawa)	
Tapuika (Te Arawa)	
Tarāwhai (Te Arawa)	
Tūhorangi (Te Arawa)	
<u>Tūhourangi (Te Arawa)</u>	30
Uenuku-Kōpako (Te Arawa)	
Waitaha (Te Arawa)	
Ngāti Whakaue (Te Arawa)	
Ngāti Tūwharetoa	

Ngāti Mākino	
Ngāti Tūwharetoa <u>ki Kawerau</u> (Bay of Plenty)	
Ngāti Tūrangitukua	
Ngāti Kearoa/Ngāti Tuara	
Ngāti Rongomai	5
Ngāti Tahu-Ngāti Whaoa (Te Arawa)	
Te Tai Rāwhiti	
Ngāti Porou	
Te Aitanga-a-Māhaki	
Rongowhakaata	10
Ngāi Tāmanuhiri	
Ngāti Kahungunu	
Rangitāne (Te Matau-a-Māui/ <u>Dannevirke</u> , Hawke's Bay/, <u>and</u> Wairarapa)	
Ngāti Pāhauwera	
Mana Ahuriri	15
Maungaharuru-Tangitū	
Heretaunga Tamatea	
Ngāti Rākaipaaka	
Te Tai Hau-ā-uru	
Te Ātiawa (Taranaki)	20
Ngāti Maru (Taranaki)	
Ngāti Mutunga (Taranaki)	
Ngā Rauru	
Ngā Ruahine	
Ngāti Ruanui	25
Ngāti Tama (Taranaki)	
Taranaki	
Ngāti Apa (Rangitīkei)	
Te Āti Haunui-a-Pāpārangi	
Ngāti Haua (Taumarunui)	30
Ngāti Rangī	
Ngāti Hauiti	
Te Ātiawa (Te Whanganui-a-Tara/Wellington)	
Muaūpoko	

Schedule 3		Te Pire mō Te Reo Māori Māori Language (Te Reo Māori) Bill
Rangitāne (Manawatū)		
Ngāti Raukawa (Horowhenua/ <u>and</u> Manawatū)		
Ngāti Toarangatira <u>Toa Rangatira</u> (Te Whanganui-a-Tara/Wellington)		
Te Ātiawa ki Whakarongotai		
Ngāti Tama ki Te Upoko o Te Ika (Te Whanganui-a-Tara/Wellington)		5
Ngāti Kauwhata		
Te Waipounamu		
Te Ātiawa (Te Waipounamu/South Island)		
Ngāti Kōata		
Ngāti Kuia		10
Moriori		
Ngāti Mutunga (Wharekauri/Chatham Islands)		
Rangitāne (Te Waipounamu/South Island)		
Ngāti Rārua		
Ngāi Tahu/Kāi Tahu		15
Ngāti Tama (Te Waipounamu/South Island)		
Ngāti Toarangatira <u>Toa Rangatira</u> (Te Waipounamu/South Island)		
Ngāti Apa ki Te Rā Tō		

Schedule 3A **Organisations comprising Te Reo Tukutuku**

ss 8, 14, 33A(3)

Te Reo Tukutuku clusters

The following 4 clusters of organisations listed in this schedule comprise Te Reo Tukutuku: 5

Education

- (a) Te Kōhanga Reo National Trust:
- (b) Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa:
- (c) Te Ringa Raupā o ngā Kura-ā-Iwi: 10
- (d) Te Tauihu o Ngā Wānanga:

Media

- (e) Te Whakaruruhau o ngā Reo Irirangi Māori o Aotearoa:
- (f) Ngā Aho Whakaari:

Community 15

- (g) Ngā Kaiwhakapūmau i te Reo Māori:
- (h) Te Rūnanga o Te Ātaarangi Trust:
- (i) Māori Women's Welfare League Incorporated:
- (j) New Zealand Māori Council:

Urban interests 20

- (k) National Urban Māori Authority.

Schedule 4
Provisions relating to ~~entities, chairpersons, and members or~~
directors Te Mātāwai and its members

ss 8, 14, 16, ~~27, 28~~

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1 Interpretation

In this schedule, ~~entity~~ means 1 or more of the following entities, as the context requires:

- (a) Te Mātāwai;
- (b) Te Taura Whiri;
- (c) Te Māngai Pāho.

2 Appointment of members of Te Mātāwai Nominations and appointments

- (1) This clause applies to the process for ~~nominating~~ appointing persons to be appointed as members of Te Mātāwai.
- (2) For the purposes of **section 14(1)(a) and (b)**, selection groups must be set up, as required by **section 14(2)**. 10
- (3) To form a selection group for the purpose of **section 14(1)(a)** (which relates to the 7 members to be appointed by iwi clusters), each iwi included in an iwi cluster listed in **Schedule 3** must nominate a representative to participate on behalf of that iwi in the selection group. 15
- (3) To form a selection group for the purpose of **section 14(1)(a)** (which relates to the 7 members to be appointed by iwi clusters),—
 - (a) each iwi included in an iwi cluster must be given an opportunity to nominate a representative on behalf of that iwi for the selection group; and
 - (b) at least 60% of the iwi in an iwi cluster must nominate a representative. 20
- (4) To form a selection group for the purpose of **section 14(1)(b)** (which relates to the 3 members to be appointed by Te Reo Tūkūtuku), each of the organisa-

- tions that comprise Te Reo Tukutuku must nominate a representative to participate on behalf of that organisation in the selection group.
- (4) To form a selection group for the purpose of **section 14(1)(b)** (which relates to the 4 members to be appointed by the Te Reo Tukutuku clusters), each organisation in a Te Reo Tukutuku cluster must nominate a representative on behalf of that organisation for the selection group. 5
- (5) Each selection group must—
- (a) determine its own procedures for appointing members to Te Mātāwai; and
 - (b) ~~meet its own costs of setting up a selection group; and~~ 10
 - (c) ~~meet the costs of its representative who participates in the group; and~~
 - (d) not appoint persons to Te Mātāwai who would be disqualified under section 30 of the Crown Entities Act 2004.
- (5A) Te Puni Kōkiri must facilitate the process for appointing the first members of Te Mātāwai, including by advising on the procedures of each selection group. 15
- (6) Each selection group ceases to exist when it has completed its sole ~~the~~ function of appointing the members of Te Mātāwai, though a selection group may be reconvened if required to fill a vacancy in the membership of Te Mātāwai.
- 3 Appointment of members of Te Taura Whiri, Te Māngai Pāho, and directors of board of Māori Television Service** 20
- (1) Te Mātāwai—
- (a) ~~must determine its own procedures for appointing, reappointing, and removing members of Te Taura Whiri, Te Māngai Pāho, and the directors of the board of the Māori Television Service appointed by Te Mātāwai under this Act; and~~ 25
 - (b) must not appoint its own members to one of those entities; and
 - (c) must not appoint persons to those entities who would be disqualified under section 30 of the Crown Entities Act 2004; and
 - (d) ~~when making appointments to those entities, must be guided by the purpose and functions of the entity to which the appointments are being made.~~ 30
- (2) Appointments are made by giving written notice to the person concerned.
- (3) A person appointed must agree in writing to the appointment.
- (4) A notice under **subclause (2)** must—
- (a) ~~state the date on which the appointment takes effect, which must not be earlier than the date on which the notice is received; and~~ 35
 - (b) state the term of the appointment.
- (5) Te Mātāwai must advise the Minister annually—

- (a) about the procedures it has adopted under ~~subclause (1)(a)~~; and
- (b) ~~as to the persons who are currently members or directors of those entities.~~
- (6) ~~The provisions of the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 apply to the directors appointed under this Act as if those directors were appointed under that Act.~~ 5
- 4 Validity of members' acts**
- The acts of a person as a member, as the chairperson, or as the deputy chairperson of an entity Te Mātāwai are valid even though—
- (a) a defect existed in the appointment of the person; or 10
- (b) the occasion for the person acting, or for his or her appointment, had not arisen or had ended.
- 5 Validity of appointments**
- (1) The appointment of a person as a member, as the chairperson, or as the deputy chairperson of an entity Te Mātāwai is not invalid only because a defect existed 15
in the appointment of the person.
- (2) This clause does not apply to a defect in the qualifications for appointment of a member.
- 6 Term of office**
- (1) A member of ~~an entity Te Mātāwai~~ holds office for 3 years or any shorter 20
period stated in the notice of appointment.
- (2) A member may be reappointed for a maximum of 2 further terms.
- (3) A member continues in office despite the expiry of his or her term of office until—
- (a) the member is reappointed; or 25
- (b) the member's successor is appointed; or
- (c) the member resigns or dies; or
- (d) the member is adjudicated bankrupt; or
- (e) the chairperson of Te Mātāwai informs the member by written notice
(~~with a copy to the entity~~) that the member is not to be reappointed and 30
no successor is to be appointed at that time.
- (4) Despite **subclause (1)**, the first members of Te Mātāwai appointed by a Te Reo Tūkutuku cluster or by the Minister hold office for 2 years or any shorter period stated in the notice of appointment.
- 7 Removal of members** 35
- (1) ~~Te Mātāwai may at any time, in accordance with **clause 22(4) or 29(2)** or entirely at its discretion, remove a member of an entity from office.~~

- (2) ~~The Minister may at any time, and for any reason, remove a member appointed by the Minister under **section 14(1)(c)**;~~
- (1) A member of Te Mātāwai may, at any time and for any reason, be removed by—
- (a) the iwi cluster that appointed that member; or 5
- (b) the Te Reo Tūkutuku cluster that appointed that member; or
- (c) the Minister, if the member was appointed under **section 14(1)(c)**.
- (2) A member may be removed under **subclause (1)(a) and (b)** only—
- (a) by a selection group formed in accordance with **clause 2(3) or (4)**; and
- (b) in accordance with the procedure used to appoint that member. 10
- (3) A removal made under **subclause (1)–or–(2)** must be made by written notice to the member (with a copy to the entity Te Mātāwai).
- (4) The notice must state the date on which the removal takes effect, which must not be earlier than the date on which the notice is received.
- (5) ~~To avoid doubt, Te Mātāwai may not remove a member unless Te Mātāwai has properly considered the matter and complied with the principles of natural justice.~~ 15
- (5) To avoid doubt, an iwi cluster, a Te Reo Tūkutuku cluster, or the Minister must not remove a member without properly considering the matter and the procedure to remove a member must comply with the principles of natural justice. 20
- 8 Resignation of member**
- (1) A member of ~~an entity~~ Te Mātāwai may resign from office by written notice to Te Mātāwai ~~(with a copy to the entity)~~ signed by the member.
- (2) The resignation is effective on receipt by Te Mātāwai of the notice or at any later time specified in the notice. 25
- ~~Chairpersons~~ Chairperson and deputy chairperson*
- 9 Term of appointment of ~~chairpersons and deputy chairpersons~~ chairperson and deputy chairperson**
- The chairperson of an entity holds that and deputy chairperson of Te Mātāwai hold office until— 30
- (a) he or she resigns that from his or her office; or
- (b) he or she is removed from it by Te Mātāwai; or
- (c) he or she ceases to hold office as a member; or
- (d) any term of office that was specified on appointment expires, unless the member is reappointed for a further term. 35

10 Resignation of chairperson or deputy chairperson

- (1) The chairperson or deputy chairperson of ~~an entity~~ Te Mātāwai may, without resigning as a member, resign that office by written notice to Te Mātāwai ~~(with a copy to the entity)~~.
- (2) The notice of resignation must state the date on which the resignation takes effect, which must not be earlier than the date of the notice. 5

11 Removal of chairperson or deputy chairperson

- (1) Te Mātāwai may, after consultation with the person concerned, remove ~~a the~~ chairperson or deputy chairperson of ~~an entity~~ Te Mātāwai from that office with or without also removing that person as a member by written notice to the person ~~(with a copy to the entity)~~. 10
- (2) The notice of removal must state the date on which the removal takes effect.
- (3) To avoid doubt, Te Mātāwai ~~may~~ must not remove the chairperson or deputy chairperson unless Te Mātāwai has properly considered the matter and the procedure to remove the person must comply ~~complied~~ with the principles of natural justice. 15

No compensation for loss of office

12 No compensation for loss of office

A member, the chairperson, or the deputy chairperson of ~~an entity~~ Te Mātāwai is not entitled to any compensation or other payment or benefit relating to his or her ceasing, for any reason, to hold office as a member, chairperson, or deputy chairperson, as the case may be. 20

Procedures of entity Te Mātāwai

13 Procedures

~~An entity~~ Te Mātāwai may regulate its own procedure. 25

14 Meetings

- (1) ~~An entity~~ Te Mātāwai or its chairperson must appoint the times and places of meetings of ~~the entity~~, Te Mātāwai and give notice of those meetings to each member not present when the appointment is made.
- (2) The chairperson must preside at a meeting if the chairperson is present and not interested (as defined in **clause 28(5)**) in the matter. 30
- (3) If the chairperson is not present, or is interested in the matter, the deputy chairperson must preside, and has and may exercise all the functions and powers of the chairperson in relation to a matter.
- (4) If neither the chairperson nor the deputy chairperson is available to preside, ~~the~~ entity Te Mātāwai must appoint one of its members to exercise the functions and powers of the chairperson in relation to a matter. 35

- (5) No business may be transacted at a meeting of ~~the entity~~ Te Mātāwai if a quorum is not present.
- (6) For the purposes of **subclause (5)** and **clause 15**, **quorum** means—
 - (a) half the number of members (if ~~the entity~~ Te Mātāwai has an even number of members); or 5
 - (b) a majority of the members (if ~~the entity~~ Te Mātāwai has an odd number of members); or
 - (c) both members (if ~~the entity~~ Te Mātāwai has only 2 members).
- (7) Each member has 1 vote and, in addition to his or her general vote, the chairperson has a casting vote in the case of an equality of votes. 10
- (8) A resolution of ~~the entity~~ Te Mātāwai is passed if it is agreed to by all members present without dissent or if a majority of the votes cast on it are in favour of it.

15 Methods of holding meetings

A meeting of ~~an entity~~ Te Mātāwai may be held—

- (a) by a quorum of the members, being assembled together at the time and place appointed for the meeting; or 15
- (b) by means of audio, audio and visual, or electronic communication, but only if—
 - (i) all of the members who wish to participate in the meeting have access to the technology needed to participate in the meeting; and 20
 - (ii) a quorum of members can simultaneously communicate with each other throughout the meeting.

16 Unanimous written resolutions

- (1) A resolution signed or assented to in writing (whether sent by post, delivery, or electronic communication) by all members is as valid and effectual as if it had been passed at a meeting of ~~the entity~~ Te Mātāwai duly called and constituted. 25
- (2) The resolution may consist of several documents containing the same resolution, each signed or assented to in writing by 1 or more members.

17 Subcommittees

- (1) ~~An entity~~ Te Mātāwai may, by resolution, appoint subcommittees comprising 1 or more of its members— 30
 - (a) to advise ~~it~~ Te Mātāwai on any matters relating to ~~the entity's~~ Te Mātāwai's functions that ~~the entity~~ Te Mātāwai refers to the subcommittee; or
 - (b) to perform any of ~~the entity's~~ Te Mātāwai's functions that ~~the entity~~ it delegates to the subcommittee. 35
- (2) A subcommittee is subject in all things to the control of ~~the entity that appointed it~~ Te Mātāwai and must carry out all general or special directions given to it

by ~~the entity~~ Te Mātāwai in relation to ~~it or its affairs~~ Te Mātāwai or the affairs of Te Mātāwai.

(3) ~~An entity~~ Te Mātāwai may, by resolution, ~~discharge~~ disestablish or reconstitute any subcommittee appointed by it.

(4) A subcommittee to which ~~an entity~~ Te Mātāwai delegates its functions under **subclause (1)(b)** ~~may~~ must perform those functions in the same manner and to the same effect as if ~~the entity~~ Te Mātāwai had performed them. 5

Power to delegate

18 Te Mātāwai and other entities may delegate functions and powers

(1) ~~Te Mātāwai, Te Taura Whiri, and Te Māngai Pāho may, at its discretion,~~ Te Mātāwai may, at its discretion, delegate any of ~~their~~ its functions and powers generally or specifically, by resolution and with written notice to the delegate,— 10

(a) ~~in the case of Te Mātāwai, at the discretion of the entity;~~

(b) ~~in the case of Te Taura Whiri and Te Māngai Pāho, with the approval of Te Mātāwai.~~ 15

(2) Functions may be delegated to—

(a) a member or members of ~~the relevant entity~~ Te Mātāwai; or

(b) the chief executive of ~~that entity~~ Te Mātāwai; or

(c) any other employee or office holder of ~~that entity~~ Te Mātāwai.

(3) ~~An entity~~ Te Mātāwai must not delegate the ~~general~~ power to delegate. 20

(4) ~~An entity~~ Te Mātāwai must not make a delegation under this clause unless ~~the entity~~ it is satisfied that,—

(a) given the nature of the decision to be made by the delegate and the level of funding involved, the delegation will result in a more efficient and effective decision-making process than if ~~the entity~~ Te Mātāwai had made the decision; and 25

(b) conditions are imposed by the delegation that will enable ~~the entity~~ Te Mātāwai to verify that the delegate has complied with the terms of the delegation.

19 Power of delegate 30

(1) A delegate to whom a function or power is delegated—

(a) may, unless directed otherwise, perform the function or exercise the power in the same manner, subject to the same restrictions, and with the same effect as if the delegate were ~~the entity~~ Te Mātāwai; and

(b) may delegate the function or power, but only— 35

(i) with the prior written consent of ~~the relevant entity~~ Te Mātāwai; and

- (ii) in writing to the subdelegate; and
 - (iii) subject to the same restrictions and with the same effect as if the subdelegate were the delegate; and
- (e) ~~must act independently and is not responsible to—~~
 - (i) ~~the Minister, in the case of a delegation to the chief executive of Te Mātāwai; or~~ 5
 - (ii) ~~Te Mātāwai, in the case of a delegation made by the other entities.~~
- (c) must act independently and is not responsible to—
 - (i) the iwi cluster that appointed the member; or
 - (ii) the Te Reo Tūkūtu cluster that appointed the member; or 10
 - (iii) the Minister, if the member was appointed under **section 14(1)(c) or (3A).**
- (2) A delegate who purports to perform a function or exercise a power under a delegation—
 - (a) is, in the absence of proof to the contrary, presumed to do so in accordance with the terms of that delegation; and 15
 - (b) must produce evidence of his or her authority to do so, if reasonably requested to do so.
- 20 Effect of delegation** 20

No delegation made in accordance with this Act—

 - (a) affects or prevents the performance of any function or the exercise of any power by ~~the entity~~ Te Mātāwai; or
 - (b) affects the responsibility of ~~the entity~~ Te Mātāwai for the actions of any delegate acting under the delegation; or
 - (c) is affected by any change in the membership of ~~the entity, any committee of the entity~~ Te Mātāwai or any subcommittee of Te Mātāwai, or by any change in an office holder, chief executive, or employee. 25
- 21 Revocation of delegation**
 - (1) A delegation under **clause 18(1)** may be revoked at will by resolution of ~~the relevant entity~~ Te Mātāwai and written notice to the delegate. 30
 - (2) A delegation under **clause 19(1)(b)** may be revoked at will by written notice of the delegate to the subdelegate.

Collective duties of ~~entity~~ Te Mātāwai and members
- 22 Collective duties**
 - (1) ~~An entity~~ Te Mātāwai must act in a manner consistent with its objectives, functions, current statement of intent, and purchase agreement ~~(if any).~~ 35

- (2) ~~An entity~~ Te Mātāwai must perform its functions—
- (a) efficiently and effectively; and
 - (b) in a manner consistent with the spirit of service to the public; and
 - (c) in collaboration with other public entities (within the meaning of that term under section 5 of the Public Audit Act 2001) where practicable. 5
- (3) ~~An entity~~ Te Mātāwai must operate in a financially responsible manner and, for ~~this~~ that purpose,—
- (a) prudently manage its assets and liabilities; and
 - (b) endeavour to ensure—
 - (i) its long-term financial viability; and 10
 - (ii) that it acts as a successful going concern.
- (4) If the members of ~~an entity~~ Te Mātāwai do not comply with any duty under **subclauses (1) to (3)**, ~~Te Mātāwai may remove all or any of the members from office all or any of the members may be removed from office in accordance with clause 7.~~ 15
- (5) However, **subclause (4)** does not apply to a member if—
- (a) he or she did not know and could not reasonably be expected to have known that the duty was to be or was being breached; or
 - (b) he or she took all reasonable steps in the circumstances to prevent the duty being breached. 20
- (6) A member is not liable for a breach of a duty under this clause, except by being removed from office as provided for in **subclause (4)**.
- (7) This clause does not affect any other ground for removing a member from office.
- (7A) **Subclause (6)** does not affect anything else for which the member may be liable under any other Act or rule of law arising from the act or omission that constitutes the breach. 25
- (8) The duties of Te Mātāwai and of its members under this clause are owed to iwi and Māori.
- (9) ~~The duties of Te Taura Whiri and Te Māngai Pāho and of the members of those entities under this clause are owed to Te Mātāwai.~~ 30

Individual duties of members

23 Duty to comply with this schedule

A member must not contravene, or cause the contravention of, or agree to the entity Te Mātāwai contravening this schedule. 35

24 Duty to act with honesty and integrity

A member must, when acting as a member, act with honesty and integrity.

25 Duty to act in good faith

A member must, when acting as a member, act in good faith and not pursue his or her own interests at the expense of Te Mātāwai's interests.

26 Duty to act with reasonable care, diligence, and skill

A member must, when acting as a member, exercise the care, diligence, and skill that a reasonable person would exercise in the same circumstances, taking into account (without limitation)—

- (a) the nature of ~~the entity~~ Te Mātāwai; and
- (b) the nature of the action; and
- (c) the position of the member and the nature of the responsibilities undertaken by him or her. 10

27 Duty not to disclose information

- (1) A member who has information in his or her capacity as a member that would not otherwise be available to him or her must not disclose that information to any person, or make use of, or act on, that information, except— 15

- (a) in the performance of ~~the entity's~~ Te Mātāwai's functions; or
- (b) as required or permitted by law; or
- (c) in accordance with **subclause (2)**; or
- (d) in complying with the requirement for members to disclose interests.

- (2) A member may disclose, make use of, or act on the information if— 20

- (a) the member is first authorised to do so by ~~the entity or by~~ Te Mātāwai; and
- (b) the disclosure, use, or act in question will not, or is unlikely to, prejudice ~~the entity~~ Te Mātāwai.

28 Duty to disclose interest 25

- (1) A member who is interested in a matter relating to ~~the entity~~ Te Mātāwai must disclose details of the nature and extent of the interest (including any monetary value of the interest)—

- (a) to the chairperson of ~~the entity~~ Te Mātāwai; and
- (b) in an interests register kept by ~~the entity~~ Te Mātāwai. 30

- (2) Disclosure under **subclause (1)** must be made as soon as practicable after the member becomes aware that he or she is interested.

- (3) A member who is interested in a matter relating to ~~the entity~~ Te Mātāwai must not vote or take part in any discussion or decision of ~~the entity~~ Te Mātāwai relating to the matter. 35

- (4) In this clause, **matter** means ~~the entity's~~ Te Mātāwai's performance of its functions under this Act.

- (5) For the purposes of this clause, a person is **interested** in a matter if he or she—
- (a) may derive a financial benefit from the matter; or
 - (b) is the spouse, civil union partner, de facto partner, child, or parent of a person who may derive a financial benefit from the matter; or
 - (c) may have a financial interest in a person or an entity to whom or to which the matter relates; or 5
 - (d) is a partner, director, officer, board member, or trustee of a person or an entity who may have a financial interest in a person or an entity to whom the matter relates; or
 - (e) is otherwise directly or indirectly interested in the matter. 10
- (6) However, a person is not interested in a matter—
- (a) because he or she receives insurance cover, remuneration, or other benefits authorised under this Act; or
 - (b) if his or her interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence him or her in carrying out his or her responsibilities under this Act. 15

29 Accountability for individual duties

- (1) The duties of the members of ~~an entity~~ Te Mātāwai under **clauses 23 to 28** (individual duties of members) are duties owed to Te Mātāwai.
- (2) If a member does not comply with his or her individual duties, Te Mātāwai may remove that member from office. 20
- (2A) Te Mātāwai may bring an action against a member for breach of any individual duty.
- (3) Except as provided in ~~subclause (2)~~ **subclauses (2) and (2A)**, a member is not liable for a breach of an individual duty under this Act. 25
- (4) This clause does not affect any other ground for removing a member from office.
- (5) **Subclause (3)** does not affect anything else for which the member may be liable under any other Act or rule of law arising from the act or omission that constitutes the breach. 30

Immunities and insurance

30 Immunity from civil liability

- (1) A member is not liable, in respect of an excluded act or omission,—
- (a) to Te Mātāwai, unless it is also a breach of an individual duty under any of **clauses 23 to 28**; 35
 - (b) to any other person.
- (2) Nothing in this clause affects—

- (a) the liability of any person that is not a civil liability:
- (b) the right of any person to apply, in accordance with the law, for judicial review.

31 Insurance for liability of member, office holder, or employee

~~An entity~~ Te Mātāwai may effect insurance cover for a member or an employee in relation to his or her acts or omissions, except an act or omission that is—

- (a) in bad faith:
- (b) not in the performance or intended performance of ~~the entity's~~ Te Mātāwai's functions.

32 Breach of insurance limits 10

- (1) A member who is insured by ~~an entity~~ Te Mātāwai in breach of this Act must repay to ~~the entity~~ Te Mātāwai the cost of providing or effecting that insurance cover, to the extent that the insurance cover exceeds that which could have been provided or effected under this Act.

- (2) ~~An entity~~ Te Mātāwai may recover the amount as a debt due in a court of competent jurisdiction. 15

33 Definitions for protections from liability

In **clauses 30 to 32**,—

effect insurance (*whakamana inihua*) includes to pay, whether directly or indirectly, the costs of the insurance 20

excluded act or omission means an act or omission by the member in good faith and in performance or intended performance of ~~the entity's~~ Te Mātāwai's functions

member (*mema*) includes a person who was a member at any time after the commencement of this Act but who is no longer a member. 25

Fees

34 Fees

- (1) The members of ~~an entity~~ Te Mātāwai are entitled to be paid, in accordance with the fees framework,—

- (a) fees as determined by Te Mātāwai and the Minister; and 30
- (b) reimbursement for actual and reasonable expenses incurred in undertaking the functions and duties of ~~the entity~~ Te Mātāwai.

- (2) In **subclause (1)**, **fees framework** means the framework determined by the Government from time to time for the classification and remuneration of statutory and other bodies in which the Crown has an interest. 35

Employment policy

35 Employment policy

- (1) ~~An entity~~ Te Mātāwai must, if it employs ~~employees~~ people,—
 - (a) operate a personnel policy that complies with the principle of being a good employer; and 5
 - (b) make that policy (including the equal employment opportunities programme) available to its employees; and
 - (c) comply with that policy (including its equal employment opportunities programme) and report in its annual report on the extent of its compliance. 10
- (2) ~~An entity~~ Te Mātāwai must, after consulting with the State Services Commissioner, set the terms and conditions of employment for ~~the~~ its chief executive.
- (3) For the purposes of this clause, a **good employer** is an employer who operates a personnel policy containing provisions generally accepted as necessary for the fair and proper treatment of employees in all aspects of their employment, including provisions requiring— 15
 - (a) safe and good working conditions; and
 - (b) an equal employment opportunities programme; and
 - (c) the impartial selection of suitably qualified persons for appointment; and
 - (d) recognition of— 20
 - (i) the aims and aspirations of Māori; and
 - (ii) the need for involvement of Māori as employees of ~~the entity~~ Te Mātāwai; and
 - (e) recognition of the aims and aspirations and employment requirements, and the cultural differences, of ethnic or minority groups; and 25
 - (f) opportunities for enhancing the abilities of individual employees; and
 - (g) recognition of the employment requirements of women; and
 - (h) recognition of the employment requirements of persons with disabilities.
- (4) For the purposes of this clause, an equal **employment opportunities programme** means a programme that is aimed at the identification and elimination 30 of all aspects of policies, procedures, and other institutional barriers that cause or perpetuate, or tend to cause or perpetuate, inequality in respect of the employment of any persons or group of persons.

Schedule 5

Certificates of competency in Māori language

s 25

1 Te Taura Whiri to grant certificates

- (1) Te Taura Whiri must grant a certificate to any person who applies to it for a certificate and satisfies Te Taura Whiri that he or she is qualified to be the holder of such a certificate. 5
- (2) A certificate must be one of the following:
 - (a) a certificate of competency in ~~the interpretation of~~ interpreting the Māori language: 10
 - (b) a certificate of competency in ~~the translation of~~ translating the Māori language:
 - (c) a certificate of competency in ~~the interpretation and translation of~~ interpreting and translating the Māori language. 15

Compare: 1987 No 176 s 15

2 Qualifications for certificates

For the purposes of determining whether ~~or not~~ an applicant for a certificate is qualified to hold such a certificate, Te Taura Whiri must prepare and publish, as it thinks fit, criteria by which competence to interpret or translate the Māori language is to be assessed. 20

Compare: 1987 No 176 s 16

3 Te Taura Whiri may delegate power to issue certificates

- (1) Despite **clause 1(1)**, Te Taura Whiri may delegate to any person or body the power—
 - (a) to assess applicants for certificates; and 25
 - (b) to grant certificates to those applicants who are found to be qualified to be the holders of such certificates.
- (2) Te Taura Whiri may delegate a power under **subclause (1)** only if the delegation complies with ~~clause 18 of Schedule 4~~ section 73 of the Crown Entities Act 2004. 30

Compare: 1987 No 176 s 17

4 Endorsement for purposes of legal proceedings

- (1) Te Taura Whiri may endorse any certificate to the effect that the holder is competent to interpret or translate the Māori language or both (as the case may require) for the purposes of any legal proceedings if Te Taura Whiri is satisfied that the holder of the certificate— 35

- (a) has a sufficient degree of competency in ~~the interpretation or translation of interpreting or translating~~ the Māori language or both (as the case may require); and
 - (b) has undergone an appropriate course of training or instruction in the duties of an interpreter or translator or both in legal proceedings. 5
 - (2) Every holder of a certificate endorsed under this clause must, on production of the certificate, be recognised as competent to interpret or translate the Māori language or both (as the case may require) for the purposes of any legal proceedings.
 - (3) However, no holder may insist on acting as an interpreter, translator, or both in any particular proceedings, and no party, witness, or other person may insist on that holder acting as an interpreter, translator, or both. 10
 - (4) In any legal proceedings, the presiding officer may report to Te Taura Whiri that he or she considers that the holder of a certificate (whether or not endorsed under this clause)— 15
 - (a) has failed to interpret or translate adequately for the purposes of the proceedings; or
 - (b) has acted in a manner that is inconsistent with the duties of an interpreter or a translator in legal proceedings.
 - (5) If Te Taura Whiri receives a report under **subclause (4)**, it must deal with it under **clause 5** as if the report were a complaint lodged under that clause. 20
- Compare: 1987 No 176 s 18
- 5 Complaints against holders of certificates**
- (1) Any person may lodge with Te Taura Whiri a complaint against the holder of a certificate on the ground that— 25
 - (a) the holder has, in the course of interpreting or translating the Māori language, exhibited such incompetence as to call into question the holder's qualification to hold the certificate; or
 - (b) the holder has, while acting as an interpreter or a translator of the Māori language in any legal proceedings, acted in a manner that is inconsistent with the duties of an interpreter or a translator in legal proceedings. 30
 - (2) Except where Te Taura Whiri is satisfied that the complaint is frivolous or vexatious, Te Taura Whiri must provide a copy of the complaint to the person to whom it relates, giving that person a reasonable opportunity to appear before Te Taura Whiri, or (at that person's option) to make written submissions to Te Taura Whiri, in response to the complaint. 35
 - (3) If Te Taura Whiri is satisfied, after investigating a complaint received under **subclause (1)(a)**, that the person complained about is not qualified to hold the certificate that the person is then holding, it may— 40
 - (a) cancel the certificate; or

- (b) suspend the certificate until such time as Te Taura Whiri is satisfied that the person is qualified to hold the certificate.
- (4) If Te Taura Whiri is satisfied, after investigating a complaint received under **subclause (1)(b)**, that the person complained about has acted inconsistently with the duties of an interpreter or a translator in legal proceedings, it may— 5
 - (a) cancel any endorsement of the certificate made under **clause 4**; or
 - (b) if no endorsement has been made, endorse the certificate to the effect that the holder cannot be recognised as competent to interpret or translate the Māori language or both (as the case may require) for the purposes of any legal proceedings. 10
- (5) Te Taura Whiri must, as soon as practicable after deciding to take action under **subclause (3) or (4)**, give to the person concerned notice in writing of its decision and of the reasons for it.
- (6) If Te Taura Whiri cancels, suspends, or endorses a certificate, it must include in that notice a requirement that the holder surrenders the certificate to Te Taura Whiri. 15

~~Compare: 1987 No 176 s 19~~

6 Offence

Every person who fails without reasonable excuse to surrender a certificate when notified under **clause 5(6)** commits an offence and is liable on conviction to a fine not exceeding \$500. 20

~~Compare: 1987 No 176 s 21~~

Schedule 6 Provisions applying to Te Māngai Pāho

s 26(3)

1 Consultation

In carrying out its functions under **section 26**, Te Māngai Pāho must consult— 5

- (a) persons or organisations that represent iwi and Māori interests; and
- (b) broadcasters; and
- (c) persons who transmit on demand; and
- (d) any others who could, in the opinion of Te Māngai Pāho, assist in the 10
development of funding policies by Te Māngai Pāho.

Compare: 1989 No 25 s 53C

2 Matters to be taken into account in relation to funding proposals

Te Māngai Pāho must have regard to the following matters when it assesses a 15
proposal to fund broadcasting or transmitting on demand, or the production of
any programme to be broadcast or content to be transmitted on demand:

- (a) the extent to which the persons seeking the funding for the proposal have 20
sought and secured funding or other resources for the project from sources other than Te Māngai Pāho; and
- (b) the potential size of the audience likely to benefit from the proposal; and
- (c) the extent to which the intended audience has access to services that 25
have as their primary aim the promotion of Māori language and Māori culture; and
- (d) in the case of a proposal for the production of a programme or content, 25
the extent to which the proposed programme or content would contribute to Te Māngai Pāho fulfilling its functions under **section 26**; and
- (e) in the case of a proposal for the production of any programme or content, 30
the likelihood that the proposed programme or content, if produced, would be broadcast or transmitted on demand; and
- (f) the needs and preferences of— 30
 - (i) children participating in te reo Māori immersion education; and
 - (ii) all persons learning te reo Māori.

Compare: 1989 No 25 s 53E

3 Requirements in relation to standards

- (1) This clause applies to any person or organisation that receives funding from Te 35
Māngai Pāho for the purposes of producing a programme.

- (2) ~~That person or organisation must provide an assurance to Te Māngai Pāho that the programme will be consistent with the standards specified in section 4(1) of the Broadcasting Act 1989.~~

4 Contracts in relation to use of funds

~~In making funds available under this Act, Te Māngai Pāho must, as far as it considers practicable,—~~ 5

- ~~(a) invite competitive proposals for the use of funds made available by Te Māngai Pāho; and~~
- ~~(b) ensure that all contracts require the recipients of the funds—~~
 - ~~(i) to attain specified standards of performance; and~~ 10
 - ~~(ii) to account for the use of the funds; and~~
- ~~(c) adopt measures to ensure that recipients of funds comply with the terms referred to in **paragraph (b)**.~~

~~Compare: 1989 No 25 s 53H~~

Schedule 7

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

s 39

Part 1

5

Replaced references

In the following provisions of the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003, replace “Te Pūtahi Paoho” with “Te Mātāwai” in each place:

Section 3(c)	10
Section 5(3)	
Section 10	
Subpart 3 of Part 1 heading	
Section 15	
Heading to section 16	15
Section 16(2)	
Heading to section 17	
Section 19	
Section 24A, definition of manager	
Section 24E	20
Section 31(3)(b) and (7)	
Section 34(3)	
Section 39(2)(d)	
Section 45(2)	
Section 56	25
Schedule 1, clause 13(2)	
Schedule 2, clause 4(1) and (2)	
Schedule 2, clause 5(2)	
Schedule 2, clause 11	
Schedule 2, clause 12	30
Schedule 2, clause 15	
Schedule 2, clause 26(2)(a)(ii)	

Part 2

Other amendments

Replace the Part 1 heading with:

Part 1

Preliminary provisions and provisions relating to establishment of

Māori Television Service and functions, etc, of Service and Te

Mātāwai

5

Replace section 3(a) with:

- (a) the establishment of the Service and the functions, duties, and powers of the Service and Te Mātāwai:
- 10

In section 3(b), replace “ōna tikanga” with “ngā tikanga Māori”.

Replace section 5(2)(c) with:

- (c) subpart 3 provides for the joint responsibilities of the chairperson of Te Mātāwai and the responsible Ministers, and for the resolution of disputes between Te Mātāwai and the responsible Ministers.
- 15

In section 5(3)(b), replace “ōna tikanga” with “ngā tikanga Māori”.

In section 5(3)(ba)(iii), replace “ōna tikanga” with “ngā tikanga Māori”.

Replace section 5(5)(a) with:

- (a) Schedule 1 provides procedures for the resolution of disputes between the responsible Ministers and Te Mātāwai:
- 20

In section 6, repeal the ~~definition of~~ definitions of **ōna tikanga** and **Te Pūtahi Paoho**.

In section 6, insert in its appropriate alphabetical order:

Te Mātāwai means the entity established by **section 11 of Te Ture mō Te Reo Māori 2014/the Māori Language (Te Reo Māori) Act 2014**

In section 8(1), replace “ōna tikanga” with “ngā tikanga Māori”.

25

Repeal sections 12 to 14.

Repeal section 15(c).

In section 16(1), replace “Te Pūtahi Paoho, acting jointly,—” with “Te Mātāwai, on behalf of Te Mātāwai, acting jointly,—”.

In section 17(1), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,—”.

30

In the heading to Part 2, replace “**UHF right**” with “**spectrum management rights**”.

Repeal the cross-heading above section 24A.

In section 24A, replace the definition of **spectrum management rights** with:

spectrum management rights means the management right held by Te Mātāwai for the frequency range 606–622 MHz for the period expiring on 30 November 2033

Replace section 24B with:

- | | |
|--|----|
| 24B Terms and conditions for exercise of spectrum management rights | 5 |
| (1) The terms and conditions under which Te Mātāwai must manage the spectrum management rights must be set out in a deed executed by the responsible Ministers. | |
| (2) The deed may be modified by written agreement between the responsible Ministers, on behalf of the Crown, and Te Mātāwai. | 10 |
| (3) The responsible Ministers must consult the Minister responsible for the administration of the Radiocommunications Act 1989 before modifying the deed under subsection (2) . | |
| (4) The deed may, by agreement, provide that if Te Mātāwai breaches 1 or more specified terms or conditions (a serious breach), the responsible Ministers may require Te Mātāwai to transfer the spectrum management rights to the Crown, and in such case Te Mātāwai must transfer the spectrum management rights as required by the responsible Ministers. | 15 |

In section 24H(1)(a), replace “ōna tikanga” with “ngā tikanga Māori”.

In section 24H(2), replace “ōna tikanga” with “ngā tikanga Māori”. 20

In section 30, replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,” in each place.

In section 31(1), replace “Te Pūtahi Paoho” with “Te Mātāwai, who receives it on behalf of Te Mātāwai,”.

In section 31(2), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,”. 25

In section 31(4), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai”.

In section 31(4)(a), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,”. 30

In section 34(1)(a), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,”.

In section 36(a), replace “Te Pūtahi Paoho,” with “Te Mātāwai, on behalf of Te Mātāwai,”.

In section 36(b), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai”.

In section 39(5)(a), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai”.

In section 41(2)(k), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,”.

In section 44(1), replace “Te Pūtahi Paoho” with “Te Mātāwai, who receives the report on behalf of Te Mātāwai”.

In section 45(1), replace “Te Pūtahi Paoho,” with “Te Mātāwai, on behalf of Te Mātāwai,”. 5

In section 47(1)(a), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,”.

In section 50, replace “Te Pūtahi Paoho” with “Te Mātāwai, who receives the report on behalf of Te Mātāwai”. 10

In Schedule 1, repeal Part 1.

In Schedule 1, repeal clauses 2 to 12 and the cross-headings above clauses 3, 4, 11, and 12.

In Schedule 1, clause 13(1), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai”. 15

In Schedule 2, clause 3(1)(c), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai”.

In Schedule 2, clause 3(2)(c), replace “Te Pūtahi Paoho,” with “Te Mātāwai, on behalf of Te Mātāwai,”.

In Schedule 2, clause 4(4)(a), (b), and (c), replace “Te Pūtahi Paoho,” with “Te Mātāwai, on behalf of Te Mātāwai,”. 20

In Schedule 2, clause 5(1), (3)(b), and (4), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,”.

In Schedule 2, clause 8(1)(a)(ii), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai”. 25

In Schedule 2, clause 10(2)(a), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,”.

In Schedule 2, clause 21(2), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,”.

In Schedule 2, clause 26(4)(e), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,”. 30

In Schedule 2, clause 29, replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai,”.

In Schedule 2, clause 33, replace “Te Pūtahi Paoho,” with “Te Mātāwai, on behalf of Te Mātāwai,” in each place. 35

In Schedule 2, clause 35(4)(c), replace “Te Pūtahi Paoho” with “Te Mātāwai, on behalf of Te Mātāwai”.

Schedule 8 Consequential amendments to other enactments

s 40

Part 1 Amendments to Acts

5

Broadcasting Act 1989 (1989 No 25)

In section 39A, replace “Te Reo Whakapuaki Irirangi” with “Te Māngai Pāho”.

In section 53B(2)(c), after “content”, insert “; and”.

In section 53B(2), after paragraph (c), insert:

(d) other activities to promote the Māori language and Māori culture.

10

In section 53I, replace “7 members” with “5 members appointed by the Minister for Māori Development in accordance with **section 27A of Te Ture mō Te Reo Māori 2014/the Māori Language Act 2014**”.

Children, Young Persons, and Their Families Act 1989 (1989 No 24)

In section 9(3), replace “Māori Language Act 1987” with “**Te Ture mō Te Reo Māori 2014/Māori Language (Te Reo Māori) Act 2014**”.

15

~~Crown Entities Act 2004 (2004 No 115)~~

~~In Schedule 1, Part 2, repeal the item relating to Te Reo Whakapuaki Irirangi (Māori Broadcasting Funding Agency):~~

~~In Schedule 1, Part 2, repeal the item relating to Te Taura Whiri i Te Reo Māori (Māori Language Commission):~~

20

Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (2012 No 72)

In section 53(3)(b), replace “Māori Language Act 1987” with “**Te Ture mō Te Reo Māori 2014/Māori Language (Te Reo Māori) Act 2014**”.

25

In the Schedule, clause 2(3)(b), replace “Māori Language Act 1987” with “**Te Ture mō Te Reo Māori 2014/Māori Language (Te Reo Māori) Act 2014**”.

Judicature Act 1908 (1908 No 89)

In Schedule 2, rule 1.11(1), replace “section 4(1) of the Māori Language Act 1987” with “**section 6(1) of Te Ture mō Te Reo Māori 2014/the Māori Language (Te Reo Māori) Act 2014**”.

30

In Schedule 2, rule 1.12(3), replace “section 18 of the Māori Language Act 1987” with “**clause 4 of Schedule 5 of Te Ture mō Te Reo Māori 2014/the Māori Language (Te Reo Māori) Act 2014**”.

Judicature Act 1908 (1908 No 89)—*continued*

In Schedule 2, rule 1.13(a), replace “section 15(2)(a) or (c) of the Māori Language Act 1987” with “**clause 1(2)(a) or (c) of Schedule 5 of Te Ture mō Te Reo Māori 2014/the Māori Language (Te Reo Māori) Act 2014**”.

In Schedule 2, Schedule 1 of that schedule, form G 12, note 1, replace “Māori Language Act 1987” with “**Te Ture mō Te Reo Māori 2014/Māori Language (Te Reo Māori) Act 2014**”.

Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37)

In section 136(3)(c), replace “Māori Language Act 1987” with “**Te Ture mō Te Reo Māori 2014/Māori Language (Te Reo Māori) Act 2014**”.

In section 136(3)(c), replace “Schedule 1” with “**Schedule 2**”.

~~New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 (2008 No 30)~~

~~In section 11(1)(f), delete “(the Māori Language Commission)”.~~

New Zealand Public Health and Disability Act 2000 (2000 No 91)

In section 77(f), replace “Māori Language Act 1987” with “**Te Ture mō Te Reo Māori 2014/Māori Language (Te Reo Māori) Act 2014**”.

Ombudsmen Act 1975 (1975 No 9)

In Schedule 1, Part 2, insert in ~~their~~ its appropriate alphabetical order:

Te Māngai Pāho
Te Mātāwai

~~In Schedule 1, Part 2, repeal the item relating to Te Reo Whakapuaki Irirangi (Māori Broadcasting Funding Agency).~~

~~In Schedule 1, Part 2, replace the item relating to Te Taura Whiri i Te Reo Māori (Māori Language Commission) with:~~

Te Taura Whiri i te Reo Māori

Public Audit Act 2001 (2001 No 10)

In Schedule 2, insert in ~~their~~ its appropriate alphabetical order:

Te Māngai Pāho
Te Mātāwai
Te Taura Whiri i te Reo Māori

Resource Management Act 1991 (1991 No 69)

In section 39(2)(b), replace “Māori Language Act 1987” with “**Te Ture mō Te Reo Māori 2014/Māori Language (Te Reo Māori) Act 2014**”.

Resource Management Act 1991 (1991 No 69)—continued

In section 276(3), replace “Māori Language Act 1987” with “**Te Ture mō Te Reo Māori 2014/Māori Language (Te Reo Māori) Act 2014**”.

Te Ture Whenua Maori Act 1993 (1993 No 4)

In section 68, replace “Māori Language Act 1987” with “**Te Ture mō Te Reo Māori 2014/Māori Language (Te Reo Māori) Act 2014**”.

5

Part 2
Amendments to legislative instruments

Criminal Procedure Rules 2012 (SR 2012/415)

In rule 1.9(1), replace “section 4(1) of the Māori Language Act 1987” with “**section 6(1) of Te Ture mō Te Reo Māori 2014/the Māori Language (Te Reo Māori) Act 2014**”.

10

In rule 1.10(6)(a), replace “section 18 of the Māori Language Act 1987” with “**clause 4 of Schedule 5 of Te Ture mō Te Reo Māori 2014/the Māori Language (Te Reo Māori) Act 2014**”.

District Courts Rules 2014 (LI 2014/179)

15

In rule 1.15(1), replace “section 4(1) of the Māori Language Act 1987” with “**section 6(1) of Te Ture mō Te Reo Māori 2014/the Māori Language (Te Reo Māori) Act 2014**”.

In rule 1.16(3), replace “section 18 of the Māori Language Act 1987” with “**clause 4 of Schedule 5 of Te Ture mō Te Reo Māori 2014/the Māori Language (Te Reo Māori) Act 2014**”.

20

In rule 1.17(a), replace “section 15(2)(a) or (c) of the Māori Language Act 1987” with “**clause 1(2)(a) or (c) of Schedule 5 of Te Ture mō Te Reo Māori 2014/the Māori Language (Te Reo Māori) Act 2014**”.

In Schedule 2, form 4, note 1, replace “Māori Language Act 1987” with “**Te Ture mō Te Reo Māori 2014/Māori Language (Te Reo Māori) Act 2014**”.

25

Legislative history

3 July 2014
24 July 2014

Introduction (Bill 228–1)
First reading and referral to Māori Affairs Committee