

Maori Purposes Amendment Bill 2006

27 April 2006

Attorney-General

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990: MAORI PURPOSES AMENDMENT BILL 2006

1. We have considered whether the Maori Purposes Amendment Bill ("the Bill") is consistent with the New Zealand Bill of Rights Act 1990 ("the Bill of Rights Act"). We understand that the Bill will be considered by the Cabinet Legislation Committee (LEG) at its meeting on Thursday, 4 May 2006.
2. The Bill amends four pieces of legislation. The amendments to the Te Ture Whenua Act 1993 include:
 - Enabling the Chief Judge of the Maori Land Court to delegate the exercise of powers, functions and duties to the Deputy Chief Judge;
 - Increasing the number of judges able to be appointed to the Maori Land Court;
 - Validating the past exercise by the Deputy Chief Judge of certain powers of the Chief Judge.
3. The Bill amends the Treaty of Waitangi Act 1975 by setting a final date of 1 September 2008 for filing historical Treaty of Waitangi claims with the Waitangi Tribunal. A definition of "historical Treaty claim" is also included.
4. The amendments to the Maori Fisheries Act 2004 and the Maori Commercial Aquaculture Claims Settlement Act 2004 clarify the processes for the appropriate allocation of fisheries and aquaculture assets under those Acts.
5. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed by the Bill of Rights Act.

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