



CABINET

LEGISLATION COMMITTEE

RESTRICTED

LEG (93) M 14/1

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MINUTES of a meeting of the Committee held on 10 June 1993 at 9.00 am

PRESENT:

Hon Paul East (Chair)
 Rt Hon Don McKinnon
 Hon Douglas Graham
 Hon Maurice Williamson
 Mr Jeff Grant (Part of item)
 Mr John Carter, MP

ALSO PRESENT:

Hon John Luxton
 Hon Doug Kidd

IN ATTENDANCE:

Officials from Department of Prime Minister and
 Cabinet Department of Justice
 Clerk of the House
 Chief Parliamentary Counsel
 Legislative Programme Co-ordinator



TREATY OF WAITANGI AMENDMENT BILL : PROGRESS REPORT

Reference: LEG (93) 50, Paper tabled by the Minister of Maori Affairs

The Committee agreed to recommend that Cabinet:

- a note that clause 2 of the Treaty of Waitangi Amendment Bill (presently before the Maori Affairs Select Committee) will amend section 6 of the Treaty of Waitangi Act 1975 to provide, subject to sections 8A to 81 of the principal Act, that the Waitangi Tribunal cannot recommend under section 6(3) of the Act "that the Crown acquire ownership of any land or interest in land held by any person";
- b agree that the definition of "person" includes a local authority, whose land is therefore not to be subject to recommendation by the Waitangi Tribunal;
- c agree that the definition of "person" includes a company in which the Crown has a 50% or more shareholding, whose land is therefore not to be subject to recommendation by the Waitangi Tribunal;
- d agree that the definition of "person" excludes the Crown, ensuring that Crown land continues to be subject to recommendation by the Waitangi Tribunal

- e agree that the definition of "person" excludes Crown Entities, as defined by the Public Finance Amendment Act 1992, whose land will continue to be subject to recommendation by the Waitangi Tribunal;
- f agree that the Bill be amended to include the following additional paragraph so that, subject to sections 8A to 81 of the principal Act, the Waitangi Tribunal shall not recommend the acquisition by the Crown of any private land or:

"the return to Maori ownership of any private land".



Philip Mair
Secretary

Cabinet Legislation Committee
Minister of Maori Affairs
Chief Executive, Te Puni Kokiri
Minister of Crown Research Institutes
Convenor, CRI Implementation Steering Committee
Minister of Local Government
Secretary of Internal Affairs (Local Government)
Minister of Education
Chief Executive, Ministry of Education
Chief Executive, PM&C
Secretary for Justice
Secretary for Justice (Treaty of Waitangi Policy Unit)
Chief Parliamentary Counsel
Clerk of the House