# Māori Purposes Act 2022

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**The Parliament of New Zealand enacts as follows:**

### 1 Title

This Act is the Māori Purposes Act 2022.

### 2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

## Part 1
## Amendments to Te Ture Whenua Maori Act 1993

### 3 Principal Act

This Part amends Te Ture Whenua Maori Act 1993.

### 4 Preamble amended

In the Preamble, replace "Te Kooti" with "Kooti".

### 5 Section 4 amended (Interpretation)

In section 4, insert in their appropriate alphabetical order:

**audiovisual link** means facilities that enable both audio and visual communication

**Ruapuha Uekaha Hapū Trust** means the trust of that name constituted by the Maori Land Court on 2 October 1990 under section 438 of the Maori Affairs Act 1953 and continued under section 354 of this Act

### 6 Section 147A amended (Right of first refusal for sale or gift)

In section 147A(5)(b), replace "15 working days" with "20 working days".

### 7 Section 174 amended (Notice of meetings)

Replace section 174(1)with:

(1) Every meeting called under section 173 must be held—

(a) at the time appointed by the court; and

(b) by 1 or both of the following means, as directed by the court:

(i) at a place appointed by the court:

(ii) using an audiovisual link with 1 or more of the persons permitted by regulations to attend.

(1A) The court must summon the owners to the meeting by notice given in the prescribed manner.

### 8 Section 231 amended (Review of trusts)

After section 231(3), insert:

(4) Subsection (3)(c) does not apply in respect of the Ruapuha Uekaha Hapū Trust.

### 9 Section 241 amended (Termination of trust)

After section 241(2), insert:

(3) This section does not apply in respect of the Ruapuha Uekaha Hapū Trust.

### 10 Section 246 amended (Interpretation)

In section 246, definition of **special resolution**, replace "15 working days' notice" with "20 working days' notice".

### 11 Section 351 amended (Periodic review of trusts constituted under section 438 of Maori Affairs Act 1953)

After section 351(2), insert:

(3) The power to terminate a trust under subsection (2) does not apply in respect of the Ruapuha Uekaha Hapū Trust.

### 12 Schedule 1AA amended

In Schedule 1AA,—

(a) insert the Part set out in Schedule 1 of this Act as the last Part; and

(b) make all necessary consequential amendments.

### 13 Maori Assembled Owners Regulations 1995 amended

Amend the Maori Assembled Owners Regulations 1995 as set out in Schedule 2.

## Part 2
## Amendments to Maori Purposes Act 1959

### 14 Principal Act

This Part amends the Maori Purposes Act 1959.

### 15 Section 3 amended (Interpretation)

(1) In section 3, definition of **adjoining waters forming part of the Lake**, paragraph (b), replace "Wairehau Canal" with "Wairehu Canal".

(2) In section 3, definition of **adjoining waters forming part of the Lake**, after paragraph (d), insert:

(e) those portions of the natural tributaries of Lake Rotoaira situated within the area bounded by longitude 175°42.000′E, State Highway 46, and State Highway 47

(3) In section 3, replace the definition of **stipendiary ranger** with:

**stipendiary ranger** means a person who—

(a) holds a warrant of appointment as an officer under section 198 of the Fisheries Act 1996 or as a ranger under the Wildlife Act 1953, or is a warranted officer under the Conservation Act 1987; and

(b) is an employee of the department responsible for the administration of the applicable Act

(4) In section 3, insert in its appropriate alphabetical order:

**Taupo District** means the district described in the Taupo District Order 1983

### 16 Section 4 replaced (Permit required to enter on lake or fish in lake or stream)

Replace section 4 with:

### 4 Permit required to enter Lake or fish in Lake

(1) Except as provided in subsection (9), a person must not enter or remain in or on any part of the Lake, unless the person holds a current entry permit.

(2) A person must not fish or take fish from the Lake unless the person holds—

(a) a current entry permit that authorises fishing; and

(b) if the person fishes for or takes trout from the Lake, a current trout-fishing licence issued in respect of the Taupo District under regulations made under any Act.

(3) The application of subsection (2) to persons who are beneficial owners under the Rotoaira Trust or who have beneficial interests in land bounded by the Lake or in the bed of the Lake is subject to any regulations made under section 15(2)(d).

(4) The Trustees or their agents may issue entry permits authorising the holders to enter in and on the Lake.

(5) The Trustees may state—

(a) the conditions under which a person is permitted to enter in or on the Lake; and

(b) the purposes for which they may enter.

(6) The holder of an entry permit must not enter or remain in or on the Lake—

(a) in breach of those conditions; or

(b) for any purpose other than a purpose for which the permit was issued.

(7) The Trustees, in their discretion, may—

(a) decide the number of entry permits that may be issued:

(b) refuse to issue an entry permit to any person:

(c) revoke the entry permit of any person who—

(i) breaches any condition on which the permit was issued; or

(ii) enters or remains in or on the Lake for any purpose other than a purpose for which the permit was issued.

(8) If an entry permit is revoked, the holder must, on demand, surrender it to the Trustees or their agent or to any warden.

(9) The following persons may enter in and on the Lake without holding an entry permit:

(a) a Trustee:

(b) a warden:

(c) another person in the bona fide employment of the Trustees:

(d) a constable:

(e) a stipendiary ranger:

(f) a beneficial owner under the Rotoaira Trust authorised to enter by written authority of the Trustees or their agent:

(g) a trustee of Motuopuhi Māori Reservation and their invitees (but entry to the waters described in paragraph (b), (c), or (e) of the definition of adjoining waters forming part of the Lake is not permitted without holding an entry permit):

(h) a person authorised to enter on land by section 110 or 111 of the Public Works Act 1981 or by section 53 of the Cadastral Survey Act 2002, which authorise the entry on land for purposes of survey:

(i) a person engaged, either directly or indirectly, in the planning, preparation, construction, maintenance, or operation of any public work within the meaning of the Public Works Act 1981, or in carrying out any investigation for the purposes of any proposed such work:

(j) an officer of Te Puni Kōkiri entering in the course of their duties:

(k) a Judge of the Maori Land Court entering to perform the functions of their office:

(l) an officer, employee, or agent of—

(i) a State enterprise within the meaning of section 2 of the State-Owned Enterprises Act 1986 that is a generator of electricity; or

(ii) a mixed ownership model company within the meaning of section 45P of the Public Finance Act 1989 that is a generator of electricity.

(10) To avoid doubt, a right of entry under subsection (9) does not authorise fishing or the taking of fish.

### 17 Section 11 amended (Penalty for offences)

In section 11, replace "$100" with "$5,000".

### 18 Section 14 amended (Modification of provisions of Conservation Act 1987)

In section 14(b), replace "section 26R(4)(b)" with "section 26R(4)".

### 19 Section 15 amended (Regulations)

(1) Replace section 15(2)(e) with:

(e) empowering the Trustees to—

(i) fix the daily limits of numbers and types of fish that may be taken in the Lake; and

(ii) specify the size, type, and numbers of fish that may be taken during any given period:

(2) In section 15(2)(h), replace "$100" with "$5,000".

### 20 Rotoaira Trout Fishing Regulations 1979 amended

Amend the Rotoaira Trout Fishing Regulations 1979 as set out in Schedule 3.

## Part 3
## Amendments to other Acts

### Subpart 1—Amendments to Maori Trust Boards Act 1955

### 21 Principal Act

This subpart amends the Maori Trust Boards Act 1955.

### 22 Section 2 amended (Interpretation)

(1) In section 2, insert in its appropriate alphabetical order:

**electronic voting system** means an electronic voting system provided for by regulations made under this Act

(2) In section 2, replace the definition of **Minister** with:

**Minister** means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is responsible for the administration of this Act

### 23 Section 9 amended (Taranaki Maori Trust Board)

Repeal section 9(2).

### 24 Section 16 amended (Extraordinary vacancies)

(1) In section 16(1), replace "the Minister" with "the Board".

(2) After section 16(1), insert—

(1A) If a Board receives the resignation in writing of a member, it must notify the Minister as soon as practicable after receipt of the resignation.

### 25 Section 41 replaced (Fees and travelling allowances)

Replace section 41 with:

### 41 Remuneration of members

A Board may pay to its members remuneration for services provided as a member by way of—

(a) fees, salary, or allowances; and

(b) travelling allowances or expenses.

### 26 Cross-heading above section 50 amended

In the cross-heading above section 50, after "*ballot*", insert "*or electronic voting*".

### 27 Section 50 replaced (Elections to be by postal ballot unless regulations provide otherwise)

Replace section 50 with:

### 50 Elections to be by postal ballot or electronic vote unless regulations provide otherwise

The election of candidates to membership of a Board must be by 1 or both of the following, as required by the Board, unless regulations made under this Act provide otherwise:

(a) postal ballot:

(b) electronic vote.

### 28 Section 51 replaced (Ballot papers to be sent out)

Replace section 51 with:

### 51 Ballot papers and electronic voting to be made available

If an election is required by section 48, the Secretary of the applicable Board must, not later than 1 month after the latest date fixed by section 47 for the lodging of nominations,—

(a) send a ballot paper to each beneficiary entitled to vote at the election, which sets out—

(i) the full names of each candidate for election; and

(ii) the method of marking the ballot paper to indicate the beneficiary's preference; and

(iii) the postal or electronic address to which the ballot paper is to be returned; and

(iv) the latest time for its return; and

(b) for an election using electronic voting, make the electronic voting system available to each beneficiary entitled to vote at the election.

### 29 Section 52 replaced (Returning Officer)

Replace section 52 with:

#### 52 Returning Officer

(1) The Minister may appoint any person, including the Secretary of the Board or an officer of the public service, as the Returning Officer for an election.

(2) A beneficiary who casts a vote must send the ballot paper or electronic vote to the Returning Officer not later than 1 month before the date of expiry of the term of office of the members in office.

### 30 Section 53 replaced (Results of ballots)

Replace section 53 with:

#### 53 Results of voting

(1) After the time fixed for the return of ballot papers and electronic votes has expired, the Returning Officer must count the votes validly cast for each candidate and communicate the results to the Secretary of the Board.

(2) Each candidate may appoint 1 scrutineer to be present at the counting of the votes.

### 31 Maori Trust Boards Regulations 1985 amended

Amend the Maori Trust Boards Regulations 1985 as set out in Schedule 4.

## Subpart 2—Amendment to Maori Community Development Act 1962

### 32 Principal Act

This subpart amends the Maori Community Development Act 1962.

### 33 Section 28 amended (Accounting records and financial reporting)

Replace section 28(1)(f) with:

(f) the New Zealand Maori Council must submit a copy of its audited financial statements to the chief executive:

(g) each District Maori Council must submit a copy of its audited financial statements to the New Zealand Maori Council:

(h) each Maori Committee and Maori Executive Committee must submit a copy of its audited financial statements to the District Maori Council in whose district it operates.

# Schedule 1
# New Part 3 inserted into Schedule 1AA of Te Ture Whenua Maori Act 1993

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## Part 3
## Provisions relating to Māori Purposes Act 2022

### 6 Meaning of commencement date

In this Part, **commencement date** means the date on which this Part comes into force.

### 7 Deadline for receiving tenders for land subject to right of first refusal

(1) This clause applies to a notice published under section 147A(4) at any time before the commencement date.

(2) Section 147A(5)(b) applies to the notice as if it had not been amended by section 6 of the Māori Purposes Act 2022.

### 8 Notice of general meeting specifying intention to propose special resolution

(1) This clause applies to a notice of a general meeting at which a special resolution is to be proposed that is given under the definition of special resolution in section 246 before the commencement date.

(2) The definition of special resolution in section 246 applies to the notice as if it had not been amended by section 10 of the Māori Purposes Act 2022.

# Schedule 2
# Amendments to Maori Assembled Owners Regulations 1995

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### Regulation 2

In regulation 2, insert in its appropriate alphabetical order:

> **present** includes attending a meeting by audiovisual link

Revoke regulation 2(3).

### Regulation 3

Replace regulation 3(3) with:

(3) The Registrar, at the cost of the applicant, or the applicant at their own cost, may give public notice of the meeting by 1 or both of the following methods:

(a) in a newspaper circulating in a district in which a number of the owners reside:

(b) on an Internet site.

### Regulation 7

Replace regulation 7(b) with:

(b) be sent—

(i) by post addressed to that person at that person's usual or last known residence or place of business in New Zealand; or

(ii) to an electronic address of the person in any case where the person does not have a known place of residence or business in New Zealand.

# Schedule 3
# Amendments to Rotoaira Trout Fishing Regulations 1979

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### Regulation 2

In regulation 2(1), definition of **adjoining waters forming part of the lake**, after paragraph (d), insert:

(e) those portions of the natural tributaries of Lake Rotoaira situated within the area bounded by longitude 175°42.000′E, State Highway 46, and State Highway 47

In regulation 2(1), replace the definition of **stipendiary ranger** with:

**stipendiary ranger** means a person who—

(a) holds a warrant of appointment as an officer under section 198 of the Fisheries Act 1996 or as a ranger under the Wildlife Act 1953, or is a warranted officer under the Conservation Act 1987; and

(b) is an employee of the department responsible for the administration of the applicable Act

In regulation 2(1), insert in its appropriate alphabetical order:

**Taupo District** means the district described in the Taupo District Order 1983

### Regulation 6

Replace regulation 6 with:

**6 Applications for entry permit**

An applicant for an entry permit must—

(a) apply to a permit officer in person or in writing; and

(b) state the period for which the permit is required; and

(c) state if entry is required for the purpose of fishing; and

(d) if entry is required for the purpose of fishing for trout, produce to the permit officer a current trout-fishing licence issued to the applicant in respect of the Taupo District under regulations made under any Act; and

(e) pay the permit officer the fee payable for the period for which the permit is required.

### Regulation 19

Replace regulation 19 with:

**19 Anglers to give name and address, and produce permit**

(1) Every person fishing, or in possession of a rod or gear suitable for fishing, in or in the near vicinity of the Lake must, on demand of any Trustee, warden,

**Regulation 19**—*continued*

stipendiary ranger, or constable, or of any person producing a current entry permit,—

(a) give their true name and place of residence; and

(b) produce their entry permit; and

(c) if fishing for trout or in possession of a rod or gear suitable for fishing for trout, produce their trout-fishing licence; and

(d) produce and show the contents of their creel or container and any lure or bait in their possession.

(2) The holder of a current entry permit when fishing in the Lake or in possession in or in the near vicinity of the Lake of a rod or gear suitable for fishing must, on demand of any Trustee, warden, stipendiary ranger, or constable, make or give, legibly and clearly, a specimen signature for comparison with the signature of the holder on the entry permit required under regulation 9(4).

**Regulation 26**

In regulation 26(1), delete "No such alteration may fix a daily limit in excess of the limit for the time being fixed in respect of the Taupo Trout Fishing District by the Taupo Trout Fishing Regulations 1971 (SR 1971/66)."

**Regulation 27**

In regulation 27(1), delete ", but the limit so fixed shall be the same as that for the time being fixed in respect of the Taupo Trout Fishing District by the Taupo Trout Fishing Regulations 1971 (SR 1971/66)".

**Regulation 34**

In regulation 34, replace "Secretary for Internal Affairs" with "Director-General of Conservation".

In regulation 34, replace "as the Secretary may" with "as the Director-General may".

**Regulation 53**

In regulation 53, replace "$100" with "$5,000".

# Schedule 4
# Amendments to Maori Trust Boards Regulations 1985

s 31

### Regulation 8

Replace regulation 8(1) with:

(1) If an election is required under section 48 of the Act, the secretary of each board must forward the roll of the board's beneficiaries to the Returning Officer no later than 3 days before the last day fixed for the receipt of ballot papers and electronic votes under section 52 of the Act.

(1A) The roll must show clearly, in any case where a parliamentary roll of electors is used, the manner in which the board's beneficiaries are identified on that roll.

### New regulations 8A and 8B

After regulation 8, insert:

#### 8A Regulations 12 and 13 apply to postal ballot

Regulations 12 and 13 apply, if an election is required by section 48 of the Act and—

(a) the election is held by postal ballot only, to that election; or

(b) the election is held by postal ballot and electronic voting, in respect of the postal ballot component of the election.

#### 8B Elections by electronic vote

(1) The following conditions apply to the use of electronic votes in an election under section 48 of the Act:

(a) the system for casting votes electronically must meet the conditions set out in subclause (2); and

(b) the Returning Officer must take reasonable steps to ensure that no more than 1 vote is counted for each beneficiary who casts a vote electronically.

(2) A system for casting votes electronically must meet the following conditions:

(a) it must accurately count the votes that are cast using the system; and

(b) it must include reasonable measures for verifying the identity of each person who casts their vote using the system; and

(c) it must retain the information entered into, or generated by, the system for the purpose of the election for at least 3 months after the declaration of the result of the election; and

(d) if it retains that information in electronic form, it must retain the information in a way that—

**New regulations 8A and 8B**—*continued*

(i) is secure, to prevent loss and unauthorised access; and

(ii) provides a reliable means for assuring that the integrity of the information is retained; and

(iii) is readily accessible so as to be usable for subsequent reference.

**Regulation 9**

Replace regulation 9(1) with:

(1) The ballot papers must contain the following:

(a) the name of the board:

(b) the names of the persons that have been nominated—

(i) for membership of the board; and

(ii) if there are specific sections or divisions of beneficiaries, to represent the specified section or division on the board:

(c) instructions on how to vote for the preferred candidates by 1 or both of the following methods:

(i) postal ballot:

(ii) electronic vote:

(d) the date by which the ballot paper or electronic vote must reach the Returning Officer:

(e) for a postal ballot, instructions for the return of the ballot paper to the Returning Officer, including a postal address.

Revoke regulation 9(2).

**Regulation 10**

Replace regulation 10 with:

**10 Voter to inform Returning Officer of place of residence and age**

A beneficiary who casts a vote must inform the Returning Officer in writing of—

(a) their usual place of residence; and

(b) their age.

**Regulation 12**

Replace regulation 12 with:

**12 Custody of returned ballot papers**

All ballot papers received by the Returning Officer by the end of the closing date of the poll must be kept—

**Regulation 12**—*continued*

(a) by the Returning Officer until the counting of the votes; and

(b) in a secure manner, to prevent loss or unauthorised access.

**Regulation 13**

Replace regulation 13 with:

**13 Checking the roll**

(1) Before a ballot paper is counted, the Returning Officer must mark the entry on the roll corresponding with the number on the ballot paper.

(2) If, on any such check, it appears that a beneficiary may have voted more than once, the ballot papers containing the apparent plural votes must be put aside for investigation after the other votes have been counted.

(3) When the checking has been completed, the marked roll must be signed by the Returning Officer and the checking officer, and by any scrutineers present.

**Regulation 14**

Replace regulation 14(1) with:

(1) After the roll has been signed, the ballot papers and all electronic votes received under a system complying with regulation 8B must be counted in the presence of—

(a) any scrutineers who have been appointed and are present; and

(b) a checking officer appointed by the Returning Officer.

In regulation 14(2) and (4), replace "the Secretary for Maori Affairs" with "the chief executive of the Ministry of Māori Development—Te Puni Kōkiri".

In regulation 14(3), delete "in triplicate".

Replace regulation 14(5) with:

(5) If there are apparent plural votes, the following provisions apply:

(a) if the number of plural votes could not affect the result of the election, the result may be declared without first checking the validity of the disputed votes:

(b) if the number of plural votes could affect the result of the election, the result must not be declared until the disputed votes have been either allowed or disallowed after investigation by the Returning Officer.

**Schedule 3**

Revoke Schedule 3.

**Schedule 4**

In Schedule 4, replace "postal address" with "postal or electronic address".

**Schedule 4**—*continued*

In Schedule 4, replace "Printed nomination forms" with "Nomination forms".

In Schedule 4, replace "postal ballot" with "postal ballot or electronic voting".

**Schedule 7**

Revoke Schedule 7.

**Schedule 8**

Revoke Schedule 8.

**Schedule 9**

Revoke Schedule 9.

**Schedule 10**

In Schedule 10, delete "Number of ballot papers printed:".

In Schedule 10, after "Number of ballot papers returned:", insert:

Number of electronic votes returned:

In Schedule 10, replace "Number of valid returned ballot papers:" with:

Number of valid returned ballot papers and electronic votes:

## Legislative history

| | |
|---|---|
| 8 November 2021 | Introduction (Bill 92–1) |
| 25 November 2021 | First reading and referral to Māori Affairs Committee |
| 25 May 2022 | Reported from Māori Affairs Committee (Bill 92–2) |
| 25 October 2022 | Second reading |
| 15 November 2022 | Committee of the whole House |
| 22 November 2022 | Third reading |
| 28 November 2022 | Royal assent |

This Act is administered by the Ministry of Māori Development—Te Puni Kōkiri.

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