



## **Te Ture mō Te Reo Māori 2016**

### **Māori Language Act 2016**

Public Act      2016 No 17  
Date of assent      29 April 2016  
Commencement      see section 2

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#### **Note**

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This Act is administered by Te Puni Kōkiri.**

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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 1

### Ko te ingoa me ngā whakataunga tīmatanga i te reo Māori

#### 1 Te upoko

Ko tēnei te Ture mō Te Reo Māori 2016.

#### 2 Te tīmatanga

- (1) Ka mana ngā wehenga 18(d), te 19(1)(g) ki te (j), te 39, te 43, te 49, me te Āpitihanga 7 hei te rā tōmua ake o ēnei rā e whai ake nei:
  - (a) ko tētahi rā ka whakaritea e te Kāwana-Tianara mā te Ōta Kaunihera;
  - (b) ko te 30 o Poutū-te-rangi 2017 hoki.
- (2) 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.
- (3) Ko tētahi ōta ka hua i tēnei wehenga he ture pae tuarua (*tirohia* te Wāhanga 3 o te Ture Whakature 2019 (Legislation Act 2019) mō ngā tikanga tā).

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#### Ngā whakaritenga o te Legislation Act 2019 mō ngā ture tuarua ka hangā ki raro i tēnei wehenga

<b>Te Whakaputa</b>	Me whakaputa e te PCO ki te pae tukutuku ture me te whakamōhio atu mā <i>Te Kāhiti</i>	LA19 s 69(1)(c)
<b>Te Tuku</b>	Me tuku e te Minita ki te Whare Pāremata	LA19 s 114, Sch 1 cl 32(1)(a)
<b>Te Kore Whakaae</b>	Ka taea e te Whare Pāremata te kore whakaae	LA19 ss 115, 116

*Ehara tēnei kōrero i tētahi wāhi o te Ture.*

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Wehenga 2(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

## Te Wāhanga 2

### He whakataunga horopaki

#### 3 Te korahi me te aronga o tēnei Ture

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

- (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;
  - (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, ā, mā tēnei ture hoki e whakakore Te Pūtahi Paoho.

*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.

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

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

**6 Te Whakaūnga a te Karauna**

- (1) Ka whakaū te Karauna i ngā pānga kino o āna kaupapa here o mua, o āna mahi hoki o mua, i roto i ngā whakatipuranga, kāore i āta whai kia tiakina, kia tokona ake hoki te reo Māori, kāore hoki i ākina kia whakapuakina te reo e ngā iwi me ngāi Māori, otirā ko ngā take—
  - (a) kua kapohia i roto i ngā taunakitanga ki Te Rōpū Whakamana i Te Tiriti o Waitangi;
  - (b) hoki kua whakaūngia e te Karauna i roto i ngā whakaaetanga whakataunga me ngā iwi hei whakatau i ā rātou kerēme i raro i Te Tiriti o Waitangi.
- (2) Ka whakapuaki te Karauna i tōna ū kia mahi tahi me ngā iwi me ngāi Māori ki te āta whai tonu kia tiakina, kia tokona ake hoki tēnei taonga, ko te reo Māori, mō ngā whakatipuranga e haere ake nei.

**7 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:



- (a) he mema nō te kōti, nō te taraipiuara, nō rangatōpū kē atu rānei kei mua i tōna aroaro ngā whakahaerenga e whakahaeretia ana:
  - (b) ko tērā rānei, ko ērā rānei kei mua i te aroaro o te kōti, o ngā taraipiuara rānei, 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—
- (a) tuku i aua tātanga, 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 tātanga 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.
- (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) Ka āhei te whakatau ētahi tikanga o te kōti, ētahi atu tukanga whakahaere rānei e tika ana, hei here i ngā tātanga 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.
- (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.
- (7) I roto i tēnei wehenga me te Āpitihanga 6,—
- ko ngā **whakahaerenga ā-ture** (*legal proceedings*), ko—
- (a) ngā whakahaerenga kei te aroaro o tētahi kōti, o tētahi taraipiuara rānei kua whakahuatia i te Āpitihanga 2:
  - (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:

- (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

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—
- (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 me ngā aratohu*

## **8 Ngā mātāpono**

- (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.
- (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:  
*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:
- (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 hapori:

#### *Te reo Māori me te Karauna*

- (g) e tiakina ana te reo Māori hei taonga e te whiti tuarua o te Tiriti o Waitangi:
- (h) e whakaū ana te Karauna i 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 ngātahitanga a te Karauna me ngā iwi me ngāi Māori, mā Te Mātāwai:
- (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:  
*Te reo Māori me te hāpori o Niu Tirenī*
- (k) he reo whai mana ā-ture nō Niu Tirenī te reo Māori:
- (l) he whakahirahira te reo Māori ki te tuakiri o Niu Tirenī.

## **9 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 whiu ana ia i tōna mana whakahaere, ka kawea ana hoki ia i ōna āheinga:
  - (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:
  - (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.
- (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 kaiāpai i ngā pānga o ngā iwi me ngāi Māori, e ai ki te tumu whakarae.

### *Ngā rautaki reo Māori*

## **10 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;
  - (b) ā te Kāwanatanga ahunga rautaki pae tawhiti hoki, me āna kaupapa mātāmua o nāianei, 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.

- (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.

## 11 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.
- (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.

*Te whakahāngaitanga me ētahi atu take*

## 12 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 8.
- (2) He ōrite te mana o te whakaputanga reo Māori 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.

## 13 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

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;

- (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)

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

- (a) ko tētahi, ko ngā iwi rānei 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 4

ko te **kaitiaki** te tangata rānei, te rōpū rānei ka tiaki i tētahi mea

ko **Te Mātāwai** te hinonga ka whakatūria e te wehenga 17

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

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

ko **Te Pūtahi Paoho** te rangatōpū ka kōrerotia i roto i te wehenga 39, 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 10

ko te **rautaki Maihi Māori** (*Maihi Māori strategy*) te rautaki reo Māori ka whakawhanaketia i raro i te wehenga 11

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 4

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 38

ko te **rōpū kōwhiri** (*selection group*) tētahi rōpū ka whakawhāitihia e ai ki te rārangi 1 o te Āpitihanga 5 hei kopou tangata hei mema mō Te Mātāwai

ko te **tari Kāwanatanga** (*department of State*) tētahi tari Kāwanatanga ka whakahuatia i roto i te Te Wāhanga 1 o Āpitihanga 2 o te Public Service Act 2020

ko **Te Taura Whiri i te Reo Māori** me **Te Taura Whiri** te hinonga Karauna whai mana motuhake, ka tū tonu i te wehenga 37

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.

Wehenga 13 **tari Kāwanatanga**: amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

#### 14 **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.

#### 15 **Ka herea te Karauna e te Ture**

Ka herea te Karauna e tēnei Ture.

#### 16 **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.
- (2) Ka whakatau te Wāhanga 2 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:
  - (c) ka whakaū i te mana o te tangata ki te whakapuaki i te reo Māori i roto i ngā kōti me ngā taraipiunara 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:
  - (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:
- (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):
  - (i) ka whakatau e herea ana te Karauna e te Ture.
- (3) Ka whakatū te Wāhanga 3 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 4 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 whakakorenga o Te Pūtahi Paoho, kia kopou hoki a Te Mātāwai i te tokowhā o ngā kaiurungi tokowhiti o te poari o Te Ratonga Whakaata Māori.
- (5) Ka whakatau te Wāhanga 5 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; ā,
  - (b) ngā mana whakarite waeture e pā ana ki ngā kōrero kei roto i ngā Āpitihanga 2, 4 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.
- (6) E waru ngā āpitihanga, ā, 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:
  - (c) i roto i te Āpitihanga 3, ko ngā kāhui ā-iwi e whitu:
  - (d) i roto i te Āpitihanga 4, ko ngā kāhui e whā o Te Reo Tukutuku:
  - (e) i roto i te Āpitihanga 5, he whakataunga anō e pā ana ki a Te Mātāwai:
  - (f) i roto i te Āpitihanga 6, ngā whakataunga e pā ana ki te whakawhiwhinga o ngā tohu whakatau i te mōhio ki te reo Māori:
  - (g) i roto i te Āpitihanga 7, ngā whakahounga o te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:
  - (h) i roto i te Āpitihanga 8, ngā whakahounga o ētahi atu whakaturetanga i hua ake i muri iho.

## Te Wāhanga 3 Te Mātāwai

*Te whakatūnga, ngā mana whakahaere me te aronga*

### 17 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.
- (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; ā,
  - (b) i te horopaki hoki o te rerenga (a), ngā mana katoa, ngā mana whakahaere katoa me ngā painga katoa.
- (4) Ka hāngai te wehenga iti (3) i runga i ngā whakataunga o tēnei Ture, o tētahi atu whakaturetanga me te ture whānui.

### 18 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;
- (b) hei tautoko hoki, hei whakamōhio atu, hei whakaaweawe hoki i ngā kaupapa a te Karauna hei whakamarumaru, 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;
- (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*

### 19 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:
  - (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:
- (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:
  - (g) he kopou, he kopou anō, he tango hoki i ngā kaiurungi tokowhā o ngā kaiurungi tokowhitu o te poari o Te Ratonga Whakaata Māori:
  - (h) 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:
    - (ii) he whakaū i te tauākī whāinga a Te Ratonga Whakaata Māori:
  - (i) he whakahaere i ngā mana whakahaere hihinga i raro i te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:
  - (j) 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:
  - (k) ko ērā atu āheinga ka tukuna ki a Te Mātāwai e tēnei Ture, e whakaturetanga kē atu rānei.
- (2) Ahakoa ngā kōrero kei roto i te wehenga iti (1), me kaua rawa a Te Mātāwai e tohutohu i a Te Ratonga Whakaata Māori, i tētahi kaiwhakapāho kē atu, i tētahi kaihangā hōtaka kē rānei e pā ana ki—
- (a) tētahi hōtaka motuhake;
  - (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*

**20 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 Āpitihianga 3, tētahi mema e kopou;
  - (b) kia tokowhā hoki ngā mema, mā tēnā, mā tēnā o ngā kāhui e whā o Te Reo Tukutuku, e whakarārangitia ana i roto i te Āpitihianga 4, tētahi mema e kopou;
  - (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 1 o te Āpitihianga 5.
- (3) Ka hāngai te wehenga iti (4), ki te kore e taea tētahi kopoutanga i raro i te wehenga iti (1)(a), i te (b) rānei, ahakoa 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:
  - (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.
- (4) 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.
- (6) E hāngai ana te Āpitihianga 5 ki ngā mema ka kopoua i raro i tēnei wehenga.

## 21 Ngā take e hāngai ana ki ngā whakatau kopoutanga

- (1) I roto i ngā mahi kopou mema mō Te Mātāwai, i runga i ngā here o te wehenga 20(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;
  - (c) me whakaaroaro rawa hoki 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;
  - (d) 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 20(1)(c), i te (4) 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)(c), 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) ko ngā tikanga Māori:
- (g) ko ngā whakahaerenga a te kāwanatanga.

## **22 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 whakatau 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 whakatauria ana i roto i te rārangi 33 o te Āpitianga 5.

### *Ngā herenga pūrongo*

## **23 Te aronga o te kirimana hoko**

Ko te aronga o te kirimana hoko i runga i ngā here o te wehenga 24—

- (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;
- (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.

## **24 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.
- (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;
  - (c) pēnei 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;
  - (iii) me whakauru hoki i tētahi whakamārama poto mō te āhua o te aromatawaitanga o te kawenga o te putanga.
- (3) E noho haepapa ana a Te Mātāwai ki te Minita mō te taha ki te whakatutukihanga o ngā whakaritenga o te kirimana hoko.

## 25 Te tauākī whāinga

- (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.
- (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.

## 26 Te āhua me ngā kōrero o te tauākī whāinga

- (1) Ko te tauākī whāinga ka whakaritea i raro i te wehenga 25, 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**).
- (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:
  - (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:
  - (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.

## 27 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 33.
- (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.

## **28 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:
  - (a) arā, ko ngā pārongo e tika ana kia taea ai te aromatawai i runga i te māramatanga, 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 30;
  - (c) ko ngā tauākī pūtea ā-tau hoki mō Te Mātāwai e ai ki te wehenga 31;
  - (d) ko tētahi tauākī haepapatanga hoki e ai ki te wehenga 32;
  - (e) ko te pūrongo tātari hoki e ai ki te wehenga 33;
  - (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 29 (mō ngā utu e pā ana ki ngā mema me ngā kaimahi i taua tau pūtea);
  - (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.
- (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.

## **29 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; ā,
  - (b) te nui 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; ā,
- (c) te wāriu katoa 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; ā,
- (d) ngā kōrero 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; ā,
- (e) ngā kōrero 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.

### 30 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; ā,
- (b) whakamārama rawa ia putanga ka tautohua i roto i te kirimana hoko mō te tau pūtea; ā,
- (c) whakauru rawa 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; ā,
- (ii) te whakatauritetanga 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.

### 31 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—
- (a) whai rawa i ngā tikanga mahi kaute e whakaaetia whānuitia ana; ā,

- (b) whakauru rawa 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 i ngā tauākī pūtea matapae i whakaritea ai i te tīmatanga o te tau pūtea, kia whakatauritea atu ki ngā tauākī pūtea tūturu.

### **32 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; ā,
- (b) whai rawa i 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; ā,
- (c) whai rawa 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; ā,
- (d) tohu rawa i te rā i mana ai, i waitohua ai hoki e ngā mema tokorua mā Te Mātāwai.

### **33 Te pūrongo tātari**

- (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; ā,
- (b) tāna pūrongo ā-tau, 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); ā,
- (b) tuku rawa 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*

### **34 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.
- (2) I mua i tā te Minita arotake i raro i tēnei wehenga, me whai rawa ia ki te—

- (a) whiriwhiri kōrero me Te Mātāwai mō te aronga me te āhua o te arotake; ā,
  - (b) whakaaroaro i ngā tāpaetanga nā Te Mātāwai mō te arotake e marohitia ana.
- (3) Me āta whai rawa e Te Mātāwai ngā huarahi e tika ana kia mahi ngātahi i te arotake.

### 35 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.
- (2) Heoi anō, ka āhei te karo i tētahi tono mehemea—
- (a) me tāwhi pārongo ka tika hei whakamarumaruru i te noho matatapu o tētahi tangata (he tangata kua mate hoki);
  - (b) 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.
- (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.

### *Tō Te Mātāwai taumata tāke*

### 36 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.
- (2) Heoi anō, ka hāngai te wāteatanga ka whakatauria e te wehenga iti (1) mehemea kāore he panonitanga ki ngā wehenga 23 ki te 33, ki te whakamahinga rānei o ērā ki a Te Mātāwai.

## Te Wāhanga 4

### 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*

### 37 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.



- (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.

### **38 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.
- (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*

### **39 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 o Te Pūtahi Paoho me ngā kawenga a Te Pūtahi Paoho i raro i taua Ture hei āheinga mō Te Mātāwai, hei kawenga hoki mā Te Mātāwai.
- (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,—
- (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.

#### *Ngā āheinga me ngā mana whakahaere*

### **40 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;
- (b) kia toko ake hoki i te reo Māori—
- (i) hei reo ora;
- (ii) hei reo whitiwhiti noa hoki;
- (c) kia tū hoki hei kaiārahi ki te whakarite i te whakatinanatanga o te rautaki Maihi Karauna;

- (d) kia whakaaroaro hoki, kia tuku pūrongo hoki mō ngā take e pā ana ki te reo Māori, ki te Minita;
  - (e) kia whakaritea hoki, kia whakawhiwhia hoki ngā tohu e ai ki te Āpitianga 6;
  - (f) 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.

### *Ngā kopoutanga*

#### **41 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;
  - (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.
- (2) 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 21(3).

#### **42 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:

- (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.

#### **43 Ngā kopoutanga ki te poari o Te Ratonga Whakaata Māori**

- (1) Me kopou rawa e Te Mātāwai kia tokowhā o ngā tāngata tokowhitu 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.
- (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 tonono atu ki a Te Mātāwai kia kopoua he tangata hou.
- (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; ā,
- (b) me kaua rawa e kopou i ōna ake mema hei kaiurungi; ā,
- (c) me kaua rawa e kopou i ngā tāngata ka tupea i raro i te wehenga 30 o te Crown Entities Act 2004; ā,
- (d) i te kopoutanga, me ārahi rawa e te aronga me ngā āheinga o Te Ratonga Whakaata Māori.
- (5) Mā te tuku pānui ā-tuhi ki te tangata kua tohua e mana ai te kopoutanga.
- (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 kaua 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.
- (8) Ka hāngai tonu, i runga i te whai take, ngā whakataunga o te Māori Television Service (Te Aratuku Whakaata Irirangi 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 5**

### **Ko ētahi atu take**

#### *Te arotakenga o tēnei Ture*

#### **44 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,—
- (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.

- (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

#### 45 Ngā waeture

- (1) Ka āhei tā te Kāwana-Tianara hanga waeture, mā te Ōta Kaunihera, i runga i te tūtohunga a te Minita me te Minita mō ngā Kōti, hei whakahou i te Āpitianga 2 mā te tāpiri, mā te tango rānei i te ingoa o tētahi kōti, o tētahi taraipiunara rānei.
- (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 āpitianga 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 Āpitianga 4 mā te tāpiri, mā te tango rānei i te ingoa o tētahi rōpū whakahaere.
- (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 Āpitianga 4 i te whakaatu i te whānuitanga tika o ngā rōpū whakahaere.
- (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 Āpitianga 2.
- (6) Ko ngā waeture ka hua i tēnei wehenga he ture pae tuarua (*tirohia* te Wāhanga 3 o te Ture Whakature 2019 (Legislation Act 2019) mō ngā tikanga tā).

#### Ngā whakaritenga o te Legislation Act 2019 mō ngā ture tuarua ka hangā ki raro i tēnei wehenga

<b>Te Whakaputa</b>	Me whakaputa e te PCO ki te pae tukutuku ture me te whakamōhio atu mā <i>Te Kāhiti</i>	LA19 s 69(1)(c)
<b>Te Tuku</b>	Me tuku e te Minita ki te Whare Pāremata	LA19 s 114, Sch 1 cl 32(1)(a)
<b>Te Kore Whakaae</b>	Ka taea e te Whare Pāremata te kore whakaae	LA19 ss 115, 116

*Ehara tēnei kōrero i tētahi wāhi o te Ture.*

Wehenga 45(6): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

*Te whakahāngai i Ture kē*

**46 Te whakahāngai i te Ombudsmen Act 1975 me te Official Information Act 1982**

He rōpū whakahaere a Te Mātāwai i te horopaki o te Ombudsmen Act 1975 me te Official Information Act 1982.

**47 Te whakahāngai i te Public Audit Act 2001**

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*

**48 Te whakakore**

Ka whakakorengia te Māori Language Act 1987 (1987 No 176).

**49 Ka whakahoungia te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003**

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.

**50 Ko ētahi atu whakahounga**

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 1**

**Title and commencement provisions in English**

**1 Title**

This Act is the Māori Language Act 2016.

**2 Commencement**

(1) Sections 18(d), 19(1)(g) to (j), 39, 43, 49, and Schedule 7 come into force on the earlier of the following dates:

- (a) a date set by the Governor-General by Order in Council; and
- (b) 30 March 2017.

(2) The rest of this Act comes into force on the day after the date on which it receives the Royal assent.

(3) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

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<b>Legislation Act 2019 requirements for secondary legislation made under this section</b>		
<b>Publication</b>	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
<b>Presentation</b>	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
<b>Disallowance</b>	It may be disallowed by the House of Representatives	LA19 ss 115, 116
<i>This note is not part of the Act.</i>		

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Section 2(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

## Part 2

### Preliminary provisions

#### 3 Scope and purpose of this Act

- (1) This Act—
  - (a) replaces the Māori Language Act 1987; and
  - (b) amends the Broadcasting Act 1989; and
  - (c) amends the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003.
- (2) The purpose of this Act is—
  - (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
  - (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
  - (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.

- (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 an official language of New Zealand.

## **6 Acknowledgement of the Crown**

- (1) The Crown acknowledges the detrimental effects of its past policies and practices that have, over the generations, failed actively to protect and promote the Māori language and encourage its use by iwi and Māori, matters that—
  - (a) have been recorded in evidence given to the Waitangi Tribunal; and
  - (b) the Crown has acknowledged in deeds of settlement entered into with iwi to settle their claims under the Treaty of Waitangi.
- (2) The Crown expresses its commitment to work in partnership with iwi and Māori to continue actively to protect and promote this taonga, the Māori language, for future generations.

## **7 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:
  - (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.
- (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.
- (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) 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.
- (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 6,—

**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—

- (a) proceedings before a court or tribunal named in Schedule 2:
- (b) proceedings before a coroner or an associate 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:
  - (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—

- (a) giving written expression in English of words written in Māori; and
- (b) giving written expression in Māori of words written in English.

Section 7(7) **legal proceedings** paragraph (b): amended, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).

### *Principles and guidelines*

## **8 Principles**

- (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:
- (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:
- (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*

- (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:
- (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:
- (l) the Māori language is important to the identity of New Zealand.

**9 Guidance for departments of State**

- (1) As far as is reasonably practicable, a department of State should, when exercising its powers and performing its functions, be guided by the following principles:
  - (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:
  - (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) This guidance does not confer on any person any legal right that is enforceable in a court of law.

- (3) Consultation by a department of State under subsection (1)(a) is to be carried out by the chief executive of the 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.

*Māori language strategies*

**10 Maihi Karauna strategy**

- (1) To assist in achieving the purpose of this Act, the Minister must issue a Maihi Karauna strategy that sets out—
- (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.
- (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.

**11 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.
- (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.

*Interpretation and other matters*

**12 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 8.
- (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.

**13 Interpretation**

In this Act, unless the context otherwise requires,—

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

- (a) means the assets and liabilities of the entity that it owned, controlled, or held, wholly or in part, immediately before the commencement of this Act; and
- (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)

**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

**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

**department of State** (*tari Kāwanatanga*) means a department named in Part 1 of Schedule 2 of the Public Service Act 2020

**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;
- (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

**Maihi Karauna strategy** (*rautaki Maihi Karauna*) means the Crown's Māori language strategy developed under section 10

**Maihi Māori strategy** (*rautaki Maihi Māori*) means the Māori language strategy developed under section 11

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

**Minister** (*Minita*) means the Minister 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 1 of Schedule 5 for the purpose of appointing persons to be members of Te Mātāwai

**Te Mātāwai** means the entity established by section 17

**Te Puni Kōkiri** means the Ministry of Māori Development

**Te Pūtahī Paoho** means the body described in, and disestablished by, section 39

**Te Reo Tukutuku** means the Māori language stakeholder group comprising the organisations listed in Schedule 4

**Te Reo Tukutuku cluster** (*kāhui o Te Reo Tukutuku*) means a group of organisations identified under one of the 4 subheadings in Schedule 4

**Te Reo Whakapuaki Irirangi** means the autonomous Crown entity, also known as Te Māngai Pāho, continued by section 38

**Te Taura Whiri i te Reo Māori** and **Te Taura Whiri** mean the autonomous Crown entity continued by section 37.

Section 13 **department of State**: amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

## 14 Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

## 15 Act binds the Crown

This Act binds the Crown.

## 16 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 2 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:
  - (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:

- (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);
  - (i) it provides that the Crown is bound by the Act.
- (3) Part 3 establishes Te Mātāwai as an independent statutory entity, provides for its functions, and prescribes its reporting obligations and taxation status.
- (4) Part 4 provides for the continuation of Te Taura Whiri and 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 Pūhahi Paoho and for Te Mātāwai to appoint 4 of the 7 directors of the board of the Māori Television Service.
- (5) Part 5 provides for—
  - (a) the review of the Act by the Minister after 3 years, and the repeal of the Māori Language Act 1987; and
  - (b) regulation-making powers in relation to the contents of Schedules 2 and 4; and
  - (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 consequential amendments.
- (6) There are 8 schedules, setting out,—
  - (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 iwi clusters;
  - (d) in Schedule 4, the 4 Te Reo Tukutuku clusters;
  - (e) in Schedule 5, further provisions relating to Te Mātāwai;
  - (f) in Schedule 6, the provisions relating to the issuing of certificates of competency in the Māori language;
  - (g) in Schedule 7, amendments to the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003;
  - (h) in Schedule 8, consequential amendments to other enactments.

## **Part 3**

### **Te Mātāwai**

#### *Establishment, powers, and purpose*

#### **17 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—
  - (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.

#### **18 Purpose of Te Mātāwai**

The purpose of Te Mātāwai is to act on behalf of iwi and Māori—

- (a) to provide leadership in promoting the health and well-being of the Māori language for iwi and Māori, and at the community level; 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 Ministers of the Crown, to the relationship of the Crown with iwi and Māori in relation to the Māori language; and
- (d) in conjunction with the Minister and the Minister of Finance, to provide oversight of, and direction to, the Māori Television Service.

#### *Functions*

#### **19 Functions of Te Mātāwai**

- (1) The functions of Te Mātāwai are as follows:
  - (a) to lead the development of a Maihi Māori strategy:
  - (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:

- (e) to provide advice and guidance to Crown agencies on how they may contribute to developing or implementing the Māori language strategies:
  - (f) to provide the Minister with nominations for appointments to Te Taura Whiri and Te Reo Whakapuaki Irirangi:
  - (g) to appoint, reappoint, and remove 4 of the 7 directors of the board of the Māori Television Service:
  - (h) jointly with the Minister of Finance and the Minister,—
    - (i) to exercise leadership and oversight of the Māori Television Service under the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:
    - (ii) to confirm the statement of intent of the Māori Television Service:
  - (i) to manage the spectrum management rights under the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:
  - (j) all other functions undertaken by Te Pūtahi Paoho under the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:
  - (k) other functions conferred on Te Mātāwai by this Act or any other enactment.
- (2) Despite anything in subsection (1), Te Mātāwai must not direct the Māori Television Service or any other broadcaster or programme maker in respect of—
- (a) a specific programme; or
  - (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*

**20 Membership of Te Mātāwai**

- (1) Te Mātāwai has 13 members, to be appointed as follows:
- (a) 7 members, 1 appointed by each of the 7 iwi clusters listed in Schedule 3; and
  - (b) 4 members, 1 appointed by each of the 4 Te Reo Tūkūtu clusters listed in Schedule 4; and
  - (c) 2 members appointed 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 1 of Schedule 5.
- (3) Subsection (4) 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.
- (4) The Minister must make the appointment.
- (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 5 applies to the members appointed under this section.

## **21 Matters relevant to appointment decisions**

- (1) In appointing members of Te Mātāwai as required by section 20(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
  - (c) 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
  - (d) 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 20(1)(c) or (4), 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.
- (3) The following matters are relevant to the considerations required by subsections (1)(c) and (2):
  - (a) Māori language proficiency:
  - (b) Māori language revitalisation:
  - (c) governance:
  - (d) community development:
  - (e) management:
  - (f) Māori culture:
  - (g) central government operations.

## **22 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.
- (3) Te Mātāwai—



- (a) must determine the chief executive's terms and conditions of employment, in consultation with the Public Service Commission;
- (b) must operate a good employer personnel policy as provided for in clause 33 of Schedule 5.

Section 22(3)(a): amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

### *Reporting requirements*

#### **23 Purpose of purchase agreement**

The purpose of the purchase agreement required by section 24 is—

- (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
- (d) to provide a base against which actual performance can be assessed.

#### **24 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.
- (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
  - (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
    - (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.

#### **25 Statement of intent**

- (1) Te Mātāwai must prepare and publish a statement of intent at least once in every 3-year period.

- (2) The statement of intent must relate to the forthcoming financial year and at least the following 3 financial years.
- (3) Te Mātāwai must consult the Minister about the content of a statement of intent before publishing the statement.
- (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.

## **26 Form and content of statement of intent**

- (1) The statement of intent prepared under section 25 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:
  - (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.
- (3) The statement of intent must be in writing, be dated, and be signed on behalf of Te Mātāwai by 2 members.

## **27 Annual report**

- (1) Te Mātāwai must, as soon as practicable after the end of each financial year, prepare a report on the affairs of Te Mātāwai.
- (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 33.
- (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.

## **28 Form and content of annual report**

- (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
- (b) a statement of performance in accordance with section 30; and
  - (c) the annual financial statements for Te Mātāwai in accordance with section 31; and
  - (d) a statement of responsibility in accordance with section 32; and
  - (e) the audit report in accordance with section 33; 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 29 (which relates to payments in respect of members and employees during that financial year); and
  - (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.
- (3) An annual report must be in writing, be dated, and be signed on behalf of Te Mātāwai by 2 members.

## **29 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
  - (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
  - (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
  - (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.

- (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.

### **30 Form and content of statement of performance**

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
- (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
  - (ii) the actual revenue earned and output expenses incurred, as compared with the expected revenues and proposed output expenses included in the purchase agreement.

### **31 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
  - (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.

### **32 Statement of responsibility**

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
- (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

- (d) be dated and signed on behalf of Te Mātāwai by 2 members.

### **33 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
  - (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—
  - (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 information*

### **34 Review of Te Mātāwai's operations and performance**

- (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.

### **35 Power to request information**

- (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.

*Taxation status of Te Mātāwai*

**36 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 23 to 33 or to their application to Te Mātāwai.

**Part 4**

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

*Te Taura Whiri and Te Reo Whakapuaki Irirangi continued*

**37 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.
- (2) The Crown Entities Act 2004 continues to apply to Te Taura Whiri unless expressly provided otherwise in this Act.

**38 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.

*Disestablishment of Te Pūtahi Paoho*

**39 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.
- (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,—
  - (a) Te Mātāwai is 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.

### *Functions and powers*

#### **40 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
  - (b) to promote the Māori language—
    - (i) as a living language; and
    - (ii) as an ordinary means of communication; and
  - (c) to take the lead in co-ordinating the implementation of the Maihi Karāuna strategy; and
  - (d) to consider and report to the Minister on matters relating to the Māori language; and
  - (e) to make provision for, and to grant, certificates in accordance with Schedule 6; and
  - (f) 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.

### *Appointments*

#### **41 Appointments to Te Taura Whiri**

- (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.
- (2) 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 21(3).

#### **42 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:

- (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.

#### **43 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.
- (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.
- (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
  - (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.
- (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.
- (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.



## Part 5 Miscellaneous matters

### *Review of this Act*

#### 44 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.
- (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.

### *Regulations*

#### 45 Regulations

- (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.
- (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 4 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 4 does not reflect the appropriate range of organisations.
- (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.
- (6) Regulations under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

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**Legislation Act 2019 requirements for secondary legislation made under this section**

<b>Publication</b>	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
<b>Presentation</b>	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
<b>Disallowance</b>	It may be disallowed by the House of Representatives	LA19 ss 115, 116

*This note is not part of the Act.*

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Section 45(6): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

*Application of other Acts*

**46 Application of Ombudsmen Act 1975 and Official Information Act 1982**

Te Mātāwai is an organisation for the purposes of the Ombudsmen Act 1975 and the Official Information Act 1982.

**47 Application of Public Audit Act 2001**

Te Mātāwai is a public entity as defined in section 5 of the Public Audit Act 2001, and the Auditor-General is its auditor.

*Repeal and amendment provisions*

**48 Repeal**

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

**49 Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 amended**

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

**50 Other amendments**

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

## Te Āpitianga 1

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

te wehenga 14

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

#### 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, ānō nei kāore i whakaturetia te wehenga 41.

#### 2 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*

#### 3 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 o 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 42.

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

#### 4 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 o 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 43.

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

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

- (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 ai e Te Pūtahi Paoho, i waihangatia ai me Te Pūtahi Paoho, i hoatu ai ki a Te Pūtahi Paoho, e Te Pūtahi Paoho rānei, i tukuna atu ai rānei ki a Te

Pūtahi 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.

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

- (1) Kāore te whakakorengia o Te Pūtahi Paoho e te wehenga 39 e pā atu ki—
  - (a) tā Te Mātāwai whakaoti i 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;
  - (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;
  - (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.

## Te Āpitihanga 2

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

ngā wehenga 7(7), me te 45(1) hoki

## Te Wāhanga A Ngā Kōti

Te Kōti Mana Nui  
Te Kōti Pira o Aotearoa  
Te Kōti Teitei  
Te Kōti ā-Rohe  
Te Kōti Taiao o Aotearoa  
Te Kōti Take ā-mahi o Aotearoa  
Te Kōti ā-Whānau  
Ngā Kōti Taitamariki, Taiohi hoki  
Te Kōti Taiohi o Aotearoa  
Te Kōti Whenua Māori  
Te Kōti Pira Māori

## Te Wāhanga B Ngā Taraipiunara

Te Rōpū Whakamana i te Tiriti o Waitangi  
Te Ratonga Hononga Taimahi  
Te Taraipiunara Mana Tangata  
Te Taraipiunara Retihanga  
Te Rōpū Wawao Tautohe

## Te Āpitianga 3

### Ngā kāhui ā-rohe o ngā iwi

ngā wehenga 13, me te 20

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

Te Aupōuri

Ngāti Kahu

Ngāti Kurī

Ngāpuhi

Ngāpuhi ki Whāingaroa-Ngāti Kahu ki Whāingaroa

Te Rarawa

Ngāi Takoto

Ngāti Wai

Ngāti Whātua

Te Kawerau ā Maki

Te Uri-o-Hau

Ngāti Rēhua (Aotea)

Ngāti Manuhiri

Ngāti Whātua o Kaipara

Ngāti Whātua o Ōrākei

Te Roroa

**Tainui** (tae atu hoki ki ngā iwi o Hauraki)

Te Ākitai Waiohū

Ngāti Tamaoho

Ngāti Hako

Ngāti Hei

Ngāti Maru (Hauraki)

Ngāti Paoa

Patukirikiri

Ngāti Porou ki Harataunga ki Mataora

Ngāti Pūkenga ki Waiau

Ngāti Rāhiri Tumutumu

Ngāi Tai (Hauraki)

Ngāti Tamaterā

Ngāti Tara Tokanui

Ngāti Hineuru

Ngāti Te Ata

Ngāti Whanaunga

Ngāti Haua (Waikato)

Ngāti Maniapoto

Ngāti Raukawa (Waikato)

Pouākani

Ngāti Koroki Kahukura

Waikato

**Mātaatua**

Ngāti Pūkenga

Ngāiterangi

Ngāti Ranginui

Ngāti Awa

Ngāti Manawa

Ngāi Tai (Te Moana a Toi Te Huatahi)

Tūhoe

Whakatōhea

Te Whānau-a-Apanui

Ngāti Ruapani ki Waikaremoana

Ngāti Whare

**Te Arawa**

Ngāti Pīkiao (Te Arawa)

Ngāti Rangiteaorere (Te Arawa)

Ngāti Rangitihi (Te Arawa)

Ngāti Rangiwehi (Te Arawa)

Tapuika (Te Arawa)

Tarāwhai (Te Arawa)

Tūhourangi (Te Arawa)

Uenuku-Kōpako (Te Arawa)

Waitaha (Te Arawa)

Ngāti Whakaue (Te Arawa)

Ngāti Tūwharetoa

Ngāti Mākino (Te Arawa)

Ngāti Tūwharetoa ki Kawerau (Te Moana a Toi Te Huatahi)

Ngāti Tūrāngitukua

Ngāti Kearoa/Ngāti Tuara

Ngāti Rongomai

Ngāti Tahu-Ngāti Whaoa (Te Arawa)

**Te Tai Rāwhiti**

Ngāti Porou

Te Aitanga-a-Māhaki

Rongowhakaata

Ngāi Tāmanuhiri

Ngāti Kahungunu

Rangitāne (Tāmaki Nui a Rua, Te Matau-a-Māui (ehara tēnei ingoa i te ingoa matawhenua whai mana ā-ture), me Wairarapa)

Ngāti Pāhauwera

Mana Ahuriri

Maungaharuru-Tangitū

Heretaunga Tamatea

Ngāti Rākaipaaka

**Te Tai Hau-ā-uru**

Te Ātiawa (Taranaki)

Ngāti Maru (Taranaki)

Ngāti Mutunga (Taranaki)

Ngā Rauru

Ngā Ruahine

Ngāti Ruanui

Ngāti Tama (Taranaki)

Taranaki

Ngāti Apa (Rangitīkei)

Te Āti Haunui-a-Pāpārangi

Ngāti Haua (Taumarunui)

Ngāti Rangi

Ngāti Hauiti

Te Ātiawa (Te Whanganui-a-Tara)

Muaūpoko



Rangitāne (Manawatū)

Ngāti Raukawa (Horowhenua me Manawatū)

Ngāti Toa Rangatira (Te Whanganui-a-Tara)

Te Ātiawa ki Whakarongotai

Ngāti Tama ki Te Upoko o Te Ika (Te Whanganui-a-Tara)

Ngāti Kauwhata

**Te Waipounamu**

Te Ātiawa (Te Waipounamu)

Ngāti Kōata

Ngāti Kuia

Moriori

Ngāti Mutunga (Wharekauri)

Rangitāne (Te Waipounamu)

Ngāti Rārua

Ngāi Tahu/Kāi Tahu

Ngāti Tama (Te Waipounamu)

Ngāti Toa Rangatira (Te Waipounamu)

Ngāti Apa ki Te Rā Tō

**Te Āpitihanga 4**  
**Ngā rōpū whakahaere kei roto i a Te Reo Tukutuku**  
ngā wehenga 13, 20, 45(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 āpitihanga:

*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:
- (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 Te Rūnanga o Te Ātaarangi Trust:
- (h) ko Te Rōpū Wāhine Māori Toko i te Ora:
- (i) ko Te Kaunihera Māori:

*Te Hunga Noho Tāone*

- (j) ko te National Urban Māori Authority.

## Te Āpitianga 5

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

ngā wehenga 13, 20, 22 hoki

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## **1 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 20(1)(a), me te (b), me whakatū rawa he rōpū kōwhiri, i runga i ngā here o te wehenga 20(2).
- (3) E hangā ai tētahi rōpū kōwhiri i te horopaki o te wehenga 20(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.
- (4) E hangā ai tētahi rōpū kōwhiri i te horopaki o te wehenga 20(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.
- (5) Ko ia rōpū kōwhiri me—
  - (a) whakatau rawa i āna ake tukanga hei kopou mema ki a Te Mātāwai;
  - (b) kaua rawa e kopou i te tangata ka tupea i raro i te wehenga 30 o te Crown Entities Act 2004, ki a Te Mātāwai.
- (6) 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.
- (7) 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.

## 2 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 te tangata, mō te kopoutanga rānei o te tangata.

## 3 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.
- (2) E kore tēnei rārangi e hāngai ki tētahi takarepa o roto i ngā tohu mātauranga i te kopoutanga o te tangata.

## 4 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.
- (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;
  - (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.
- (4) Ahakoa te rārangi iti (1), ka noho ngā mema tuatahi o Te Mātāwai ka kopoua e tētahi kāhui o Te Reo Tūkutuku, 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.

## 5 Te tangohanga o te mema

- (1) Ahakoa te wā, ahakoa hoki te take, ka āhei te tangohia o tētahi mema o Te Mātāwai e—
  - (a) te kāhui ā-iwi nāna nei taua mema i kopou;
  - (b) te kāhui o Te Reo Tūkutuku rānei nāna nei taua mema i kopou;
  - (c) te Minita rānei, mehemea i kopoua te mema i raro i te wehenga 20(1)(c).
- (2) Ka āhei te tangohia o te mema i raro i te rārangi iti (1)(a), i te (b) rānei—
  - (a) e tētahi rōpū kōwhiri i hangā ai e ai ki te rārangi 1(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).
- (4) Me whakapuaki rawa e te pānui te rā e mana ai te tangohanga, ā, me kaua rawa e tōmua ake i te rā i whiwhi ai te mema ki te pānui.
- (5) Kei rangirua, me kaua 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 whakaaroarotia 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.

## 6 Te rīhainatanga o te mema

- (1) E āhei ana tā te mema o Te Mātāwai 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 i tuhia ai ki te pānui.

### *Te kaihautū me te kaihautū tuarua*

## 7 Te roa o te kopoutanga o te kaihautū, o te kaihautū tuarua hoki

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

- (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.

## 8 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 kaua rawa taua rā e tōmua ake i te rā i puta ai te pānui.

## 9 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.
- (2) I roto i te pānui mō te tangohanga me whakapuaki rawa te rā e mana ai te tangohanga.

- (3) Kei rangirua, me kua 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 rānei i ngā mātāpono o te tika me te pono.

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

**10 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.

*Ngā tukanga a Te Mātāwai*

**11 Ngā tukanga**

Me whakarite rawa e Te Mātāwai tāna ake tukanga.

**12 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 26(5)) ki te take.
- (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.
- (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 13, ko te **kōrama**—
- (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).
- (7) 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.

- (8) Ka pāhīngia 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.

### 13 Ngā tikanga whakatū hui

E āhei ana tā Te Mātāwai whakatū hui—

- mā te kōrama rānei o ngā mema, e hui tahi ana i te wā me te wāhi i whakaritea ai mō te hui;
- mā te whitiwhiti kōrero ā-rongo rānei, ā-rongo, ā-ataata rānei, ā-tāhiko rānei, engari e taea noatia ai mehemea—
  - 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;
  - 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.

### 14 Ngā whakataunga tahitanga ā-tuhi

- 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.
- 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.

### 15 Ngā komiti iti

- Mā te whakataunga ā-takitini e āhei ai tā Te Mātāwai kopou komiti iti kia nōhia e tētahi, e ētahi rānei o ōna mema—
  - 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;
  - hei mahi rānei i ngā āheinga o Te Mātāwai ka tāpaetia e ia ki te komiti iti.
- 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.
- 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.
- Me mahi rawa e te komiti iti, nā Te Mātāwai i tāpae āheinga ki a ia, i raro i te rārangi iti (1)(b), aua āheinga kia pērā te āhua, kia pērā hoki te hua, ānō nei i mahia e Te Mātāwai.



*Te mana tāpae*

**16 E āhei ana tā Te Mātāwai tāpae āheinga, tāna tāpae mana whakahaere hoki**

- (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—
  - (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 kaua rawa a Te Mātāwai e tāpae atu i te mana tāpae.
- (4) Me kaua 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;
  - (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.

**17 Te mana o wai rānei i tohua ai**

- (1) Ko tērā i tohua ai kua whai āheinga, kua whai mana whakahaere—
  - (a) atu i ngā wā ka tohua kia aha kē atu, te kawē i ngā āheinga, te whiū rānei i te mana whakahaere, 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;
  - (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;
  - (c) me 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 Tukutuku rānei nāna nei taua mema i kopou;
    - (iii) te Minita rānei, mehemea i kopoua te mema i raro i te wehenga 20(1)(c), i te (4) rānei.

- (2) Ko tētahi i tohua ai e kī ana kei te kawea ia i tētahi āheinga, kei te whiua rānei i tētahi mana whakahaere i raro i tētahi tāpaetanga—
- (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.

## 18 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;
- (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.

## 19 Te whakakorenga o te tāpaetanga

- (1) Ka āhei tā Te Mātāwai whakakore tāpaetanga i raro i te rārangi 16(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 17(1)(b) i te wā e pīrangi ana, mā tētahi pānui ā-tuhi a wai rānei i tohua ai ki tana tuarua.

*Ngā kawenga ā-tōpū a Te Mātāwai me ngā mema*

## 20 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.
- (2) Me mahi rawa e Te Mātāwai ōna āheinga—
  - (a) kia tōtika, kia whai hua; ā,
  - (b) kia hāngai tonu ki te whakaaro nui ki te āwhina i te marea; ā,
  - (c) i te taha 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.
- (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;

- (ii) kia tū 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 5.
- (5) Heoi anō, kāore te rārangi iti (4) i te hāngai ki te mema mehemea—
- (a) kāore ia i mōhio, ā, kāore i āta whakaarotia me mōhio rawa ia ka takahia, i te takahia rānei tētahi kawenga;
- (b) rānei i runga 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).
- (7) Kāore he pānga o tēnei rārangi ki tētahi atu take mō te tango i te mema i tōna tūranga.
- (8) 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.
- (9) 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*

**21 Te kawenga ki te whai i tēnei āpitihanga**

Me kaua rawa te mema e takahi, e mahi rānei kia takahia, e whakaae atu rānei kia takahia e Te Mātāwai tēnei āpitihanga.

**22 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.

**23 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.

**24 Te kawenga kia āta whakaaro, kia urupū, kia whai pūkenga te mahi**

Me whakaatu rawa 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;
- (b) te āhua hoki o te mahi;

- (c) te tūranga hoki o te mema me te āhua o ngā haepapatanga ka pīkautia e ia.

## 25 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, hāunga—
  - (a) ngā wā ka mahia ngā āheinga o te hinonga;
  - (b) rānei ngā wā ka herea e te ture, ka whakaaetia rānei e te ture;
  - (c) rānei ngā wā e ai ki te rārangi iti (2);
  - (d) 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;
  - (b) hoki kāore rawa, kāore pea rānei taua whākinga, taua whakamahinga rānei, taua mahi rānei e whakakino i a Te Mātāwai.

## 26 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)—
  - (a) ki te kaihautū o Te Mātāwai; ā,
  - (b) ki tētahi rēhita pānga 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.
- (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.
- (5) I te horopaki o tēnei rārangi, ka **whai pānga** te tangata i roto i te take—
  - (a) mehemea ka whiwhi painga ā-pūtea ia i taua take:
  - (b) mehemea rānei he makau 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:
  - (c) mehemea rānei ka whai pānga ā-pūtea ki te tangata, ki te hinonga rānei e whai pānga atu ai taua take:

- (d) mehemea rānei he hoa kōtui, 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:
- (e) mehemea rānei he tautika, 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.

## **27 Te noho haepapa mō ngā kawenga takitahi**

- (1) I raro i ngā rārangi 21 ki te 26 (ngā kawenga takitahi a ngā mema) he mea here ngā kawenga a ngā mema o Te Mātāwai ki a Te Mātāwai tonu.
- (2) Mehemea kāore te mema e whai rawa i āna kawenga takitahi, ka āhei tā Te Mātāwai tango i taua mema i te tūranga.
- (3) Ka āhei tā Te Mātāwai whiu i te mema ki te ture mō te takahitanga o tēnei kawenga takitahi.
- (4) Atu i ngā whakataunga i roto i ngā rārangi iti (2) me te (3), kāore te mema e whiua mō te takahitanga o te kawenga takitahi i raro i tēnei Ture.
- (5) Kāore tēnei rārangi e pā ki take kē atu mō te tangohanga o te mema i te tūranga.
- (6) Kāore te rārangi iti (4) 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.

### *Ngā āraitanga me te inihua*

## **28 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,—
  - (a) e Te Mātāwai, atu i ngā wā he takahitanga hoki tērā i te kawenga takitahi i raro i ngā rārangi 21 ki te 26:
  - (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.

**29 Te inihua mō te taunahatanga o te mema rānei, o te tangata rānei e noho ana i tētahi tūranga, o te kaimahi rānei**

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:
- (b) ehara i te mahi, ehara rānei i te mahi e whāia ana kia mahia i roto i ngā āheinga o Te Mātāwai.

**30 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 inihua i te taumata ka taea i raro i tēnei Ture.
- (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.

**31 Ngā whakamahuki mō ngā whakamarutanga i te taunahatanga**

I roto i ngā rārangi 28 ki te 30,—

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

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*

**32 Ngā utu**

- (1) E tika ana kia whiwhi utu ngā mema o Te Mātāwai, 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 o Te Mātāwai, i āna mahi hoki.
- (2) I roto i te rārangi iti (1), ko te **anga utu** ko te anga ka whakatauria e te Kāwanatanga i ōna 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*

**33 Te kaupapa here taimahi**

- (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 āna kaimahi;
  - (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.
- (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—
  - (a) haumarū 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—
    - (i) ngā whāinga a ngāi Māori, i ōna wawata hoki:
    - (ii) te hiranga 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:
  - (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.
- (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 6

### Ngā tohu whakatau i te mōhio ki te reo Māori

te wehenga 40

#### 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.
- (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:
  - (c) he tohu whakatau i te mōhio ki te whakawhiti reo ā-waha, ā-tuhi hoki.

#### 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 tana e pai ai, ngā paearu e aromatawaitia ai te mōhio ki te whakawhiti reo ā-waha, ki te whakawhiti reo ā-tuhi rānei.

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

- (1) Ahakoa 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.
- (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.

#### 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-waha rānei, 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—
  - (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): ā,



- (b) kua tika 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.
- (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.
- (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, tā ērā rānei kei mua i te aroaro o te kōti, o ngā taraipūnara rānei, 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.
- (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:
- (b) rānei kāore 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 ānō nei he amuamu taua pūrongo ka tukuna i raro i taua rārangi.

## **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 rānei i te take—
- (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 e mahi ana hei kaiwhakawhiti reo ā-waha, hei kaiwhakawhiti reo ā-tuhi rānei, i roto i tētahi whakahaerenga ā-ture, 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.

- (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 rānei tāna—
  - (a) whakakore i te tohu:
  - (b) whakatārewa 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.
- (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 kaiwhakawhiti reo ā-waha, a tētahi kaiwhakawhiti reo ā-tuhi rānei, i roto i ngā whakahaerenga ā-ture, ka āhei rānei tāna—
  - (a) whakakore i te whakamananga o te tohu ka tukuna i raro i te rārangi 4:
  - (b) whakamana 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.
- (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.

## 6 He hara

Ki te kore te tangata e whakahoki i tētahi tohu, me te kore i āta whai takunga, i te wā ka whakamōhiotia 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.

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

te wehenga 49

**Te Wāhanga 1**  
**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)

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

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

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

Te wehenga 34(3)

Te wehenga 39(2)(d)

Te wehenga 45(2)

Te wehenga 56

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

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:

### Part 1 Preliminary provisions and provisions relating to establishment of Māori Television Service and functions, etc, of Service and Te Mātāwai

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:

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.

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:

- (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:

**Te Mātāwai** means the entity established by section 17 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016

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.

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,”.

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

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.
- (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).
- (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.

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”.

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,”.

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,”.

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,”.

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,”.

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.

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”.

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,”.

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,”.

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,”.

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 Āpitihanga 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 50

## Te Wāhanga 1

### 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.

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 42 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

#### 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 2016/Māori Language Act 2016”.

#### 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 2016/Māori Language Act 2016”.

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 2016/Māori Language Act 2016”.

#### 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 7(1) of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

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 6 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

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(2)(a) or (c) of Schedule 6 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

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 2016/Māori Language Act 2016”.



**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 2016/Māori Language Act 2016”.

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

**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 2016/Māori Language Act 2016”.

**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:

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

**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 2016/Māori Language Act 2016”.

I roto i te wehenga 276(3), whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “Te Ture mō Te Reo Māori 2016/Māori Language Act 2016”.

**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 2016/Māori Language Act 2016”.

**Te Wāhanga 2**

**Ngā whakahounga o ngā tuhinga ā-ture**

**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 7(1) of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

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 6 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

**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 7(1) of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

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 6 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

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(2)(a) or (c) of Schedule 6 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

I roto i te ĀpitiHanga 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 2016/Māori Language Act 2016”.

## Schedule 1

### Transitional, savings, and related provisions

s 14

#### *Transitional provisions relating to Te Taura Whiri*

##### **1 Term of office of existing members of Te Taura Whiri**

Every member of Te Taura Whiri 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 41 had not been enacted.

##### **2 Existing delegations**

A delegation that is in effect at the commencement of this clause in respect of Te Taura Whiri under the Māori Language Act 1987 continues in effect as if it were a delegation conferred by or under this Act.

#### *Transitional provision relating to Te Reo Whakapuaki Irirangi*

##### **3 Term of office of existing members of board of Te Reo Whakapuaki Irirangi**

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 42 had not been enacted.

#### *Transitional provision relating to Māori Television Service*

##### **4 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 43 had not been enacted.

#### *Transitional provisions relating to disestablishment of Te Pūtahi Paoho*

##### **5 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.
- (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.

**6 Existing matters or things protected**

- (1) The disestablishment of Te Pūtahi Paoho by section 39 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
  - (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.
- (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**

ss 7(7), 45(1)

#### **Part A**

#### **Courts**

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

Schedule 2 Part A: amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

#### **Part B**

#### **Tribunals**

The Waitangi Tribunal  
The Employment Relations Authority  
The Human Rights Review Tribunal  
The Tenancy Tribunal  
The Disputes Tribunal

Schedule 2 Part B: amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

## Schedule 3

### Regional clusters of iwi

ss 13, 20

#### **Te Tai Tokerau** (also includes Tāmaki iwi)

Te Aupōuri

Ngāti Kahu

Ngāti Kuri

Ngāpuhi

Ngāpuhi ki Whaingaroa-Ngāti Kahu ki Whaingaroa

Te Rarawa

Ngāi Takoto

Ngāti Wai

Ngāti Whātua

Te Kawerau ā Maki

Te Uri-o-Hau

Ngāti Rehua (Great Barrier Island)

Ngāti Manuhiri

Ngāti Whātua o Kaipara

Ngāti Whātua o Ōrākei

Te Roroa

#### **Tainui** (also includes Hauraki iwi)

Te Ākitai Waiohū

Ngāti Tamaoho

Ngāti Hako

Ngāti Hei

Ngāti Maru (Hauraki)

Ngāti Paoa

Patukirikiri

Ngāti Porou ki Harataunga ki Mataora

Ngāti Pūkenga ki Waiau

Ngāti Rāhiri Tumutumu

Ngāi Tai (Hauraki)

Ngāti Tamaterā

Ngāti Tara Tokanui

Ngāti Hineuru

Ngāti Te Ata

Ngāti Whanaunga

Ngāti Haua (Waikato)

Ngāti Maniapoto

Ngāti Raukawa (Waikato)

Pouākani

Ngāti Koroki Kahukura

Waikato

**Mātaatua**

Ngāti Pūkenga

Ngaiterangi

Ngāti Ranginui

Ngāti Awa

Ngāti Manawa

Ngāi Tai (Bay of Plenty)

Tūhoe

Whakatōhea

Te Whānau-a-Apanui

Ngāti Ruapani ki Waikaremoana

Ngāti Whare

**Te Arawa**

Ngāti Pīkiao (Te Arawa)

Ngāti Rangiteaorere (Te Arawa)

Ngāti Rangitihi (Te Arawa)

Ngāti Rangiwehi (Te Arawa)

Tapuika (Te Arawa)

Tarāwhai (Te Arawa)

Tūhourangi (Te Arawa)

Uenuku-Kōpako (Te Arawa)

Waitaha (Te Arawa)

Ngāti Whakaue (Te Arawa)

Ngāti Tūwharetoa

Ngāti Mākino (Te Arawa)

Ngāti Tūwharetoa ki Kawerau (Bay of Plenty)

Ngāti Tūrangitukua

Ngāti Kearoa/Ngāti Tuara

Ngāti Rongomai

Ngāti Tahu-Ngāti Whaoa (Te Arawa)

### **Te Tai Rāwhiti**

Ngāti Porou

Te Aitanga-a-Māhaki

Rongowhakaata

Ngāi Tāmanuhiri

Ngāti Kahungunu

Rangitāne (Dannevirke, Hawke's Bay, and Wairarapa)

Ngāti Pāhauwera

Mana Ahuriri

Maungaharuru-Tangitū

Heretaunga Tamatea

Ngāti Rākaipaaka

### **Te Tai Hau-ā-uru**

Te Ātiawa (Taranaki)

Ngāti Maru (Taranaki)

Ngāti Mutunga (Taranaki)

Ngā Rauru

Ngā Ruahine

Ngāti Ruanui

Ngāti Tama (Taranaki)

Taranaki

Ngāti Apa (Rangitīkei)

Te Āti Haunui-a-Pāpārangi

Ngāti Haua (Taumarunui)

Ngāti Rangī

Ngāti Hauiti

Te Ātiawa (Wellington)

Muaūpoko

Rangitāne (Manawatū)



Ngāti Raukawa (Horowhenua and Manawatū)

Ngāti Toa Rangatira (Wellington)

Te Ātiawa ki Whakarongotai

Ngāti Tama ki Te Upoko o Te Ika (Wellington)

Ngāti Kauwhata

**Te Waipounamu**

Te Ātiawa (South Island)

Ngāti Kōata

Ngāti Kuia

Moriori

Ngāti Mutunga (Chatham Islands)

Rangitāne (South Island)

Ngāti Rārua

Ngāi Tahu/Kāi Tahu

Ngāti Tama (South Island)

Ngāti Toa Rangatira (South Island)

Ngāti Apa ki Te Rā Tō

## **Schedule 4**

### **Organisations comprising Te Reo Tukutuku**

ss 13, 20, 45(3)

#### **Te Reo Tukutuku clusters**

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

##### *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:
- (d) Te Tauihu o Ngā Wānanga:

##### *Media*

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

##### *Community*

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

##### *Urban interests*

- (j) National Urban Māori Authority.

## Schedule 5

### Provisions relating to Te Mātāwai and its members

ss 13, 20, 22

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## **1 Nominations and appointments**

- (1) This clause applies to the process for appointing persons as members of Te Mātāwai.
- (2) For the purposes of section 20(1)(a) and (b), selection groups must be set up, as required by section 20(2).
- (3) To form a selection group for the purpose of section 20(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.
- (4) To form a selection group for the purpose of section 20(1)(b) (which relates to the 4 members to be appointed by the Te Reo Tūkūtu clusters), each organisation in a Te Reo Tūkūtu cluster must nominate a representative on behalf of that organisation for the selection group.
- (5) Each selection group must—
  - (a) determine its own procedures for appointing members to Te Mātāwai; and
  - (b) not appoint persons to Te Mātāwai who would be disqualified under section 30 of the Crown Entities Act 2004.
- (6) 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.
- (7) Each selection group ceases to exist when it has completed 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.

## **2 Validity of members' acts**

The acts of a person as a member, as the chairperson, or as the deputy chairperson of Te Mātāwai are valid even though—

- (a) a defect existed in the appointment of the person; or

- (b) the occasion for the person acting, or for his or her appointment, had not arisen or had ended.

### **3 Validity of appointments**

- (1) The appointment of a person as a member, as the chairperson, or as the deputy chairperson of Te Mātāwai is not invalid only because a defect existed in the appointment of the person.
- (2) This clause does not apply to a defect in the qualifications for appointment of a member.

### **4 Term of office**

- (1) A member of Te Mātāwai holds office for 3 years or any shorter 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
  - (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 that the member is not to be reappointed and no successor is to be appointed at that time.
- (4) Despite subclause (1), the first members of Te Mātāwai appointed by a Te Reo Tūkūtu cluster or by the Minister hold office for 2 years or any shorter period stated in the notice of appointment.

### **5 Removal of members**

- (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
  - (b) the Te Reo Tūkūtu cluster that appointed that member; or
  - (c) the Minister, if the member was appointed under section 20(1)(c).
- (2) A member may be removed under subclause (1)(a) or (b)—
  - (a) by a selection group formed in accordance with clause 1(3) or (4); and
  - (b) in accordance with the procedure used to appoint that member.
- (3) A removal made under subclause (1) must be made by written notice to the member (with a copy to 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, an iwi cluster, a Te Reo Tūkūtu 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.

## **6 Resignation of member**

- (1) A member of Te Mātāwai may resign from office by written notice to Te Mātāwai 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.

### *Chairperson and deputy chairperson*

## **7 Term of appointment of chairperson and deputy chairperson**

The chairperson and deputy chairperson of Te Mātāwai hold office until—

- (a) he or she resigns 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.

## **8 Resignation of chairperson or deputy chairperson**

- (1) The chairperson or deputy chairperson of Te Mātāwai may, without resigning as a member, resign that office by written notice to Te Mātāwai.
- (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.

## **9 Removal of chairperson or deputy chairperson**

- (1) Te Mātāwai may, after consultation with the person concerned, remove the chairperson or deputy chairperson of Te Mātāwai from that office with or without also removing that person as a member by written notice to the person.
- (2) The notice of removal must state the date on which the removal takes effect.
- (3) To avoid doubt, Te Mātāwai 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 with the principles of natural justice.

### *No compensation for loss of office*

## **10 No compensation for loss of office**

A member, the chairperson, or the deputy chairperson of 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.

*Procedures of Te Mātāwai*

**11 Procedures**

Te Mātāwai must regulate its own procedure.

**12 Meetings**

- (1) Te Mātāwai or its chairperson must appoint the times and places of meetings of 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 26(5)) in the matter.
- (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, Te Mātāwai must appoint one of its members to exercise the functions and powers of the chairperson in relation to a matter.
- (5) No business may be transacted at a meeting of Te Mātāwai if a quorum is not present.
- (6) For the purposes of subclause (5) and clause 13, **quorum** means—
  - (a) half the number of members (if Te Mātāwai has an even number of members); or
  - (b) a majority of the members (if Te Mātāwai has an odd number of members); or
  - (c) both members (if 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.
- (8) A resolution of 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.

**13 Methods of holding meetings**

A meeting of 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
- (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
  - (ii) a quorum of members can simultaneously communicate with each other throughout the meeting.

#### **14 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 Te Mātāwai duly called and constituted.
- (2) The resolution may consist of several documents containing the same resolution, each signed or assented to in writing by 1 or more members.

#### **15 Subcommittees**

- (1) Te Mātāwai may, by resolution, appoint subcommittees comprising 1 or more of its members—
  - (a) to advise Te Mātāwai on any matters relating to Te Mātāwai’s functions that Te Mātāwai refers to the subcommittee; or
  - (b) to perform any of Te Mātāwai’s functions that it delegates to the subcommittee.
- (2) A subcommittee is subject in all things to the control of Te Mātāwai and must carry out all general or special directions given to it by Te Mātāwai in relation to Te Mātāwai or the affairs of Te Mātāwai.
- (3) Te Mātāwai may, by resolution, disestablish or reconstitute any subcommittee appointed by it.
- (4) A subcommittee to which Te Mātāwai delegates its functions under subclause (1)(b) must perform those functions in the same manner and to the same effect as if Te Mātāwai had performed them.

#### *Power to delegate*

#### **16 Te Mātāwai may delegate functions and powers**

- (1) Te Mātāwai may, at its discretion, delegate any of its functions and powers generally or specifically, by resolution and with written notice to the delegate.
- (2) Functions may be delegated to—
  - (a) a member or members of Te Mātāwai; or
  - (b) the chief executive of Te Mātāwai; or
  - (c) any other employee or office holder of Te Mātāwai.
- (3) Te Mātāwai must not delegate the power to delegate.
- (4) Te Mātāwai must not make a delegation under this clause unless 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 Te Mātāwai had made the decision; and



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

## **17 Power of delegate**

- (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 Te Mātāwai; and
  - (b) may delegate the function or power, but only—
    - (i) with the prior written consent of 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
  - (c) must act independently and is not responsible to—
    - (i) the iwi cluster that appointed the member; or
    - (ii) the Te Reo Tūkutuku cluster that appointed the member; or
    - (iii) the Minister, if the member was appointed under section 20(1)(c) or (4).
- (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
  - (b) must produce evidence of his or her authority to do so, if reasonably requested to do so.

## **18 Effect of delegation**

No delegation made in accordance with this Act—

- (a) affects or prevents the performance of any function or the exercise of any power by Te Mātāwai; or
- (b) affects the responsibility of Te Mātāwai for the actions of any delegate acting under the delegation; or
- (c) is affected by any change in the membership of Te Mātāwai or any sub-committee of Te Mātāwai, or by any change in an office holder, chief executive, or employee.

## **19 Revocation of delegation**

- (1) A delegation under clause 16(1) may be revoked at will by resolution of Te Mātāwai and written notice to the delegate.
- (2) A delegation under clause 17(1)(b) may be revoked at will by written notice of the delegate to the subdelegate.

*Collective duties of Te Mātāwai and members*

**20 Collective duties**

- (1) Te Mātāwai must act in a manner consistent with its objectives, functions, current statement of intent, and purchase agreement.
- (2) 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.
- (3) Te Mātāwai must operate in a financially responsible manner and, for that purpose,—
  - (a) prudently manage its assets and liabilities; and
  - (b) endeavour to ensure—
    - (i) its long-term financial viability; and
    - (ii) that it acts as a successful going concern.
- (4) If the members of Te Mātāwai do not comply with any duty under subclauses (1) to (3), all or any of the members may be removed from office in accordance with clause 5.
- (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.
- (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.
- (8) 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.
- (9) The duties of Te Mātāwai and of its members under this clause are owed to iwi and Māori.

*Individual duties of members*

**21 Duty to comply with this schedule**

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

**22 Duty to act with honesty and integrity**

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

**23 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.

**24 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 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.

**25 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—

- (a) in the performance of 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—

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

**26 Duty to disclose interest**

- (1) A member who is interested in a matter relating to 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 Te Mātāwai; and
- (b) in an interests register kept by Te Mātāwai.

- (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 Te Mātāwai must not vote or take part in any discussion or decision of Te Mātāwai relating to the matter.

- (4) In this clause, **matter** means 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
  - (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.
- (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.

## 27 Accountability for individual duties

- (1) The duties of the members of Te Mātāwai under clauses 21 to 26 (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.
- (3) Te Mātāwai may bring an action against a member for breach of any individual duty.
- (4) Except as provided in subclauses (2) and (3), a member is not liable for a breach of an individual duty under this Act.
- (5) This clause does not affect any other ground for removing a member from office.
- (6) Subclause (4) 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.

## *Immunities and insurance*

## 28 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 21 to 26:

- (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.

## 29 Insurance for liability of member, office holder, or employee

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 Te Mātāwai's functions.

## 30 Breach of insurance limits

- (1) A member who is insured by Te Mātāwai in breach of this Act must repay to 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) Te Mātāwai may recover the amount as a debt due in a court of competent jurisdiction.

## 31 Definitions for protections from liability

In clauses 28 to 30,—

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

**excluded act or omission** means an act or omission by the member in good faith and in performance or intended performance of 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.

## *Fees*

## 32 Fees

- (1) The members of Te Mātāwai are entitled to be paid, in accordance with the fees framework,—
  - (a) fees as determined by Te Mātāwai and the Minister; and
  - (b) reimbursement for actual and reasonable expenses incurred in undertaking the functions and duties of 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.

*Employment policy***33 Employment policy**

- (1) Te Mātāwai must, if it employs people,—
- (a) operate a personnel policy that complies with the principle of being a good employer; and
  - (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.
- (2) Te Mātāwai must, after consulting with the Public Service Commissioner, set the terms and conditions of employment for 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—
- (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—
    - (i) the aims and aspirations of Māori; and
    - (ii) the need for involvement of Māori as employees of Te Mātāwai; and
  - (e) recognition of the aims and aspirations and employment requirements, and the cultural differences, of ethnic or minority groups; and
  - (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 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 clause 33(2): amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

## Schedule 6

### Certificates of competency in Māori language

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#### 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.
- (2) A certificate must be one of the following:
  - (a) a certificate of competency in interpreting the Māori language;
  - (b) a certificate of competency in translating the Māori language;
  - (c) a certificate of competency in interpreting and translating the Māori language.

#### 2 Qualifications for certificates

For the purposes of determining whether 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.

#### 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
  - (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 section 73 of the Crown Entities Act 2004.

#### 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—
  - (a) has a sufficient degree of competency in 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.
- (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.
- (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)—
  - (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.

## **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—
  - (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.
- (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.
- (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—
  - (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—
  - (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.
- (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.

## **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.

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

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**Part 1**  
**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)

Section 5(3)

Section 10

Subpart 3 of Part 1 heading

Section 15

Heading to section 16

Section 16(2)

Heading to section 17

Section 19

Section 24A, definition of **manager**

Section 24E

Section 31(3)(b) and (7)

Section 34(3)

Section 39(2)(d)

Section 45(2)

Section 56

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

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

Replace section 3(a) with:

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

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.

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:

In section 6, repeal the 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 17 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016

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

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,”.

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**

- (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.
- (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.

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

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

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,”.

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,”.

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.”.

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”.

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”.

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.”.

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”.

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.”.

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.

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

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#### Part 1

#### Amendments to Acts

##### **Broadcasting Act 1989 (1989 No 25)**

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.

In section 53I, replace “7 members” with “5 members appointed by the Minister for Māori Development in accordance with section 42 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

##### **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 2016/Māori Language Act 2016”.

##### **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 2016/Māori Language Act 2016”.

In the Schedule, clause 2(3)(b), replace “Māori Language Act 1987” with “Te Ture mō Te Reo Māori 2016/Māori Language Act 2016”.

##### **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 7(1) of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

In Schedule 2, rule 1.12(3), replace “section 18 of the Māori Language Act 1987” with “clause 4 of Schedule 6 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

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 6 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

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 2016/Māori Language Act 2016”.

##### **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 2016/Māori Language Act 2016”.

**Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37)—  
*continued***

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

**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 2016/Māori Language Act 2016”.

**Ombudsmen Act 1975 (1975 No 9)**

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

Te Mātāwai

**Public Audit Act 2001 (2001 No 10)**

In Schedule 2, insert in its appropriate alphabetical order:

Te Mātāwai

**Resource Management Act 1991 (1991 No 69)**

In section 39(2)(b), replace “Māori Language Act 1987” with “Te Ture mō Te Reo Māori 2016/Māori Language Act 2016”.

In section 276(3), replace “Māori Language Act 1987” with “Te Ture mō Te Reo Māori 2016/Māori Language Act 2016”.

**Te Ture Whenua Maori Act 1993 (1993 No 4)**

In section 68, replace “Māori Language Act 1987” with “Te Ture mō Te Reo Māori 2016/Māori Language Act 2016”.

**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 7(1) of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

In rule 1.10(6)(a), replace “section 18 of the Māori Language Act 1987” with “clause 4 of Schedule 6 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

**District Courts Rules 2014 (LI 2014/179)**

In rule 1.15(1), replace “section 4(1) of the Māori Language Act 1987” with “section 7(1) of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

In rule 1.16(3), replace “section 18 of the Māori Language Act 1987” with “clause 4 of Schedule 6 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

**District Courts Rules 2014 (LI 2014/179)—*continued***

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 6 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016”.

In Schedule 2, form 4, note 1, replace “Māori Language Act 1987” with “Te Ture mō Te Reo Māori 2016/Māori Language Act 2016”.



## Notes

### **1     *General***

This is a consolidation of Te Ture mō Te Reo Māori 2016 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2     *Legal status***

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3     *Editorial and format changes***

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4     *Amendments incorporated in this consolidation***

Coroners Amendment Act 2023 (2023 No 8): section 36

Secondary Legislation Act 2021 (2021 No 7): section 3

Public Service Act 2020 (2020 No 40): section 135

District Court Act 2016 (2016 No 49): section 261