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**Redefining Taonga:
The Treaty Principles Bill
and its Potential Impact on the Status of
Te Reo Māori**

A thesis
submitted in partial fulfilment
of the requirements for the degree
of
Master of Arts in Māori & Indigenous Studies
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ABSTRACT

This thesis explores the potential impact of Aotearoa New Zealand's proposed Treaty Principles Bill on the recognition and protection of te reo Māori (Māori language) as a taonga under the Treaty of Waitangi. This research examines the redefinition of fundamental Treaty principles as outlined in the bill, specifically addressing important questions concerning how the transition from partnership, protection and participation towards a focus in equal rights might influence both the legal standing and the cultural status of te reo Māori. With a quantitative methodology approach, this study draws from a range of sources, including legislative policies, political documents, historical records, and academic analysis, to evaluate the impacts and risks this bill could impose. A comparative analysis study with international examples of indigenous language protection provides broader insights into the potential effects on Māori language revitalisation efforts and te reo Māori and its status under the 2016 Māori Language Act. Early findings indicate that the Treaty Principles Bill has ignited considerable debate throughout Aotearoa New Zealand, emphasising tensions between traditional interpretations of the Treaty of Waitangi and framework proposed by the Act Party. Māori rights advocates and public debates express worries that the bill could diminish current protection and reduce advancements achieved for te reo Māori as a taonga. Critics argue that redefining these principles might fracture Māori-Crown relationships, possibly weakening differences and impacting New Zealand's governance and national identity. This debate emphasises the challenging task of restoring New Zealand's colonial past with its modern goals for fairness and equality. As Parliament reviews this legislation, it is confronted with a crucial decision that will influence the future direction of Aotearoa New Zealand.

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GLOSSARY OF MĀORI WORDS

This glossary provides definitions and explanations of key terms used throughout the research. It is designed to help readers understand the specific language and concepts related to the research. Each word is translated within the specific context of this thesis. It is important to note that each te reo Māori word may have multiple meanings depending on usage.

Aotearoa	The original name of New Zealand, may appear in research as “Aotearoa New Zealand”
Iwi	Tribes
Kōhanga Reo	Full immersion preschool
Kura Kaupapa	Full immersion school
Māori	Refers to the Indigenous people of New Zealand, also refers to the language they speak
Ngā tikanga katoa rite tahi	Equal rights for everyone
Pākehā	A New Zealander of European descent as opposed to a Māori person
Rangatira	Chief or leader of a tribe, a person of rank
Rangatiratanga	Sovereignty
Tangata	People or person
Tangata whenua	Indigenous peoples, Māori with ancestral ties to the land
Taonga	Treasure, cherished treasure
Te Pāti Māori	The Māori Party, a party that represents Māori, in parliament or government
Te reo Māori	The Māori language
Te Tiriti o Waitangi	The Treaty of Waitangi
Tiriti	Treaty
Tupuna	Ancestor
Waitangi	The place in which the Treaty was signed
Whakapapa	Genealogy
Whīkoi	March

CHAPTER 1

INTRODUCTION TO THE RESEARCH

1.1 Background and Context

Te reo Māori (the Indigenous language of Māori people), is an essential part of Māori cultural identity and tradition. Despite its recognition as an official language in Aotearoa New Zealand, te reo Māori remains at risk of decline, the Treaty Principles Bill could potentially undo the extensive efforts made to revitalise it after it was nearly lost once before. As a person of both Māori (the Indigenous peoples of Aotearoa New Zealand) and European descent, I have spent my life navigating between two worlds, constantly negotiating my place in spaces that often feel at odds with each other. Growing up with two heritages has given me insight into the inequalities that persist in Aotearoa New Zealand today. While my Pākehā (European) ancestry connects me to privilege and power, my Māori whakapapa (genealogy) reminds me of the injustices that Māori continue to face. My lived experience has shown me that while equality is often invoked as a goal, true equality remains out of reach for Māori. My existence challenges the expectation that I should align with the dominant culture for its benefits. Instead, I am compelled by my whakapapa (genealogy) and sense of responsibility to stand for the rights of Māori. My career has been dedicated to education, specifically teaching te reo Māori. I have actively contributed to the revitalisation efforts made to strengthen te reo Māori. Driven by a sense of responsibility and inspired by my tupuna (ancestors), who influenced their efforts to protecting our cultural traditions and taonga (treasures). Selecting the Treaty Principles Bill (2024) and its potential impact on te reo Māori as the focal point of this study is to prevent this legislation from fostering a misconception that diminishes the importance of preserving and promoting te reo Māori, thereby reducing ongoing revitalisation efforts.

The Māori language holds significant cultural and historical importance. Prior to European colonisation, it was the main language spoken in Aotearoa and was integral to Māori identity and culture. With the arrival of European settlers, introduced significant challenges for te reo Māori. With English emerging as the dominant language, assimilation policies also contributed to the decline on its use. The introduction of the Native Schools Act 1867, which mandated English only, and penalised children for speaking te reo Māori only reduced the language even more. The decline in fluent speakers showed that by the 1970s, only a small fraction of Māori children could speak their native tongue fluently. Urbanisation, saw Māori populations moved to predominantly English-speaking areas, further diminishing the language. In spite of these challenges, substantial

efforts have seen the birth of Kōhanga Reo (Māori language preschools) in 1982, the recognition of te reo Māori as an official language in 1987, then the legislative changes that seen te reo Māori rewarded with the status of taonga under Te Tiriti o Waitangi (the Treaty of Waitangi).

The Treaty of Waitangi is the foundational agreement between the British Crown and many Māori iwi (tribes) in Aotearoa New Zealand signed in 1840. Initially intended to protect Māori land, culture, and rights while facilitating British governance, its interpretation and application have been contentious and evolving through legal, political, and social challenges (Orange, 2011).

In recent years, New Zealand's political landscape has experienced scrutiny especially following the introduction of the Treaty Principles Bill introduced in 2024. The Act Party introduced this bill, a right-wing conservative political party. Founded by former National Party MP (Member of Parliament) Derek Quigley and former Labour Party MP Roger Douglas. But currently lead by David Seymour (contributors, 2025). The Act Party suggests redefining key principles of the Treaty-partnership, protection, and participation-arguing for equal rights for Māori and non-Māori. The rationale for this shift lies in growing political push to ensure all New Zealanders are treated equally, yet it risks diluting the unique protections for Māori guaranteed under the Treaty (A. Party, 2024).

1.2 The Treaty Principles Bill: Current Political Scene

New Zealand's government functions as a constitutional monarchy with a parliamentary system. The head of state is sovereign, presently King Charles III, who is represented in New Zealand by Dame Cindy Kiro, the Governor-General. New Zealand uses the Mixed Member Proportional (MMP) voting system, reducing the likelihood of any one political party securing an outright majority in the House of Representatives. As a result, parties typically need to form coalitions to govern effectively. Under this system, only elected members of the House can serve as Ministers, and the government must retain the confidence of the House to remain in power (Government, 2023). Following the 2023 general election, New Zealand is governed by a coalition comprising the National Party, New Zealand First Party, and Act Party. The government is led by Prime Minister Christopher Luxon, the leader of the National Party, with David Seymour from the Act Party, and Winston Peters from New Zealand First serving as key coalition partners (Contributors, 2025). Despite opposition from the lead party (the National Party) in New Zealand's coalition government and all left-wing parties such as the Labour Party, Te Pāti Māori (the Māori Party), the Greens Party, the bill has advanced to its first reading, raising

significant concerns about its potential repercussions. If passed, the bill could dismantle existing protections for te reo Māori by reducing its visibility. Amendments to the Māori Language Act 2016 could weaken the legal framework such as Te Mātāwai, who is responsible for promoting te reo Māori and revitalisation efforts, further reducing its status as a taonga under the Treaty. Historically, te reo Māori has held immense significance as a living representation of Māori culture, identity, and worldview. Its revitalisation became a priority after decades of suppression which led to the Māori Language Act of 1987, which declared te reo Māori an official language, and the Māori Language Act 2016, which reinforced these efforts through the creation of Te Mātāwai (Government, 2016). The importance of te reo Māori extends beyond communication it serves as a cultural anchor, maintaining the connection between Māori and their history, values, and traditions (Smith, 2021).

1.3 The Role of Te Tiriti o Waitangi (the Treaty of Waitangi) in Governance

The Treaty of Waitangi Act 1975 introduced the concept of Ngā Mātāpono o te Tiriti (principles of the Treaty of Waitangi), which held treaty partners accountable to Te Tiriti o Waitangi (Treaty of Waitangi), which established the Waitangi Tribunal. Responsible for investigating and providing recommendations on claims submitted by Māori concerning actions or omissions of the Crown (Contributors, 2025). The historical significance of the Treaty principles-partnership, protection, and participation-has its roots in legal interpretations that emerge from Waitangi Tribunal rulings (1975) and other judicial decisions. The principle of partnership emphasises cooperation between the Crown and Māori, the principle of protection entails guarding Māori language, culture and resources, and the principle of participation ensures that Māori are actively involved in decision-making processes affecting them (Joseph & Trinick, 2016). This framework has been essential for advancing Māori rights and enabling the resurgence of te reo Māori through various governmental and community initiatives, such as language immersion schools (kura kaupapa), broadcasting in te reo Māori, and funding for cultural revitalisation programs. However, progress has been uneven, with the dominance of English and past injustices posing continual challenges to the language's revitalisation (Barnes et al., 2019).

1.4 Research Rationale and Aims

As I begin writing this thesis, I acknowledge that the events surrounding the bill are evolving. There may be significant advancements and developments that occur after the completion of this research. The potential outcomes of the proposed Treaty Principles Bill

have generated widespread concern. By challenging the special protections granted to Māori under the Treaty, particularly in areas such as language and culture, the bill could dismantle the legal and institutional supports that have been critical to the revitalisation of te reo Māori by questioning the protections in place, this includes te reo Māori as a taonga, also by repealing existing laws like the Māori Language Act of 1987, this would reduce all foundations that support the languages revitalisation efforts. Focusing on equal rights for all while redefining the principles of protection and partnership could reduce existing supports by portraying Māori language protections as preferential treatment instead of acknowledging it as a unique cultural taonga. If te reo Māori were to lose its special status, the public funding, education policies, and broadcasting initiatives that have bolstered its revival could significantly impose restrictions, placing the language at risk of further decline.

Comparatively, we look at international examples where Indigenous communities legislative changes have impacted Indigenous languages and culture. This will help guide this research on how legislative changes impact the legal status of languages, provide us with examples of legal protections affecting language revitalisation efforts, and examine how policies influence cultural and social recognition of Indigenous languages.

1.5 Purpose of the Study

The proposed Treaty Principles Bill, which seeks to redefine the fundamental principles of Crown-Māori relations-partnership, protection, and participation-poses a direct challenge to the legal and political frameworks designed to protect Māori cultural rights, particularly te reo Māori as a taonga under the Treaty of Waitangi. The bill's central argument is to promote equal rights for all Māori and non-Māori, which could diminish the specific protections afforded to Māori. This challenge lies in the potential redefining of legal obligations that currently ensure te reo Māori and its recognition, funding and policy support through initiatives like the 2016 Māori Language Act. The bill could decrease public and governmental obligations, resulting in reduced funding for language revitalisation programs, weakening public support, and threatening long-term efforts to ensure te reo Māori and its survival. The 2016 Māori Language Act, enacted to reinforce the Māori Language Act of 1987, which recognised te reo Māori as a taonga under the Treaty principle of protection, implemented Te Mātāwai to oversee and promote language revitalisation. These legal frameworks provide essential support for government funding, educational programs, and public broadcasting initiatives that uplift te reo Māori. By redefining the Treaty principles, the proposed changes could reduce these revitalisation

efforts by framing language protections as preferential treatment rather than necessary actions for cultural preservation, this could potentially lead to significant cuts in resources dedicated to language revitalisation (Government, 2016). This is the central challenge posed by the Treaty Principles Bill-whether equalising rights across all ethnic groups in New Zealand will erode that existing targeted support mechanisms for te reo Māori.

The purpose of this thesis is to examine the potential effects of the Treaty Principles Bill in the recognition of te reo Māori as a taonga under the Treaty of Waitangi. This study investigates how the proposed redefinition of Treaty principles could impact the legal and policies that protect Māori language revitalisation efforts. These frameworks include government funding, policy development, and public support initiatives established under the Māori Language Act. The risks associated with these changes include reduced government obligations toward funding and policy backing for te reo Māori, a weakening of public advocacy for its usage, and an erosion of the language's protected status under the Treaty (Joseph & Trinick, 2016). This research conducts a comprehensive examination of documented concerns pertaining to these potential risks, using insights from Māori advocacy groups, legal commentary and debates. This study will evaluate the broader implications of the Treaty Principles Bill by using a comparative approach with legislative changes impacting Indigenous languages on an international scale. Comparisons will be drawn with language rights movements in countries such as Canada and Australia, America, Venezuela, and Hawaii where Indigenous languages have undergone similar threats from governmental redefinitions of Indigenous rights. These international cases offer valuable insights into the potential consequences for te reo Māori, as they demonstrate how shifts in Indigenous language policies can either enhance or diminish language survival efforts, depending on the legal and social frameworks in place.

For the purpose of this study, I will not be including the Toitū Te Tiriti whīkoi (march), as this study is focused on an academic analysis rather than activism. While the whīkoi signifies a significant political and public response to the Treaty Principles Bill, its inclusion might add subjectivity that could affect the neutrality of this study. The research seeks to offer a balanced examination based on evidence of how legislative and policy aspects are influenced by drawing from legal texts, historical records, and scholarly discussions. By maintaining this approach, the study ensures that its conclusions remain grounded in academic rigor instead rather than advocacy or activism.

1.6 Research Questions

To guide this research, the following research questions will form the foundation of the analysis:

- 1.6.1 In what ways do the Treaty Principles Bill redefine the concept of taonga in relation to te reo Māori, and how might this affect its legal status under the Treaty of Waitangi?
- 1.6.2 In what ways could the proposed redefinition of the Treaty principles in the Treaty Principles Bill affect the legal protections currently provided to te reo Māori as a taonga, including its recognition under the 2016 Māori Language Act, government funding, and public support for revitalisation efforts?
- 1.6.3 How might the Treaty Principles Bill influence the cultural and social recognition of te reo Māori as a taonga within Māori and non-Māori communities in New Zealand?
- 1.6.4 What lessons can be drawn from international examples of indigenous language protection when assessing the potential impact of the Treaty Principles Bill on te reo Māori status as a taonga?

These research questions are designed to provide a focused and comprehensive exploration of how the Treaty Principles Bill could alter the status of te reo Māori as a taonga, examining legal, policy, cultural, and comparative perspectives.

1.7 Structure of the Thesis

This thesis is divided into several chapters, each of which addressing specific aspects of the research questions, mentioned above, and objectives outlined (Page 15, See Section 1.6).

Chapter two, begins with an introduction to the Treaty of Waitangi, offering a historical context and highlighting its importance within New Zealand's legal and cultural framework. It outlines the principal events that led to the signing of the Treaty and examines its lasting influence on shaping New Zealand society. The chapter offers a comprehensive analysis of the Treaty Principles by defining and explaining their historical evolution and legal acknowledgement. It examines modern interpretations and its usage, providing a foundation for understanding their impact on policy and society.

The chapter undertakes an analysis of challenges posed by the Treaty Principles Bill concerning language revitalisation. It highlights the provisions within the bill and identifies potential obstacles they may present. It analyses foundational texts and

academic work, tracing the evolving interpretations across time while evaluating their impact on policy and societal perspectives. A large amount of this chapter examines the potential impacts of te reo Māori on both cultural and scientific domains, highlights its role in cultural preservation and revitalisation, as well as its contributions to scientific research. It also explores the significance of digital technologies in language revitalisation by presenting examples of successful digital initiatives. This chapter conducts a comprehensive analysis of the challenges presented by the Treaty Principles Bill in relation to language revitalisation. It focuses on examining specific provisions within the bill and identifies potential obstacles they may pose. This exploration addresses threats to cultural traditions and community resilience while proposing strategies aimed at preserving cultural robustness amidst modernisation and globalisation pressures. This chapter conducts an examination of the significance of Māori data sovereignty and governance, alongside the influence of te reo Māori in governance frameworks and decision-making processes. It also addresses the decline of te reo Māori as an integral part of living tradition by identifying factors contributing to its decline while highlighting initiatives aimed at reversing these trends. It explores the presence of te reo Māori within public society, considering its visibility and usage in public, along with their implications for social cohesion and cultural identity. The chapter concludes with a discussion of the Māori Language Act, and language revitalisation. It provides a historical background and key provisions of the Act, analysing its impact on language policy and revitalisation efforts. The Māori Language Act 2016 is also examined, highlighting key updates and changes from previous legislation and assessing its effectiveness and outcomes. This chapter examines the impact of public policy on linguistic preservation, providing detailed case studies and examples of effective policies. It further analyses the relationship between language and cultural identity, with a focus on initiatives to revitalise te reo Māori and their respective outcomes. It analyses social cohesion within a bicultural framework, addressing both the challenges encountered and opportunities presented in such contexts. This chapter provides an insight into the impact that political and public discussions on language policy. Highlighting significant debates and other perspectives. It also examines the role of institutions in supporting language revitalisation, evaluating frameworks as well as their effectiveness. This section discusses media involvement and public participation in advancing te reo Māori alongside educational initiatives and programmes aimed at engaging youth.

Chapter three, begins with an overview of the Act Party, introducing an insight into the party's ideology, and the party's influence on the Treaty Principles Bill. It then outlines the key principal provisions and objectives of this legislative proposal, critically analysing its anticipated impact on te reo Māori and its status as a taonga under the principles of the Treaty of Waitangi. This chapter addresses the potential impacts of the bill on both the status of te reo Māori and its usage, with particular attention to its contradictions.

Chapter four, presents a comprehensive overview of the international legal frameworks that support Indigenous languages, accompanied by a comparative analysis with New Zealand's approach. It explores the social implications arising from the recognition of Indigenous languages through case studies drawn from multiple Indigenous communities, highlighting key lessons. This chapter examines the significance of language rights in preserving cultural traditions and explores international efforts to advocate for Indigenous rights. It presents comprehensive research of Indigenous language rights within specific communities such as Canada, Australia, the United States, Hawaii, and Venezuela, using New Zealand as their comparative study.

Chapter five, this chapter starts with an examination of the historical and political context surrounding the Treaty Principles Bill, detailing its background, evolution, and significant political events and influences. It provides an analysis of both political discussions and public debate concerning the bill by presenting public arguments in favour as well as those against.

Conclusion, provides a comprehensive summary of findings from the research, outlining these conclusions with substantial evidence. This chapter restates the research questions and summarises how the research addresses it, concluding with last thoughts and reflections on future directions for research.

A list of all sources cited will adhere to the 7th edition standards of APA referencing. This ensures clarity and consistency in alignment with the assessment criteria.

CHAPTER 2: LITERATURE REVIEW

TREATY OF WAITANGI AND THE PRINCIPLES OF PARTNERSHIP, PROTECTION AND PARTICIPATION

2.1.1 An Introduction into the Treaty of Waitangi

Te Tiriti o Waitangi, also known as the Treaty of Waitangi, signed in 1840, is central to understanding the ongoing relationship between Māori and the British Crown. However, there exist two versions of the Treaty, one drafted in English and the other in te reo Māori. For full comparison of the Treaty texts and contemporary translations, (*see Appendix A*). These texts are not direct translations of each other, resulting in different interpretations and expectations by Māori and the Crown. The three articles outline guarantees that relate directly to governance, the protection of Māori rights, and promises of equality. However, the differing interpretations between the English and Māori versions of the Treaty have led to longstanding disputes regarding sovereignty, land rights, and Māori participation in governance.

Article one (*See Appendix A*), focuses on governance, with the English version stating that Māori ceded sovereignty to the British Crown. This has been interpreted as an absolute transfer of power (Orange, 2021). In contrast, the Māori version of the Treaty suggests a more nuanced understanding, where Māori retained their rangatiratanga (chieftainship), implying shared governance rather than full cession of authority (O'Sullivan & O'Sullivan, 2021). This divergence has fuelled debates over the Crown's obligations under the principle of partnership and whether true collaboration between Māori and the Crown has been achieved.

Article two (*See Appendix A*), centres on the protection of Māori land, villages, and taonga, including cultural and linguistic heritage. While the Crown promised to protect Māori land and grant Māori the exclusive right to sell land to the Crown, breaches of this article led to significant land confiscations and erosion of Māori authority over own resources (Taiuru, 2020). This article emphasises the principle of protection, obliging the government to protect not only land but also Māori language and culture. In the context of te reo Māori, the Crown's role as protector is critical to ensuring the language's revitalisation and supporting its status as a taonga.

Article three (*See Appendix A*), guarantees that Māori would enjoy the same rights as British subjects, embodying the principle of participation. However, despite this promise of equality, historical and structural inequalities have persisted, with Māori often excluded

from meaningful participation in governance. The colonial legal system disadvantaged Māori, preventing their voices from being adequately represented (Chrystall, 2021). This highlights the need for co-governance frameworks that truly reflect the Treaty's intent, allowing Māori to participate equally in decision-making processes and ensuring their rights are protected.

These three articles offer insights into the application of the Treaty's key principles of partnership, protection, and participation, particularly concerning te reo Māori. By examining how the crown's obligations have been understood and implemented, we can better understand the Treaty's role in shaping language policy and promoting the revitalisation of te reo Māori in contemporary governance structures

2.1.2 Overview of the Treaty Principles

The Treaty of Waitangi, signed in 1840, an agreement between Māori chiefs and the British Crown, is a foundational document for governance in New Zealand, further establishing principles of partnership, protection, and participation in 1975. The principle of partnership emphasises mutual respect and collaboration between Māori and the Crown, recognising the historical inequalities that emerged following the Treaty's signing (Mason, 1993). As Morrison (2005) argues, this partnership is not merely symbolic but requires an active commitment from both sides in governance and management processes to ensure that Māori voices are integral to decision-making frameworks. The principle of protection obliges the government to protect the Māori culture, language, and resources, recognising iwi (tribal groups) as legitimate Kaitiaki (custodians) of their lands. (Morrison, 2005), asserts that recognition of this protective role can help address historical grievances and create pathways for meaningful participation in governance. Dodson (2014), explains that effective participation can be achieved through co-governance models, where Māori and Crown entities collaborate with shared resources. These frameworks enhance local empowerment and ensure the principles of partnership, protection, and participation remain central to inclusive governance in New Zealand. This section will examine the interpretation of the Treaty's key principles – partnership, protection, and participation – focusing on how they have been understood and applied in relation to te reo Māori. By analysing the Crown's obligations under these principles, the discussion will highlight their critical role in shaping language policy, ensuring the preservation and revitalisation of te reo Māori, and promoting equitable Māori participation in governance and decision-making processes.

2.1.3 Overview of Key texts on the Treaty Principles and Their Evolving Interpretation

The Treaty that is available in English and the Māori Language. Introduced in the Treaty of Waitangi Act (1975) are the principles of-partnership, protection, and participation-the concept of these principles emerged from the need to interpret and apply the Treaty in contemporary New Zealand (Wikipedia, 2025). The principles were further advanced and formalised in (1987) through a series of court cases and Tribunal findings. The decision of the Appeal Court in 1987, highlighted the importance of interpreting the Treaty in a way that respects the intentions of both Māori and the Crown, reaffirming the need for a partnership that honours the rights and aspirations of the Māori people (Orange, 2015). It was then stressed that the principles must be maintained to ensure a fairness and equitable relationship between the Crown and Māori, reflected in subsequent legislation and policy frameworks.

The principle of partnership, as articulated in the (1987) Court of Appeal decision establishes the relationship between the Crown and Māori must be collaborative and based on mutual respect. This principle requires both parties to work together in good faith towards common objectives, recognising each other's rights and interests. The decision further specified that partnership involves more than mere consultation; it requires active involvement in decision-making processes and the implementation of policies affecting Māori. The dynamics of this partnership are crucial for building trust and ensuring that Māori perspectives are integrated into governance structures (Bargh, 2016). As issues related to land, resources, and cultural tradition continue to emerge, the commitment to partnership remains essential for resolving disputes and achieving equitable outcomes.

In addition to partnership, the principle of protection plays a significant role in the interpretation of the Treaty. The 1987 Court of Appeal decision highlighted the Crown's obligation to protect Māori interests, including their culture, language, and resources. This recognition reflects an understanding that Māori have unique rights that must be protected in both law and practice. Since then, legal precedents have reinforced this responsibility, requiring the Crown to take proactive measures to protect Māori well-being and rights (Jones, 2016). Protection is not only a historical obligation but also a contemporary necessity, ensuring that Māori can maintain their cultural identity while participating in modern society.

The third principle established in the 1987 decision is that of participation, emphasising the importance of Māori involvement in political, economic, and social spheres. This

principle ensures that Māori are not merely recipients of government policies but active participants in their creation and implementation. Participation is vital for democratic involvement and empowerment, allowing Māori to influence decisions that affect their communities and lives (Durie, 1997). Adequate participation also supports those broader goals of nation-building, promoting inclusion and representation in democratic process, and legitimising governance structures that serve all Māori and non-Māori living in New Zealand.

The interaction between these principles – partnership, protection, and participation – illustrates the evolving and complex relationship between Māori and the Crown. These principles are not static; they require constant negotiation and adaptation, reflecting the dynamic nature of governance, cultural preservation, and resource management. The complexities arise from the inherent tension between Crown sovereignty and Māori tino rangatiratanga (self-determination), as well as the different interpretations of the Treaty in its English and Māori versions (For full comparisons of the Treaty texts and contemporary translations, *See Appendix A*). These challenges are compounded by historical grievances, the impacts of colonisation, and on-going socio-economic disparities between Māori and non-Māori populations.

The 1987 Court of Appeal decision in *New Zealand Māori Council v Attorney-General* (2013) serves as a cornerstone for this relationship. The case went to the Court of Appeal because of disputes over the transfer of state-owned enterprise land, which Māori feared would undermine their Treaty claims. In its ruling, the Court recognised the Crown's active duty to protect Māori interests, which extended beyond land to encompass cultural, language, and resources. This judgement included the protection of te reo Māori as part of Māori cultural tradition, emphasising its significance as a taonga under the Treaty (*New Zealand Māori Council v Attorney-General*, 1987).

Following the ruling, te reo Māori was increasingly seen as a critical element of the Crown's protection obligations. The case helped catalyse subsequent legal and policy reforms, such as the Māori Language Act 1987 (*See Appendix B*), which recognised te reo Māori as an official language of New Zealand. This marked the beginning of wider revitalisation efforts for the language, supported by the Crown's duty to protect and promote Māori culture (Tribunal, 2020).

The principles articulated in the Treaty of Waitangi, particularly as reaffirmed by the 1987 Court of Appeal decision, are essential for fostering a transformative relationship between

Māori and the Crown. Recognising the principles of partnership, protection, and participation is vital for promoting trust, collaboration, and equity in New Zealand society. As the country continues to reckon with its colonial past, a commitment to these principles remains paramount in shaping a future where Māori rights are respected and upheld, and where both Māori and the Crown work together towards common goals of reconciliation, redress, and shared prosperity. Honouring these principles ensures that the Treaty remains a living document, resonating with the aspirations of both parties and shaping the nation's collective future.

The 1987 Court of Appeal decision was crucial in reinterpreting the Treaty of Waitangi and its role in contemporary governance. The principle of partnership, as established in this decision, denotes a mutual obligation between the Crown and Māori. This partnership extends beyond legal obligations to a cooperative relationship that promotes mutual respect and collaboration. This court's ruling encouraged the Crown to re-evaluate its role in relation to Māori, pressing for more inclusive governance processes that recognise Māori perspectives and aspirations (Orange, 2021).

The principle of protection, similarly, articulated in the 1987 Court of Appeal decision represents the Crown's duty to protect Māori interests, culture, and resources. This duty encompasses not only the physical protection of land and assets but also the preservation of Māori cultural identity and rights. Legal interpretations arising from this decision have influenced various policies and legislation, prompting the government to take proactive measures to protect Māori taonga, crucial to sustaining their identity and tradition (Tribunal, 2020).

The principle of participation requires active Māori involvement in decision-making processes that affect their lives and communities. The 1987 decision reinforced the need for Māori to engage meaningfully in governance, policy development, and resource allocation. It challenges that historical exclusion of Māori voices, advocating for structures that facilitate their active participation. Without this principle, the goal of achieving equitable outcomes for Māori cannot be fully realised (Tribunal, 2020).

The principles of partnership, protection, and participation, as outlined in the 1987 Court of Appeal decision, have been crucial in galvanising the Treaty's role in New Zealand's legal and political systems. Subsequent legislation, policies, and judicial decisions increasingly refer to the Treaty and its principles, reflecting a broader trend towards adopting a partnership model in governance. This progression demonstrates a growing

recognition of Māori rights and the need for reciprocal relations based on respect and equity. Ultimately, these principles provide a framework for addressing historical injustices and advancing Māori interests in contemporary governance.

2.1.4 Conclusion

In conclusion, the 1987 Court of Appeal decision was instrumental in reshaping the understanding and application of the Treaty of Waitangi. The principles of partnership, protection, and participation, established by this decision, not only legitimise Māori claims and aspirations but also guide the crown in fulfilling its obligations under the Treaty. As New Zealand continues to navigate its dual identity, the lasting influence of this decision must be recognised as a commitment to honour the Treaty's original intent and to ensure a sustainable future for both Māori and the broader society. Successfully implementing these principles remains critical to achieving a reconciled and equitable partnership between Māori and the Crown in New Zealand.

In the next section we will explore the complex connection between the principles of the Treaty of Waitangi and te reo Māori as a taonga. The discussion will delve into te reo Māori and its cultural importance, its legal protections under the treaty, and potential challenges it faces from the uprising proposed Treaty Principles Bill. With this bill aiming to redefine these principles, we'll assess its implications on both te reo Māori and its status as a taonga while considering wider threats to Māori cultural traditions. By examining the risks and challenges to the revitalisation of te reo Māori, this next part of the literature review will provide a critical analysis of how the bill could reduce efforts to protect and sustain te reo Māori as an integral part of Aotearoa New Zealand's identity.

TE REO MĀORI AS A TAONGA

2.2.1 Introduction

Te reo Māori, the language of the Māori people, holds a special status as a taonga, symbolising cultural identity and tradition. Recognised through the Māori Language Act 1987 (*See Appendix B*), the language serves as a basis of New Zealand's legal framework, ensuring the protection of Māori culture for future generations. However, with the Act Party's proposed Treaty Principles Bill, which seeks to redefine Treaty obligations and the principles of partnership, protection, and participation, concerns are rising about the potential repercussions for the protection of te reo Māori. The bill's attempt to position Māori and non-Māori as having equal rights, without specific acknowledgement of Māori as Tangata whenua (Indigenous peoples of Aotearoa New Zealand), could compromise the special status of te reo Māori.

2.2.2 Cultural Significance of Te Reo Māori

The importance of te reo Māori as a taonga lies in its deep cultural significance for Māori. As a living language, it encompasses traditional knowledge, cultural practices, and Māori worldviews. Ngaha (2011) explains that te reo Māori is not only a means of communication but also a key to identity and cultural expression for Māori communities. Through engagement with the language, individuals connect with their ancestral roots, strengthening their sense of belonging.

2.2.3 Te Reo Māori as a Taonga and its Legislative Protection

Te reo Māori has long been recognised as a taonga, enriched in legislation through the Māori Language Act 1987 (*See Appendix B*) and reinforced by the Māori Language Act 2016 (*See Appendix C*), which solidified its place as an official language of New Zealand. These legislative frameworks have provided critical protections and support for the language's revitalisation, ensuring that the principles of the Treaty of Waitangi—particularly partnership, protection, and participation apply to language policies. However, the proposed Treaty Principles Bill could potentially threaten to weaken the legislative backing. By removing the emphasis on Māori as Tangata whenua (Indigenous people of Aotearoa New Zealand), the bill could challenge the obligations to protect and promote te reo Māori. As Fang (2019) highlights, language revitalisation is essential for cultural pride and identity, both of which could be at risk as the bill has the potential to reduce the government's commitment to te reo Māori.

2.2.4 Potential Impacts on Cultural and Scientific Spheres

Te reo Māori and its role as taonga extends beyond cultural preservation-it influences ecological and scientific domains as well. Veale et al (2019) discusses how te reo Māori plays a significant role in taxonomy, contributing to Indigenous perspectives in biological sciences. The Treaty Principles Bill, by equalising rights without prioritising the protection of Māori cultural practices, may reduce the governments obligations to incorporate Māori knowledge systems in these fields. If the bill passes the status of te reo Māori in areas like environmental science, where Indigenous language plays a vital role in understanding biodiversity, could be dismissed, therefore weakening the broader cultural and ecological impacts of the language.

2.2.5 The Digital Realm and Language Revitalisation

Digital tools have become a vital platform for the revitalisation of te reo Māori, particularly for younger generations. Ellis et al (2023) notes the importance of digital spaces in reconnecting Māori with their language, making traditional practices more accessible and adaptable to contemporary settings. The proposed Treaty Principles Bill, which might lead to reduced public funding for te reo Māori initiatives, could hinder these digital advancements. The potential scaling back of support for Māori cultural initiatives may disproportionately impact the digital tools and platforms that are central to the revitalisation process, limiting the reach and growth of te reo Māori in the digital sphere.

2.2.6 Challenges of the Treaty Principles Bill in Language Revitalisation

The historical marginalisation of te reo Māori due to colonisation already presents significant challenges for language revitalisation. The Treaty Principles Bill may further undermine efforts to rebuild fluency, as it could erode the commitment to partnership and protection under the Treaty of Waitangi. Lilley (2019) highlights the essential role of libraries and educational institutes in this revitalisation process, which are supported by the current legal framework. Should the proposed changes be implemented, there is concern that educational and public institutions may no longer be obligated to prioritise the integration of te reo Māori in their programs, thus stalling the progress made in the language's revival.

2.2.7 Threat to Cultural Traditions and Community Resilience

Te reo Māori is woven into the fabric of cultural practices such as weaving and traditional healing, which rely on the language to transmit knowledge across generations. Tamarapa (2024) discusses how cultural institutes play a crucial role in preserving these traditions. The Treaty Principles Bill, by potentially reducing protections for Māori cultural tradition,

could jeopardise these efforts. The bill may weaken the government's role in ensuring the survival of Māori cultural practices, which rely on the continued use of te reo Māori. Similarly, Mark et al (2019) argue that traditional healing practices administered in te reo Māori are integral to the Māori worldview and well-being, and any weakening of Treaty obligations could endanger the cultural framework that protects these practices.

2.2.8 Māori Data, Te Reo Māori and Governance

Taiuru (2023) expands on the idea of Māori data as taonga, noting the inseparable link between language and the protection of Māori cultural knowledge. If the Treaty Principles Bill shifts away from prioritising Māori perspectives, the management and protection of Māori data—often encoded in te reo Māori—could also be compromised. This poses significant risks in areas where Māori communities seek to control how their language and cultural narrative are represented, particularly in governance and digital data. Without a robust framework that enforces protection for Māori cultural knowledge, te reo Māori and its role of these critical areas could be weakened.

2.2.9 Erosion of Te Reo Māori as Living Heritage

Viriaere (2015) describes te reo Māori as a “living Heritage,” constantly evolving and adapting to new contexts. The Treaty Principles Bill, by reducing government obligation, risks relegating the language to a secondary status in public life, treating it as a relic of the past rather than a dynamic and evolving component of modern New Zealand society. This legislative shift could hinder that progress made in making te reo Māori a living and thriving part of New Zealand's cultural and social landscape, particularly in areas like education and public policy.

2.2.10 Conclusion

Te reo Māori, as a taonga and essential element of Māori cultural identity, faces significant risks under the Act Party's proposed Treaty Principles Bill. By redefining the Treaty obligations and potentially weakening those principles of partnership, protection, and participation, the bill threatens the legislative framework that currently supports the revitalisation and promotion of the language. The erosion of protections for te reo Māori could impact its role not only in Māori communities but scientific, ecological, educational, and cultural spheres across New Zealand. It is vital that any legislative changes consider that unique status of te reo Māori as a living language, central to the identity, well-being, and future of Māori people.

The next section of this literature review, we will look into the role of the Māori Language Acts of 1987 and 2016 in the preservation and promotion of te reo Māori. We will explore

how these acts have shaped linguistic preservation efforts, focusing in their impact on cultural identity, social cohesion, and public discussions surrounding te reo Māori. This section will examine the role of media, youth engagement, and educational initiatives in sustaining the language across generations. Through a critical review of existing literature, we will look at how these factors contribute to or challenge the broader goals of revitalising te reo Māori within contemporary Aotearoa New Zealand.

THE MĀORI LANGUAGE ACT AND LANGUAGE REVITALISATION

2.3.1 Introduction to the Māori Language Act

The Māori Language Act of 1987 (*See Appendix B*) and its subsequent amendment in 2016 (*See Appendix C*) represent critical milestones in the revitalisation of te reo Māori in New Zealand. These legislative frameworks have established a foundation for the promotion and protection of the Māori language, with significant implications for cultural, social, and educational dimensions with contemporary Aotearoa New Zealand. Their effects are profound, fostering a renewed sense of identity among both Māori and non-Māori communities and facilitating a transformative movement in attitudes and linguistic practices across generations.

The 1987 Māori Language Act (*See Appendix B*) emerged in response to growing concerns about the decline of te reo Māori, which was diminishing in many areas. Data revealed that in the late twentieth century, only 15% of Māori individuals could speak their ancestral language (Lane, 2020). This decline was influenced by systemic factors, such as the colonisation and the prioritisation of English in education and governance, which marginalised Māori cultural practices. By recognising Māori as an official language of New Zealand, this legislation not only acknowledged the importance of the language but also laid the groundwork for future revitalisation efforts (Hunter & Hunter, 2020). The 1987 Māori Language Act (*See Appendix B*) brought various initiatives, including the establishment of the Māori Language Commission, Te Taura Whiri i te reo Māori, the transmission of te reo Māori, and the language's growth, strengthening through ongoing support for Māori media and arts, which enhance the visibility of te reo Māori in everyday life and help reclaim its place in public consciousness (Middleton, 2021).

2.3.2 Māori Language Act 2016

The Māori Language Act 2016 (*See Appendix C*) marks a crucial moment in the ongoing efforts to revitalise te reo Māori, the native language of Aotearoa New Zealand. This legislation carries profound implications for language preservation, cultural identity, and social cohesion within New Zealand. At its core, the Act recognises te reo Māori as a taonga, affirming its status in public life and education, and embedding it within governmental and social frameworks. As such, it has far-reaching effects on both Māori and non-Māori communities.

2.3.3 Linguistic Preservation and Public Policy

The recognition of te reo Māori as a taonga through the Māori Language Act in 2016 and 1987 highlights its importance as a cultural resource in need of protection and promotion. Ruckstuhl (2018) highlights, both Acts represent a significant advancement in public policy regarding Indigenous linguistic rights. It rectifies past marginalisation by mandating governmental commitments to implement revitalisation strategies, therefore fostering an increase in Māori speakers and the integration of te reo Māori into everyday life.

May & Hill (2018) argue that language revitalisation must be multifaceted, emphasising the importance of educational initiatives in promoting the intergenerational transmission of te reo Māori. They stress that effective policy-driven approaches require deep engagement with communities to ensure te reo Māori flourishes in both formal and informal contexts. This engagement can include collaborating with Māori communities to create educational materials that reflect cultural values, integrating mentorship from fluent speakers in teaching training programs, and involving local voices in the drafting of language policies. Informal classes led by fluent speakers in community centres, as well as cultural events that celebrate te reo Māori through storytelling and waiata (songs), are also essential. Additionally, supporting whānau (families) in integrating te reo Māori into their daily lives can promote intergenerational language use. By fostering environments where te reo Māori can thrive, these initiatives strengthen its intergenerational transmission, ensuring that the language flourishes for future generations.

2.3.4 Cultural Identity and Linguistic Revitalisation

The cultural significance of the Māori Language Act cannot be overstated. Albury (2016) explores how Māori language revitalisation is intricately linked to wider narratives of identity and belonging. The conscious use of te reo Māori in both public and private fosters spaces for cultural expression, reinforcing a collective Māori identity. Higgins et al (2016), argues that the normalisation of te reo Māori in everyday life-whether through media, education, or public signage- serves to empower Māori communities and invigorate cultural pride.

Revitalisation efforts for te reo Māori face significant complexities, as Albury (2016) notes, particularly in defining Māori identity within a modern multicultural society. The success of the Māori Language Act hinges not only on effective policy implementation such as Kōhanga Reo (full-immersion early learning nests), Kura Kaupapa (full-immersion primary school), Whakāta Māori (Māori television and te reo Māori

broadcasting initiatives), and Te Mātāwai (responsible for Māori led language revitalisation efforts under the 2016 Māori language Act) but also in the willingness of Māori communities to embrace and transmit the language across generations. This balancing act involves navigating traditional linguistic practices while accommodating contemporary influences. For instance, there may be variations in how different iwi (tribes) approach language use, which can affect community cohesion. Additionally, the integration of te reo Māori into everyday life must consider that dominant presence of English and the realities of urbanisation, which can dilute language use in younger generations. The revitalisation process must address issues of authenticity and cultural appropriation, as Māori communities work to reclaim their language while engaging with non-Māori speakers. Such as, revitalisation efforts require a nuanced understanding of these complexities to ensure that te reo Māori thrives meaningfully and sustainably within Aotearoa New Zealand.

2.3.5 Social Cohesion in a Bicultural Context

A key component of the Māori Language Act is its role in fostering social cohesion in New Zealand's bicultural society. Hunter & Hunter (2020), suggest that the Act is not only a call to action for Māori but also for all New Zealanders to engage with and appreciate te reo Māori. This engagement is crucial in overcoming the colonial legacy that often-promoted division rather than unity. The promotion of bilingual education, as Lourie (2016) highlights, provides a pathway for mutual understanding, facilitating cross-cultural dialogue and respect between Māori and non-Māori communities.

2.3.6 Political and Public Discussions

The Māori Language Act has also galvanised public and political discussions surrounding linguistic rights and national identity of New Zealand. Cleave (2019) argues that the Act transcends mere language preservation, serving as a symbol of biculturalism and reflecting a collective future in which te reo Māori is a crucial component. By embedding te reo Māori in national conversations, the Act not only amplifies Māori voices in political and cultural arenas but also redefines New Zealand's identity to incorporate Māori perspectives more fully.

Yet, challenges persist. O'Toole (2020) highlights the complex perceptions non-Māori hold towards te reo Māori, where it may represent both an opportunity for engagement and a reminder of New Zealand's colonial past. This ambivalence necessitates nuanced approaches that foster inclusive revitalisation efforts, bridging the gap between historical grievances and contemporary social transformation.

2.3.7 Institutional Framework

One of the primary provisions of the Māori Language Act 2016 is the establishment of Te Mātāwai. This institutional body is responsible for promoting, supporting, and ensuring the use of te reo Māori in various facets of public life (Ruckstuhl, 2018). The establishment of Te Mātāwai reflects the government's recognition of te reo Māori as a taonga and emphasises the need for a structured approach to its revitalisation.

2.3.8 The Role of Media and Public Engagement

The Act mandates the integration of te reo Māori into public broadcasts, ensuring greater visibility and reach across the country (Albury, 2016). This strategic move aims to shift perceptions of te reo Māori from a minority language to an integral aspect of New Zealand's national identity. By using media as a tool, the Act seeks to raise awareness and encourage non-Māori communities to engage with the language, promoting social cohesion.

2.3.9 Educational Initiatives and Youth Engagement

A key focus of the Māori Language Act 2016 (*See Appendix C*) is the support of bilingual education and immersion programs in schools. This provision plays a critical role in fostering that intergenerational transmission of language, ensuring the new generations of speakers continue to preserve te reo Māori (Lourie, 2016). The Act also emphasises youth engagement, recognising that younger demographics are vital to the future of the language's revitalisation (Albury, 2016).

2.3.10 Conclusion

The Māori Language Act 2016 represents a critical advancement in the revitalisation of te reo Māori, intertwining linguistic preservation, cultural identity, and social cohesion in New Zealand's bicultural landscape. By officially recognising te reo Māori as a taonga, the Māori Language Act 2016 elevates its status in public life, embedding it within education, media, and government frameworks. The establishment of Te Mātāwai as an institutional body highlights the government's commitment to ensuring the language thrives.

Through educational initiatives, public broadcasting, and youth engagement, the Act fosters a comprehensive approach to language revitalisation, aiming to normalise te reo Māori in both Māori and non-Māori communities. It facilitates social cohesion, encouraging all New Zealanders to engage with and appreciate the language, helping to bridge historical divides and promote mutual respect. However, the success of the Act relies not only on legislation but also in continued commitment from both the government

and community. The complexities of identity, intergenerational transmission, and societal perceptions present ongoing challenges that require sustained attention. In this regard, the Māori Language Act 2016 serves as both a protective measure for the language and transformative force in shaping a future where te reo Māori remains a vibrant part of New Zealand's cultural identity.

The final part for the literature review will examine the proposed impacts of the Treaty Principles Bill on the status of te reo Māori as a taonga, beginning with a historic overview of the language's significance under the Treaty of Waitangi. We will trace the colonial context and initial Treaty interpretations, followed by the Māori Language Act of 1987, which played an important role on the legal recognition of te reo Māori. We then explore the Treaty principles, their cultural and legislative significance, and how they have shaped the relationship between Māori and the Crown. With a focus on the Treaty Principles Bill and its proposed changes, we will analyse the potential consequences this legislation could have on te reo Māori, especially in terms of its protection as a taonga and the ongoing efforts to revitalise the language. This will help us understand how these legislative changes could reshape language rights and Māori cultural preservation.

LEGISLATIVE REFORMS: IMPACTS OF THE TREATY PRINCIPLES BILL ON TE REO MĀORI AS A TAONGA

2.4.1 Introduction

The Treaty Principles Bill represents one of the most significant legislative initiatives in recent New Zealand history, aimed at codifying the principles of the Treaty of Waitangi into the country's legal and political frameworks. Proposed by the Act Party and supported through to the select committee stage by the National Party, this bill has ignited considerable debate and controversy. Its aim is to provide clarity and certainty regarding the Treaty principles, which have been subject to varied interpretations and applications by the Waitangi Tribunal, the courts, and successive governments since the enactment of the Treaty of Waitangi Act 1975. Signed in 1840, the Treaty of Waitangi laid the foundation for the relationship between Māori and the British Crown (*See Appendix A*). This relationship was originally based on mutual partnership, protection, and shared governance, but historical breaches of the Treaty by the Crown, along with systemic marginalisation of Māori rights have often rendered this partnership unequal and fraught with tension. This chapter will explore the origins, motivations, and implications of the Treaty Principles Bill, examining its potential impact on New Zealand's legal and constitutional landscape.

2.4.2 Historic Overview: Te Reo Māori as a Taonga under the Treaty of Waitangi

Te reo Māori has long been recognised as a taonga under the Treaty of Waitangi, symbolising a significant evolution in New Zealand's legal and political framework concerning indigenous rights. Overtime, this recognition has grown, shifting from token acknowledgment to one that mandates active preservation and revitalisation efforts.

2.4.2.1 Colonial Context and Initial Treaty Interpretations

Since its signing in 1840, the Treaty of Waitangi initial intentions were often overshadowed by colonial policies that marginalised Māori interests, including language. Early interpretations of the Treaty did little to protect te reo Māori, contributing to its decline in both public and private use.

2.4.2.2 Māori Language Act of 1987

A crucial legislation milestone was the Māori Language Act 1987 (*See Appendix B*), which the designation of te reo Māori as an official language of New Zealand serves to affirm its status and emphasise its significance in preserving cultural identity. Further developments such as the Māori Language Act 2016 (*See Appendix C*), have been

implemented to further promote and protect the language, addressing historical injustices along the way.

The Treaty, signed in 1840, established a framework for the relationship between the Crown and Māori, and its implications have evolved over time. The historical context surrounding the treaty informs contemporary discussions regarding te reo Māori. Pirsoul (2020) discusses how the initial intentions of the treaty have often been eclipsed by colonial policies that overlook Māori interests. The evolving legal interpretations and political dialogues surrounding te reo Māori highlight the complexities of this relationship.

The significant legislative milestones, such as the Māori Language Act of 1987 (*See Appendix B*), marked a turning point in the recognition of te reo Māori as a taonga. This act established te reo Māori as an official language of New Zealand, affirming its status and underlining the importance of language in cultural identity (Jones, 2016). The Māori Language Act initiated developments intended to revitalise te reo Māori, shifting perceptions from mere recognition to active promotion and support (O’Sullivan et al., 2021).

As Davis (2018) suggests, adherence to indigenous self-determination norms foster a deeper understanding of the role of language in Māori culture and identity. The intersection of language, identity, and legislation continues to be a focal point in discussions about indigenous rights in New Zealand. Bargh & Jones (2020) emphasise the need for policies that not only recognise but also facilitate the continuation and growth of te reo Māori in public and private spheres. This requirement echoes the understanding that language is an integral part of cultural inheritance and identity. Recent analysis points to systemic deficiencies in promoting te reo Māori, highlighting the need for sustained commitment to this cause (O’Sullivan et al., 2021).

The role of data in preserving Māori culture has gained increasing recognition. Taiuru (2023) writes that Māori data should be considered a taonga. This perspective reflects a growing acknowledgement of the relationship between language preservation, cultural identity, and the ethical management of data related to Māori communities. The legal implications of this recognition impact how cultural preservation initiatives are designed and implemented, emphasising a collaborative approach to managing and protecting Māori knowledge systems (Joseph et al., 2019). Stevens (2016) encapsulates this evolution by stating that past reports inform current legislative and political frameworks,

enabling a more inclusive governance structure that respects the perspectives of both Māori and the Crown. As New Zealand progresses, recognising te reo Māori as a taonga will not only shape cultural preservation efforts but also influence broader discussions about equity and access within a multicultural society (Taiuru, 2020). The legal and political evolution surrounding the recognition of te reo Māori under the Treaty of Waitangi reflects a dynamic interaction of history, identity, and culture. By recognising te reo Māori as a taonga, New Zealand reaffirms its commitment to indigenous rights, creating space for cultural expression and Māori identity to thrive. This recognition lays a solid foundation for continued growth, ensuring that te reo Māori remains a vital part of New Zealand's heritage and future.

2.4.3 The Treaty Principles, Cultural and Legislative Significance

The preservation of te reo Māori, the language of the Māori people, has historically been shaped by the principles of partnership, protection, and participation. These principles not only highlight the relationship between Māori and the British Crown but also form the foundation of contemporary linguistic policy and revitalisation efforts. A complex examination reveals that critical reports from the Waitangi Tribunal and the implementation of the Māori Language Act in 2016 play a vital role in addressing historical injustices while promoting a collaborative framework for linguistic preservation.

Partnership is a central principle in the context of preserving te reo Māori. The Treaty of Waitangi, signed in 1840, established a commitment between Māori and the British Crown to uphold Māori rights and ensure the perpetuation of their language (O'Sullivan et al., 2021). The Waitangi Tribunal has repeatedly stressed that effective Māori language policies must be co-developed on partnership with Māori communities. For example, the tribunal's reports demonstrate a chronic failure of the Crown to honour its obligation under the treaty, which has led to various strategies that marginalised Māori language (Sporle et al., 2020). Such historical neglect has catalysed calls for genuine partnership, as illustrated in the framework for preparation, promotion, and protection articulated in the Māori Language Act 2016, which seeks to guarantee that Māori participate in decision-making regarding their language (Ruckstuhl, 2018).

The protection of te reo Māori has evolved through legislative reforms and political initiatives designed to remedy the historical impacts of colonisation. The Māori Language Act 2016 represents an important progression in advocating for the language, emphasising the Crown's duty to recognise the status of the language as a taonga (Fitzmaurice &

Brown, 2023). As Greensill et al (2017) highlights, this act not only recognises the importance of preserving the language but also stipulates the government's responsibility to create an environment conducive to its revitalisation. By investing in Māori linguistic resources and developing initiatives for teaching and learning, the law positions protection as a collective societal obligation, requiring both government support and community commitment.

In regard of participation, both Māori Language Acts, emphasise the importance of inclusiveness and the active involvement of Māori in linguistic revitalisation efforts. The engagement of tribal structures, including whānau (families), in education and community programs has been essential for promoting competent speakers of te reo Māori (Bryant, 2017). Academic surveys, such as those by Ell (2021) and Moon (2023), illustrate how educator's partner with Māori communities to improve linguistic outcomes, therefore creating opportunities for all New Zealanders to engage in learning te reo Māori. This collaborative dynamic, supported by the Māori Language Strategy, highlights the importance of culturally sensitive approaches to education, allowing both Māori and non-Māori individuals to contribute to the vitality of language (O'Sullivan et al., 2021).

As the historical trajectory of preserving te reo Māori unfolds, the interaction among partnership, protection, and participation manifests as a powerful force for revitalisation. The Waitangi Tribunal's reports have highlighted the Crown's historical negligence of the Māori language, serving as a call for ratification through well-defined policies (Fitzmaurice-Brown, 2022). Through participatory initiatives, such as community-focused education programs, advocates for te reo Māori actively seek to reclaim not only their linguistic tradition but also the sovereignty associated with their identity (Collin Stone, 2019). Consequently, the inclusive nature of these initiatives fosters a sense of pride and ownership among Māori communities, ensuring that te reo Māori remains an integral part of daily life.

The implementation of teaching and learning for te reo Māori is essential for forging pathways for partnerships that facilitate effective participation. Programs, such as those highlighted by Greensill et al (2017) and educational policies aimed at incorporating te reo Māori into school curricula illustrate the potential for collaborative efforts between the Crown and Māori communities. Encouraging non-Māori teachers to engage with the language reflects a commitment to unity in language preservation-a concept highlighted in Patrick's (2020) doctoral research, which advocates for collective responsibility in language teaching.

The legacy of discrimination against te reo Māori in institutional contexts continues to shape contemporary challenges to its preservation. Despite the progress represented by the Māori Language Act, systemic barriers persist, limiting the accessibility and prominence of the language in various aspects of public life (O’Sullivan et al., 2021). Efforts to enact meaningful change must critically examine these obstacles of limited resources, insufficient teaching support and ensuring that te reo Māori occupies a legitimate space across all facets of society, from education to media representation and governance, as indicated by (Sporle et al., 2020).

The historical preservation of te reo Māori through partnership, protection, and participation demonstrates a significant evolution in language revitalisation efforts in Aotearoa New Zealand. The insights derived from the Waitangi Tribunal reports and the legislative progress of the Māori Language Act 2016 present both the challenges and successes inherent in this ongoing process. While New Zealand continues to grapple with its colonial past a sustained commitment to fostering authentic partnerships, implementing proactive measures, and enhancing the active participation of all New Zealanders will be crucial to ensure that te reo Māori is not only survives but thrives as a living language of Aotearoa. Embracing this triadic framework will promote a diverse and inclusive national identity where te reo Māori is celebrated and used as an integral component of New Zealand’s unique cultural heritage.

2.4.5 The Treaty Principles Bill and its Proposed Changes

The Treaty Principles Bill represents an important moment in New Zealand’s legislative framework, aiming to redefine the principles of the Treaty of Waitangi by ensuring equal rights for both Māori and non-Māori (*See Appendix D*). While the bill claims to modernise the Treaty’s interpretation, it raises significant concerns about weakening the protections and rights Māori have fought to secure. The proposed changes have profound implications, challenging existing structures and threatening the progress made towards Māori sovereignty and cultural preservation.

The bill seeks to clarify the Treaty principles to ensure that Māori and non-Māori have equal standing within a contemporary human rights framework (Hutchinson, 2023). However, this redefinition risks undermining the specific protections that have been historically afforded to Māori as Tangata Whenua (the Indigenous People of New Zealand). Critics argue that framing the bill around equal rights could erode Māori rights, established through the Treaty to address historical injustices (Bodwitch et al., 2022). By advancing discussions on Māori rights, the bill also touches on the concept of Māori

sovereignty, though it may ultimately diminish the voices of Indigenous communities in legislative processes (Oliver et al., 2022). Iorns (2022) emphasises that recognising Treaty principles in policy making is crucial for enhancing Māori resilience and cultural continuity, but the bill's approach may challenge this recognition.

The reforms proposed in the bill claim to reinforce Māori rights, yet they could, in practice, reduce those protections. The emphasis on equal rights might obscure the importance of collective Māori entitlements, which are grounded in the Treaty principles of partnership, protection, and participation. While the bill aims to engage Māori stakeholders in decision-making (Houghton, 2023). The proposed framework could marginalise Māori cultural considerations by equating them with non-Māori perspectives, reducing the prioritisation of Māori concerns in governmental decisions. Burns et al (2024) argues, that integrating Māori perspectives in education and political structures is crucial for more equitable society, but these perspectives could be sidelined under the bill's equal rights framework.

The political motivations driving the Treaty Principles Bill must also be acknowledged. The Act Party, which champions individual rights over collective Māori rights, has been a vocal proponent of these reforms (Dalziel et al., 2023). This approach contrasts sharply with traditional interpretations of the Treaty, which prioritise Māori rights as a unique group, and raises tensions around how the Treaty should be interpreted in a modern context. The Act Party's focus on economic pragmatism further complicates the issue, as they argue that Māori rights should not impede economic development or individual freedoms (Stephens, 2022). However, this perspective risks commodifying Māori identity and undermining the holistic development of Māori culture (Davie, 2023).

2.4.6 Potential Impacts the Treaty Principles Bill Could Have on Te Reo Māori as a Taonga

The Treaty of Waitangi principles of partnership, protection, and participation have historically been key mechanisms in securing support for the revitalisation of te reo Māori. The proposed redefinition of these principles in the Treaty Principles Bill threatens this progress. Specifically, the removal or modification of the protection principle could lead to the erosion of institutional commitments to te reo Māori. As Coates (2018) argues, a genuine partnership between the Crown and Māori communities is essential in protecting Māori interests, particularly in language preservation. Should the Treaty principles no longer prioritise the protection of Māori cultural elements, such as te reo Māori, there is a

risk that public institutions may deprioritise language revitalisation initiatives, undermining decades of progress.

Joseph et al (2019) suggests that diminishing protections would contribute to broader social trends that highlight economic outcomes over cultural sustainability. This shift could weaken te reo Māori and its unique status as a taonga, potentially reducing its prominence in both public life and formal settings. Furthermore, this erosion of protection might mirror those experiences of other Indigenous languages globally, where legal frameworks were altered to reflect the political will of dominant groups, often at the expense of cultural preservation (Stephens, 2017).

The reinterpretation of the principle of partnership could directly impact the use of te reo Māori in public services, education, and governance. The partnership between the Crown and Māori requires active engagement in decision-making processes that affect the promotion and preservation of the language. If the principle of partnership is weakened or redefined, it could lead to a reduction in bilingual services and educational support, hindering the visibility of te reo Māori in public domains.

Wain (2020) emphasises the importance of integrating Māori language and culture into public services, noting that recent austerity measures have already resulted in reduced funding for Māori language programs. Without a legal obligation to sustain bilingual services, government agencies may deprioritise that integration of te reo Māori into official communications, further marginalising the language.

Jones (2016) argues that emerging interpretations of Tikanga Māori law risk marginalising Māori intellectual traditions, especially within educational environments. The imposition of a one size fits all framework, without adequately incorporating Māori perspectives, could compromise bilingual education and immersion programs that are for te reo Māori and its survival.

Diminished legal protections resulting from changes to the Treaty principles could severely impact public funding and institutional support for te reo Māori. The success of the language revitalisation efforts largely depends on consistent and well-targeted funding, especially from bodies like Te Mātāwai and Te Taura Whiri i te Reo Māori (Māori Language Commission). These institutions play a vital role in ensuring that te reo Māori remains an active and vibrant language across Aotearoa New Zealand.

As Ruru et al (2017) argues, any redefining of the Treaty principles risks relegating Māori language initiatives to a lower priority on public policy agendas. Without a robust framework to guarantee funding, language programs could face significant financial shortfalls. The competition for limited resources, intensified by broader social priorities, could lead to well-meaning but underfunded projects that fail to deliver in their objectives.

Mika (2023) further emphasises that economic policies should consider the importance of language revitalisation, suggesting that a multidisciplinary approach is required to ensure that te reo Māori receives adequate financial support. Without this, efforts to promote the language in both public services and educational institutions will continue to encounter barriers.

2.4.7 Conclusion

The Treaty Principles Bill represents a critical juncture in New Zealand's legislative and cultural landscape, raising profound questions about the future of te reo Māori as a taonga under the Treaty of Waitangi. By proposing a redefinition of the Treaty principles, the bill risks undermining the protections that have been historically afforded to Māori language. The principles of partnership, protection, and participation, which have guided the revitalisation efforts of te reo Māori, could be significantly weakened, leading to the dismissal of institutional commitments to the language.

The bills focus on equal rights for Māori and non-Māori threatens to obscure the unique cultural and linguistic protections that Māori have fought to secure through decades of advocacy and legislative reform. Te reo Māori, recognised as an official language and as a critical component of Māori identity, relies heavily on legal frameworks such as the Māori Language Act of 2016 to ensure its preservation and growth. Any shift in these protections could erode the visibility of te reo Māori in public life, limit bilingual services, and reduce funding for language initiatives. The proposed changes to the partnership principle raise concerns about the Crown's ability to engage meaningfully with Māori communities in co-developing policies that protect te reo Māori. The potential marginalisation of Māori perspectives in decision-making processes could weaken efforts to incorporate the language into education, public services, and governance.

In conclusion, although the Treaty Principles Bill is introduced as a modernisation initiative, it poses significant threats to the future of te reo Māori as a taonga. These language's survival relies on ongoing and substantial legal protections that honour the

original intent of the Treaty. Any legislative changes should ensure that Māori culture and linguistic tradition continues to thrive in Aotearoa.

Moving into chapter three, we examine the Treaty Principles Bill in detail, beginning with an overview of the Act Party's history and political ideology, which highlights their approach to the bill. We will explore the aims of the Treaty Principles Bill and its key provisions, particularly focusing on how these proposed changes might affect the status of te reo Māori as a taonga. A critical analysis will be conducted on the potential contradictions within the bill, especially in relation to its implications for Māori language rights and cultural protection. We aim to uncover the intentions between the bill's objectives and its potential consequences for te reo Māori, and more broadly, for Māori identity and governance under the Treaty of Waitangi.

CHAPTER 3

THE TREATY PRINCIPLES BILL

3.1 Introduction

The Treaty Principles Bill, introduced by the Act Party (2024), proposes a redefinition of the principles of Te Tiriti o Waitangi (the Treaty of Waitangi) to ensure equal rights for both Māori and non-Māori (*See Appendix D*). The Treaty, signed in 1840 between Māori Chiefs and the British Crown, has been traditionally interpreted through the principles of partnership, protection, and participation (*See Appendix A*). These principles highlighted the Crown's obligations to protect Māori rights, ensure their active participation on governance, and maintain a collaborative relationship with Māori (Came et al., 2023).

The Treaty Principles Bill, proposed by the Act Party in 2024, presents a significant threat to this protection. The bill aims to restore what the Act Party considers the original intent of the Treaty, which they interpret as promising *ngā tikanga katoa rite tahi*-the same rights (*See Appendix D*) and responsibilities for all citizens in New Zealand (A. Party, 2024). The Act Party (2024) argues that modern interpretations of the Treaty have led to unequal treatment and preferential policies for Māori and that this bill seeks to return to the Treaty's foundational principles of equality. They believe that by ensuring one law for all, New Zealand will foster a more unified society where every person is treated with the same respect and dignity. However, critics warn that such a redefinition could erode Māori rights and reduce the unique status of Māori as *tangata whenua* (Indigenous people). The debate over this bill, then raises important questions about the balance between Māori sovereignty, the protection of Indigenous rights, and the pursuit of national unity under a common legal framework. The Treaty Principles Bill seeks to provide a clear, statutory definition of these principles, which are derived from the three articles of the Treaty;

Article one: Establishes the right of the Crown to govern and make laws (*See Appendix D*).

Article two: Guarantees Māori the undisturbed possession of their lands, forest, fisheries, and other properties (*See Appendix D*).

Article three: Provides Māori with the same rights and duties as British subjects (*See Appendix D*).

The bill aims to ensure that these principles are consistently applied across all areas of government and public policy, promoting a unified legal framework that respects the original intent of the Treaty (A. Party, 2024).

3.2 The Act Party: History and Ideology

The Act Party was established in 1994 as a political force committed to free-market policies, individual responsibility, and reducing government intervention. Founded by former Labour Party Minister Roger Douglas and National Party MP Derek Quigley, Act has consistently advocated for neoliberal economic policies, privatisation, and small government. However, since the early 2000s, the party has also championed social policies that oppose affirmative action, co-governance models, and policies they perceive as giving preferential treatment to Māori (Shine, 2023). Act's opposition to what it views as special rights for Māori has steadily intensified. Party leaders, particularly those who took over leadership on the late 2010s, like David Seymour, have argued that the Treaty of Waitangi evolving interpretation has created an unfair system of governance, where Māori enjoy privileges not afforded to other New Zealanders such as policies that are designed to address historical disadvantages, health services, land and resource rights, and cultural recognition (Barnes et al., 2024). Act Party has consistently focused on rolling back initiatives aimed at addressing historical injustices and disparities, and instead, promoting a narrow concept of equality where everyone is treated the same, regardless of historical context. The Treaty Principles Bill is a continuation of these views, aiming to dismantle the framework that recognises Māori as Tangata whenua (Indigenous people) and that promotes active protection of Māori culture and language. The bill's emphasis on equality obscures the need for recognition of the inequities that have shaped Māori-Crown relations for over a century. By proposing this bill, the Act Party attempts to reduce the Treaty to a minimalist interpretation, ignoring the unique status of Māori and, by extension, the protection afforded to te reo Māori as a taonga.

3.3 The Treaty Principles Bill: Overview and Aims

The Treaty Principles Bill seeks to redefine the principles of the Treaty of Waitangi, and in doing so, reduce the legal interpretations that currently uphold Māori rights and privileges. The Act Party frames the bill as an attempt to restore balance and fairness, arguing that existing interpretations of the Treaty have led to racial separation and unequal treatment under the law (A. Party, 2024). According to the bill's preamble, its purpose is to;

Reaffirm Civil Government: The bill emphasises that New Zealand government has the authority to govern for the benefit of all citizens, Māori, and non-Māori alike, with no obligations to uphold any special relationship or partnership with Māori.

Equal Treatment for All: The principle of equality is central to the bill. It argues that all New Zealanders should be treated equally under the law, rejecting any notion that the Treaty creates separate rights or privileges for Māori.

Clarify Article Two: The bill narrowly interprets Article Two of the Treaty, which guarantees Māori the full, exclusive, and undisturbed possession of their lands, forest, fisheries, and other properties. The bill reduces this to limited property rights framework, erasing the broader concept of taonga, which includes cultural assets as te reo Māori.

End Co-governance: The bill seeks to dismantle co-governance arrangements, which Act believes have led to dual governance structures and preferential treatment for Māori. These arrangements, in the Act Party's view, distort democratic processes and create inequality.

While the Act Party claims the bill will promote fairness, it contradicts the legal and historical foundation of the Treaty as a living document that ensures Māori participation and protection under the Crown. The bill fails to recognise the significant disparities that Māori have faced in language preservation, education, and cultural survival, and how these were addressed through the Treaty's interpretation as a framework for partnership and protection.

3.4 The Impact on Te Reo Māori as a Taonga

Te reo Māori has long been recognised as a taonga, a treasure that must be actively protected under the principles of the Treaty of Waitangi. This recognition has been essential in shaping policies that have helped revitalise the language after it was nearly lost due to colonial policies and government neglect. In 1987, the Māori Language Act formally recognised te reo Māori as an official language of New Zealand (See Appendix B), and the 2016 Māori Language Act (*See Appendix C*) further expanded the government's role in promoting and protecting the language through the creation of Te Mātāwai, a body that supports Māori leadership in language revitalisation efforts.

The Treaty Principles Bill threatens to reverse these gains by undermining the Crown's obligation to actively protect te reo Māori. The bill reframes Article Two of the Treaty in a way that narrowly interprets taonga as physical property, stripping away the broader recognition of cultural and linguistic treasures. This shift could lead to significant cuts in

public funding for Māori language education, broadcasting, and public services, which depend on the recognition of te reo Māori as a taonga requiring active protection.

Furthermore, the bill's emphasis on equal treatment, threatens to dismiss the special legal status that te reo Māori enjoys. The principle of equality proposed in the Bill treats Māori and non-Māori as if they are starting from the same position, ignoring the historical injustices that have contributed to the erosion of te reo Māori. Equal treatment under the bill would mean an end to the Crown's responsibility to support te reo Māori with targeted initiatives, which are essential for addressing the disparities in language proficiency and use between Māori and non-Māori.

3.5 Contradictions in the Treaty Principles Bill

While the Act Party (2024) claims the bill will promote fairness and equality, its provisions are riddled with contradictions that reveal its regressive impact on te reo Māori and Māori rights in general. These contradictions include;

Erosion of Active Protection: The bill's insistence on equality under the law ignores the Treaty's principle of active protection, which has been fundamental to the revitalisation of te reo Māori. By removing the Crown's obligation to function as a protector of Māori taonga, the bill undermines that very mechanisms that have supported the language's resurgence.

False Representation of Equality: The bill presents an abstract notion of equality that treats all citizens as if they are on an equal footing. This contradicts the reality that Māori, due to colonisation and subsequent marginalisation, are not on equal footing with non-Māori in terms of language retention, cultural participation, or access to resources. The removal of protections for te reo Māori under the guise of equality is not true fairness but an erasure of historical context.

Dismantling Co-Governance: The bill's push to end co-governance arrangements is based on the notion that these agreements create unequal power structures. However, co-governance reflects the Treaty's principle of partnership, recognising the distinct status of Māori as Tangata whenua and their role in decision-making processes. Ending these arrangements would not promote equality but would instead reassert a majoritarian form of governance that silences Māori voices.

Misinterpretation of Article Two: The bill's narrow reading of Article Two ignores the extensive legal and historical scholarship that has recognised taonga as including intangible cultural assets like language. The bill's reduction of taonga to physical property

contradicts decades of legal precedent and undermines Māori claims to cultural and linguistic resources.

3.6 Conclusion

The Treaty Principles Bill represents a critical juncture for the recognition and protection of te reo Māori as a taonga under the Treaty of Waitangi. By seeking to redefine the Treaty principles around the concepts of equal rights for all New Zealanders and removing the emphasis on partnership, this bill threatens to compromise decades of progress made towards the revitalisation and preservation of the Māori language. The current interpretation of the Treaty, which acknowledges the active protection of te reo Māori as a cultural treasure, has provided the legal foundation for crucial government initiatives, including Māori education, broadcasting, and public services.

If the bill passes, its shift in focus could dismantle the legal obligations to fund and protect te reo Māori, leading to potential cuts in public funding and regression in Māori language revitalisation efforts. While the Act Party frames the bill as a way to ensure equal treatment for all New Zealanders, it disregards the historical injustices faced by Māori and the unique status of te reo Māori as an integral part of New Zealand's cultural heritage. The principles of partnership, protection, and participation were established to address these injustices and ensure the survival and flourishing of Māori language and culture.

Unfortunately, this bill raises serious concerns about the future of te reo Māori and the broader implications for Māori self-determination in Aotearoa New Zealand. While the bill claims to respect the Treaty's original text, its redefinition of the principle's risks weakening the protections that have been essential to Māori language revitalisation. The stakes are high, not just for te reo Māori but for the cultural and political relationship between the Crown and Māori. The protection of Māori language as a taonga should remain a fundamental principle, ensuring that unique status te reo Māori is upheld for future generations.

The next chapter outlines the methodology used to examine the potential impacts the Treaty Principles Bill on the status of te reo Māori as a taonga. Given the legal and political nature of this thesis, a qualitative research approach is applied, focusing on document analysis. This includes a deep examination of legislative texts, policy documents, historical records, alongside academic articles. A comparative analysis is also a key component, drawing on cases of indigenous language policies in Canada, Venezuela, Australia, Hawaii and the United States America to contextualise the possible implications

for te reo Māori. By analysing these sources, this methodology establishes a framework for understanding how the redefinition of the Treaty principles may affect language rights and cultural preservation.

METHODOLOGY

This research employs a quantitative, document-based approach to analyse the potential impacts of the Treaty Principles Bill on the recognition of te reo Māori as a taonga under the Treaty of Waitangi principles of protection, partnership, and participation. The study draws on a range of secondary sources, including historical records, legislative texts, court rulings, academic articles, and books. The research will also incorporate a comparative analysis with other Indigenous communities to assess the broader implications of language policies on Indigenous language rights.

Research Design

The methodology follows a qualitative research framework. The primary focus is on document analysis, including the review of legislation, policies, academic literature, historical records, and legal decisions. This approach allows for an in-depth understanding of the legal, political, and cultural implications surrounding te reo Māori, particularly in the context of the Treaty Principles Bill and the Treaty of Waitangi. Through comparative analysis, the study also aims to situate the New Zealand case within an international framework of Indigenous language rights.

Data Collection

The data for this research will be gathered from secondary sources, including;

Legislation and Policy Documents: The Treaty Principles Bill, the Treaty of Waitangi, the Māori Language Acts of 1987, and 2016, and other relevant policy documents.

Historical Records and Court Rulings: Key legal decisions and historical documents related to the Treaty of Waitangi and Māori language rights.

Academic Articles and Books: Scholarly works on language revitalisation, Indigenous rights, and political implications of language policies.

Comparative Case Studies: Data from other Indigenous communities, including Hawaiian, Cree, Inuktitut (Canada), Aboriginal (Australia), Venezuelan, and Native American communities. These will be drawn from academic studies, legal documents, and policy reviews, in these contexts.

The materials will be accessed through library archives, online databases, and government websites. All data will be documented and cited according to academic APA 7th edition standards.

Comparative Analysis

A significant component of this research is the comparative analysis of how similar legislative and policy changes have impacted Indigenous languages in other contexts. The study will compare the status of te reo Māori with;

Hawaiian Language: Examining the suppression of Hawaiian language following the United States annexation and the subsequent efforts for revitalisation.

Cree and Inuktitut (Canada): Investigating the legal and policy frameworks supporting these languages in Canada, including the Indigenous Languages Act.

Aboriginal Languages (Australia): Analysing Australia's language policies and their effects on Aboriginal languages, especially in the context of constitutional recognition.

Venezuela: Exploring how Indigenous language rights are framed in this country, particularly in relation to their legal systems.

Native American Communities: Investigating the Native American Languages Act (1990) and the impact of forced assimilation policies on Indigenous languages in the United States.

This comparative framework allows for a broader understanding of the potential consequences of the Treaty Principles Bill for te reo Māori.

Data Analysis

The analysis will employ both legal and discourse analysis techniques. The legal analysis will focus on the interpretation and potential impact of the Treaty Principles Bill, The Treaty of Waitangi, and relevant court rulings. The research will employ discourse analysis to investigate how these legal frameworks position te reo Māori as a taonga and how the proposed changes could alter its status and protection.

Key themes, such as partnership, protection, and participation (the principles of the Treaty of Waitangi), will be critically analysed in relation to language rights, public funding, and cultural preservation.

Ethical Considerations

Since this research does not involve human participants, ethical considerations primarily pertain to the respectful and culturally sensitive handling of Indigenous knowledge, language, and legal frameworks. Care will be taken to acknowledge the cultural significance of te reo Māori and the broader implications of Indigenous communities. This

research adheres to ethical standards in referencing and engaging with Indigenous scholarship and legislative texts.

Limitations

This study is limited by its reliance on secondary data and the availability of published sources. Additionally, while the comparative analysis provides a broad international perspective, the specific cultural and political contexts of other Indigenous communities may differ from that of New Zealand, which could influence that applicability of the findings.

The next chapter examines the Treaty Principles Bill and its potential impacts on te reo Māori and its recognition as a taonga, under the Treaty of Waitangi, through a comparative analysis of indigenous policies. By exploring case studies from Canada, Australia, Venezuela, the United States of America, and Hawaii this chapter will contextualise the challenges these indigenous communities faced in the wake of legislative changes. The proposed changes to the Treaty of Waitangi principles might have potential impact on the status of te reo Māori. By comparing them to international examples where indigenous languages have faced similar threats or protections. We are able to gain an understanding on how the Treaty Principles Bill could reduce the status of te reo Māori, potentially diminishing its need in the future.

CHAPTER 4

COMPARATIVE ANALYSIS: INDIGENOUS LANGUAGE RIGHTS IN INTERNATIONAL CONTEXTS

4.1 Introduction

The recognition and protection of Indigenous language rights have become critical issues in the global effort to preserve Indigenous cultures and identities. Around the world, Indigenous languages have faced centuries of suppression and marginalisation, often as part of colonial and assimilationist policies, in recent decades, however, there has been growing recognition of the need to revitalise and protect these languages, as they are integral to the survival of Indigenous communities cultural tradition. International legal frameworks, such as the United Nations Declaration on the Rights of Indigenous Peoples (Assembly, 2007), together with national legislation across various countries, have strived to address these issues by formally recognising and protecting the language rights of Indigenous peoples. This section explores the diverse approaches taken by countries to recognise and protect Indigenous language rights, offering a comparative analysis of legal frameworks, social impacts, and cultural preservation efforts. By examining case studies from Canada, New Zealand, Hawaii, Australia, and Venezuela, the review highlights both the successes and challenges faced by different Indigenous communities in maintaining their languages. These international examples provide important insights for understanding the potential implications of New Zealand's proposed Treaty Principles Bill, particularly concerning te reo Māori and its recognition as a taonga.

The Treaty Principles Bill, proposed by the ACT Party, aims to redefine the relationship between Māori and non-Māori (*See Appendix D*), which could reduce the existing protections for te reo Māori. By comparing the New Zealand situation with international experiences, this analysis highlights the role that legal frameworks play in either supporting or marginalising Indigenous languages. Furthermore, the review discusses the broader social impacts of language loss or revitalisation, as well as the efforts of Indigenous communities to preserve their cultural identities through language.

This section aims to highlight the significance of upholding robust legal protections for Indigenous languages, such as te reo Māori, through a comprehensive analysis. As international experiences demonstrate, legal recognition is essential to ensuring the survival of Indigenous languages and, by extension, the cultures, and identities they represent. In New Zealand, the potential erosion of those protections through the Treaty

Principles Bill poses significant risks to the future of te reo Māori and the broader Māori cultural renaissance.

4.2 Legal Frameworks Supporting Indigenous Languages

Many countries have introduced legal structures aimed at supporting Indigenous languages, though the level of success has varied. (Åhrén, 2016) highlights that some nations have enshrined Indigenous linguistic rights within their legal systems, allowing communities to affirm these rights. For example, Canada's Indigenous Language Act 2019 aims to revitalise Indigenous languages through financial support and language programs (Papillon & Rodon, 2017). In New Zealand, the Māori Language Act (1987) established te reo Māori as an official language (*See Appendix B*), promoting its use within public institutions (De Varennes, 2021).

By contrast, other countries have been less effective in their recognition of Indigenous languages. In Australia, the absence of a comprehensive national language policy has contributed to the critical endangerment of many Indigenous languages (Romaine, 2017). The lack of legal frameworks here highlights the essential nature of formal recognition in ensuring the survival and revitalisation of Indigenous languages. This comparison emphasises the risks New Zealand may face if the Treaty Principles Bill weakens the existing protections for te reo Māori. Without sufficient legal protects, te reo Māori could experience marginalisation like what is seen in Australia.

4.3 Social Impacts of Indigenous Language Recognition

The social consequence of recognising Indigenous languages can be profound, influencing the identity and cohesion of communities. Language embodies cultural traditions and worldviews (Lightfoot, 2016). When Indigenous languages are systematically suppressed, it can lead to social disintegration, with communities losing cultural coherence and a sense of identity (Frankenberg, 2017). Conversely, the revitalisation of Indigenous languages can promote social cohesion and resilience. Obrien et al, (2018) highlights that in times of crisis, the cohesive communication fostered by Indigenous languages can play a critical role in disaster response and recovery.

For New Zealand, the proposed Treaty Principles Bill (*See Appendix D*) raises concerns about whether the legal structures that support te reo Māori will remain strong enough to continue fostering this social cohesion. The potential weakening of Māori-specific language rights could erode not only the status of te reo Māori as a taonga but also the broader sense of Māori identity, which is closely tied to the language. The experiences of

other Indigenous groups who have lost linguistic and cultural connections due to inadequate legal protections offer a cautionary lesson for New Zealand.

4.4 Cultural Preservation and Indigenous Language Rights

Efforts to preserve Indigenous languages vary widely across international contexts, shaped by historical and social landscapes. For instance, in Finland, significant measures have been taken to support the Sámi languages, including incorporating Sámi into educational curricula and media representation (Siems, 2022). This proactive stance reflects the country's commitment to both linguistic and cultural preservation, as younger generations are given the tools to carry their heritage forward. In contrast, Indigenous communities in Venezuela face significant challenges due to the insufficient legal recognition of their languages, limiting their ability to advocate for linguistic and cultural preservation (Horowitz et al., 2024). The comparison between Finland and Venezuela demonstrates how legal recognition plays a key role in the success of cultural preservation efforts. Without strong legal protections, as seen in Venezuela, Indigenous languages and cultures are at a higher risk of disappearing. For New Zealand, the Treaty Principles Bill threatens to reduce the protections provided by the Māori Language Act (2016), which has played a crucial role in the revitalisation of te reo Māori. If these protections are eroded, the preservation efforts for te reo Māori may face significant setbacks, like the struggles seen in countries such as Venezuela.

4.5 Global Movements Promoting Indigenous Rights

Internationally, organisations and legal bodies have contributed to the recognition of Indigenous languages, with frameworks such as the United Nations Declaration on the Rights of Indigenous Peoples (Assembly, 2007) emphasising the right to revitalise Indigenous languages and cultures (Turpel, 2017). This declaration promotes cultural self-determination and urges countries to adopt legal measures that align with local Indigenous aspirations. Such global initiatives show the interconnectedness of language rights with broader discussions on human rights. These international efforts resonate strongly with Māori and their language revitalisation strategy; however, the Treaty Principles Bill could be seen as a step backward in this global trend, reducing the rights of Māori to retain their language as a vital part of their cultural identity. The declaration's support for Indigenous people's language rights contrasts with the bill's potential to dismiss the unique status of te reo Māori in New Zealand.

4.6.1.1 Indigenous Language Rights: Canada

The revitalisation of Indigenous languages, such as Cree, Inuktitut, and te reo Māori, represents more than cultural preservation, it is a crucial effort to reclaim identity, address historical grievances, and maintain vital Indigenous knowledge systems (Green, 2018). These languages are not just tools of communication but embody worldviews, cultural practices, and intergenerational knowledge that shape Indigenous governance and environmental stewardship (Borrows, 2018). For example, Cree encapsulates a holistic understanding of relationships with the land, spirituality, and community, grounding the Cree Nation's approaches to environmental and resource management (Sanders, 2022). Similarly, the Inuktitut language is essential for preserving Inuit cultural practices and survival strategies in the Arctic, intertwining with traditional ecological knowledge passed down through generations (Oliver et al., 2019). In New Zealand, te reo Māori plays an integral role in cultural revitalisation, resistance against colonial legacy, and the expression of Māori sovereignty (Williams, 2021).

Despite their profound cultural significance, these languages face significant contemporary challenges. In Canada, colonial policies systematically repressed Indigenous languages through institutions such as residential schools, where children were punished for speaking their languages (Hobbs & Young, 2021). This resulted in a drastic decline in fluency and intergenerational transmission of languages such as Cree and Inuktitut. Today, Indigenous languages in Canada continue to struggle due to the dominance of English and French in education and media, with younger generations increasingly disconnected from their linguistic tradition (Takam, 2016). Similarly, te reo Māori was subjected to suppression through education policies that favoured English, contributing to significant decline in fluent speakers by the mid-20th century (Timms, 2013). This decline, compounded by urbanisation and globalisation, threatens the intergenerational transmission of the language.

To address these challenges, both Canada and New Zealand have implemented revitalisation strategies aimed at promoting and preserving Indigenous languages. In Canada, the Indigenous Languages Act (2019) (*See Appendix E*) acknowledges the damage caused by colonial policies and seeks to provide funding and support for Indigenous language programs (McIvor et al., 2022). The act emphasises Indigenous governance in the development of these programs, allowing Indigenous communities to take the lead in the revitalisation process, with federal support (Borrows, 2018). However, the effectiveness of this legislation is often hampered by inadequate funding and

inconsistent implementation (Hobbs & Young, 2021). In contrast, New Zealand has a robust legal framework in place through the Māori Language Act 2016 (*See Appendix C*), which established Te Mātāwai, a Māori-led organisation, to oversee language revitalisation. This framework supports the promotion of te reo Māori in education, government, and media (Grace et al., 2019). The incorporation of te reo Māori into school curricula, alongside bilingual education models, has significantly increased the visibility of the language among younger generations (Angelo et al., 2022).

Community-driven revitalisation efforts are critical in both contexts. In Canada, community-led initiatives such as language nests and immersion programs have proven effective in fostering intergenerational language transmission. These programs create linguistically rich environments for children, rekindling interest in Indigenous languages at an early age (Takam, 2016). In New Zealand, similar programs have played a crucial role in reviving te reo Māori, particularly through initiatives like Kōhanga Reo (Māori language immersion pre-schools) and Kura Kaupapa (Māori immersion schools). These efforts highlight the importance of localised approaches that reflect the cultural contexts and needs of each community (Linn & Oberly, 2016).

Both countries also recognise Indigenous language rights through legal frameworks that align with international agreements such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (Pierre, 2019). This legal recognition empowers Indigenous communities to hold governments accountable for supporting language revitalisation. However, the potential redefinition of the Treaty of Waitangi principles in New Zealand through the Treaty Principles Bill could jeopardise the progress made in revitalising te reo Māori. The bill proposes to treat Māori and non-Māori equally, which could compromise the specific protections that have been afforded to te reo Māori as a taonga under the current interpretation of the Treaty (Williams, 2021). Such changes risk diminishing the political and financial support necessary for the ongoing promotion of the language in public services, education, and media.

While both Canada and New Zealand have made strides in recognising and revitalising Indigenous languages, challenges remain. Inadequate funding, lack of resources, and dependence on government support continue to hinder effective language revitalisation (Grace et al., 2019). Moreover, the lasting impacts of colonialism, including generational trauma, influence how individuals connect with their linguistic tradition (Williams, 2021). In the case of New Zealand, the Treaty Principles Bill could exacerbate these challenges by weakening the partnership framework that has upheld efforts to revive te reo Māori.

To ensure the survival and flourishing of Creem Inuktitut, and te reo Māori, a multi-sectoral approach is needed, incorporating education, legal frameworks, and community-drive initiatives. Collaboration across sectors, integrating language revitalisation with health and social policies, could provide a more comprehensive approach to Indigenous well-being (Asamoah, 2021). Furthermore, the incorporation of Indigenous knowledge systems into educational curricula and governance structures will help to sustain the cultural significance of these languages while addressing contemporary challenges (Green, 2018).

4.6.1.2 Conclusion

In conclusion, while Canada and New Zealand have made considerable progress in Indigenous language revitalisation, continuous effort is required to overcome the legacies of colonialism. Legislative support, adequate funding, and strong community involvement remain essential to ensure that these languages thrive in the modern world. Indigenous communities in both nations continue to assert their linguistic rights, not only reclaiming their cultural identities but also contributing to the diversity of global languages.

4.6.2.1 Indigenous Language Rights: Australia

The legal frameworks of Australia for protecting Aboriginal languages exhibit a fragmented and inconsistent approach, characterised by the absence of a unified national policy. Historically, Aboriginal languages faced significant suppression during colonisation, which led to drastic reduction in the number of languages spoken fluently today. As of now, fewer than 20 of the 250 languages are still spoken regularly (Mahboob et al., 2017). Legislative measures, such as the Aboriginal and Torres Strait Islander Heritage Protection Act 1984, aimed to protect culturally significant sites and practices but do not prioritise language rights explicitly (Zuckermann et al., 2014). This absence of centralised language policy limits the long-term sustainability of language revitalisation efforts (Walsh, 2014).

Australia's approach to Indigenous language protection remains primarily state-driven, resulting in discrepancies in the support provided across various areas. Some states have implemented programs to integrate Aboriginal languages into school curricula, while others have struggled with inadequate funding and infrastructure. This decentralisation strategy has left Aboriginal communities dependent on grassroots initiatives for language preservation, often without substantial government backing. Community-driven language revitalisation projects, such as those using digital tools, are emerging as significant efforts but still lack the sustained national support necessary to ensure survival (Galla, 2016). As

a result, revitalisation projects in Australia tend to operate in silos, limiting their broader impact (Pine & Turin, 2017).

The absence of collaboration between government entities and Indigenous communities continues to hinder effective language preservation. Government policies often fail to reflect the needs and aspirations of Aboriginal peoples, therefore perpetuating a disconnection between policy and practice. The lack of consistent government support, including a failure to secure long-term financial resources for language education, reduces community-led efforts and prevents the successful transmission of language to future generations (McCarty & Nicholas, 2014).

By contrast, New Zealand's approach to te reo Māori under the Māori Language Act 2016 (*See Appendix C*) highlights the critical role that legislative backing plays in language revitalisation. This Act places the revitalisation of Māori firmly within a legal framework, mandating the government to promote te reo Māori through public policy, education, and institutional support. The Māori Language Commission was established to oversee these efforts, ensuring resources are allocated for language immersion programs, which have significantly strengthened the presence of Māori in public life (Ruckstuhl, 2018). In New Zealand, Māori communities have also been more integrally involved in managing language initiatives, actively participating in educational reforms that prioritise language revitalisation (Timms, 2013).

Comparatively, Australia's fragmented policies highlight the need for a cohesive national strategy to protect Aboriginal languages, a gap that has left language preservation efforts vulnerable to inconsistent support. Unlike New Zealand, where the recognition of te reo Māori as a taonga under the Treaty of Waitangi ensures legal protection, Australia has yet to implement a similar nationwide policy for Indigenous language rights (Albury, 2015). Without this recognition, the progress made by Aboriginal communities remains piecemeal, relying heavily on state-led initiatives or grassroots movements without adequate legislative infrastructure. Australia could benefit from adopting a unified national policy similar to New Zealand's, which would facilitate a more structured approach to language revitalisation by ensuring that Indigenous language rights are embedded within the broader context of Indigenous cultural rights (Albury, 2019).

This divergence in approaches reflects the differing political landscapes in each country. While New Zealand has incorporated Indigenous language rights into its national identity, Australia has yet to extend a similar level of recognition to Aboriginal languages. This

gap highlights the risks of not embedding language protection within legal framework, as proposed in New Zealand under the Treaty Principles Bill. If passed, this bill could redefine the status of te reo Māori, potentially weakening the protection it enjoys as a taonga under the Treaty of Waitangi. In this context, Australia's disjointed efforts serve as a cautionary tale, demonstrating the consequences of failing to adequately legislate for Indigenous language rights. The comparative analysis between the Treaty Principles Bill (*See Appendix D*) and Australia's Indigenous language policies illustrates the necessity of comprehensive legislative support to protect the future of Indigenous languages. While New Zealand's legal structures for te reo Māori provide a robust model for language revitalisation, Australia continues to face challenges without a similar national commitment. As both nations grapple with the legacy of colonisation and the ongoing marginalisation of Indigenous communities, the protection of Indigenous languages remains a critical component of broader social justice initiatives (Trinick & Heaton, 2021).

4.6.2.2 Conclusion

Australia's inconsistent legal frameworks concerning the protection of Aboriginal languages highlight an urgency for a unified national strategy. The historical suppression of these languages during colonisation has had enduring repercussions, with only a small portion of original languages currently spoken regularly. Although certain legislative measures are in place, they prioritise language rights, obstructing long-term efforts towards revitalisation efforts. A more robust legal framework provides support, resources, and recognition. The states approach amplifies disparities in support across different laws, resulting in Aboriginal communities having to depend heavily on local initiatives without significant government assistance. New Zealand's Māori Language Act (2016) (*See Appendix C*) serves as an example of the crucial importance of legislative support in successfully revitalising their Indigenous Language. By integrating te reo Māori into a statutory framework and securing government endorsement, New Zealand has enhanced the prominence of te reo Māori in public affairs. This comparison emphasises Australia's need to implement a cohesive national policy like New Zealand's, further promoting a more unified approach towards language revitalisation and protecting Indigenous rights. The political landscape of Australia and New Zealand highlight the degrees of acknowledgement and support for Indigenous languages in each country. Australia's disjointed efforts are a cautionary example, demonstrating the repercussions of insufficient legislative policies to ensure rights related to Indigenous languages. It's important to have comprehensive legal framework in place not only to protect the future

visibility of these languages but also to put an end to the persistent marginalisation faced by Indigenous communities.

4.6.3.1 Indigenous Language Rights: America

Forced assimilation policies in the United States throughout the nineteenth and twentieth centuries severely impacted Indigenous American languages, with devastating consequences for cultural identity. These policies aimed to eradicate Indigenous cultures and languages through various mechanisms, including the establishment of Indian boarding schools, which became sites of aggressive cultural suppression (Hanson et al., 2020). These schools enforced English as the primary language and prohibited the use of Native Indigenous languages. The trauma from this systematic suppression left a profound legacy, resulting in the significant decline of many Indigenous languages, threatening their transmission and survival across generations (Gregg, 2018). Similarly, the Treaty Principles Bill proposed by the New Zealand ACT Party (*See Appendix D*), through its approach, poses potential risks to te reo Māori, the Indigenous language of Māori. The bill seeks to redefine the Treaty of Waitangi principles, advocating for equal rights for Māori and non-Māori. While this seems equitable to some, the proposed changes could reduce protections that have been central to the revitalisation of te reo Māori as a treasured language. The historical parallels in both contexts—through policies that either directly or indirectly threaten Indigenous languages highlight the fragile status of these languages and the potential consequences of political decisions on their survival.

In the United States, federal policies aimed at civilising Native American populations led to the widespread implementation of boarding schools in the mid-17th century to the early 20th century, designed to assimilate Indigenous children into Euro-American society (Contributors, 2025). At these institutions, Native Indigenous children were often punished for speaking their languages and practicing their cultures (Urban et al., 2019). These schools were part of a broader effort to erase Indigenous identity, replacing it with Euro-American norms. The result was the widespread decline of Native languages with many becoming critically endangered by the mid-20th century (McIvor, 2020).

This language suppression can be compared to the potential risks facing te reo Māori today. Prior to the Māori Language Act 1987, te reo Māori faced similar declines due to colonial policies that prioritised English in educational and social institutions. However significant revitalisation efforts have been made since, resulting in a resurgence of te reo Māori in public life, media, and education. The Treaty Principles Bill (*See Appendix D*), if passed, could weaken the legal frameworks that have supported this progress, echoing

the detrimental effects seen in Indigenous American communities when assimilation policies dismantled their linguistic heritage.

The United States government eventually recognised the disastrous consequences of its assimilationist policies, leading to the enactment of the Native American Languages Act (NALA), in 1990. The Native American Languages Act was a landmark law, as it explicitly rejected past policies that were aimed to eradicate Indigenous languages, instead affirming the right of Indigenous Americans to use and preserve their languages (Nevins, 2024). The act sought to promote the revitalisation of Native languages through education and federal support, signalling a reversal of earlier language suppression. However, despite the good intentions of the Native American Languages Act, many Native Indigenous American languages remain endangered, as the law has struggled to overcome the long-term effects of forced assimilation and a lack of sustained funding for language programs (Pratt et al., 2018).

In New Zealand, te reo Māori received official recognition as an official language in 1987 (*See Appendix B*), following years of activism from Māori leaders. The Māori Language Act 2016 further strengthened this protection, recognising te reo Māori as a critical part of New Zealand's identity and committing resources to its revitalisation. Unlike the Native American Languages Act, the Māori Language Act has been more successful in promoting the use of te reo Māori in government services, education, and media. However, the Treaty Principles Bill (*See Appendix D*) threatens to roll back some of these gains by potentially weakening the Treaty of Waitangi and its protective provision regarding the language.

The concept of “linguicide” refers to the systematic destruction of a language, often as a result of assimilation policies. In the United States, the boarding school system and English-only policies exemplified this process, resulting in severe cultural loss for Native Indigenous American communities (Meissner, 2020). This deliberate erasure of language, identity, and land reflects a broader colonial strategy to assimilate Indigenous peoples into dominant settler societies. The cultural and psychological trauma endured by Indigenous American children in these schools has left a legacy that continues to affect language revitalisation efforts today.

The potential for similar outcomes exists in Aotearoa New Zealand, where the Treaty Principles Bill (*See Appendix D*) could lead to the erosion of te reo Māori and its status as a taonga under the Treaty of Waitangi principles. By redefining Treaty principles in a way that dismisses Māori rights and protections, the bill risks undermining the institutional

support that has allowed te reo Māori to recover from its earlier decline. The linguistic and cultural dislocation seen in Indigenous Native American communities serves as a cautionary tale for New Zealand, where the revitalisation of te reo Māori is still vulnerable to political shifts.

Following the passage of the Native Americans Language Act 1990, many Indigenous Native American communities took significant steps to revitalise their languages, Community-driven language immersion programs, such as those initiated by the Chickasaw Nations, have been crucial in reintroducing Native languages to younger generations (Treuer, 2019). However, the success of these efforts varies widely, with some languages still facing extinction due to insufficient federal funding and support (Rolnick, 2021).

In contrast, te reo Māori has benefited from stronger governmental support, particularly through the Māori Language Act and subsequent funding initiatives. The revitalisation of te reo Māori in schools, media, and public services has been more effective than many United States efforts, though it remains a work in progress. The Treaty Principles Bill, however, threatens to reverse these gains by potentially weakening the partnership between Māori and the Crown, particularly regarding language rights. This potential rollback of protections reflects the broader challenges faced by Indigenous communities worldwide in preserving their languages against the pressures of globalisation and political change.

4.6.3.2 Conclusion

The impact of forced assimilation policies on Native Indigenous American languages provides important lessons for the future of te reo Māori. The devastation caused by the United States boarding school system and English-only policies illustrates the long-lasting effects of language suppression on Indigenous communities. While the Native American Languages Act marked a significant shift in the U.S. policy, the challenges of revitalisation remain immense, particularly due to the historical damage inflicted by assimilation efforts. New Zealand's approach to te reo Māori has been more successful, largely due to stronger legislative protections and broader societal support for language revitalisation. However, the Treaty Principles Bill (*See Appendix D*) poses a risk to this progress, much as U.S. policies once undermined Native American languages. The comparative research highlights the critical role of legislation in either supporting or eroding Indigenous languages. Without robust legal protection, languages like te reo Māori could face the same challenges that Native American languages continue to grapple with today.

4.7.4.1 Indigenous Language Rights: Hawaii

The historical suppression of the Hawaiian language following 1898 marked a significant turning point in the evolution of Hawaiian identity and culture. After the United States annexed Hawaii in 1898, there was a deliberate effort to eliminate the use of Hawaiian as an educational and governmental tool. This aggressive marginalisation of the language highlights the broader U.S. socio-political agenda in Hawaii, characterised by the imposition of English as the dominant language. According to Manabe (2019), the institutional removal of Hawaiian from public schools exemplifies this trend, as educational policies actively sought to erase the language from the fabric of Hawaiian society. The cessation of Hawaiian instruction not only led to the loss of a mode of communication, but it also represented an attempt to erase Hawaiian culture itself.

As linguistic erosion took over, the implications were catastrophic for native speakers and Hawaiian identity. The intergenerational transmission of language, a vital aspect of cultural continuity was severely interrupted, leading to a marked decline in the number of fluent speakers (Eshelman, 2023). With the language made almost invisible in formal environments, the cultural narrative shifted, creating a context in which Hawaiian traditions risked obliteration under the weight of colonial assimilation. The anguish and dislocation felt by native speakers are profound, as documented in academic discussions. Academics like (Higgins, 2019) observe the widespread feeling of loss intertwined with the suppression of language. Hawaiian, once a vessel for cultural expression and an integral part of the community's identity, was relegated to the margins, giving rise to a complex relationship between language, identity, and resistance.

This historical context is not merely an academic assessment or a relic of the past, it represents a fundamental challenge that persists in Hawaiian communities as they strive to regain their linguistic and cultural heritage (Saft, 2022). The reverberations of this suppression can be seen in the struggles faced by the latest generations in learning and using Hawaiian fluently. The language revitalisation movements that gained momentum in the 1980s emerged as a direct response to this historical context but still reflect a continuous battle against deeply rooted systems that favour English over Indigenous languages.

While initiatives to revitalise, Hawaiian languages have catalysed increased visibility and appreciation of the language, the challenges to achieve widespread fluency among younger generations remain daunting. These challenges extend beyond mere education efforts, they include lack of resources, insufficient media representation in Hawaiian, and

the widespread influence of English in everyday life. Hawaiian language programs are often underfunded.

The incorporation of Hawaiian into educational curricula marked a paradigmatic shift in social attitudes towards Indigenous languages and heritage. Families increasingly recognised the importance of embracing their cultural roots and sought to pass the language to their children (Higgins, 2021). Research shows that language revitalisation initiatives have facilitated a profound awakening of Hawaiian pride and cultural identity among Indigenous Hawaiians, serving as a vehicle through which individuals could reclaim their heritage and promote community solidarity (Keli 'ipa 'akaua et al., 2024).

Linguistic-Academic research highlights the need for community involvement and adaptable language policies to overcome decades of historical suppression (Hinton et al., 2018). This community-oriented approach has proven crucial, demonstrating that language revitalisation should stem from the heart of the community rather than be imposed by external authorities. Recognising the significance of family and community contexts in language acquisition is essential, as it cultivates an environment in which Hawaiian can thrive.

However, despite the remarkable advances of the 1980s and beyond, significant challenges continue to prevent widespread fluency among younger generations. Limitations in educational resources remain a persistent barrier, immersion schools, though impactful, often face funding shortages that restrict their ability to attract sufficient numbers of qualified teachers and implement comprehensive programs. These limitations result in inconsistent language exposure, which is critical to developing proficiency among students (Saft, 2023). Additionally, the urgent need for teacher training remains a continuous challenge, as many educators lack access to professional development programs in Hawaiian language instruction.

Fluency in Hawaii among younger generations is not simply a matter of implementing educational programs, it represents a deeply rooted challenge intertwined with the socio-political fabric of Hawaii. The dominance of English in daily communication serves as a formidable barrier to revitalisation efforts. Young people naturally gravitate toward a language they perceive as more of an advantage for academic and professional advancement. As Solomon (2024) argues, social attitudes that attribute greater prestige and utility to English make the Hawaiian language vulnerable, relegating it to a niche status in its own geographical and cultural domain.

Though immersion programs aimed at promoting fluency have shown promising results, their effectiveness is often hampered by inadequate support and integration. The transition from an immersion environment to predominantly English-speaking spaces can create a disconnect for students. As highlighted by (Chock, 2018), many individuals emerge from Hawaiian language immersion with a lack of confidence in using the language in everyday contexts, often reverting to English. This alienation not only impedes fluency but also perpetuates the perception that Hawaiian is a language of limited contexts rather than a living medium of everyday life.

Engagement strategies, such as language nests and community initiatives, have emerged as potential pathways for Hawaiian language revitalisation. Vita (2023) emphasises the importance of these grassroots movements in fostering an early connection to the language among young learners. However, these efforts cannot thrive in isolation, they require robust community engagement and government support to establish a sustainable framework. Without systemic support, these initiatives risks becoming sporadic rather than integrated components of the educational landscape.

This historical suppression of the Hawaiian language following the 1898 annexation of Hawaii by the United States offers critical lessons for understanding the potential repercussions of the proposed Treaty Principles Bill in Aotearoa New Zealand. Much like the forced assimilation policies that undermined Hawaiian language and culture, the Treaty Principles Bill threatens to compromise that status of te reo Māori as a taonga under the Treaty of Waitangi.

Following that annexation of Hawaii, Hawaiian was removed from public schools, leading to an intergenerational decline in speakers and cultural dislocation. This mirrors the fears surrounding the Treaty Principles Bill, which, if passed, could weaken the legal protection and public support for te reo Māori. The bill's proposed redefinition of the Treaty principles to ensure equal rights for Māori and non-Māori alike risks eroding the special status of te reo Māori, which is currently guarded under the principles of partnership, protection, and participation. These principles have historically ensured that Māori culture and language are afforded unique protections as part of the Crown's obligations to uphold Māori rights.

Just as the suppression of Hawaii severely impacted its transmission between generations, weakening the public funding and institutional support for te reo Māori-both of which are rooted in the Treaty principles-could similarly result in reduced opportunities for the

language to thrive. The Hawaiian experience shows that even decades of revitalisation efforts can struggle to fully overcome those consequences of linguistic erasure. If the Treaty Principles Bill weakens support for te reo Māori, it could trigger a decline in language use, particularly in public services and education, where the language has gained ground in recent decades.

4.7.4.2 Conclusion

Comparisons can be drawn to the Hawaiian language revitalisation movement that began in the 1980s, which mirrors the progress seen in New Zealand through initiatives such as Kura Kaupapa and Māori language immersion programs. These efforts to reclaim Indigenous languages after decades of suppression highlight the importance of legal frameworks that support languages revitalisation. If the Treaty Principles Bill reduces the Crown's obligations to protect Māori language and culture, similar to how the United States failed to protect Hawaiian for generations, it could weaken the progress made in revitalising te reo Māori and integrating into everyday life.

The Hawaiian case reveals that language suppression has long-lasting cultural ramifications, as seen in the erosion of Hawaiian identity during the early 20th century. Likewise, the Treaty Principles Bill risks diminishing the cultural significance of te reo Māori, particularly if its status as a taonga is no longer recognised under the revised Treaty principles. This echoes the broader global pattern of colonial powers marginalising Indigenous languages, as seen with Hawaiian, and how the reversal of such suppression requires sustained legal and financial support.

The Treaty Principles Bill's focus on equal rights for Māori and non-Māori could strip away the framework that currently prioritises the protection and promoting of Māori language and culture, much like the imposition of English in marginalised Hawaiian speakers. If the bill passes, New Zealand could face a situation where te reo Māori, much like Hawaiian, becomes a language that requires significant revitalisation efforts after institutional support has been diminished. Both cases highlight the vital role of legal protections in language preservation and dangers of policies that fail to recognise the unique needs of Indigenous peoples.

The lessons from Hawaii and its language suppression and subsequent revitalisation movement provide a stark warning for New Zealand as it considers the Treaty Principles Bill. The erosion of Hawaiian language highlights the potential for significant cultural loss when Indigenous languages are not given the necessary legal and institutional protections. The Treaty Principles Bill, by proposing changes that may weaken the protections for te

reo Māori, risks reversing the progress made in revitalising and preserving the language, much like the decades-long decline of Hawaiian following its removal from public life. The New Zealand government must consider the long-term implications of this bill, particularly considering global Indigenous language struggles, and ensure te reo Māori continues to be recognised and protected as a vital part of the country's identity and cultural heritage.

4.7.5.1 Indigenous Language Rights Venezuela

The implications of Indigenous language rights are vast and multifaceted, shaped by intertwined historical contexts, cultural preservation efforts, legal frameworks, and community identities. To understand the full scope of these implications, it is essential to explore the historical developments that have shaped Indigenous languages in both Aotearoa New Zealand and Venezuela. While these countries differ in their geographic and political contexts, they share significant parallels regarding the treatment and protection of Indigenous languages.

In both Venezuela and New Zealand, Indigenous languages have endured long histories of suppression due to colonial and state policies. The colonial legacy in Venezuela resulted in the marginalisation of Indigenous languages, leading to the erasure of cultural knowledge and identity (Alès, 2018). Similarly, in New Zealand, suppression of te reo Māori began during European colonisation and continued into the 20th century, largely through the imposition of English as the dominant language in schools and government (Jäger et al., 2020). Despite these histories of marginalisation, there are significant movements in both countries advocating for the revitalisation and preservation of these languages, highlighting the resilience of Indigenous communities in maintaining their cultural tradition.

Language is inseparable from cultural identity, serving as a vessel for the transmission of traditional knowledge, cultural practices, and community values. The loss of language, therefore, equates to the erosion of cultural identity, a process exacerbated by the influence of dominant cultures and political structures (Báez & Aguilar Gil, 2022). In Venezuela, Indigenous communities have faced the dual challenge of language loss and the erosion of their cultural practices, much like Māori communities in New Zealand. When language is suppressed, the cultural knowledge embedded within it—such as traditional ecological knowledge, oral histories, and spiritual practices—also risks extinction. Both Venezuela and New Zealand share the challenge of developing policies that preserve and promote Indigenous languages as a means of maintaining cultural identity.

The (1999) Venezuelan Constitution acknowledges Indigenous rights and supports bilingual education, a key step towards protecting Indigenous languages. However, the implementation of these rights has been insufficient, due in part to political disinterest and a lack of resources (Tigre & Slinger, 2020). This echoes the experience of te reo Māori in New Zealand, where legal recognition of the language, through the Māori Language Act 1987 (*See Appendix B*) and Māori Language Act 2016 (*See Appendix C*), has not always been, matched by adequate funding and institutional support. Despite constitutional and legislative recognition, both countries face significant challenges in translating legal provisions into tangible protections for Indigenous languages. Effective political changes are necessary in both contexts to ensure that language rights are honoured in practice, not just in theory.

International human rights frameworks (*See Appendix E*), including the recognition of Indigenous language rights, have influenced both Venezuela and New Zealand. Venezuela's participation in the International Decade of Indigenous Languages signals a commitment to linguistic diversity, though the practical impact has been limited (Schreyer et al., 2022). Similarly, New Zealand's participation in global efforts to protect Indigenous languages is evident in its alignment with international conventions such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). However, both countries face challenges in fully implementing these international agreements, and it is crucial for Indigenous communities to continue advocating for more robust action on both national and international levels.

Social movements in Venezuela, like the long-standing activism in New Zealand, have played a key role in advancing Indigenous language rights. In Venezuela, grassroots activism has been essential in pressuring the government to address the rights of Indigenous peoples, including their language rights (Rayo et al., 2024). This activism has led to some legislative reforms but remains a crucial element of Indigenous language advocacy. Similarly, Māori activists in New Zealand have pushed for the recognition of te reo Māori as a taonga, fighting for its inclusion in educational systems and public spaces. In both countries, Indigenous communities continue to advocate for recognition and support, highlighting the essential role of grassroots activism in securing language rights.

In both Venezuela and New Zealand, the struggle for Indigenous language rights is deeply intertwined with broader issues of social justice and equity. The recognition and protection of Indigenous languages are not merely about cultural preservation, they are also about

rectifying historical injustices and ensuring social equity. In Venezuela, Indigenous communities continue to confront challenges such as the encroachment of extractive industries, which often disregard Indigenous languages and cultures (Angeleri & Murphy, 2023). In New Zealand, the Treaty Principles Bill (*See Appendix D*) poses a similar threat to the rights of Māori communities by potentially undermining the recognition of te reo Māori as a taonga under the Treaty of Waitangi. In both cases, language rights are critical to ensuring that Indigenous communities can assert their identity, autonomy, and right to self-determination.

4.7.5.2 Conclusion

The experiences of Venezuela and New Zealand demonstrate the importance of legal recognition, grassroots activism, and international support in defending Indigenous languages. While both countries have taken significant steps in acknowledging the importance of Indigenous languages, real progress will depend on the effective implementation of policies and continued advocacy of Indigenous communities. The lessons from Venezuela highlight the need for proactive policies, financial support, and political will to protect and promote Indigenous languages. For Māori, these lessons offer valuable insights into the ongoing challenges and opportunities for advancing language rights and cultural preservation.

4.8 Conclusion

In comparing the potential effects of New Zealand's Treaty Principles *Bill* (*See Appendix D*) on te reo Māori with similar legislative frameworks and historical experiences in Indigenous language preservation across the world, several key insights emerge. The redefinition of Treaty principles poses significant risks to the recognition and protection of te reo Māori as a taonga, threatening to reduce the progress made in revitalising the language since its designation under the Treaty of Waitangi (*See Appendix A*) and the Māori Language Acts of 1987 (*See Appendix B*) and 2016 (*See Appendix C*).

International comparisons with Indigenous languages-such as Hawaiian, Cree and Inuktitut-reveal that when legal protections are weakened or removed, the repercussions are profound. In contexts where government policies have historically marginalised Indigenous languages, efforts at revitalisation have been hindered by inconsistent policy support and insufficient public funding. These cases highlight the importance of strong legislative framework that not only protects language rights but also actively promotes and funds their revitalisation.

For te reo Māori, the implications of the Treaty Principles Bill could be far-reaching. By reframing the principles of partnership, protection, and participation in ways that weaken the unique status of Māori, the bill risks dismantling the institutional support that has been critical to the language's resurgence. The lessons drawn from Indigenous communities in Canada, Australia, and the United States, and other parts of the world emphasise that protecting language as a cultural treasure is not only a matter of justice but also of national identity and equity.

Ultimately, this comparative study demonstrates the vital role that legislation plays in the preservation and revitalisation of Indigenous languages. As New Zealand navigates the future of the Treaty of Waitangi and the rights of Māori under this proposed bill, it is imperative to consider the long-term consequences for te reo Māori. Without robust protections in place, the gains made in the revitalisation of te reo Māori could be rolled back, undermining both the language and the cultural identity it upholds.

The next chapter we will explore the political and public debates surrounding the Treaty Principles Bill, examining the historical and political context that has shaped its introduction and ongoing discussions. We will analyse the key political and public arguments for and against the bill, focusing in the differing perspectives held by political leaders, Māori organisations, and broader New Zealand society. We aim to understand the broader implications of these debates on New Zealand's political landscape and the future of te reo Māori.

CHAPTER 5

POLITICAL AND PUBLIC DEBATES SURROUNDING THE TREATY PRINCIPLES BILL

5.1 Introduction

In recent years, Aotearoa New Zealand has seen renewed political discussions on the interpretation and application of the Treaty of Waitangi principles, particularly through the proposed Treaty Principles Bill (*See Appendix D*). Set forth by the coalition government, this bill seeks to redefine the Treaty principles with an emphasis on equal rights for Māori and non-Māori alike. As this debate unfolds, its impact on New Zealand's cultural and linguistic landscape, particularly regarding te reo Māori, remains a key point of contention. As New Zealand confronts the proposed Treaty Principles Bill, political and public debates over its implications have become increasingly polarised. This bill raises fundamental questions about the nation's commitment to Te Tiriti o Waitangi (the Treaty of Waitangi) and its role in shaping social policy, cultural recognition, and Indigenous rights. Proponents argue that the bill's revisions will promote fairness and equity, while critics warn of potential setbacks in Māori rights and protections, particularly concerning the status of te reo Māori as a taonga. This chapter explores the main actors in these debates, including political parties, Māori advocacy groups, and community leaders, analysing their positions on how the bill may reshape the social and cultural landscape. Through this exploration, the chapter highlights how these public and political discussions reflect broader issues of the Treaty Principles Bill, its implications, and cultural preservation in Aotearoa New Zealand.

5.2 Historical and Political Context

The Treaty Principles Bill, proposed under the coalition government's initiative, has sparked considerable political and public debate in Aotearoa New Zealand, largely due to the changes it seeks to introduce to the interpretation and application of Treaty principles. The bill aligns closely with the Act Party's long-standing policy of defining Treaty principles in a way that emphasises individual rights and equality over partnership, protection, and participation. Social opposition, widespread protests, and urgent Waitangi Tribunal investigations have highlighted public opposition, with various groups—including lawyers, historians, Māori rights activists, and churches—vocalising concerns over the proposed changes (Hanly, 2024).

The Treaty of Waitangi, signed in 1840 between Māori Rangatira (Chiefs) and representatives of the British Crown, serves as a fundamental document in New Zealand's legal and political framework. Originally, the Treaty was intended to establish a governance structure and foster mutually beneficial relationships between the Crown and Māori. However, British colonialism led to widespread Māori subjugation and land-loss, significantly impacting Māori socio-economic status and governance structures (Wang, 2024). These historical grievances, rooted in the misinterpretation and implementation of the Treaty continue to shape contemporary New Zealand, requiring on-going reflection on the Treaty's principles and application.

The Treaty Principles Bill introduced by the Act Party embodies a contentious effort to re-interpret these principles. Academics argue that this bill aims to streamline governance, addressing what they perceive as over-reliance on Treaty principles in legislation. Supporters claim that clearer definitions could create a more equitable legal environment, suggesting that the emphasis on Treaty principles can complicate governance and hinder policy development (Burns et al., 2024). However, critics such as O'Sullivan (2024), contend that this perspective assumes the reputation of non-Indigenous governance models, often marginalising the unique rights and needs of Māori communities.

The implications of this proposal extend well beyond governance simplification. The potential removal of Treaty principles from legal considerations risks deepening existing inequalities and diminishing Māori representation in political discussions. Modern interpretations of the Treaty have increasingly emphasised principles of partnership and protection, highlighting Māori sovereignty and its role in governance (Burns et al., 2024). The proposed bill, however, threatens to undermine these principles, risking a consolidation of historical injustices and impairing reconciliation efforts crucial to a post-colonial society. Szöllósi-Cira (2022) argues that New Zealand's reputation as a progressive state is closely tied to its commitment to re-addressing historical injustices faced by Māori.

The potential exclusion of Treaty principles from legislative considerations could lead to adverse socio-economic impacts on Māori communities, who rely on equitable governance representation to protect their cultural practices and resources. This proposal raises ethical concerns about the Crown's responsibilities to Māori and invites critical reflection on the global discussions surrounding Indigenous rights (Wang, 2024). Marginalising Māori voices in governance could create a system that fails to adequately represent Aotearoa New Zealand's diverse demographics.

5.3 Political and Public Arguments Surrounding the Treaty Principles Bill

O'Brien (2024) presents a comprehensive analysis on the motivations behind the Act Party's endorsement of redefining the principles associated with the Treaty of Waitangi. The study highlights how this support reflects an appreciation for both the Treaty's historical and political significance. Contrary to misinterpretations or dismissals of its impediments introduced into legislation since the 1970s through these Treaty principles, which they view as obstructions to privatisation and deregulation (O'Brien, 2024). He then goes on to write about how judicial rulings such as those in cases regarding lands (1987) and the Forest and Coal cases (1989), have constrained state-owned asset transfers by obligating government decisions to consider Māori claims-therefore influencing policies concerning public resources and assets held by governmental entities (O'Brien, 2024). The Act Party's perceives these judicial precedents as constraining opportunities for economic liberation and deregulation, especially in sectors that involve public resources. By redefining Treaty principles, Act aims to eliminate or weaken these restrictions, facilitating the transfer of state assets without necessitating adherence to Treaty-related obligations (O'Brien, 2024). O'Brien highlights that if enacted, the proposed changes could reduce protections currently sustaining equitable policies; however, he also contends that these principles function as a protection against privatisation on order to benefit both Māori and non-Māori collectively.

In public discussions, the Act Party has presented its Treaty Principles Bill as a step towards ensuring equal rights for all New Zealanders, Māori, and non-Māori. This position is encapsulated by the principles of equal rights, which transcends ethnic distinctions. David Seymour, leader of the Act Party, posits this initiative as a countermeasure to perceived preferential treatment afforded to Māori communities. He advocates for a unified model of citizenship and contends that existing dual approaches perpetuate disparities in areas such as employment opportunities and management of public resources. In support of the bill, Seymour argues that while acknowledging and valuing Māori traditions remains important to the party, they contend that current interpretations of the Treaty propagate inequality through establishing an exclusive relationship between Māori and the Crown (Reports, 2024).

Political analysts have observed that this strategy may lead to unforeseen repercussions for the Act Party. Rātana (2024) contends that while the Act Party's populists approach aims to appeal to voters discontented with what they perceive as "preferential" Māori

rights, it also risks alienating coalition partners and wider populace. He posits that Act may have underestimated New Zealanders comprehension of the Treaty's profound importance, which emphasises reconciliation partnership between the Crown and Māori. Furthermore, Rātana cautions that by emphasising a referendum on Treaty principles, Act could exacerbate social divisions, therefore compromising its political position (Rātana, 2024).

The introduction of the bill has elicited a variety of responses within governmental circles. Health Minister Shane Reti has called upon all political parties to engage in this debate with respectfulness, recognising its potentially divisive nature. Although both the National Party and New Zealand First have consented to support the bill during its initial reading, they have manifested reservations regarding subsequent endorsements. This hesitancy underlines their strategic approach, coalition parties seem reticent about completely aligning themselves with Act's proposals while remaining cognisant of opposition from Māori leaders and various community stakeholders (Moir, 2024)

As the bill has been through its first reading, it is anticipated that the select committee stage will be particularly contentious. The Labour Party, along with the Greens and Te Pāti Māori (the Māori Party), have expressed their reservations to the proposed legislation. Green MP (Member of Parliament) Teanau Tuiono has highlighted significant Māori resistance to the bill. Critics of the proposal include MP Debbie Ngawera-Packer from Te Pāti Māori condemn it as an attempt to "whitewash" New Zealand's legal and historical commitments under Te Tiriti o Waitangi (the Treaty of Waitangi). They argue that by emphasising "equal rights," this legislation fails to address adequately the intricate responsibilities outlined in acknowledging both Māori sovereignty and partnership with the Crown (Moir, 2024; T. A. Party, 2024).

In a recent survey conducted by Curia, the Act Party highlighted that 46% of New Zealanders reportedly support the Treaty Principles Bill. David Seymour has interpreted this figure as evidence of widespread public endorsement. Nonetheless, experts predict potential variability in public opinion as debates progress, especially considering robust opposition from Labour, the Greens, and Māori advocacy organisations (T. A. Party, 2024). Dame Anne Salmond (2024) warns that proceeding with this initiative without comprehensive examination could not only exacerbate tensions between Māori and the Crown but also pose challenges to New Zealand's democratic adherence to its Treaty commitments on an international level.

There is extensive opposition to the Treaty Principles Bill, with critics voicing significant concerns about its potential impact on Māori rights. (Kelsey, 2024) argues that the bill, introduced by the Act Party leader David Seymour, poses a threat to fundamental elements to Te Tiriti o Waitangi (the Treaty of Waitangi). While Seymour presents the bill as an opportunity for re-evaluating the Treaty's implications, Kelsey asserts that it has only highlighted prevalent misunderstandings among politicians and citizens regarding its principles. She critiques prominent leaders such as Prime Minister Christopher Luxon and Labour Leader Chris Hipkins for their inadequate interpretations of sovereignty and partnership under the Treaty (Kelsey, 2024). Kelsey (2024) asserts that the legislation has incited internal discord within the coalition government, as multiple parties have expressed reservations regarding its proposed amendments. The Waitangi Tribunal's anticipated review of this bill is expected to reignite debates concerning Māori sovereignty and challenge enduring assumptions about both the Treaty and sovereignty cession (Kelsey, 2024). Kelsey (2024) further highlights that while principles derived from the Treaty initially emerged during the 1970s in response to advocacy by Māori communities, their interpretation over time has often inclined towards reinforcing Crown authority rather than adhering strictly to the Treaty's original intent (Kelsey, 2024).

Public demonstrations have intensified as the bill advances through Parliament. A coalition comprising legal experts, historians, and religious organisations has voiced criticism of legislation, arguing that it misrepresents the original intent of the Treaty (Hanly, 2024). Of particular concern are statements from Māori leaders who have denounced the bill's emphasis on "equal rights," contending that this framework disregards unique protections and provisions historically guaranteed to Māori under the Treaty. Initially supportive parties such as National and New Zealand First have now indicated their decision not to endorse the bill beyond its first reading therefore dismissing its prospects for becoming law (Clark & Hill, 2024).

As the bill progresses through various parliamentary stages, opposition groups assert that redefining Treaty principles may destabilise constitutional frameworks and adversely affect Māori-Crown relationships. Similarly, officials from the Ministry of Justice have cautioned against potential increased uncertainty and a possible strain on race relations should the bill become law (Hanly, 2024). This debate emphasises persistent tensions within New Zealand's sociopolitical landscape as Māori persist in their efforts to secure recognition and protection of their rights within the nation's governance structure.

The bill has faced extensive criticism due to its dependence on inaccurate translations of Te Tiriti o Waitangi (the Treaty of Waitangi), therefore raising significant ethical and professional concerns regarding accuracy, representation, and cultural sensitivity. An open letter was released by the New Zealand Society of Translators & Interpreters (NZSTI) also known as Te Rōpū Kaiwhakahaere ā-waha, ā-tuhi o Aotearoa. The analysis conducted by language experts highlights the discrepancies between the translation used for the bill and the original Māori text. Language experts found the translation introduces concepts such as individual property rights, universal equality, and governance that were not present in the Treaty's original wording (Interpreters, 2024). This misinterpretation distorts key foundational Māori terms-particularly tino rangatiratanga-and extends these Māori concepts to all New Zealanders, consequently reducing specific rights and cultural meanings inherent to Māori. Experts assert that this alteration poses a risk of misleading the public, dismissing intended protections for te reo Māori, and potentially undermining national unity (Interpreters, 2024). The ethics of translation, with a focus on accuracy, cultural sensitivity, and impartiality, are considered essential in the interpretation of the Treaty. Interpreters (2024) highlight that the proposed principles fail to faithfully reflect the original intent of the Treaty. This failure results in narratives more aligned with contemporary political agendas than with the historical document itself. Furthermore, they argue that this process disregards established professional standards since no qualified Māori translators have been engaged to verify these interpretations.

In a formal open letter, Christian leaders from New Zealand articulate their resolute opposition to the proposed Treaty Principles Bill. They emphasise their dedication to Te Tiriti o Waitangi (the Treaty of Waitangi) and argue that the bill does not adequately honour the Treaty's protection of Māori rangatiratanga (self-determination) concerning land and taonga (treasured possessions). Furthermore, they contend that it reduces established legal and policy recognition of Māori rights (Leaders, 2024). The signatories reference findings by the Waitangi Tribunal which criticised the bill for misrepresenting principles inherent in the Treaty itself. The leaders (2024) have expressed concerns that the proposed bill may reduce social cohesion, disseminate disinformation, and exacerbate divisions within New Zealand. This stands in stark contrast to their view of the Treaty as a cornerstone of unity, reconciliation, and justice further reaffirming the Church's longstanding dedication to Te Tiriti o Waitangi (the Treaty of Waitangi). The letter appeals to Members of Parliament to oppose the Treaty Principles Bill, advocating instead

for the maintenance and restoration of the Treaty relationship in pursuit of a peaceful future for Aotearoa New Zealand.

An interim report by The Waitangi Tribunal. *Ngā Mātāpono – The Treaty Principles* (2024), offers a critical analysis of the Crown's proposed Treaty Principles Bill and its Treaty clause review policies. It highlights major threats these pose to Māori rights and emphasise concerns regarding te reo Māori as a taonga. The report warns that such policies could potentially compromise the status of the Treaty of Waitangi itself, a fundamental document ensuring recognition for te reo Māori within New Zealand's legal and cultural contexts (Tribunal, 2024). The Tribunal determined that the Treaty Principles Bill lacks sufficient justification, distorts historic accounts, and introduces problematic new interpretations of the Treaty (Tribunal, 2024). These changes would directly affect the legal recognition and protections for te reo Māori by proposing to limit existing Treaty provisions that currently support its preservation, use, and promotion. If passed into law, this bill could weaken the Treaty's legal authority, reduce Crown responsibilities in guarding te reo Māori alongside diminishing resources allocated for its revitalisation, therefore threatening its vital role in maintaining Māori cultural identity as well as intergenerational transmission (Tribunal, 2024). The Tribunal suggested abandoning the Treaty Principles Bill and pausing the Treaty Clause Review Policy until a collaborative redesign with Māori is conducted (Tribunal, 2024)

The recognition of te reo Māori as a taonga under these principles has enabled that development of policies aimed at its revitalisation, inclusion in public services, and enhancement of cultural significance (Burns et al., 2024). The proposed Treaty Principles Bill aims to refine these principles by highlighting equal rights for both Māori and non-Māori, this shift has raised concerns that it might weaken the special protections currently afforded to te reo Māori (Ashwell & Bell, 2024). The protection principles are crucial for preserving te reo Māori as a treasured cultural asset. Historically, this principle has been understood to mean that the Crown must actively support the language through avenues like education, media, and public services (Willson & Scobie, 2024). However, if recent reinterpretations of Treaty principles in legislation move away from this understanding, it could result in decreased funding and lower priority being given by policies and institutions, factors essential for the survival and growth of the language.

A significant criticism concerns the potential impact of the bill on te reo Māori, considered a taonga or a treasured cultural asset protected by the Treaty principles of partnership, protection, and participation. The Tribunal's (2024) findings contest the government's

claim that the bill will offer clarity. They argue instead that current interpretations of these Treaty principles are already well-established and accessible through court decisions, public policies, and Tribunal reports (Tribunal, 2024).

5.4 Conclusion

The Treaty Principles Bill has sparked an intense and multifaceted debate across Aotearoa New Zealand, highlighting the rift between traditional interpretations of the Treaty of Waitangi and the Act Party's proposed reforms. The bill brings to light the significant issues concerning equity, sovereignty, and protecting te reo Māori as a cherished taonga. By prioritising equal rights over principles like partnership, protection, and participation, this shift in focus has raised alarms among Māori leaders, advocacy groups, and community stakeholders who worry about undermining hard-fought rights and protections for Māori. The Act Party leaders believe that redefining Treaty principles could lead to a more unified legal framework by emphasising equal rights and reducing legal uncertainties but critics caution that it might destabilise Māori-Crown relationships and exacerbate socioeconomic disparities for Māori communities. The broader impact on New Zealand's governance, cultural heritage, and national identity is significant. This debate highlights ongoing challenges in addressing historical injustices while responding to modern demands for equity, meanwhile, Māori voices continue to advocate for recognition and protection within a governance system honouring the intent of the Treaty of Waitangi. The Treaty Principles Bill fundamentally represents the challenge of reconciling New Zealand's colonial history within its hopes for an inclusive future. As Parliament reviews this legislation, there is a significant opportunity for the nation to reaffirm its dedication to honouring the Treaty, rectify past injustices, and nurture a society where both Māori and non-Māori can prosper equally. The outcome of these deliberations will establish not only te reo Māori and its legal standing but also shape the ongoing relationship between Māori and the Crown, influencing New Zealand's cultural and political dynamics significantly.

The following chapter presents the conclusion of this study, summarising the key findings on the potential impacts of the Treaty Principles Bill on the status of te reo Māori as a taonga. By synthesising the comparative analysis and legislative review, this chapter highlights the risks posed by the bill and considers the future of te reo Māori in light of the proposed redefinition of the Treaty principles.

CHAPTER 6

CONCLUSION

6.1 Research Problem and Objectives

Te reo Māori represents more than just a language, it is a taonga, protected by the Treaty of Waitangi. This language expresses the cultural identity, history, and worldview of Māori, serving as a fundamental layer of Aotearoa New Zealand's bicultural heritage. Te Tiriti o Waitangi (the Treaty of Waitangi) is the foundational document of New Zealand. Signed in 1840 by Māori chiefs and British representatives of the Crown. The purpose of this study was to examine the proposed Treaty Principles Bill and its potential impacts on the protections granted to Māori under the Treaty of Waitangi, particularly in relation to te reo Māori.

6.2 Introduction: Summary of Key Findings

The Treaty Principles Bill has caused concern due to its potential impacts on the protections granted to Māori under the Treaty of Waitangi, this study specifically examines the Treaty Principles Bill and its impact on te reo Māori and its status as a taonga. The key findings are structured into numbered sections, each addressing a specific area of the potential risks to te reo Māori. Each section includes the findings, accompanied by supporting evidence, the implications, and a reference to specific research questions that the finding addresses. The research questions that I will be addressing are;

Question 1.6.1: In which ways do the Treaty Principles Bill redefine the concept of taonga in relation to te reo Māori, and how might this affect its legal status under the Treaty of Waitangi?

Question 1.6.2: In which way could the proposed redefinition of the Treaty principles in the Treaty Principles Bill affect the legal protections currently provided to te reo Māori as a taonga, including its recognition under the 2016 Māori Language Act, government funding, and public support for revitalisation efforts?

Question 1.6.3: How might the Treaty Principles Bill influence the cultural and social recognition of te reo Māori as a taonga within Māori and non-Māori communities in Aotearoa New Zealand?

Question 1.6.4: What lessons can be drawn from international examples of Indigenous language protection when addressing the potential impact of the Treaty Principles Bill on te reo Māori status as a taonga?

6.3.1 Impact on Legal and Institutional Support

The Treaty Principles Bill represents a significant shift from the traditional interpretations of the Treaty of Waitangi, posing considerable legal challenges for acknowledging te reo Māori as a taonga. The existing framework, based on principles of partnership, protection, and participation, has served as a foundation for legislative acts such as the Māori Language Act of 1987 and 2016.

6.3.2 Evidence

The Treaty Principles Bill seeks to provide a more clear, statutory definition of these principles, which are derived from three articles of the Treaty; Article one establishes the right of the Crown to govern and make laws; Article two guarantees Māori the undisturbed possession of their land, forest, fisheries, and other properties; Article three provides Māori with the same rights and duties as British subjects. The bill aims to ensure that these principles are consistently applied across all areas of government and public policy, promoting a unified legal framework that respects the original intent of the Treaty (Party, 2024).

6.3.3 Implications

Although, the bill will promote fairness, it also at the same time contradicts the legal and historical foundation of the Treaty as a living document that ensure Māori participation and protection under the Crown. The bill fails to recognise the significant disparities that Māori have faced in language preservation, education, and cultural survival, and how these were addressed through the Treaty's interpretation as a framework for participation and protection. The Act Party (2024) then claims the bill will promote fairness and equality, but its provisions are full of contradictions that reveal a regressive impact on te reo Māori and Māori rights in general. The bill's insistence on equality under the law ignores the Treaty's principle of protection, which has been important to the revitalisation of te reo Māori. By removing the Crown's obligation to function as a protector of Māori taonga, the bill reduces the very initiatives that have supported the language's resurgence.

6.3.4 Research Question Addressed

The Treaty Principles Bill represents a shift from traditional interpretations of the Treaty of Waitangi, with its considerable legal challenges for acknowledging te reo Māori as a taonga. The existing framework, based on the principles of partnership, protection, and participation, has served as a foundation for legislative acts such as the Māori Language Act of 1987, which recognised te reo Māori as an official language, and 2016 that recognised te reo Māori as a taonga. This directly addresses research question 1.6.2, which

examines how the proposed redefinition of the Treaty principles could affect the legal protections currently provided to te reo Māori, including its recognition under the 2016 Māori Language Act, government funding, and public support for revitalisation efforts.

The importance of te reo Māori lies in its significance for Māori, encompassing traditional knowledge, cultural practices, and Māori worldviews. Ngaha (2011) explains that te reo Māori is not only a way of communicating but also a key to identity and cultural expression. The Māori Language Acts have provided protections and support for the language's revitalisation, ensuring that the principles of the Treaty of Waitangi apply to language policies. However, by removing the emphasis on Māori as tangata whenua, the proposed Treaty Principles Bill could reduce legislative support, and the bill could challenge the obligations to protect and promote te reo Māori. Fang (2019) reminds us, that language revitalisation is essential for culture and identity. Therefore, both of which could be at risk of the bill dismisses the government's commitment to te reo Māori. Any legislative changes made should consider the status of reo Māori as a living language, and taonga.

6.4.1 Lessons from International Examples

International examples of Indigenous language protections provide valuable insights into the potential consequences for te reo Māori and its status as a taonga. The recognition and protection of Indigenous rights are crucial for preserving Indigenous cultures and identity. Globally, Indigenous languages have faced suppression and marginalisation due to colonial and assimilationist policies. However, recent decades have seen growing recognition of the need to revitalise and protect Indigenous languages. By comparing the case studies from Aotearoa New Zealand, Canada, Hawaii, Australia, and Venezuela, this comparative study highlights both successes and challenges face by these Indigenous communities. These international examples provide important insights for understanding the potential impacts of the Act Party's proposed Treaty Principles Bill, particularly concerning te reo Māori and its status as a taonga.

6.4.2 Evidence

The efforts to revitalise Indigenous languages such as Cree, Inuktitut, and te reo Māori is important for reclaiming cultural identity, by addressing historical injustices, and protecting important knowledge systems. These languages are fundamental to cultural practices and transmission through generational wisdom. In Canada and New Zealand, there have been significant efforts to support language revitalisation through both legislation policies and community driven initiatives. However, on the other hand

Australia's approach has been damaged due to the absence of cohesive national policy, resulted in lack of support of Aboriginal language revitalisation efforts.

The United States policies of forced assimilation have profoundly affected Indigenous American languages, resulting in considerable cultural erosion. One example is the annexation by the United States in 1898, which highlighted the want for colonial practices on Indigenous languages. Although there are ongoing efforts to revitalise these languages, barriers such as insufficient funding and English dominance continue to pose significant challenges. Legislative recognition of Indigenous language rights, like United Nations Declaration on the Rights of Indigenous Peoples, gives Indigenous communities hope and support by holding governments accountable.

6.4.3 Implications

Despite the advancements achieved in recognising and revitalising Indigenous languages, persistent challenges require multi-sectoral approach that integrates education, legal frameworks, and community initiatives.

6.4.4 Research Question Addressed

International examples help understand how historical suppression and legal frameworks have shaped the concept of taonga in relation to te reo Māori and its legal status under the Treaty of Waitangi. However, Australia's approach and support for Indigenous languages, along with forced assimilation policies in the United States and Hawaii highlight the ongoing challenges. Which provide us with insights on how redefinitions could affect legal protections, along with their recognition as Indigenous languages under legislative policies (1.6.1). These address how changes in legal frameworks, like the Treaty Principles Bill could affect the protections provided to te reo Māori (1.6.2).

Current challenges such as lack of funding and public support for language revitalisation efforts, community initiatives, and immersion schools in New Zealand and Canada have shown success in revitalising Indigenous languages. Which could be affected by the Treaty Principles Bill (1.6.2). The Implications of Indigenous language rights in Venezuela and New Zealand, with the role of international human rights frameworks like the United Nations Declaration on the Rights of Indigenous Peoples, provide us with lessons from international examples of Indigenous language protection, assessing the potential impact of the Treaty Principles Bill on te reo Māori and its status as a taonga (1.6.4).

6.5.1 Cultural and Social Impact

The Treaty Principles Bill could have profound social impacts on both Māori and non-Māori communities in Aotearoa New Zealand. This could lead to a reduction in the language's visibility and importance in public life, affecting its use and transmission within Māori communities.

6.5.2 Evidence

The evidence suggests that careful consideration is needed to ensure that the protections for te reo Māori and the principles of partnership and mutual respect are at the forefront of all decisions made. The Act Party believes that the current Treaty principles reflect privatisation and deregulation.

6.5.3 Implications

The bill has the potential to influence the cultural recognition and preservation of te reo Māori. By changing the interpretation of principles based on the Treaty of Waitangi, it may reduce te reo Māori and its status as a taonga. This legislative change could result in reduced visibility and diminish its importance of the language within public sectors, consequently affecting its usage among Māori communities. The bill could potentially intensify divisions between Māori and non-Māori communities. By emphasising a framework of equal rights, the bill might be interpreted as overlooking both historical injustices and ongoing disparities experienced by Māori communities. Any reduction on legal protections or support for te reo Māori caused by this legislation could reduce efforts towards revitalisation of te reo Māori. This could possibly alter how te reo Māori is regarded among non-Māori, thereby possibly weakening its status as a fundamental asset of Aotearoa New Zealand's national identity.

6.5.4 Research Question Addressed

The redefinition on Treaty principles, might lead non-Māori communities to regard te reo Māori as less important to New Zealand's national identity, this could further influence its international cultural and societal acknowledgment (1.6.3).

6.6 Conclusion

This research specifically examined the impacts of the Treaty Principles Bill on te reo Māori and its status as a taonga, potentially overlooking broader implications on other aspects this bill could impose upon. Although it offers valuable insights through a comparative analysis with Indigenous languages in countries such as Canada, Hawaii, America, Australia, and Venezuela, New Zealand's socio-political context may limit how directly these comparisons can be applied. Relying primarily on historical records and

secondary sources might lead to omissions regarding recent developments or current views within Māori communities. The focus on legislation could also downplay the importance of movements in language revitalisation efforts. Without incorporating primary information from interviews, personal insights and lived experiences are less represented. With ongoing political debates surrounding the Treaty Principles Bill, new developments might emerge making some findings outdated. Given New Zealand's divided political landscape introduces potential bias into source material, however, by drawing from diverse perspectives the study helps mitigate these risks by ensuring a more balanced and comprehensive analysis.

This study makes significant contributions to understanding the Treaty Principles Bill and its potential impact on te reo Māori and its status as a taonga under the Treaty principles. Theoretically it advances knowledge on how legislative changes affect the legal, cultural, and social status of Indigenous languages, addressing a critical gap by providing fresh insights into the implications for te reo Māori as a taonga. The research offers evidence-based recommendations for policy makers, emphasising the need to protect and promote te reo Māori while highlighting the potential impacts on Māori communities to support language revitalisation and cultural preservation. The study employed a comparative analysis of international examples of Indigenous language protection, enhancing understanding of the bill's potential consequences and offering a multi-sectoral approach that integrates education, legal frameworks, and community initiatives. This also lays a solid foundation for future studies, identifying areas for further exploration and highlighting the nature of the work, which contributes to fields such as law, linguistics, and cultural studies, with the potential of cross disciplinary research.

To emphasise the understanding and protection of te reo Māori, several key areas for future research are recommended. Researchers could investigate the sustained effects of the Treaty Principles Bill on te reo Māori to provide deeper insights into its implications for language preservation. Comparative legal analysis of Indigenous language protection frameworks in different countries can identify best practices and potential downfalls, offering valuable lessons for strengthening legal protections for te reo Māori. Community-based research is crucial for understanding the perspectives and experiences of Māori communities regarding the Treaty Principles Bill, ensuring that future policies are culturally sensitive and effectively address their needs. Policy impact assessments should evaluate the effectiveness of current and proposed policies on the revitalisation efforts of te reo Māori, helping refine strategies and allocate resources more effectively. These

recommendations aim to build on the findings of this study and support the ongoing efforts to ensure the survival of te reo Māori for future generations.

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APPENDICES

The appendices below offer additional materials that compliment this thesis.

**Appendix A: Full comparisons and contemporary translations of the
Treaty of Waitangi**

TE TIRITI O WAITANGI

Ko Wikitoria te Kuini o Ingarani i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira - hei kai wakarite ki nga Tangata maori o Nu Tirani - kia wakaaetia e nga Rangatira maori te Kawanatanga o te Kuini ki nga wahikatoa o te wenua nei me nga motu - na te mea hoki he tokomaha ke nga tangata o tona Iwi Kua noho ki tenei wenua, a e haere mai nei.

Na ko te Kuini e hiahia ana kia wakaritea te Kawanatanga kia kua ai nga kino e puta mai ki te tangata maori ki te Pakeha e noho ture kore ana.

Na kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kawana mo nga wahi katoa o Nu Tirani e tukua aiane amua atu ki te Kuini, e mea atu ana ia ki nga Rangatira o te wakaminenga o nga hapu o Nu Tirani me era Rangatira atu enei ture ka korerotia nei.

Ko te tuatahi

Ko nga Rangatira o te wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu - te Kawanatanga katoa o o ratou wenua.

Ko te tuarua

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga hapu - ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te wenua - ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

Ko te tuatoru

Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini - Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

[signed] W. Hobson Consul & Lieutenant Governor

Na ko matou ko nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani ka huihui nei ki Waitangi ko matou hoki ko nga Rangatira o Nu Tirani ka kite nei i te ritenga o enei kupu. Ka tangohia ka wakaaetia katoatia e matou, koia ka tohungia ai o matou ingoa o matou tohu.

Ka meatia tenei ki Waitangi i te ono o nga ra o Pepueri i te tau kotahi mano e waru rau e wa te kau o to tatou Ariki.

Ko nga Rangatira o te Wakaminenga

Transcript of handwritten original in Archives New Zealand/Te Rua Mahara o te Kawanatanga, Wellington Office. (Ref: IA9/9)

Treaty of Waitangi in English

This English text was signed at Waikato Heads in March or April 1840 and at Manukau Harbour on 26 April. A total of 39 chiefs signed.

THE TREATY OF WAITANGI

Her Majesty Victoria Queen of the United Kingdom of Great Britain and Ireland regarding with Her Royal Favor the Native Chiefs and Tribes of New Zealand and anxious to protect their just Rights and Property and to secure to them the enjoyment of Peace and Good Order has deemed it necessary in consequence of the great number of Her Majesty's Subjects who have already settled in New Zealand and the rapid extension of Emigration both from Europe and Australia which is still in progress to constitute and appoint a functionary properly authorized to treat with the Aborigines of New Zealand for the recognition of Her Majesty's sovereign authority over the whole or any part of those islands - Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the native population and to Her subjects has been graciously pleased to empower and to authorize me William Hobson a Captain in Her Majesty's Royal Navy Consul and Lieutenant Governor of such parts of New Zealand as may be or hereafter shall be ceded to Her Majesty to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.

Article the first

The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess over their respective Territories as the sole sovereigns thereof.

Article the second

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish

and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs, yield to Her Majesty the exclusive right of Preemption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

Article the third

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.

[signed] W. Hobson Lieutenant Governor

Now therefore We the Chiefs of the Confederation of the United Tribes of New Zealand being assembled in Congress at Victoria in Waitangi and We the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names, having been made fully to understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof in witness of which we have attached our signatures or marks at the places and the dates respectively specified.

Done at Waitangi this Sixth day of February in the year of Our Lord one thousand eight hundred and forty.

The Chiefs of the Confederation

Transcript of handwritten original in Archives New Zealand/Te Rua Mahara o te Kawana-tanga, Wellington Office. (Ref: IA9/9)

English translation of the te reo Māori Tiriti

This translation of the te reo Māori Tiriti text, when compared with the English version, shows several crucial differences of meaning, especially in the first and second articles.

THE TREATY OF WAITANGI

Victoria, The Queen of England, in her concern to protect the chiefs and subtribes of New Zealand and in her desire to preserve their chieftainship and their lands to them and to maintain peace and good order considers it just to appoint an administrator one who will negotiate with the people of New Zealand to the end that their chiefs will agree to the Queen's Government being established over all parts of this land and (adjoining) islands and also because there are many of her subjects already living on this land and others yet to come.

So the Queen desires to establish a government so that no evil will come to Maori and European living in a state of lawlessness.

So the Queen has appointed me, William Hobson, a captain in the Royal Navy to be Governor for all parts of New Zealand (both those) shortly to be received by the Queen and (those) to be received hereafter and presents to the chiefs of the Confederation chiefs of the subtribes of New Zealand and other chiefs these laws set out here.

The First

The chiefs of the Confederation and all the chiefs who have not joined that Confederation give absolutely to the Queen of England for ever the complete government over their land.

The Second

The Queen of England agrees to protect the Chiefs, the subtribes and all the people of New Zealand in the unqualified exercise of their chieftainship over their lands, villages and all their treasures. But on the other hand the Chiefs of the Confederation and all the chiefs will sell land to the Queen at a price agreed to by the person owning it and by the person buying it (the latter being) appointed by the Queen as her purchase agent.

The Third

For this agreed arrangement therefore concerning the Government of the Queen, the queen of England will protect all the ordinary people of New Zealand and will give them the same rights and duties of citizenship as the people of England.

(signed) William Hobson

Consul and Lieutenant-Governor

So we, the Chiefs of the Confederation and the subtribes of New Zealand meeting here at Waitangi having seen the shape of these words which we accept and agree to record our names and marks thus.

Was done at Waitangi on the sixth of February in the year of our Lord 1840.

The Chiefs of the Confederation

Translation by Professor I H Kawharu, published in Report of the Royal Commission on Social Policy, Wellington, 1988.

Appendix B: Māori Language Act 1987

as at 30 April 2016



Māori Language Act 1987

Public Act 1987 No 176

Date of assent 20 July 1987

Commencement see section 1

Māori Language Act 1987: repealed, on 30 April 2016, by section 48 of Te Ture mō Te Reo Māori 2016/the Māori Language Act 2016 (2016 No 17).

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by Te Puni Kōkiri.

1

Preamble

Māori Language Act 1987

Reprinted as at 30 April 2016

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Provisions relating to Te Taura Whiri i te Reo Māori

An Act to declare the Māori language to be an official language of New Zealand, to confer the right to speak Māori in certain legal proceedings, and to establish Te Taura Whiri i te Reo Māori and define its functions and powers

Title: amended, on 20 June 1991, by section 2(2) of the Maori Language Amendment Act 1991 (1991 No 40).

Whereas in the Treaty of Waitangi the Crown confirmed and guaranteed to the Māori people, among other things, all their taonga: And whereas the Māori language is one such taonga.

- (1) This Act may be cited as the Māori Language Act 1987.
- (2) Section 4 shall come into force on 1 February 1988.
- (3) Except as provided in subsection (2), this Act shall come into force on 1 August 1987.

2

In this Act, unless the context otherwise requires,—

certificate of competency means a certificate of competency in the Māori language issued under and in accordance with this Act

Commission means Te Taura Whiri i te Reo Māori established by section 6

interpretation, in relation to the Māori language, means the oral expression in English of words spoken in Māori and the oral expression in Māori of words spoken in English

legal proceedings means—

- (a) proceedings before any court or tribunal named in Schedule 1; and
- (b) proceedings before any Coroner; and
- (c) proceedings to inquire into and report on any matter of particular interest to the Māori people or any tribe or group of Māori people before—
 - (i) a commission of inquiry under the Commissions of Inquiry Act 1908; or
 - (ii) a tribunal or other body having any of the powers of a commission of inquiry under any other enactment; or
 - (iii) an inquiry to which section 6 of the Inquiries Act 2013 applies

Minister means the Minister of Māori Affairs

presiding officer, in relation to any legal proceedings, means the Judge or other person who is presiding over the proceedings

translation, in relation to the Māori language, means the written expression in English of words written in Māori and the written expression in Māori of words written in English.

Section 2 **Commission**: substituted, on 20 June 1991, by section 2(3) of the Maori Language Amendment Act 1991 (1991 No 40).

Section 2 **legal proceedings** paragraph (c): replaced, on 27 August 2013, by section 39 of the Inquiries Act 2013 (2013 No 60).

The Māori language is hereby declared to be an official language of New Zealand.

- (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:

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-
- (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 such person other than the presiding officer to require that the proceedings or any part of them be recorded in Māori.
- (3) Where any person intends to speak Māori in any legal proceedings, the presiding officer shall ensure that a competent interpreter is available.
 - (4) Where, in any proceedings, any question arises as to the accuracy of any interpreting from Māori into English or from English into Māori, the question shall be determined by the presiding officer in such manner as 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 any legal proceedings to give reasonable notice of that intention, and generally regulating the procedure to be followed where Māori is, or is to be, spoken in such proceedings.
 - (6) Any such 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 shall be denied the right to speak Māori in any legal proceedings because of any such failure.

Compare: Welsh Language Act 1967 s 1(1) (UK)

Nothing in section 3 or section 4 shall—

- (a) affect any right that any person has, otherwise than by virtue of that section, to receive or impart any communication in Māori; or
 - (b) affect the right of any other linguistic community in New Zealand to use the language of that community.
- (1) There is hereby established a commission, to be called Te Taura Whiri i te Reo Māori.
 - (2) The Commission is a Crown entity for the purposes of section 7 of the Crown Entities Act 2004.
 - (3) The Crown Entities Act 2004 applies to the Commission except to the extent that this Act expressly provides otherwise.

Compare: Bord Na Gaeilge Act 1978 s 2 (Eire)

4

Reprinted as at
30 April 2016

Māori Language Act 1987

s 8

Section 6(1): amended, on 20 June 1991, by section 2(1) of the Maori Language Amendment Act 1991 (1991 No 40).

Section 6(2): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 6(3): added, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

The functions of the Commission shall be as follows:

- (a) to initiate, develop, co-ordinate, review, advise upon, and assist in the implementation of policies, procedures, measures, and practices designed to give effect to the declaration in section 3 of the Māori language as an official language of New Zealand:

- (b) generally to promote the Māori language, and, in particular, its use as a living language and as an ordinary means of communication:
- (c) the functions conferred on the Commission by sections 15 to 20 in relation to certificates of competency in the Māori language:
- (d) to consider and report to the Minister upon any matter relating to the Māori language that the Minister may from time to time refer to the Commission for its advice:
- (e) such other functions as may be conferred upon the Commission by any other enactment.

Compare: Bord Na Gaeilge Act 1978 s 3(1), (3), (4) (Eire)

- (1) *[Repealed]*
- (2) Without limiting sections 16 and 17 of the Crown Entities Act 2004, the Commission may—
 - (a) conduct, hold, or attend all such inquiries, hearings, or meetings as the Commission thinks desirable to enable it to determine the views and wishes of the Māori community in relation to the promotion and use of the Māori language; and
 - (b) undertake or commission research into the use of the Māori language; and
 - (c) consult with and receive reports from government departments and other bodies on the use of Māori language in the course of the conduct of the business of those departments or other bodies, whether by their staff or by people with whom they have official dealings; and
 - (d) publish information relating to the use of the Māori language; and
 - (e) report to the Minister on any matter relating to the Māori language that the Commission considers should be drawn to the Minister’s attention.

Compare: Bord Na Gaeilge Act 1978 s 3(2), (4) (Eire)

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s 9

Māori Language Act 1987

Reprinted as at 30 April 2016

Section 8(1): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 8(2): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

[Repealed]

Section 9: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

[Repealed]

Section 10: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Nothing in any of the foregoing provisions of this Act shall affect any responsibility that any Minister of the Crown or other person, or any government department or other body, had immediately before the passing of this Act for any matter relating to the Māori language.

Compare: Bord Na Gaeilge Act 1978 s 3(5) (Eire)

- (1) The board of the Commission consists of not more than 5 members.
- (2) *[Repealed]*
- (3) In considering the suitability of any person for appointment to the Commission, the Minister shall have regard not only to that person's personal attributes but also to that person's knowledge of and experience in the use of the Māori language and other matters likely to come before the Commission.

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Reprinted as at
30 April 2016

Māori Language Act 1987

s 17

[Repealed]

Section 14: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

- (1) The Commission shall grant a certificate of competency in the Māori language to any person who applies to the Commission for such a certificate and satisfies the Commission that he or she is qualified to be the holder of such a certificate.
- (2) Every certificate of competency in the Māori language shall be one of the following 3 kinds:
 - (a) a certificate of competency in the interpretation of the Māori language:
 - (b) a certificate of competency in the translation of the Māori language:
 - (c) a certificate of competency in the interpretation and translation of the Māori language.
- (3) Every person who, immediately before the date of the commencement of this Act, was licensed as an Interpreter of the Māori language under Part 7 of the Maori Affairs Act 1953 shall be entitled as of right, upon application to the Commission made at any time within 2 years after that date, to be granted by the Commission a certificate of competency in the interpretation and translation of the Māori language.

Compare: 1953 No 94 s 71

For the purposes of determining whether or not an applicant for a certificate of competency in the Māori language is qualified to hold such a certificate, the Commission shall prepare, and publish in such manner as it thinks fit, criteria by which competence in the interpretation or translation of the Māori language is to be assessed.

- (1) Notwithstanding anything in section 15, the Commission may from time to time delegate to any person or body the power to assess applicants for certificates of competency in the Māori language and to grant certificates to those applicants who are found to be qualified to be the holders of such certificates.
- (2) The Commission may make a delegation under subsection (1) only if the delegation also complies with section 73 of the Crown Entities Act 2004.
- (3) *[Repealed]*
- (4) *[Repealed]*

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Reprinted as at 30 April 2016

Section 17(2): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 17(3): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 17(4): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

- (1) The Commission may endorse any certificate of competency to the effect that the holder is competent to interpret the Māori language or (as the case may require) to translate the Māori language or both for the purposes of any legal proceedings if the Commission is satisfied that the holder of the certificate—
 - (a) has a sufficient degree of competency in the interpretation or (as the case may require) the translation or both of the Māori language; 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 of competency endorsed under this section shall, on production of the certificate, be recognised as competent to interpret the Māori language or (as the case may require) to translate the Māori language or both for the purposes of any legal proceedings; but no such holder shall have the right to insist on acting, and no party, witness, or other person shall have the right to insist on that holder acting, as an interpreter or a translator or both in any particular proceedings.
- (3) Where, in respect of any legal proceedings, the presiding officer considers that the holder of any certificate of competency in the Māori language (whether or not endorsed under this section)—
 - (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,—

the presiding officer may cause a report of the matter to be referred to the Commission, who shall deal with it under section 19 as if it were a complaint lodged under that section.

Compare: 1953 No 94 s 73

- (1) Any person may lodge with the Commission a complaint against the holder of any certificate of competency in the Māori language on the ground that—
 - (a) the holder has, in the course of any interpretation or translation of the Māori language, exhibited such incompetence as to call into question the holder's qualification to hold the certificate; or

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- (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 the Commission is satisfied that the complaint is frivolous or vexatious, the Commission shall cause a copy of the complaint to be given or sent to the person to whom it relates, and shall give that person a reasonable opportunity to appear before the Commission, or (at that person's option) to make written submissions to the Commission, in answer to the complaint.
 - (3) If, after investigating any complaint under subsection (1)(a), the Commission is satisfied that the person to whom the complaint relates is not qualified to hold the certificate of competency in the Māori language that the person is then holding, it may—
 - (a) cancel the certificate of competency; or
 - (b) suspend the certificate of competency until such time as the Commission is satisfied that the person is qualified to hold the certificate.
 - (4) If, after investigating any complaint under subsection (1)(b), the Commission is satisfied that the person to whom the complaint relates 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, it may—
 - (a) cancel any endorsement of the certificate of competency made under section 18; or
 - (b) if no such endorsement has been made, endorse the certificate of competency to the effect that the holder shall not be recognised as competent to interpret Māori or (as the case may require) to translate Māori or both for the purposes of any legal proceedings.
 - (5) The Commission shall, as soon as practicable after deciding to take any action under subsection (3) or subsection (4), give to the person concerned notice in writing of its decision and of the reasons for it.
 - (6) Where the Commission decides to cancel, suspend, or endorse a certificate of competency in the Māori language, it shall, in the notice given under subsection (5), require the holder to surrender the certificate of competency to the Commission for appropriate administrative action.

Compare: 1953 No 94 s 74

[Repealed]

Section 20: repealed, on 20 June 1991, by section 5(2) of the Maori Language Amendment Act 1991 (1991 No 40).

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Every person commits an offence and is liable on conviction to a fine not exceeding \$500 who, being required under section 19(6) to surrender to the Commission any certificate of competency in the Māori language, fails without reasonable excuse to do so.

Compare: 1953 No 94 s 75

Section 21: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 21: amended, on 20 June 1991, by section 4 of the Maori Language Amendment Act 1991 (1991 No 40).

Heading: inserted, on 20 June 1991, by section 5(1) of the Maori Language Amendment Act 1991 (1991 No 40).

The Governor-General may from time to time, by Order in Council made on the advice of the Minister tendered on the recommendation of the Commission, make rules for any of the following purposes:

- (a) prescribing fees in respect of—
 - (i) the conducting of examinations for certificates of competency in the Māori language; and
 - (ii) applications for, and the issuing of, certificates of competency in the Māori language; and
 - (iii) any other service provided by the Commission:
- (b) prescribing the procedures to be followed in respect of such applications.

Section 21A: inserted, on 20 June 1991, by section 5(1) of the Maori Language Amendment Act 1991 (1991 No 40).

[Repealed]

Section 22: repealed, on 20 June 1991, by section 2(4) of the Maori Language Amendment Act 1991 (1991 No 40).

[Repealed]

Section 23: repealed, on 1 April 1988, by section 15(1) of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

(1)–(2) *Amendment(s) incorporated in the Act(s).*

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Reprinted as at
30 April 2016

Māori Language Act 1987

Schedule 1

Courts and tribunals before which Māori may be spoken

s 2

The Supreme Court The Court of Appeal The High Court District Courts

The Employment Court Family Courts

Children and Young Persons Courts Youth Courts

The Māori Land Court

The Māori Appellate Court

Schedule 1 Part A: amended, on 1 January 2004, by section 48(1) of the Supreme Court Act 2003 (2003 No 53).

Schedule 1 Part A: amended, on 2 October 2000, by section 240 of the Employment Relations Act 2000 (2000 No 24).

Schedule 1 Part A: amended, on 20 June 1991, by section 3(2) of the Maori Language Amendment Act 1991 (1991 No 40).

Schedule 1 Part A: amended, on 1 November 1989, by section 449 of the Children, Young Persons, and Their Families Act 1989 (1989 No 24).

The Waitangi Tribunal

The Employment Relations Authority

The Equal Opportunities Tribunal

The Tenancy Tribunal

Planning Tribunals

Disputes Tribunals established under the Disputes Tribunals Act 1988

Schedule 1 Part B: amended, on 2 October 2000, by section 240 of the Employment Relations Act 2000 (2000 No 24).

Schedule 1 Part B: amended, on 20 June 1991, by section 3(3) of the Maori Language Amendment Act 1991 (1991 No 40).

Schedule 1 Part B: amended, on 1 March 1989, by section 82(2) of the Disputes Tribunals Act 1988 (1988 No 110).

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Schedule 2

Māori Language Act 1987

Reprinted as at 30 April 2016

s 13

Schedule 2 heading: amended, on 20 June 1991, by section 2(5) of the Maori Language Amendment Act 1991 (1991 No 40).

[Repealed]

Schedule 2 clause 1: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Appendix C: Māori Language Act 2016

Version
as at 5 April 2023



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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Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

Version as at 5 April 2023

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Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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Te Āpitihanga 3

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Te Āpitihanga 4

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

Te Āpitianga 6

Ngā tohu whakatau i te mōhio ki te reo Māori

Te Āpitianga 7

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

Te Āpitianga 8

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

Schedule 1

Transitional, savings, and related provisions

Schedule 2

Courts and tribunals before which Māori may be spoken

Schedule 3 Regional clusters of iwi

Schedule 4

Organisations comprising Te Reo Tūkūtuku

Schedule 5

Provisions relating to Te Mātāwai and its members

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Schedule 8

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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:

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Te Wāhanga 2 s 3

Te Wāhanga 1

Ko te ingoa me ngā whakataunga tīmatanga i te reo Māori

Te upoko

Ko tēnei te Ture mō Te Reo Māori 2016.

Te tīmatanga

Ka mana ngā wehenga 18(d), te 19(1)(g) ki te (j), te 39, te 43, te 49, me te Āpitianga 7 hei te rā tōmua ake o ēnei rā e whai ake nei:

ko tētahi rā ka whakaritea e te Kāwana-Tianara mā te Ōta Kaunihera;

ko te 30 o Poutū-te-rangi 2017 hoki.

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 Tireni.

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).

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

Te Whakaputa Me whakaputa e te PCO ki te pae tukutuku ture me te whakamōhio atu mā *Te Kāhiti*

LA19 s 69(1)(c)

Te Tuku Me tuku e te Minita ki te Whare Pāremata LA19 s 114, Sch 1
cl 32(1)(a)

Te Kore Whakaae

Ka taea e te Whare Pāremata te kore whakaae LA19 ss 115, 116

Ehara tēnei kōrero i tētahi wāhi o te Ture.

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

Mā tēnei Ture—

te Māori Language Act 1987 e whakakapi;

hoki te Broadcasting Act 1989 e whakahou;

hoki te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 e whakahou.

Ko te aronga o tēnei Ture—
he whakaū i te mana o te reo Māori hei—
reo taketake mō Niu Tirenī;
taonga hoki mā ngā iwi me ngāi Māori;
reo hoki ka kaingākauria e te motu;

7

Te Wāhanga 2 s 4

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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(iv) reo whai mana ā-ture hoki mō Niu Tirenī;

(b) he tuku āwhina hoki hei tautoko, hei whakarauora hoki i te reo Māori.

Hei āwhina ki te whakatutuki i tōna aronga, mā tēnei Ture—

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;

hoki e whakatau kia whakawhanake rautaki reo Māori a Te Mātāwai me te Karauna hei tautoko i te whakarauoratanga o te reo Māori;

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

He taonga te reo Māori mā ngā iwi me ngāi Māori.

Ko ngā iwi me ngāi Māori ngā kaitiaki o te reo Māori.

Kāore e herea, e pāngia rānei e tēnei wehenga ngā haepapatanga o te Karauna e pā ana ki te reo Māori.

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

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

Te Whakaūnga a te Karauna

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—

kua kapohia i roto i ngā taunakitanga ki Te Rōpū Whakamana i Te Tiriti o Waitangi;

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.

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:

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Te Wāhanga 2 s 7

he mema nō te kōti, nō te taraipiunara, nō rangatōpū kē atu rānei kei mua i tōna aroaro ngā whakahaerenga e whakahaeretia ana:

ko tērā rānei, ko ērā rānei kei mua i te aroaro o te kōti, o ngā taraipiunara rānei, ko ngā kaiwhakaatu rānei:

he rōia:

he tangata kē atu, i runga i te whakaaetanga a te āpiha whakahaere.

Kāore te mana ki te kōrero Māori, i tukuna ai i raro i te wehenga iti (1) e—

tuku i aua tāngata, i kōrerotia rā i taua wehenga iti, ki te tohe atu kia kōrero Māori mai tētahi, kia whakautua rānei āna kōrero ki te reo Māori;

tuku rānei i aua tāngata i kōrerotia rā i taua wehenga iti, atu i te āpiha whakahaere, kia tohe kia hopukina ki te reo Māori ngā whakahaerenga, tētahi wāhanga rānei o aua whakahaerenga.

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.

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.

Ka āhei te whakatau ētahi tikanga o te kōti, ētahi atu tukanga whakahaere rānei e tika ana, hei here i ngā tāngata e whai ana ki te kōrero Māori i roto i ngā whakahaerenga ā-ture, kia āta tuku pānui ā-tuhi mō taua hiahia, hei whakahaere noa hoki i te

tukanga hei whai mehemea kei te kōrero Māori, ka kōrero Māori rānei tētahi i roto i aua whakahaerenga.

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.

I roto i tēnei wehenga me te Āpitianga 6,—

ko ngā whakahaerenga ā-ture (*legal proceedings*), ko—

ngā whakahaerenga kei te aroaro o tētahi kōti, o tētahi taraipiunara rānei kua whakahuatia i te Āpitianga 2:

ngā whakahaerenga kei te aroaro o tētahi Kaitirotiro Matewhawhati:

ngā whakahaerenga hei whakatewhatewha, hei tuku pūrongo hoki mō tētahi take whai pānga ki ngā iwi me ngāi Māori i te aroaro o—

tētahi whakatewhatewhatanga e pāngia ai e te wehenga 6 o te Inquiries Act 2013:

9

Te Wāhanga 2 s 8

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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tētahi taraipiunara, tētahi atu rangatōpū rānei kua whai i te mana whakahaere o tētahi kōmihana whakatewhatewha i raro i tētahi whakaturetanga kē atu:

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—

whakapuaki ā-tuhitanga o ngā tuinga reo Māori ki te reo Pākehā;

whakapuaki ā-tuhitanga hoki o ngā tuinga reo Pākehā ki te reo Māori ko te whakawhiti reo ā-waha (*interpreting*), e pā ana ki te reo Māori, ko—

te whakapuaki ā-wahatanga o ngā kōrero Māori ki te reo Pākehā;

te whakapuaki ā-wahatanga o ngā kōrero Pākehā ki te reo Māori.

Ngā mātāpono me ngā aratohu

8 Ngā mātāpono

Ka whakatakoto tēnei wehenga i ngā mātāpono ka whāia hei ārahi i—

te whakahāngaitanga whānui o tēnei Ture; otirā;

te whakawhanaketanga hoki o ngā rautaki reo Māori me hua ake i tēnei Ture.

E whai ake nei ngā mātāpono:

Ko te reo Māori

ko te reo Māori te reo taketake o Niu Tireni:

he mana motuhake, he mana pūmau tō te reo Māori:

Te reo Māori me ngā iwi me ngāi Māori

ko ngā iwi me ngāi Māori ngā kaitiaki o te reo Māori:

ko te reo Māori te tūāpapa o te ahurea Māori, o te tuakiri Māori hoki:

ka whakarākei te mōhiotanga me te whakamahinga o te reo Māori i te ao o ngā iwi me ngāi Māori:

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

e tiakina ana te reo Māori hei taonga e te whiti tuarua o te Tiriti o Waitangi:

e whakaū ana te Karauna i te hiranga o te reo Māori mō ngā tāngata o Niu Tireni:

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Te Wāhanga 2 s 10

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:

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 hapori whānui o Niu Tireni:

Te reo Māori me te hapori o Niu Tireni

he reo whai mana ā-ture nō Niu Tireni te reo Māori:

he whakahirahira te reo Māori ki te tuakiri o Niu Tireni.

9 He ārahitanga mā ngā tari Kāwanatanga

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:

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 taura):

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:

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).

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.

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 kaihapai i ngā pānga o ngā iwi me ngāi Māori, e ai ki te tumu whakarae.

Ngā rautaki reo Māori

10 Te rautaki Maihi Karauna

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—

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;

ā te Kāwanatanga ahunga rautaki pae tawhiti hoki, me āna kaupapa mātāmua o nāianeī, o te pae waenga hoki, hei tautoko i taua whakarauoratanga.

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

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Te Wāhanga 2 s 11

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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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

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.

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.

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

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.

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—

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;

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kei roto hoki i tēnei huinga—

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

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 ināiane, 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 Tireni, 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:

ko tētahi, ko ngā iwi rānei kei te rārangi i te Āpitianga 3, tae atu ki ngā whānau me ngā hapū o ia iwi:

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 Āpitianga 3

ko te kāhui o Te Reo Tukatuku (*Te Reo Tukatuku cluster*) tētahi huinga o ngā rōpū whakahaere ka tautohua i raro i tētahi o ngā upoko iti e whā kei roto i te Āpitianga 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 Tukatuku te hunga whai pānga ki te reo Māori, arā, ko ngā rōpū whakahaere kua whakarārangitia i roto i te Āpitianga 4

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Te Wāhanga 2 s 14

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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 Āpitianga 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 Āpitianga 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).

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 Āpitianga 1 e ai ki ngā whakaritenga o aua whakataunga.

Ka herea te Karauna e te Ture

Ka herea te Karauna e tēnei Ture.

Te anga o te Ture

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.

Ka whakatau te Wāhanga 2 i ēnei e whai ake nei:

ka whakatakoto i te aronga o te Ture:

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

ka whakaū i te mana o te tangata ki te whakapuaki i te reo Māori i roto i ngā kōti me ngā taraiipunara e whakarāngitia ana i roto i te Āpitianga 2:

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:

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

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

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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:

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

ka whakatū i tētahi āpitianga whakawhiti, i tētahi āpitianga pupuri hoki (Te Āpitianga 1):

ka whakatau e herea ana te Karauna e te Ture.

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.

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 tokowhītu o te poari o Te Ratonga Whakaata Māori.

Ka whakatau te Wāhanga 5 i—

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

ngā mana whakarite waeture e pā ana ki ngā kōrero kei roto i ngā Āpitianga 2, 4 hoki;

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

E waru ngā āpitianga, ā, e whakatakotoria ana—

i roto i te Āpitianga 1, ngā whakataunga whakawhiti, ngā whakataunga pupuri me ngā whakataunga whai pānga:

i roto i te Āpitianga 2, ngā kōti me ngā taraiipunara e āhei ai te kōrerotia o te reo Māori i ō rātou aroaro:

i roto i te Āpitianga 3, ko ngā kāhui ā-iwi e whitu:

i roto i te Āpitianga 4, ko ngā kāhui e whā o Te Reo Tūkotuku:

i roto i te Āpitianga 5, he whakataunga anō e pā ana ki a Te Mātāwai:

i roto i te Āpitianga 6, ngā whakataunga e pā ana ki te whakawhiwhinga o ngā tohu whakatau i te mōhio ki te reo Māori:

i roto i te Āpitianga 7, ngā whakahounga o te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:

i roto i te Āpitianga 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

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

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

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

te tino raukaha ki te pūkai i te kaupapa pakihi, ngohe rānei, ki te kawae i te mahi, ki te uru atu rānei ki te mahi hoko; ā,

i te horopaki hoki o te rerenga (a), ngā mana katoa, ngā mana whakahaere katoa me ngā painga katoa.

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—

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 hapori anō hoki;

hei tautoko hoki, hei whakamōhio atu, hei whakaaweawe hoki i ngā kaupapa a te Karauna hei whakamarumarū, hei toko ake, hei whakarauora hoki i te reo Māori;

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;

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

Ko ngā āheinga o Te Mātāwai, e whai ake nei:

he ārahi i te whakawhanaketanga o tētahi rautaki Maihi Māori:

he tuku ratonga, he whakahaere kaupapa hoki ka āwhina i te whakatinanatanga o te rautaki Maihi Māori:

he whakatakoto whakaaro ki a Te Puni Kōkiri me te Minita me pēhea te whakawhanaketanga o tētahi rautaki Maihi Karauna:

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

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Te Wāhanga 3 s 20

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:

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:

he tuku tautapanga ki te Minita mō ngā kopoutanga ki a Te Taura Whiri me Te Reo Whakapuaki Irirangi:

he kopou, he kopou anō, he tango hoki i ngā kaiurungi tokowhā o ngā kaiurungi tokowhitu o te poari o Te Ratonga Whakaata Māori:

i te taha o te Minita Tahua Pūtea me te Minita,—

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:

he whakahaere i ngā mana whakahaere hihinga i raro i te Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:

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:

ko ērā atu āheinga ka tukuna ki a Te Mātāwai e tēnei Ture, e whakaturetanga kē atu rānei.

Ahakoā ngā kōrero kei roto i te wehenga iti (1), me kua 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—

tētahi hōtaka motuhake;

te kohinga, te whakaaturanga rānei o ngā pūrongo o te wā;

te whakaritenga, te whakaaturanga rānei o ngā hōtaka mō ngā take o te wā;

ngā whakatau pūtea whāiti, ngā whakaritenga kirimana rānei.

Ngā kopoutanga ki a Te Mātāwai

20 Ngā mema o Te Mātāwai

Tekau mā toru ngā mema o Te Mātāwai, kia kopoua pēneitia:

kia tokowhītu ngā mema, mā tēnā, mā tēnā o ngā kāhui ā-iwi e whītu, e whakarārangitia ana i roto i te Āpītihanga 3, tētahi mema e kopou;

kia tokowhā hoki ngā mema, mā tēnā, mā tēnā o ngā kāhui e whā o Te Reo Tūkotuku, e whakarārangitia ana i roto i te Āpītihanga 4, tētahi mema e kopou;

mā te Minita hoki ngā mema tokorua e kopou mā te Karauna.

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Te Wāhanga 3 s 21

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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 Āpītihanga 5.

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—

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:

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.

Me oti rawa i te Minita te kopoutanga.

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.

E hāngai ana te Āpītihanga 5 ki ngā mema ka kopoua i raro i tēnei wehenga.

21 Ngā take e hāngai ana ki ngā whakatau kopoutanga

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—

me whakaaroaro rawa mō te aronga me ngā āheinga o Te Mātāwai;

me kua 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;

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;

me kua rawa hoki ia e kopou tangata ka tupea i raro i te wehenga 30 o te Crown Entities Act 2004.

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.

Ka whai pānga ngā take e whai ake nei ki ngā whakaaroarotanga e hāngai ana ki ngā wehenga iti (1)(c), me te (2):

ko te matatau ki te reo Māori:

ko te whakarauora i te reo Māori:

ko te mana ārahi:

ko te whanaketanga hapori:

ko te whakahaeretanga:

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ko ngā tikanga Māori:

ko ngā whakahaerenga a te kāwanatanga.

22 Te kopoutanga o te tumu whakarae

Me kopou rawa e Te Mātāwai tētahi tumu whakarae.

Ko te tangata ka kopoua hei tumu whakarae mō Te Mātāwai me kua rawa e noho hei mema mō Te Mātāwai.

Ko Te Mātāwai—

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:

me whai rawa i tētahi kaupapa here manaaki kaimahi e whakatauria ana i roto i te rārangi 33 o te Āpitihianga 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—

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;

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;

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;

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

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.

Ko ia kirimana hoko me—

whai rawa i ngā tikanga mahi kaute e whakaaetia whānuitia ana;

āta tohu rawa hoki i ia putanga a Te Mātāwai ka whai pūtea tāpui nā te Whare Pāremata;

pēnei mō ia putanga,—

me whakauru i tētahi whakamārama poto mō ngā mea e whāia ana kia tutuki i te putanga;

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Te Wāhanga 3 s 25

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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me tautohu hoki i te whiwhinga pūtea e manakotia ana me ngā whakapaunga moni e marohitia ana mō te putanga;

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

Me kua e iti iho i te kotahi te tauākī whāinga me whakarite rawa, me whakaputa rawa hoki e Te Mātāwai i ia toru tau.

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 kua e iti iho i tērā.

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.

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

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).

Waihoki ko te tauākī whāinga, mō te wā whai pānga, me—

whakamārama rawa i te āhua me te korahi o ngā āheinga o Te Mātāwai me āna whakahaere ka whāia:

whakamārama rawa i tā Te Mātāwai whai ki te whakahaere i ōna āheinga me āna whakahaerenga e tutuki ai āna whāinga rautaki:

whakamārama rawa i ā Te Mātāwai whakaritenga hei whakahaere i tōna hauora, i tōna kaha hoki hei rōpū whakahaere:

whakamārama rawa i ā Te Mātāwai whakaritenga hei aromatawai i āna mahi:

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.

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.

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Te Wāhanga 3 s 29

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.

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

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:

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;

ko tētahi tauākī mahi hoki e ai ki te wehenga 30;

ko ngā tauākī pūtea ā-tau hoki mō Te Mātāwai e ai ki te wehenga 31;

ko tētahi tauākī haepapatanga hoki e ai ki te wehenga 32;

ko te pūrongo tātari hoki e ai ki te wehenga 33;

ko ngā pārongo hoki mō tāna whai i tōna herenga kia tū hei kaimanaaki kaimahi (tae atu ki tāna kaupapa whakaōrite whiwhinga mahi);

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);

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 pīrangī ana rānei ia kia pūrongotia, i roto i tāna pūrongo ā-tau.

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.

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

Me whakauru rawa ki roto i te pūrongo ā-tau mō Te Mātāwai,—

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,

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

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Te Wāhanga 3 s 30

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(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,

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,

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,

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—

whakarite rawa e ai ki ngā tikanga mahi kaute e whakaaetia whānuitia ana; ā,

whakamārama rawa ia putanga ka tautohua i roto i te kirimana hoko mō te tau pūtea; ā,

whakauru rawa mō ia putanga,—

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,

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

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.

Ko ngā tauākī pūtea me—

whai rawa i ngā tikanga mahi kaute e whakaaetia whānuitia ana; ā,

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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,

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.

Te tauākī haepapatanga

Ko te tauākī haepapatanga me—

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,

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,

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,

tohu rawa i te rā i mana ai, i waitohua ai hoki e ngā mema tokorua mā Te Mātāwai.

Te pūrongo tātari

Me tuku rawa e Te Mātāwai ki te Kaitātari Kaute Matua,—

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,

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).

Ko te Kaitātari Kaute Matua me—

tātari rawa i ngā tauākī ka kōrerotia i roto i te wehenga iti (1)(a); ā,

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

Ka āhei tā te Minita arotake i ngā whakahaerenga me ngā mahi a Te Mātāwai, ahakoa te wā.

I mua i tā te Minita arotake i raro i tēnei wehenga, me whai rawa ia ki te—

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Te Wāhanga 3 s 35

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whiriwhiri kōrero me Te Mātāwai mō te aronga me te āhua o te arotake; ā,
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

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.

Heoi anō, ka āhei te karo i tētahi tono mehemea—

me tāwhi pārongo ka tika hei whakamarumaruru i te noho matatapu o tētahi tangata (he tangata kua mate hoki);

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.

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.

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

I te horopaki o te Income Tax Act 2007, kua wātea ngā whiwhinga moni a Te Mātāwai i te tāke.

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.

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Te Wāhanga 4 s 40

(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

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.

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

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.

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.

Ka huri ngā hua me ngā taunahatanga o Te Pūtahi Paoho hei hua, hei taunahatanga hoki mō Te Mātāwai.

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,—

he tangata ā-ture kotahi a Te Mātāwai me Te Pūtahi Paoho;

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.

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

Ko ngā āheinga o Te Taura Whiri—

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;

kia toko ake hoki i te reo Māori—

hei reo ora;

hei reo whitiwhiti noa hoki;

kia tū hoki hei kaiārahi ki te whakarite i te whakatinanatanga o te rautaki Maihi Karauna;

kia whakaaroaro hoki, kia tuku pūrongo hoki mō ngā take e pā ana ki te reo Māori, ki te Minita;

kia whakaritea hoki, kia whakawhiwhia hoki ngā tohu e ai ki te Āpitihianga 6;

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

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

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

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.

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 whakarārangiā ana i roto i te wehenga 21(3).

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:

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;

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.

Ngā kopoutanga ki te poari o Te Ratonga Whakaata Māori

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.

Mehemea ka whakaaro te Minita, kua tupea tētahi tangata i kopoua ai i raro i te wehenga iti (1) e ai ki te wehenga 30 o te Crown Entities Act 2004, he take anō

rānei i kore ai taua tangata i tika mō te tūranga, ka āhei tā te Minita tonu atu ki a Te Mātāwai kia kopoua he tangata hou.

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.

Ko Te Mātāwai—

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,

me kua rawa e kopou i ōna ake mema hei kaiurungi; ā,

me kua rawa e kopou i ngā tāngata ka tupea i raro i te wehenga 30 o te Crown Entities Act 2004; ā,

i te kopoutanga, me ārahi rawa e te aronga me ngā āheinga o Te Ratonga Whakaata Māori.

Mā te tuku pānui ā-tuhi ki te tangata kua tohua e mana ai te kopoutanga.

Me whakaae ā-tuhi rawa te tangata kua kopoua ki te kopoutanga.

Ko tētahi pānui i raro i te wehenga iti (5) me—

whakapuaki rawa i te rā e tīmata ai te kopoutanga, ka mutu me kua rawa taua rā e tōmua ake i te rā ka whiwhi te tangata ki te pānui;

whakapuaki rawa hoki i te roa o te kopoutanga.

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

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,—

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;

me whakarite rawa hoki i tētahi pūrongo mō taua arotakenga.

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.

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Te Wāhanga 5 s 45

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(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

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.

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.

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.

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.

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 Pirimia, e whai haepapatanga ana mō tētahi tari, mō ētahi tari rānei, e whakahaere ana i ngā kōti me ngā taraipiunara e whakarārangiā ana i roto i te Āpitianga 2.

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

Te Whakaputa Me whakaputa e te PCO ki te pae tukutuku ture me te whakamōhio atu mā *Te Kāhiti*

LA19 s 69(1)(c)

Te Tuku Me tuku e te Minita ki te Whare Pāremata LA19 s 114, Sch 1
cl 32(1)(a)

Te Kore Whakaae

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).

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Māori Language Act 2016 Part 1 s 2

Te whakahāngai i Ture kē

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.

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

Te whakakore

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

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 Āpitianga 7.

Ko ētahi atu whakahounga

Ka whakahoungia ngā whakaturetanga e tautuhia ana i roto i te Āpitianga 8 e ai ki ngā āhuatanga ka whakaaturia i roto i taua āpitianga.

Part 1

Title and commencement provisions in English

1 Title

This Act is the Māori Language Act 2016.

2 Commencement

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 date set by the Governor-General by Order in Council; and

30 March 2017.

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

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

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Part 2 s 3

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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Legislation Act 2019 requirements for secondary legislation made under this section

Publication PCO must publish it on the legislation website and notify it in the *Gazette*

Presentation The Minister must present it to the House of Representatives

LA19 s 69(1)(c)

Disallowance It may be disallowed by the House of Representatives LA19 ss 115, 116

This note is not part of the Act.

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

This Act—

replaces the Māori Language Act 1987; and

amends the Broadcasting Act 1989; and

amends the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003.

The purpose of this Act is—

to affirm the status of the Māori language as—

the indigenous language of New Zealand; and

a taonga of iwi and Māori; and

a language valued by the nation; and

an official language of New Zealand; and

to provide means to support and revitalise the Māori language.

To assist in achieving its purpose, this Act—

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

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

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.

Iwi and Māori are the kaitiaki of the Māori language.

This section does not limit or affect any responsibilities of the Crown in relation to the Māori language.

Māori language is an official language of New Zealand

The Māori language is an official language of New Zealand.

Acknowledgement of the Crown

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—

have been recorded in evidence given to the Waitangi Tribunal; and

the Crown has acknowledged in deeds of settlement entered into with iwi to settle their claims under the Treaty of Waitangi.

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

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:

any member of the court, tribunal, or other body before which the proceedings are being conducted:

any party or witness:

any counsel:

any other person with leave of the presiding officer.

The right conferred by subsection (1) to speak Māori does not—

entitle any person referred to in that subsection to insist on being addressed or answered in Māori; or

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.

If a person intends to speak Māori in any legal proceedings, the presiding officer must ensure that a competent interpreter is available.

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.

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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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.

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.

In this section and Schedule 6,—

interpreting (*whakawhiti reo ā-waha*), in relation to the Māori language, means—
giving oral expression in English of words spoken in Māori:

giving oral expression in Māori of words spoken in English

legal proceedings (*whakahaerenga ā-ture*) means—

proceedings before a court or tribunal named in Schedule 2:

proceedings before a coroner or an associate coroner:

proceedings to inquire into and report on any matter of particular interest to iwi and Māori before—

an inquiry to which section 6 of the Inquiries Act 2013 applies:

a tribunal or other body that has any of the powers of a commission of inquiry under any other enactment:

a commission of inquiry under the Commissions of Inquiry Act 1908

translating (*whakawhiti reo ā-tuhi*), in relation to the Māori language, means—

giving written expression in English of words written in Māori; and

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

This section sets out the principles that are intended to guide—
the interpretation of this Act generally; and
in particular, the development of the Māori language strategies required by this Act.
The principles are as follows:

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Part 2 s 9

Māori language

the Māori language is the indigenous language of New Zealand:

the Māori language has inherent mana and is enduring:

Māori language and iwi and Māori

iwi and Māori are the kaitiaki of the Māori language:

the Māori language is the foundation of Māori culture and identity:

knowledge and use of the Māori language enhance the lives of iwi and Māori:

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

the Māori language is protected as a taonga by article 2 of the Treaty of Waitangi:

the Crown recognises the value of the Māori language for the people of New Zealand:

knowledge and use of the Māori language are promoted by an active partnership of the Crown with iwi and Māori through Te Mātāwai:

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

the Māori language is an official language of New Zealand:

the Māori language is important to the identity of New Zealand.

9 Guidance for departments of State

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:

iwi and Māori should be consulted on matters relating to the Māori language (including, for example, the promotion of the use of the language):

the Māori language should be used in the promotion to the public of government services and in the provision of information to the public:

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).

This guidance does not confer on any person any legal right that is enforceable in a court of law.

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Part 2 s 10

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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(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

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

the Government's objectives and policies, and related matters, relevant to the revitalisation of the Māori language; and

the Government's long-term strategic direction, and the current and medium-term priorities, to support that revitalisation.

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.

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

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.

Before approving a Maihi Māori strategy, Te Mātāwai must consult any person or organisation that it thinks ought to be consulted.

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

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.

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,—

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Part 2 s 13

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

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

includes—

all assets of any kind, whether in the form of real or personal property, money, shares, securities, rights, or interests; and

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 whakataua 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:

1 or more of the iwi listed in Schedule 3, including the whānau and hapū of each iwi:

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

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Part 2 s 14

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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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 Pūtahi 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).

Transitional, savings, and related provisions

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

Act binds the Crown

This Act binds the Crown.

Outline of Act

This section is a guide to the general scheme and effect of this Act, but does not affect its interpretation or application.

Part 2 provides as follows:

it sets out the purpose of the Act:

it provides for the recognition of the Māori language as a taonga of iwi and Māori and as an official language of New Zealand:

it confirms the rights of people to use the Māori language in the courts and tribunals listed in Schedule 2:

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:

it provides for the development of the 2 Māori language strategies:

it includes a general provision on interpretation, including the provision that the 2 language versions are of equal authority, but that in the event

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Version as at 5 April 2023

Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Part 2 s 16

of a conflict between the 2 versions, the Māori version of the Act pre- vails:

it sets out key terms that are defined for use in the Act:

it sets up a transitional and savings schedule (Schedule 1):

it provides that the Crown is bound by the Act.

Part 3 establishes Te Mātāwai as an independent statutory entity, provides for its functions, and prescribes its reporting obligations and taxation status.

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 Pūtahi Paoho and for Te Mātāwai to appoint 4 of the 7 directors of the board of the Māori Television Service.

Part 5 provides for—

the review of the Act by the Minister after 3 years, and the repeal of the Māori Language Act 1987; and

regulation-making powers in relation to the contents of Schedules 2 and 4; and

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.

There are 8 schedules, setting out,—

in Schedule 1, transitional, savings, and related provisions:

in Schedule 2, the courts and tribunals before which Māori may be spoken:

in Schedule 3, the 7 iwi clusters:

in Schedule 4, the 4 Te Reo Tukutuku clusters:

in Schedule 5, further provisions relating to Te Mātāwai:

in Schedule 6, the provisions relating to the issuing of certificates of competency in the Māori language:

in Schedule 7, amendments to the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:

in Schedule 8, consequential amendments to other enactments.

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Part 3 s 17

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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Part 3 Te Mātāwai

Establishment, powers, and purpose

17 Te Mātāwai established

Te Mātāwai is established as an independent statutory entity.

Te Mātāwai is a body corporate with perpetual succession.

For the purpose of performing its functions under this Act, Te Mātāwai—

has full capacity to undertake any business or activity, do any act, or enter into any transaction; and

for the purposes of paragraph (a), has full rights, powers, and privileges.

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—

to provide leadership in promoting the health and well-being of the Māori language for iwi and Māori, and at the community level; and

to support, inform, and influence the Crown's initiatives in protecting, promoting, and revitalising the Māori language; and

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

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

The functions of Te Mātāwai are as follows:

to lead the development of a Maihi Māori strategy:

to provide services and administer programmes that contribute to the implementation of the Maihi Māori strategy:

to advise Te Puni Kōkiri and the Minister on the development of a Maihi Karauna strategy:

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:

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Part 3 s 20

to provide advice and guidance to Crown agencies on how they may contribute to developing or implementing the Māori language strategies:

to provide the Minister with nominations for appointments to Te Taura Whiri and Te Reo Whakapuaki Irirangi:

to appoint, reappoint, and remove 4 of the 7 directors of the board of the Māori Television Service:

jointly with the Minister of Finance and the Minister,—

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:

to manage the spectrum management rights under the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:

all other functions undertaken by Te Pūtahi Paoho under the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003:

other functions conferred on Te Mātāwai by this Act or any other enactment.

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 specific programme; or

the gathering or presentation of news; or

the preparation or presentation of current affairs programmes; or

any specific funding decisions or contractual arrangements.

Appointments to Te Mātāwai

20 Membership of Te Mātāwai

Te Mātāwai has 13 members, to be appointed as follows:

7 members, 1 appointed by each of the 7 iwi clusters listed in Schedule 3; and

4 members, 1 appointed by each of the 4 Te Reo Tūkotuku clusters listed in Schedule 4; and

2 members appointed by the Minister on behalf of the Crown.

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.

Subsection (4) applies if, for any reason, an appointment cannot be made under subsection (1)(a) or (b)—

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.

The Minister must make the appointment.

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.

Schedule 5 applies to the members appointed under this section.

21 Matters relevant to appointment decisions

In appointing members of Te Mātāwai as required by section 20(1)(a) and (b), each selection group—

must consider the purpose and functions of Te Mātāwai; and

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

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

must not appoint persons who would be disqualified under section 30 of the Crown Entities Act 2004.

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.

The following matters are relevant to the considerations required by subsections (1)(c) and (2):

Māori language proficiency:

Māori language revitalisation:

governance:

community development:

management:

Māori culture:

central government operations.

22 Appointment of chief executive

Te Mātāwai must appoint a chief executive.

The person appointed as the chief executive of Te Mātāwai must not be a member of Te Mātāwai.

Te Mātāwai—

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Part 3 s 25

must determine the chief executive's terms and conditions of employment, in consultation with the Public Service Commission:

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

Purpose of purchase agreement

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

to enable the Minister to participate with Te Mātāwai in the process of setting the annual outputs expected of Te Mātāwai; and

to assist Te Mātāwai to manage its responsibilities in relation to the funding and production of outputs paid for by the Crown; and

to provide the basis on which money may be made available to Te Mātāwai under an appropriation by Parliament; and

to provide a base against which actual performance can be assessed.

Obligation to prepare purchase agreement

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.

Each purchase agreement must—

comply with generally accepted accounting practice; and

specify each output of Te Mātāwai that is to be funded by an appropriation by Parliament; and

for each output,—

include a concise explanation of what the output is intended to achieve; and

identify the expected revenue and proposed expenses for the out-put; and
include a concise explanation of how the performance of the out-put 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.

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Part 3 s 26

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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The statement of intent must relate to the forthcoming financial year and at least the following 3 financial years.

Te Mātāwai must consult the Minister about the content of a statement of intent before publishing the statement.

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

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**).

The statement of intent must also, for the period to which it relates,—

explain the nature and scope of Te Mātāwai's functions and intended operations:

explain how Te Mātāwai intends to manage its functions and operations to meet its strategic intentions:

explain how Te Mātāwai proposes to manage its organisational health and capability:

explain how Te Mātāwai proposes to assess its performance:

set out and explain any other matters that are reasonably necessary to achieve an understanding of Te Mātāwai's strategic intentions and capability.

The statement of intent must be in writing, be dated, and be signed on behalf of Te Mātāwai by 2 members.

27 Annual report

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

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.

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

The annual report prepared by Te Mātāwai must contain the following information and reports for the financial year to which the annual report relates:

the information necessary to enable an informed assessment to be made of Te Mātāwai's operations and performance for that financial year,

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Part 3 s 29

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

a statement of performance in accordance with section 30; and

the annual financial statements for Te Mātāwai in accordance with section 31; and

a statement of responsibility in accordance with section 32; and

the audit report in accordance with section 33; and

information on its compliance with its obligation to be a good employer (including its equal employment opportunities programme); and

information required by section 29 (which relates to payments in respect of members and employees during that financial year); and

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.

However, subsection (1)(b) does not apply unless the purchase agreement for that financial year specified outputs for Te Mātāwai.

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

The annual report must include, in respect of Te Mātāwai,—

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

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

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

details of any indemnity provided by Te Mātāwai during the financial year to any member, office holder, or employee; and

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.

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Part 3 s 30

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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(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,—

be prepared in accordance with generally accepted accounting practice; and

describe each output identified in the purchase agreement for the financial year; and

include, for each output,—

the standards of delivery performance achieved by Te Mātāwai, as compared with the forecast standards included in the purchase agreement; and

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

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.

The financial statements must—

comply with generally accepted accounting practice; and

include any other information or explanations needed to fairly reflect the financial operations and financial position; and

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—

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

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

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

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Version as at 5 April 2023

Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Part 3 s 35

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

33 Audit report

Te Mātāwai must forward to the Auditor-General,—

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

its annual report in a timely manner to enable the Auditor-General to review that report before providing the audit report required under sub-section (2)(b).

The Auditor-General must—

audit the statements referred to in subsection (1)(a); and

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

The Minister may review the operations and performance of Te Mātāwai at any time.

Before the Minister undertakes a review under this section, he or she must—

consult with Te Mātāwai on the purpose and nature of the review; and

consider any submissions made by Te Mātāwai on the proposed review.

Te Mātāwai must take all reasonable steps to co-operate with the review.

35 Power to request information

Te Mātāwai must supply to the Minister any information relating to the operations and performance of Te Mātāwai that the Minister requests.

However, a request may be refused if—

withholding the information is necessary to protect the privacy of a person (including a deceased person); or

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.

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.

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.

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Part 3 s 36

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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Taxation status of Te Mātāwai

36 Terms of taxation exemption

Income derived by Te Mātāwai is exempt income for the purposes of the Income Tax Act 2007.

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

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.

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

Te Reo Whakapuaki Irirangi, established by section 53A of the Broadcasting Act 1989, is continued as an autonomous Crown entity.

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

Te Pūtahi Paoho, established by section 12 of the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003, is disestablished.

The functions and duties of Te Pūtahi Paoho under that Act become the functions and duties of Te Mātāwai.

The assets and liabilities of Te Pūtahi Paoho become the assets and liabilities of Te Mātāwai.

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,—

Te Mātāwai is the same person as Te Pūtahi Paoho; and

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Version as at 5 April 2023

Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Part 4 s 41

(b) everything done by Te Pūhahi 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 Pūhahi 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

The functions of Te Taura Whiri are—

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

to promote the Māori language—

as a living language; and

as an ordinary means of communication; and

to take the lead in co-ordinating the implementation of the Maihi Karauauna strategy; and

to consider and report to the Minister on matters relating to the Māori language; and

to make provision for, and to grant, certificates in accordance with Schedule 6; and

to prepare, maintain, and publish a register of persons who hold certificates granted under this Act, including any endorsement of a certificate.

Te Taura Whiri has the powers necessary to carry out its functions.

Appointments

41 Appointments to Te Taura Whiri

The Minister must appoint 5 persons to be members of Te Taura Whiri, as follows:

1 of the persons appointed is to be the chairperson of Te Taura Whiri and 1 person is to be the deputy chairperson; and

3 of the 5 appointments must be made from nominations made to the Minister by Te Mātāwai.

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).

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Part 4 s 42

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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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:

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

3 of the 5 appointments must be made from nominations made to the Minister by Te Mātāwai.

Appointments to board of Māori Television Service

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.

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.

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.

Te Mātāwai—

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

must not appoint any of its own members as directors; and

must not appoint persons who would be disqualified under section 30 of the Crown Entities Act 2004; and

when making appointments, must be guided by the purpose and functions of the Māori Television Service.

Appointments are made by giving written notice to the person concerned.

A person appointed must agree in writing to the appointment.

A notice under subsection (5) must—

state the date on which the appointment takes effect, which must not be earlier than the date on which the notice is received; and

state the term of the appointment.

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

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

commence a review of the operation and effectiveness of the Act in accordance with the terms of reference set by the Minister and Te Mātā-wai; and

prepare a report on that review.

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.

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

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.

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.

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.

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.

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.

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

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

Version as at 5 April 2023

Legislation Act 2019 requirements for secondary legislation made under this section

Publication PCO must publish it on the legislation website and notify it in the *Gazette*

Presentation The Minister must present it to the House of Representatives

LA19 s 69(1)(c)

LA19 s 114, Sch 1 cl 32(1)(a)

Disallowance It may be disallowed by the House of Representatives LA19 ss 115, 116

This note is not part of the Act.

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

Application of other Acts

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.

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

Repeal

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

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.

Other amendments

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

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Version as at 5 April 2023

Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Te Āpitianga 1

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

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.

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

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

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

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

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Te Āpitianga 1

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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Pūtahi Paoho (ahakoa nā te tangata kotahi anake, ahakoa nāna me tētahi atu tangata rānei) i mua i te tīmatanga o tēnei āpitianga, 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, kua e Te Pūtahi Paoho, i waihangatia me Te Mātāwai, kua me Te Pūtahi Paoho, i hoatu ki a Te Mātāwai, kua ki a Te Pūtahi Paoho, i hoatu rānei e Te Mātāwai, kua e Te Pūtahi Paoho, i tukuna rānei ki a Te Mātāwai, kua ki a Te Pūtahi Paoho, i tukuna rānei e Te Mātāwai, kua e Te Pūtahi Paoho.

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

Kāore te whakakorengia o Te Pūtahi Paoho e te wehenga 39 e pā atu ki—

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;

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;

ngā tuhinga, ngā take, ngā mea rānei ka āhei te tuku kōrero hei taunaki i a Te Pūtahi Paoho, hei whiua rānei ki a Te Pūtahi Paoho.

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.

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Te Āpitianga 2

Te Āpitianga 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

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Te Āpitianga 3

Te Āpitianga 3

Ngā kāhui ā-rohe o ngā iwi

Te Tai Tokerau (tae atu hoki ki ngā iwi o Tāmaki-makaurau) 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 Waiohua

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

ngā wehenga 13, me te 20

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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 Rangitīhi (Te Arawa) Ngāti Rangiwewehi (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)

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Te Āpitianga 3

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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

Ngāti Hauti

Te Ātiawa (Te Whanganui-a-Tara) Muaūpoko

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Te Āpitianga 3

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

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Te Āpitianga 4

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

ko Te Kōhanga Reo National Trust:

ko Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa:

ko Te Ringa Raupā o ngā Kura ā-Iwi:

ko Te Tauihu o Ngā Wānanga:

Te Pāpāho

ko Te Whakaruruhau o ngā Reo Irirangi Māori o Aotearoa:

ko Ngā Aho Whakaari:

Te Hapori

ko Te Rūnanga o Te Ātaarangi Trust:

ko Te Rōpū Wāhine Māori Toko i te Ora:

ko Te Kaunihera Māori:

Te Hunga Noho Tāone

ko te National Urban Māori Authority.

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Te ĀpitiHanga 5

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

ngā wehenga 13, 20, 22 hoki

Te rārangi upoko

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E hāngai ana tēnei rārangi ki te tukanga mō ngā tāngata ka kopoua hei mema mō Te Mātāwai.

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).

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),—

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;

me tautapa rawa hoki tētahi māngai e te 60%, me neke atu rānei, o ngā iwi kei roto i tētahi kāhui ā-iwi kotahi.

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 Tūkotuku), me kopou rawa e ia rōpū whakahaere kei roto i ia kāhui o Te Reo Tūkotuku tētahi tangata hei māngai mō taua rōpū whakahaere ki te rōpū kōwhiri.

Ko ia rōpū kōwhiri me—

whakatau rawa i āna ake tukanga hei kopou mema ki a Te Mātāwai;

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.

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.

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.

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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—

he takarepa i roto i te kopoutanga o te tangata;

kāore rānei i ara ake, i mutu rānei te take mō te mahi a te tangata, mō te kopoutanga rānei o te tangata.

Te whai tikanga o ngā kopoutanga

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.

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

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.

E āhei ana te kopoutanga anō o te mema kia kaua e nui ake i ngā wā e 2.

Ka noho tonu te mema i te tūranga ahakoa te paunga o te roa o tōna tūranga tae atu ki te wā—
ka kopoua anō te mema; (b);

ka kopoua rānei te piki tūranga o te mema;

ka rīhaina rānei, ka mate rānei te mema;

ka kīia rānei e te ture kua kaihou te mema;

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.

Ahakoa te rārangi iti (1), ka noho ngā mema tuatahi o Te Mātāwai ka kopoua e tētahi kāhui o Te Reo Tukatuku, 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

Ahakoa te wā, ahakoa hoki te take, ka āhei te tangohia o tētahi mema o Te Mātāwai e—

te kāhui ā-iwi nāna nei taua mema i kopou;

te kāhui o Te Reo Tukatuku rānei nāna nei taua mema i kopou;

te Minita rānei, mehemea i kopoua te mema i raro i te wehenga 20(1)(c).

Ka āhei te tangohia o te mema i raro i te rārangi iti (1)(a), i te (b) rānei—
e tētahi rōpū kōwhiri i hangā ai e ai ki te rārangi 1(3), ki te (4) rānei;

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(b) e ai hoki ki te tukanga ka whakamahia hei kopou i taua mema.

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).

Me whakapuaki rawa e te pānui te rā e mana ai te tangohanga, ā, me kua rawa e tōmua ake i te rā i whiwhi ai te mema ki te pānui.

Kei rangirua, me kua rawa tētahi kāhui ā-iwi, tētahi kāhui o Te Reo Tukutuku rānei, te Minita rānei e tango i tētahi mema, atu i ngā wā i āta 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

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.

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

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—

ka rīhaina ia i tōna tūranga;

ka tangohia rānei ia e Te Mātāwai;

ka mutu rānei tāna noho i te tūranga hei mema;

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.

Te rīhainatanga o te kaihautū, o te kaihautū tuarua rānei

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.

Me whakapuaki rawa e te pānui mō te rīhainatanga te rā e mana ai te rīhainatanga, ā, me kua rawa taua rā e tōmua ake i te rā i puta ai te pānui.

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

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.

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

Ngā tukanga

Me whakarite rawa e Te Mātāwai tāna ake tukanga.

Ngā hui

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.

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.

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.

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.

Kāore e āhei te whakatutukihanga o ngā take i roto i te hui a Te Mātāwai mehemea kāore he kōrama i reira.

I te horopaki o te rārangi iti (5) me te rārangi 13, ko te **kōrama**—

tētahi haurua rānei o te tokomaha o ngā mema (mehemea e taurua ana te tokomaha o ngā mema o Te Mātāwai);

te nuinga rānei o ngā mema (mehemea e taukehe ana te tokomaha o ngā mema o Te Mātāwai);

ngā mema tokorua rānei (mehemea tokorua noa iho ngā mema o Te Mātāwai).

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.

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(8) Ka pāhingia tētahi whakataunga ā-takitini a Te Mātāwai mehemea ka whakaaetia e ngā mema katoa i reira, me te kore o tētahi i whakahē, mehemea rānei ka tautokona e te nuinga o ngā pōti.

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 pīrangi 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 anō 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.

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Te mana tāpae

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

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.

Ka āhei tā Te Mātāwai tāpae āheinga ki—

tētahi mema, ki ngā mema rānei o Te Mātāwai;

te tumu whakarae rānei o Te Mātāwai;

tētahi kaimahi kē atu rānei, ki te tangata rānei e noho ana i tētahi tūranga o Te Mātāwai.

Me kaua rawa a Te Mātāwai e tāpae atu i te mana tāpae.

Me kaua rawa a Te Mātāwai e tāpae i raro i tēnei rārangi, kia ea rā anō ōna hiahia e mea ana,—

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;

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

Ko tērā i tohua ai kua whai āheinga, kua whai mana whakahaere—

atu i ngā wā ka tohua kia aha kē atu, te kawē i ngā āheinga, te whiu 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:

e āhei ana hoki te tāpae atu i te āheinga, i te mana whakahaere rānei, engari me—

mātua whakaae ā-tuhi rawa e Te Mātāwai;

pānui ā-tuhi rawa hoki ki te tuarua a wai rānei i tohua ai;

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;

me noho motuhake rawa hoki, ā, kāore e noho haepapa ana ki—
te kāhui ā-iwi nāna nei taua mema i kopou;
te kāhui o Te Reo Tukatuku rānei nāna nei taua mema i kopou;
te Minita rānei, mehemea i kopoua te mema i raro i te wehenga 20(1)(c), i te (4) rānei.

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Ko tētahi i tohua ai e kī ana kei te kawea ia i tētahi āheinga, kei te whiu rānei i tētahi mana whakahaere i raro i tētahi tāpaetanga—

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;

ka mutu me whakaatu rawa te taunakitanga o tōna mana ki te mahi pērā, mehemea ka āta tonoa.

Te pānga o te tāpaetanga

Kāore he tāpaetanga i hua ake e ai ki tēnei Ture—

e pā atu, e ārai rānei i te kawenga o te āheinga, i te whiunga rānei o te mana whakahaere e Te Mātāwai;

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;

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.

Te whakakorenga o te tāpaetanga

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.

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

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.

Me mahi rawa e Te Mātāwai ōna āheinga—

kia tōtika, kia whai hua; ā,

kia hāngai tonu ki te whakaaro nui ki te āwhina i te marea; ā,

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.

Me mahi rawa a Te Mātāwai i runga i te whakaaro nui ki te haepapa ā-pūtea, ā, i tēnei horopaki,—

me āta whakahaere rawa e ia ōna hua me ōna taunahatanga;

me whai rawa hoki ki te whakaū—

i tōna whai rawa ā-pae tawhiti;

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(ii) kia tū hei whakahaere ukiuki e angitu ana.

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.

Heoi anō, kāore te rārangi iti (4) i te hāngai ki te mema mehemea—

kāore ia i mōhio, ā, kāore i āta whakaarotia me mōhio rawa ia ka takahia, i te takahia rānei tētahi kawenga;

rānei i runga i ngā āhuetanga o te wā, i āta whai ia i ngā huarahi e tika ana kia kore ai e takahia te kawenga.

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).

Kāore he pānga o tēnei rārangi ki tētahi atu take mō te tango i te mema i tōna tūranga.

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.

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

Te kawenga ki te whai i tēnei āpitihanga

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

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.

Te kawenga kia mahi i runga i te ngākau pai

Me ngākau pai te mema i roto i āna mahi hei mema, ā, me kua rawa e whai i ngā pānga ōna hei painga mōna e hinga ai ngā pānga o Te Mātāwai.

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—

te āhua o Te Mātāwai;

te āhua hoki o te mahi;

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

25 Te kawenga kia kua e whāki kōrero

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 kua rawa e whāki atu i aua pārongo ki tangata kē, e whakamahi rānei, e mahi rānei i tētahi mahi nā aua pārongo, hāunga—

ngā wā ka mahia ngā āheinga o te hinonga;

rānei ngā wā ka herea e te ture, ka whakaaetia rānei e te ture;

rānei ngā wā e ai ki te rārangi iti (2);

ngā wā e whāia ana te whakaritenga kia whāki ngā mema i ngā pānga.

Ka āhei tā te mema whāki, tāna whakamahi, tāna mahi rānei i tētahi mahi i aua pārongo mehemea—

ka whakamanatia te mema e Te Mātāwai i mua;

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

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)—

ki te kaihautū o Te Mātāwai; ā,

ki tētahi rēhita pānga ka puritia e Te Mātāwai.

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.

Me kua 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.

I roto i tēnei rārangi, ko te **take** te mahi a Te Mātāwai i ōna āheinga i raro i tēnei Ture.

I te horopaki o tēnei rārangi, ka **whai pānga** te tangata i roto i te take—

mehemea ka whiwhi painga ā-pūtea ia i taua take:

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:

mehemea rānei ka whai pānga ā-pūtea ki te tangata, ki te hinonga rānei e whai pānga atu ai taua take:

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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:

mehemea rānei he tautika, he autaki rānei te whai pānga ki taua take.

Heoi anō, kāore te tangata e whai pānga ki te take—

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:

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

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.

Mehemea kāore te mema e whai rawa i āna kawenga takitahi, ka āhei tā Te Mātāwai tango i taua mema i te tūranga.

Ka āhei tā Te Mātāwai whiu i te mema ki te ture mō te takahitanga o tēnei kawenga takitahi.

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.

Kāore tēnei rārangi e pā ki take kē atu mō te tangohanga o te mema i te tūranga.

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

Kāore te mema e whiua, i te āhua o tētahi mahi kua mahia, o tētahi mahi rānei kāore i mahia,— e Te Mātāwai, atu i ngā wā he takahitanga hoki tērā i te kawenga takitahi i raro i ngā rārangi 21 ki te 26:

e tangata kē atu.

Kāore he mea i tēnei rārangi e pā atu ki—

te taunahatanga o te tangata ehara i te taunahatanga ā-ture kiri tangata:

te mana o te tangata ki te tono atu, e ai ki te ture, i tētahi arotakenga ā- kōti.

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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—

nā te ngākau kino:

ehara i te mahi, ehara rānei i te mahi e whāia ana kia mahia i roto i ngā āheinga o Te Mātāwai.

Te takahi i ngā taumata inihua

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.

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 fīmatanga 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

E tika ana kia whiwhi utu ngā mema o Te Mātāwai, e ai ki te anga utu, arā, ko—

ngā utu ka whakatauria e Te Mātāwai me te Minita;

ngā utunga hoki mō ngā utu tautika ka pau i te pīkau i ngā āheinga o Te Mātāwai, i āna mahi hoki.

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.

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Te kaupapa here taimahi

33 Te kaupapa here taimahi

Ki te tuku mahi a Te Mātāwai ki te tangata hei kaimahi,—

me whakahaere rawa i tētahi kaupapa here manaaki kaimahi e whai ana i te mātāpono o te noho hei kaituku mahi pai;

me whakawātea rawa hoki i taua kaupapa here (me te kaupapa whakaōrite whiwhinga mahi) ki āna kaimahi;

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.

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.

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—

haumaruru rawa, me pai rawa hoki ngā āhuatanga mahi:

whai rawa hoki i tētahi kaupapa whakaōrite whiwhinga mahi:

tōkeke rawa hoki te whiriwhiri tangata whai tohu hei kopoutanga:

whakaū rawa hoki i—

ngā whāinga a ngāi Māori, i ōna wawata hoki:

te hiranga o te whai wāhitanga mai o ngāi Māori hei kaimahi mā Te Mātāwai:

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:

wātea rawa hoki ngā huarahi hei whakapakari ake i ngā pūkenga o te kaimahi takitahi:

whakaū rawa hoki i ngā āhuatanga taimahi mō te wāhine:

whakaū rawa hoki i ngā āhuatanga taimahi mō te hunga manauhea.

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.

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Ngā tohu whakatau i te mōhio ki te reo Māori

1 Ka whakawhiwhi tohu whakatau a Te Taura Whiri

te wehenga 40

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.

Me pēnei rawa i tētahi o ēnei e whai ake nei te tohu:

he tohu whakatau i te mōhio ki te whakawhiti reo ā-waha:

he tohu whakatau i te mōhio ki te whakawhiti reo ā-tuhi:

he tohu whakatau i te mōhio ki te whakawhiti reo ā-waha, ā-tuhi hoki.

Ngā tohu mātauranga e riro ai te tohu

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

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

Ahako te rārangi 1(1), ka āhei tā Te Taura Whiri tāpae i te mana ki tētahi tangata, ki tētahi rangatōpū rānei,—

ki te aromatawai i ngā kaitono i ngā tohu:

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.

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

Ka āhei tā Te Taura Whiri whakamana tohu kia kīia ai he mōhio te kaupuri 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 kaupuri i te tohu—

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,

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(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.

Me whakaū rawa te mōhio o te kaipupuri 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 kaipupuri 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.

Heoi anō, kāore e āhei tā te kaipupuri 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 taraiipiunara rānei, tā te kaiwhakaatu rānei, tā tangata kē atu rānei tohe kia tū taua kaipupuri hei kaiwhakawhiti reo ā-waha rānei, hei kaiwhakawhiti reo ā-tuhi rānei, hei kaiwhakawhiti reo ā-waha, ā-tuhi hoki rānei.

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 kaipupuri i tētahi tohu (ahakoa i whakamanatia i raro i tēnei rārangi, kāore rānei) e mea ana—

kāore i eke ngā mahi whakawhiti reo ā-waha, ngā mahi whakawhiti reo ā-tuhi rānei, i te horopaki o ngā whakahaerenga:

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.

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 kaipupuri tohu

Ka āhei tā wai rānei tuku amuamu ki a Te Taura Whiri mō tētahi kaipupuri i tētahi tohu i runga rānei i te take—

kua whakaatu te kaipupuri 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 kaipupuri whai i te tohu:

i te kaipupuri 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.

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

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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.

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—

whakakore i te tohu:

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.

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—

whakakore i te whakamananga o te tohu ka tukuna i raro i te rārangi 4:

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.

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.

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 Ture mō Te Reo Māori 2016 Māori Language Act 2016

Version as at 5 April 2023

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**”.

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Māori Language Act 2016

Te Āpitianga 7

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,”.

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Te Āpitianga 7

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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 Āpitihianga 1, whakakorengia te Wāhanga 1.

I roto i te Āpitihianga 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 2, i te rārangi 33, whakakapia ngā kupu “Te Pūtahi Paoho,” ki ngā kupu “Te Mātāwai, on behalf of Te Mātāwai,” i ia wāhi.

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Te Āpitihanga 7

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

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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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 Āpitihianga, 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 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 Āpitihianga 2, i te Āpitihianga 1 o taua āpitihianga, 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”.

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Māori Language Act 2016

Te Āpitihianga 8

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 Āpitianga 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 Āpitianga 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”.

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Te Āpitianga 8

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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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 Āpitianga 2, i te puka 4, i te tuhipoto 1, whakakapia ngā kupu “Māori Language Act 1987” ki ngā kupu “Te Ture mō Te Reo Māori 2016/Māori Language Act 2016”.

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Schedule 1

Schedule 1

Transitional, savings, and related provisions

Transitional provisions relating to Te Taura Whiri

1 Term of office of existing members of Te Taura Whiri

s 14

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.

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

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

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

Status of contracts and other instruments

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.

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

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Schedule 1

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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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

The disestablishment of Te Pūtahi Paoho by section 39 does not affect—

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

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

documents, matters, or things that would have been admissible as evidence for or against Te Pūtahi Paoho.

It is not necessary to amend a pleading, writ, or other document to continue proceedings by or against Te Pūtahi Paoho.

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Schedule 2

Courts and tribunals before which Māori may be spoken

ss 7(7), 45(1)

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

Part A Courts

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

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 Waiohua

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

ss 13, 20

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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 Rangitīhi (Te Arawa) Ngāti Rangiwewehi (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)

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Schedule 3

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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Ngāti Tūwharetoa ki Kawerau (Bay of Plenty) Ngāti Tūrangitukua

Ngāti Kēaroa/Ngāti Tuara Ngāti Rongomai

Ngāti Tahu-Ngāti Whāoa (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-Pāpārangī Ngāti Haua (Taumarunui) Ngāti Rangī

Ngāti Hauti

Te Ātiawa (Wellington) Muaūpoko

Rangitāne (Manawatū)

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Te Ture mō Te Reo Māori 2016

Māori Language Act 2016

Schedule 3

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

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Schedule 4

Schedule 4

Organisations comprising Te Reo Tukutuku

Te Reo Tukutuku clusters

ss 13, 20, 45(3)

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

Education

Te Kōhanga Reo National Trust:

Te Rūnanga Nui o Ngā Kura Kaupapa Māori o Aotearoa:

Te Ringa Raupā o ngā Kura-ā-lwi:

Te Tauihu o Ngā Wānanga:

Media

Te Whakaruruhau o ngā Reo Irirangi Māori o Aotearoa:

Ngā Aho Whakaari:

Community

Te Rūnanga o Te Ātaarangi Trust:

Māori Women's Welfare League Incorporated:

New Zealand Māori Council:

Urban interests

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

This clause applies to the process for appointing persons as members of Te Mātāwai.

For the purposes of section 20(1)(a) and (b), selection groups must be set up, as required by section 20(2).

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),—

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

at least 60% of the iwi in an iwi cluster must nominate a representative.

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 Tūkotuku clusters), each organisation in a Te Reo Tūkotuku cluster must nominate a representative on behalf of that organisation for the selection group.

Each selection group must—

determine its own procedures for appointing members to Te Mātāwai; and

not appoint persons to Te Mātāwai who would be disqualified under section 30 of the Crown Entities Act 2004.

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.

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 defect existed in the appointment of the person; or

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

3 Validity of appointments

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.

This clause does not apply to a defect in the qualifications for appointment of a member.

4 Term of office

A member of Te Mātāwai holds office for 3 years or any shorter period stated in the notice of appointment.

A member may be reappointed for a maximum of 2 further terms.

A member continues in office despite the expiry of his or her term of office until—
the member is reappointed; or

the member's successor is appointed; or

the member resigns or dies; or

the member is adjudicated bankrupt; or

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.

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

A member of Te Mātāwai may, at any time and for any reason, be removed by—
the iwi cluster that appointed that member; or

the Te Reo Tūkūtu cluster that appointed that member; or

the Minister, if the member was appointed under section 20(1)(c).

A member may be removed under subclause (1)(a) or (b)—

by a selection group formed in accordance with clause 1(3) or (4); and

in accordance with the procedure used to appoint that member.

A removal made under subclause (1) must be made by written notice to the member (with a copy to Te Mātāwai).

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.

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(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

A member of Te Mātāwai may resign from office by written notice to Te Mātāwai signed by the member.

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

Term of appointment of chairperson and deputy chairperson

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

he or she resigns from his or her office; or

he or she is removed from it by Te Mātāwai; or

he or she ceases to hold office as a member; or

any term of office that was specified on appointment expires, unless the member is reappointed for a further term.

Resignation of chairperson or deputy chairperson

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

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

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.

The notice of removal must state the date on which the removal takes effect.

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

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.

The chairperson must preside at a meeting if the chairperson is present and not interested (as defined in clause 26(5)) in the matter.

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.

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.

No business may be transacted at a meeting of Te Mātāwai if a quorum is not present.

For the purposes of subclause (5) and clause 13, **quorum** means—

half the number of members (if Te Mātāwai has an even number of members);
or

a majority of the members (if Te Mātāwai has an odd number of mem- bers); or

both members (if Te Mātāwai has only 2 members).

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.

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—

by a quorum of the members, being assembled together at the time and place appointed for the meeting; or

by means of audio, audio and visual, or electronic communication, but only if—

all of the members who wish to participate in the meeting have access to the technology needed to participate in the meeting; and

a quorum of members can simultaneously communicate with each other throughout the meeting.

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14 Unanimous written resolutions

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.

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

Te Mātāwai may, by resolution, appoint subcommittees comprising 1 or more of its members—

to advise Te Mātāwai on any matters relating to Te Mātāwai's functions that Te Mātāwai refers to the subcommittee; or

to perform any of Te Mātāwai's functions that it delegates to the subcommittee.

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.

Te Mātāwai may, by resolution, disestablish or reconstitute any subcommittee appointed by it.

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

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.

Functions may be delegated to—
a member or members of Te Mātāwai; or
the chief executive of Te Mātāwai; or
any other employee or office holder of Te Mātāwai.

Te Mātāwai must not delegate the power to delegate.

Te Mātāwai must not make a delegation under this clause unless it is satisfied that,—
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

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(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

A delegate to whom a function or power is delegated—

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

may delegate the function or power, but only—

with the prior written consent of Te Mātāwai; and

in writing to the subdelegate; and

subject to the same restrictions and with the same effect as if the subdelegate were the delegate; and

must act independently and is not responsible to—

the iwi cluster that appointed the member; or

the Te Reo Tūkutuku cluster that appointed the member; or

the Minister, if the member was appointed under section 20(1)(c) or (4).

A delegate who purports to perform a function or exercise a power under a delegation—

is, in the absence of proof to the contrary, presumed to do so in accordance with the terms of that delegation; and

must produce evidence of his or her authority to do so, if reasonably requested to do so.

Effect of delegation

No delegation made in accordance with this Act—

affects or prevents the performance of any function or the exercise of any power by Te Mātāwai; or

affects the responsibility of Te Mātāwai for the actions of any delegate acting under the delegation; or

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.

Revocation of delegation

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

A delegation under clause 17(1)(b) may be revoked at will by written notice of the delegate to the subdelegate.

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Collective duties of Te Mātāwai and members

20 Collective duties

Te Mātāwai must act in a manner consistent with its objectives, functions, current statement of intent, and purchase agreement.

Te Mātāwai must perform its functions—

efficiently and effectively; and

in a manner consistent with the spirit of service to the public; and

in collaboration with other public entities (within the meaning of that term under section 5 of the Public Audit Act 2001) where practicable.

Te Mātāwai must operate in a financially responsible manner and, for that purpose,—

prudently manage its assets and liabilities; and

endeavour to ensure—

its long-term financial viability; and

that it acts as a successful going concern.

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.

However, subclause (4) does not apply to a member if—

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

he or she took all reasonable steps in the circumstances to prevent the duty being breached.

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).

This clause does not affect any other ground for removing a member from office.

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.

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.

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Duty to act with honesty and integrity

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

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.

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)—

the nature of Te Mātāwai; and

the nature of the action; and

the position of the member and the nature of the responsibilities undertaken by him or her.

Duty not to disclose information

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—

in the performance of Te Mātāwai's functions; or

as required or permitted by law; or

in accordance with subclause (2); or

in complying with the requirement for members to disclose interests.

A member may disclose, make use of, or act on the information if—

the member is first authorised to do so by Te Mātāwai; and

the disclosure, use, or act in question will not, or is unlikely to, prejudice Te Mātāwai.

26 Duty to disclose interest

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)—

to the chairperson of Te Mātāwai; and

in an interests register kept by Te Mātāwai.

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

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.

In this clause, **matter** means Te Mātāwai's performance of its functions under this Act.

For the purposes of this clause, a person is **interested** in a matter if he or she—
may derive a financial benefit from the matter; or

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

may have a financial interest in a person or an entity to whom or to which the matter relates; or

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

is otherwise directly or indirectly interested in the matter.

However, a person is not interested in a matter—

because he or she receives insurance cover, remuneration, or other benefits authorised under this Act; or

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

The duties of the members of Te Mātāwai under clauses 21 to 26 (individual duties of members) are duties owed to Te Mātāwai.

If a member does not comply with his or her individual duties, Te Mātāwai may remove that member from office.

Te Mātāwai may bring an action against a member for breach of any individual duty.

Except as provided in subclauses (2) and (3), a member is not liable for a breach of an individual duty under this Act.

This clause does not affect any other ground for removing a member from office.

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

A member is not liable, in respect of an excluded act or omission,—
to Te Mātāwai, unless it is also a breach of an individual duty under any of clauses 21 to 26:

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(b) to any other person.

Nothing in this clause affects—

the liability of any person that is not a civil liability:

the right of any person to apply, in accordance with the law, for judicial review.

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—

in bad faith:

not in the performance or intended performance of Te Mātāwai's functions.

Breach of insurance limits

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.

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

The members of Te Mātāwai are entitled to be paid, in accordance with the fees framework,—

fees as determined by Te Mātāwai and the Minister; and

reimbursement for actual and reasonable expenses incurred in under- taking the functions and duties of Te Mātāwai.

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

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Employment policy

33 Employment policy

Te Mātāwai must, if it employs people,—

operate a personnel policy that complies with the principle of being a good employer; and

make that policy (including the equal employment opportunities pro- gramme) available to its employees; and

comply with that policy (including its equal employment opportunities programme) and report in its annual report on the extent of its compli- ance.

Te Mātāwai must, after consulting with the Public Service Commissioner, set the terms and conditions of employment for its chief executive.

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—

safe and good working conditions; and

an equal employment opportunities programme; and

the impartial selection of suitably qualified persons for appointment; and
recognition of—
the aims and aspirations of Māori; and
the need for involvement of Māori as employees of Te Mātāwai; and
recognition of the aims and aspirations and employment requirements, and the cultural differences, of ethnic or minority groups; and
opportunities for enhancing the abilities of individual employees; and
recognition of the employment requirements of women; and
recognition of the employment requirements of persons with disabilities.

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).

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Certificates of competency in Māori language

1 Te Taura Whiri to grant certificates

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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.

A certificate must be one of the following:

a certificate of competency in interpreting the Māori language:

a certificate of competency in translating the Māori language:

a certificate of competency in interpreting and translating the Māori language.

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.

Te Taura Whiri may delegate power to issue certificates

Despite clause 1(1), Te Taura Whiri may delegate to any person or body the power—

to assess applicants for certificates; and

to grant certificates to those applicants who are found to be qualified to be the holders of such certificates.

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

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—

has a sufficient degree of competency in interpreting or translating the Māori language or both (as the case may require); and

has undergone an appropriate course of training or instruction in the duties of an interpreter or translator or both in legal proceedings.

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

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language or both (as the case may require) for the purposes of any legal proceedings.

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.

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)—

has failed to interpret or translate adequately for the purposes of the proceedings; or

has acted in a manner that is inconsistent with the duties of an interpreter or a translator in legal proceedings.

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

Any person may lodge with Te Taura Whiri a complaint against the holder of a certificate on the ground that—

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

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.

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.

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—

cancel the certificate; or

suspend the certificate until such time as Te Taura Whiri is satisfied that the person is qualified to hold the certificate.

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—

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 trans- late the Māori language or both (as the case may require) for the pur- poses of any legal proceedings.

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 deci- sion and of the reasons for it.

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.

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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)

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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:

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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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”.

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Māori Language Act 2016

Schedule 7

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”.

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Schedule 8

Te Ture mō Te Reo Māori 2016 Māori Language Act 2016

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Schedule 8

Consequential amendments to other enactments

s 50

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”.

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Schedule 8

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
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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”.

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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”.

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**Te Ture mō Te Reo Māori 2016
Māori Language Act 2016**

Notes

Notes

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.

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.

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.

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

Wellington, New Zealand:

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Appendix D: The Treaty Principles Bill

Principles of the Treaty of Waitangi Bill

Government Bill

Explanatory note

General policy statement

The Principles of the Treaty of Waitangi Bill implements the Government policy to introduce a Treaty principles Bill, based on existing ACT Party policy, and to support it to a select committee as soon as practicable.

The overarching objective of the Bill is to define what the principles of the Treaty of Waitangi are in statute to—

create greater certainty and clarity to the meaning of the principles in legis- lation:

promote a national conversation about the place of the principles in our consti- tutional arrangements:

create a more robust and widely understood conception of New Zealand’s con- stitutional arrangements, and each person’s rights within them:

build consensus about the Treaty/te Tiriti and our constitutional arrangements that will promote greater legitimacy and social cohesion.

Parliament introduced the concept of the Treaty principles into legislation in the Treaty of Waitangi Act 1975, partially to reconcile the differences between the 2 texts. Parliament, however, did not define those principles.

The Treaty principles, as defined at this time, help reconcile differences between the te reo Māori and English texts and give effect to the spirit and intent of the Treaty when applied to contemporary issues. They apply to policy and operational decisions by Government (exactly what this requires depends on the context and there is guid- ance available to assist decision makers). They are used in the interpretation of legis- lation and are used by the Tribunal to review proposed Crown action or inaction, policies, and legislation.

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2 **Principles of the Treaty of Waitangi Bill** Explanatory note

Summary of key features

Principles

Civil government—the Government of New Zealand has full power to govern, and Parliament has full power to make laws. They do so in the best interests of everyone, and in accordance with the rule of law and the maintenance of a free and democratic society.

Rights of hapū and iwi Māori—the Crown recognises the rights that hapū and iwi had when they signed the Treaty/te Tiriti. The Crown will respect and protect those rights. Those rights

differ from the rights everyone has a reasonable expectation to enjoy only when they are specified in Treaty settlements.

Right to equality—everyone is equal before the law and is entitled to the equal protection and equal benefit of the law without discrimination. Everyone is entitled to the equal enjoyment of the same fundamental human rights without discrimination.

Application

The Bill is an instrument of Parliament created for the purpose of interpreting Parliament's intent when it passes legislation.

The defined principles would be used exclusively to assist with the interpretation of an enactment where Treaty principles would normally be considered relevant, in addition to legislation that refers to Treaty principles directly. This does not necessarily require Treaty principles to be explicitly referenced in the legislation in question. Their application in decision making is determined by the nature of the decision rather than the explicit reference in legislation.

The Bill does not alter or amend the text of the Treaty/te Tiriti itself and does not apply to the interpretation of a Treaty settlement Act.

Commencement

The Bill will come into force if a majority of electors voting in a referendum support it. The Bill will come into force 6 months after the date on which the official result of that referendum is declared.

If a majority of electors voting in a referendum do not support the Bill, it will automatically be repealed.

Departmental disclosure statement

The Ministry of Justice is required to prepare a disclosure statement to assist with the scrutiny of this Bill. The disclosure statement provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2024&no=94>

Regulatory impact statement

The Ministry of Justice produced a regulatory impact statement on 28 August 2024 to help inform the main policy decisions taken by the Government relating to the contents of this Bill.

A copy of this regulatory impact statement can be found at—

<https://www.beehive.govt.nz/release/next-steps-agreed-treaty-principles-bill>

<https://treasury.govt.nz/publications/informationreleases/ris>

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides for the Bill to come into force 6 months after the date on which the official result of a referendum is announced if a majority of electors voting in that referendum support the Bill coming into force.

Part 1 Preliminary provisions

Clause 3 states the purpose of the Bill.

Clause 4 defines terms used in the Bill.

Clause 5 provides that the Bill, when enacted, will bind the Crown.

Part 2

Principles of Treaty of Waitangi

Clause 6 sets out the principles of the Treaty of Waitangi for the purposes of the Bill.

Clause 7 provides that the principles of the Treaty of Waitangi set out in the Bill must be used to interpret an enactment if principles of the Treaty of Waitangi are relevant to interpreting that enactment. This is the case whether the reference to principles is express or implied.

Clause 8 provides that the Bill does not apply to the interpretation of a Treaty settlement Act, or the Treaty of Waitangi Act 1975 in relation to the settlement of a historical Treaty claim entered into after the commencement of the Bill.

Clause 9 provides that the Bill does not amend the text of the Treaty of Waitangi/te Tiriti o Waitangi.

Hon David Seymour

Principles of the Treaty of Waitangi Bill

Government Bill

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to interpret enactments

Act not to apply to interpretation of Treaty settlement Act or 4
settlement of historical Treaty claim under Treaty of Waitangi Act 1975

Treaty of Waitangi/te Tiriti o Waitangi not amended 4

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Principles of the Treaty of Waitangi Act **2024**.

2 Commencement

- (1) If a majority of electors voting in a referendum respond to the question in 5
sub-section (2) supporting this Act coming into force, this Act comes into
force 6

months after the date on which the official result of that referendum is declared.

The wording of the question to be put to electors in a referendum for the purposes of **subsection (1)** is—

“Do you support the Principles of the Treaty of Waitangi Act **2024** coming into force?”

The wording of the 2 options for which electors may vote in response to the question is—

“Yes, I support the Principles of the Treaty of Waitangi Act **2024** coming into force.” 10

“No, I do not support the Principles of the Treaty of Waitangi Act **2024** coming into force.”

If a majority of electors voting in a referendum respond to the question in **subsection (2)** that they do not support this Act coming into force, this Act is repealed on the day after the date on which the official result of that referendum is declared. 15

This Act is repealed if it does not come into force under **subsection (1)** within 5 years after the date on which it receives Royal assent.

In this section, **referendum**—

means a referendum providing electors with an opportunity to decide 20 whether this Act should come into force; and

includes any fresh referendum required to be held if the High Court, on a petition, declares the referendum under **paragraph (a)** to be void.

Part 1

Preliminary provisions 25

Purpose

The purpose of this Act is—

to set out the principles of the Treaty of Waitangi in legislation; and

to require, where relevant, that those principles must be used when interpreting legislation. 30

Interpretation

In this Act,—

historical Treaty claim has the same meaning as in section 2 of the Treaty of Waitangi Act 1975

Treaty settlement Act means— 35

an Act listed in Schedule 3 of the Treaty of Waitangi Act 1975; and

any of the following:

the Maori Commercial Aquaculture Claims Settlement Act 2004:

the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014:

the Nga Wai o Maniapoto (Waipa River) Act 2012: 5

the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010:

the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and secondary legislation that gives effect to section 10 of that

Act: 10

any other Act that—

provides collective redress or participation arrangements for claimant groups whose historical Treaty claims are, or are to be, settled by another Act; or

otherwise relates to the settlement of a historical Treaty 15

claim.

Act binds the Crown

This Act binds the Crown.

Part 2

Principles of Treaty of Waitangi 20

Principles of Treaty of Waitangi

The principles of the Treaty of Waitangi are as follows:

Principle 1

The Executive Government of New Zealand has full power to govern, and the Parliament of New Zealand has full power to make laws,—

in the best interests of everyone; and

in accordance with the rule of law and the maintenance of a free and democratic society.

Principle 2

The Crown recognises, and will respect and protect, the rights that hapū and iwi Māori had under the Treaty of Waitangi/te Tiriti o Waitangi at the time they signed it.

However, if those rights differ from the rights of everyone, **subclause**

(1) applies only if those rights are agreed in the settlement of a historical treaty claim under the Treaty of Waitangi Act 1975.

Principle 3

Everyone is equal before the law.

Everyone is entitled, without discrimination, to—

the equal protection and equal benefit of the law; and

the equal enjoyment of the same fundamental human rights.

7 Principles of Treaty of Waitangi set out in section 6 must be used to interpret enactments

(1) The principles of the Treaty of Waitangi set out in **section 6** must be used to interpret an enactment if principles of the Treaty of Waitangi are relevant to

interpreting that enactment (whether by express reference or by implication).⁵

(2) Principles of the Treaty of Waitangi other than those set out in **section 6** must not be used to interpret an enactment.

(3) This section applies despite any other enactment, except **section 8**.

8 Act not to apply to interpretation of Treaty settlement Act or settlement of

historical Treaty claim under Treaty of Waitangi Act 1975 10

This Act does not apply to the interpretation of a Treaty settlement Act, or the

Treaty of Waitangi Act 1975 in relation to the settlement of a historical Treaty

claim entered into after the commencement of this Act.

9 Treaty of Waitangi/te Tiriti o Waitangi not amended

Nothing in this Act amends the text of the Treaty of Waitangi/te Tiriti o Waitangi.

Appendix E: Indigenous Languages Act 2019

Purposes of Act

Purposes

5 The purposes of this Act are to

support and promote the use of Indigenous languages, including Indigenous sign languages;

support the efforts of Indigenous peoples to reclaim, revitalize, maintain and strengthen Indigenous languages, including their efforts to

assess the status of distinct Indigenous languages,

plan initiatives and activities for restoring and maintaining fluency in Indigenous languages,

create technological tools, educational materials and permanent records of Indigenous languages, including audio and video recordings of fluent speakers of the languages and written materials such as dictionaries, lexicons and grammars of the languages, for the purposes of, among other things, the maintenance and transmission of the languages,

support Indigenous language learning and cultural activities — including language nest, mentorship and immersion programs — to increase the number of new speakers of Indigenous languages,

Current to January 22, 2025

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Last amended on November 27, 2024

Indigenous Languages Act

Purposes of Act

Sections 5-6

support entities specialized in Indigenous languages, and

undertake research or studies in respect of Indigenous languages;

establish a framework to facilitate the effective exercise of the rights of Indigenous peoples that relate to Indigenous languages, including by way of agreements or arrangements referred to in sections 8 and 9;

establish measures to facilitate the provision of adequate, sustainable and long-term funding for the reclamation, revitalization, maintenance and strengthening of Indigenous languages;

facilitate cooperation with provincial and territorial governments, Indigenous governments and other Indigenous governing bodies, Indigenous organizations and

other entities in a manner consistent with the rights of Indigenous peoples and the powers and jurisdictions of Indigenous governing bodies and of the provinces and territories;

(e.1) facilitate meaningful opportunities for Indigenous governments and other Indigenous governing bodies and Indigenous organizations to collaborate in policy development related to the implementation of this Act;

respond to the Truth and Reconciliation Commission of Canada's Calls to Action numbers 13 to 15; and

contribute to the implementation of the United Nations Declaration on the Rights of Indigenous Peoples as it relates to Indigenous languages.

Rights Related to Indigenous Languages

Recognition by Government of Canada

6 The Government of Canada recognizes that the rights of Indigenous peoples recognized and affirmed by section 35 of the *Constitution Act, 1982* include rights related to Indigenous languages.