

House of Representatives

Amendment Paper

Māori Fisheries Amendment Bill

Proposed amendments

Hon Shane Jones, in Committee, to move the following amendments:

Clause 82: section 167(1)

In *clause 82(1)*, delete “granting” in the first place it appears (page 52, line 22).

After *clause 82(1)* (page 52, after line 24), insert:

(1A) In section 167(1)(b), replace “5 years” with “10 years”.

Schedule 2: new Part 2 of Schedule 1AA: new clause 13A

In *Schedule 2*, after *new clause 13 of new Part 2 of Schedule 1AA* (page 65, after line 25), insert:

13A Constraints on transactions

- (1) Section 167(1)(b) as amended by the **Māori Fisheries Amendment Act 2022** applies only to transactions entered into on or after the commencement of this clause.
- (2) Transactions entered into before that commencement continue to be subject to section 167(1)(b) as in force immediately before that commencement.

Explanatory note

This Amendment Paper sets out amendments to the Māori Fisheries Amendment Bill as reported from te Komiti Whiriwhiri Take Māori (the **Bill**).

Constraints on transactions that could result in disentitlement to income from, or control or use of, annual catch entitlements arising from settlement quota

Section 167(1)(b) of the Māori Fisheries Act 2004 (the **Act**), as to be amended by the **Bill**, ensures that *new section 162* of the Act applies if a mandated iwi organisation

proposes to enter into a transaction that could, if the rights under the transaction were exercised, result in the iwi being disentitled, for a period of more than 5 years, to—

- the income from annual catch entitlements arising from settlement quota; or
- the control or use of the annual catch entitlements arising from that quota.

New section 162 of the Act says that a mandated iwi organisation may sell settlement quota only if—

- its constitutional document expressly permits it to sell settlement quota; and
- the transaction complies with the requirements of the constitutional document.

This Amendment Paper adjusts section 167(1)(b) of the Act to replace “5 years” with “10 years”.