

TREATY OF WAITANGI AMENDMENT BILL

This translation of the Treaty of Waitangi Amendment Bill into the Maori language has been prepared in accordance with a direction given by Mr Speaker under Standing Order 97.

TE PIRE WHAKAHOU I TE TURE O TE TIRITI O WAITANGI

HE KORERO WHAKAMARAMA

He Pire whakahou tenei i te Ture o Te Tiriti o Waitangi 1975. Ko te wahi tino hou rawa atu, ko tera e pa ana ki te Taraipiunara, a, me te tokomaha hoki o nga mema mo taua ropu.

I raro i nga whakahaere o te Ture Matua, Tekihana 6(1), e ahei ana te Taraipiunara ki te whakarongo ki nga tono a tetahi Maori, a tana ropu Maori ranei, e whakapae ana mo te he o nga ture e pa ana ki a ia, ara, nga ture kua oti ke te waihanga hei ture, i nga ture ranei i whakamanatia i muri iho i te whakaaeatanga o taua Ture, ki nga kaupapa ranei, tae atu ki nga whakahaere kua whakaaeatia, ki nga whakahaere ranei tera e whakaaeatia e te Karauna, e tetahi atu ranei mo te Karauna i muri mai i te whakamanatanga o taua Ture, tae atu hoki ki nga mahi e mahia ana, kaore ranei e mahia ana, mo nga mahi tera ka mahia, kaore ra e mahia e te Karauna, e tetahi atu ranei mo te Karauna, i muri mai i te whakamanatanga o taua Ture, a tae atu hoki ki nga tono e whakapae ana kaore ke aua Ture, aua kaupapa, aua mahi ranei, a, taua mahi ranei, ki nga wehenga ranei kihai i whakaturetia kaore ke i te mau ki nga kaupapa i whakapuakitia e te Tiriti o Waitangi.

Otira ko te mea nui ke hei tirohanga ma tatou, ko enei, ara, ko nga tono anake ka puta mai i muri iho o te Ture Matua nga tono e ahei ana te Taraipiunara ki te whiriwhiri i tenei wa.

Ma te Tekihana 3 o tenei Pire e whakakahore tena take, a, ka hoatu hoki ki te Taraipiunara te mana hei whiriwhiri i nga tono ka puta i tena wa, i tena wa, i nga tono ranei ka puta a muri mai i te 6 o Pepeura 1840.

Tokotoru noa nga mema o te Taraipiunara i tenei wa, ko te Tiati Matua o Te Kooti Whenua Maori (te Tiamana), tetahi atu na te Minita o nga Ture i whakaingoa, a, i tautoko, a, tetahi atu hoki na te Minita Maori i whakaingoa, a i tautoko hoki. Ma Tekihana 2 o tenei Pire e whakatokomaha ake nga mema kia tokowhitu, ara, te Tiati Matua o Te Kooti Whenua Maori (ko ia hei Tiamana) me etahi atu mema tokoono (tokowha o enei hei Maori) he mea whakatu ki tenei turanga, i runga ano i te tono a te Minita Maori i muri mai i ta raua whiriwhiri ko te Minita o nga Ture.

Ko te whakahau hoki ki te Minita Maori i te wa e tirohia ana ko wai ma hei mema, me ata whiriwhiritia e ia te mohiotanga me te maramatanga hoki o te hunga e whiriwhiritia ana, i nga take tera ka tae mai ki te aroaro o te Taraipiunara, a tae atu hoki ki te ahua o ia tangata, o ia tangata me tana tika mo tenei mahi. He mana ano hoki ka tukua e Tekihana 5 ki te Taraipiunara, ara, mehemea tokowha noaiho nga mema (tae atu hoki ki te Tiamana) i te hui, ki te whakamatau i tetahi take, e mana ana te pooti a te nuinga o nga mema, engari mehemea e orite ana nga mea e whakaaea ana, nga mea hoki kaore e whakaaea ana, kaati ma te pooti a te Tiamana e whakatau te take.

Ko nga Tekihana 6 me te 8 he tuku mana ki te Taraipiunara ki te kimi kai tiro tiro hei awhina i nga mahi a te Taraipiunara. E hoatu ana hoki te mana ki te Taraipiunara kia ahei ai ki te whakaingoa te tangata kotahi, neke atu ranei, mo te tunga kai tiro tiro, a, ka whai mana hoki te Taraipiunara ki te whakahau tetahi apiha kai tiro tiro, tetahi atu tangata ranei ki te kimi kaupapa korero, a ki te whakahoki korero mai hoki mo te take kei te aroaro o te Taraipiunara. Ko nga whakahoki korero mai nei, nga take korero ma te Taraipiunara, a ko nga ropu e tono take ana ki te Taraipiunara e whai panga ana ki enei korero, a, e ahei ana hoki ratau ki te whakatakoto korero mo enei korero.

E whai mana ana hoki te Taraipiunara i raro i nga whakahaere o Tekihana 7, ki te whakatu i tetahi roia hei awhina i te whakahaere o nga take kei te aroaro o te Taraipiunara, a, ki te whakaingoa ranei he roia awhina mo te tangata e tono take ana ki te Taraipiunara ina hiahiatia he tangata awhina.

Ko nga Tekihana 4 me te 9 hei whakatikatika i nga wahanga o te Reo Maori e he ana i roto i te Tiriti o Waitangi, a, i roto hoki i nga ture o te Ture Matua, me Te Ra o Waitangi 1976.

Hon. K. T. Wetere

TE TURE WHAKAHOU I TE TURE O TE TIRITI O WAITANGI

WHAKAWHAITITANGA

Ingoa	5. Nga hui a te Taraipiunara
1. Ingoa poto me te timatatanga	6. E ahei ana te Taraipiunara ki te whaka- hau he kai tiroiro, a, ki te tono hoki he ripoata tautoko
2. Te Taraipiunara o Waitangi	7. Te waitohu he roia
3. Te mana o te Taraipiunara ki te whiri- whiri i nga take	8. Nga kai mahi mo te Taraipiunara
4. He wahanga hou te Reo Maori mo te Ture Matua	9. Ko te Reo Maori hou mo te Ture o Te Ra o Waitangi 1976

TE INGOA O TENEI PIRE

He Ture hei whakahou i Te Ture o Te Tiriti o Waitangi 1975

Na ka meingatia hei Ture e te Runanga Nui o Niu Tirenī e
5 noho huihui ana i roto i te Paremata i runga hoki i te mana
o taua Runanga nga whakaritenga ka whakaturia i raro iho
nei:

1. Te ingoa poto o tenei Pire me te timatatanga—(1) Ka
meinga tenei Ture ko Te Ture Whakahou i Te Tiriti o Waitangi
10 1984, a, ka korero ngatahitia hoki me te Ture o Te Tiriti o
Waitangi 1975 (a muri ake nei ka whakahuatia ake ko Te Ture
Matua) a ka meinga hoki hei wahanga mo te Ture Matua.

(2) Ka meinga tenei hei Ture, a te kotahi o Hurae 1985.

2. Te Taraipiunara o Waitangi—(1) Ko te Tekihana 4 o
15 Te Ture Matua, ka whakahoutia i te whakakahoretanga o te
wahanga (2) a ka whakaurua atu hoki nga wahanga e whai ake
nei:

“(2) Ko enei nga mema mo te Taraipiunara:

“(a) Ko te Tiati Matua o Te Kooti Whenua Maori, a ko ia ano hoki hei Tiamana:

“(b) Toko ono atu hoki etahi atu mema, a, tokowha o ratau hei Maori, a ma Te Kawana Tianara e whakamana te whakatunga o aua mema i runga ano i te tono a te Minita Maori i muri mai i ta raua whiriwhiri ko te Minita o nga Ture. 5

“(2A) I te wa e tirohia ana te tangata e tika ana hei mema mo te Taraipiunara, me ata whiriwhiritia e te Minita Maori te mohiotanga, te maramatanga hoki o taua tangata ki te ahua o nga take huhua tera e tae mai ki te aroaro o te Taraipiunara, a, kaua hoki e tirohia ko te taha pai anake o taua tangata.” 10

(2) Tekihana 4 (3) ka whakahoutia inaianei ina ka whakahoretia nga kupu a nga rarangi korero “ranei o (c).” 15

3. Te Mana Whiriwhiri Take o Te Taraipiunara—(1) Ka whakahoutia e te Tekihana 6 o Te Ture Matua, ina ka whakakoretia te tekihana iti (1) a, ka whakaurutia atu te tekihana iti e whai ake nei:

“(1) Ina ka whakapae tetahi Maori, tetahi ropu Maori o taua Maori, e tukinotia ana ia, a, tera ranei e tukinotia e— 20

“(a) Nga ture i whakaritea e te Runanga Waihanga Ture o Niu Tireni, e nga Ture ranei a nga Runanga o nga rohe Kaunihera o New Munster, e etahi atu Ture ranei (ahakoa e ture tonu ana, kaore ranei) he mea whakature i te wa, i muri mai ranei o te 6 o Pepuera 1840: ko tenei ranei 25

“(b) E nga Ture whakahaere, e nga whakahau a te Ture ranei, a nga tono ranei a te Ture, e nga panuitanga ranei o te Ture, e nga pukapuka e pa ana ranei ki te Ture, i tukua hei Ture i te wa, i muri mai ranei i te 6 o Pepuera 1840 a tae atu hoki ki nga whakahau a te Ture, ki tetahi atu Ture ranei, e whakaingoatia ake nei i roto i te whakararangi korero (a) o tenei Tekihana iti: ko tenei ranei 30 35

“(c) E tetahi kaupapa, e tetahi whakahaere (ahakoa e mana tonu ana, kaore ranei) e atawhaitia ana e te Karauna, e atawhaitia ana ranei ma te Karauna, e tetahi kaupapa, e tetahi mahi ranei ka awhitia e te Karauna, ka awhitia ranei ma te Karauna: ko tenei ranei 40

“(d) E tetahi mahi i mahia, kaore ranei i mahia mai i te wa, i muri mai ranei i te 6 o Pepuera 1840, e tetahi mahi e whakahautia ana, kaore ranei e whakahautia ana e te Karauna, ma te Karauna ranei— 45

a, e ahei ana te tangata tonu take ki te mea, kaore ke nga Ture whakahau, nga Ture, nga Ture whakahaere, nga Ture whakamahi i nga Tono a te Ture, nga panui a Ture, nga pukapuka a Ture, nga kaupapa, nga mahi a te Ture, nga
5 wahanga ranei i mahue ki waho i nga Ture, kihai ke i te whai i te kaupapa me te wairua o Te Tiriti o Waitangi, a, ka ahei hoki te tangata ki te tuku i tana tonu i raro i tenei tekiana o te Ture.”

“(6) Kahore he mea kei tenei Tekiana e tuku mana atu ana
10 ki te Taraipiunara e pa ana ki tetahi Pire katahi ano ka panui tuatahitia ki te Whare Paremata, engari e whai mana ana te Taraipiunara ina ka tukua atu te Pire ki a ratau, i raro i nga whakahaere o te Tekiana 8 o tenei Ture.”

4. He Wahanga Hou o Te Reo Maori mo te Ture
15 **Matua**—Te Wahanga Tuatahi tonu o te Ture Matua te mea ka whakahoutia i te whakakahoretanga i te Reo Maori o tenei wahanga, mo te Reo Maori kua whakaritea mo tenei wahanga o tenei Ture.

5. Nga hui a te Taraipiunara—Ko te take korero 5, o te
20 Wahanga Tuarua o Te Ture Matua, ka whakahoutia, i te whakakoretanga o te tekiana iti (4), a i te whakaurutanga mai hoki o enei tekiana iti e whai ake nei:

“(4) Ahakoa he aha te tonu ka tae atu ki te Taraipiunara me
korerotia e ratau, a me homai hoki he whakatau mo aua tonu,
25 a, ko nga Pire katoa, nga ture e whakaarohia ana, ko nga Whakahau i roto i te Kaunihera ranei, me whiriwhiria e te Taraipiunara a katahi ka tonu atu i o ratau whakaaro, a, e ahei ana nga mema Tokowha (ko te Tiamana nei tetahi) ki te whakatau i enei ahuatanga e korerotia ake nei.

30 “(4A) Ina heipu te tautohetohe i roto i te Taraipiunara, ahakoa nei mo te aha te take, ko te whakatau a te nuinga ka whai mana, a ko tenei hoki te whakatau ma te Taraipiunara, engari mehemea orite tonu te nui o nga mema e whakaaea ana, e whakahe ana ranei, waiho ma te pooti a te Tiamana e
35 whakatau he whakatau ma te Taraipiunara.”

6. E ahei ana te Taraipiunara ki te whakahau he kai tiroiro, a, ki te tonu hoki he ripoata tautoko—Ka whakahoutia te Wahanga Tuarua o te Ture Matua i te whakaurunga atu i muri mai i te whakatakoto korero 5, tenei
40 e whai ake nei:

“5A. (1) Mehemea he tonu kei mua o te Taraipiunara, e ahei ana te Taraipiunara ki te komihana i tetahi tangata (ahakoa

he mema kai mahi no te Taraipiunara, i whakaturia hei kai mahi e te kaupapa whakatakoto korero 9, a, ehara ranei i te mema kai mahi) hei tirotiro i nga take katoa e pa ana ki taua tono, a, ki te whakareri me te whakata hoki he ripoata, hei whiriwhiritanga ma te Taraipiunara. 5

“(2) E ahei ana te Taraipiunara ki te tango, hei take tapiri, he ripoata i hangaia, a, i tukua atu hoki ki a ratou i raro i nga whakahau o te kaupapa korero (1) o tenei kaupapa korero.

“(3) Ko nga ropu katoa e whai panga ana ki tenei take, e ahei ana ki tetahi kape o te ripoata, a e ahei ana hoki ki te tuku whakaaro atu mo taua ripoata ki te Taraipiunara.” 10

7. Te waitohu he roia kai awhina—Ka whakahoutia te Wahanga Tuarua o te Ture Matua, i te whakaurunga atu, i muri iho o te kaupapa korero 7, enei e whai ake nei:

“7A. (1) E ahei ana te Taraipiunara ki te waitohu he roia kai awhina, hei awhina i te whakahaere o nga take, o etahi wahi ranei o nga take kei te aroaro o te Taraipiunara. 15

“(2) E ahei ana te Taraipiunara ki te waitohu i tetahi roia kai awhina mo te kai tono take, i etahi ranei o nga take e whakahaeretia ana i te aroaro o te Taraipiunara, mehemea, ki te whakaaro o te Taraipiunara, ka he te pa o te ture ki te kai tono take mehemea kaore e waitohuhia he roia kai awhina mona. 20

“(3) Ko nga roia kai awhina katoa ka waitohuhia e tenei Ture, ma nga moni i wehetia e te Kawanatanga mo te kaupapa, a ko te utu ko te mea i rite i te Taraipiunara me te roia kai awhina te whakatau. 25

8. Nga kai mahi mo te Taraipiunara—Ka whakahoutia te wahanga tuarua o te Ture Matua i te whakakahoretanga i te kaupapa korero 9, a, i te whakaurutanga mai hoki o enei e whai ake nei: 30

“9. (1) Tera ka waitohua, i tena wa, i tena wa, i raro i te mana o te Ture E Pa Ana Ki Nga Kaimahi a Te Kawanatanga 1962, he kai Rehita no te Taraipiunara, he apiha tirotiro take, etahi atu apiha, me etahi atu kai mahi ranei, ina hiahiatia, kia pai ai, kia tika ai, kia ngawari ai nga mahi a te Taraipiunara. 35

“(2) E ahei ana te tangata e waitohutia ana i raro i te kaupapa korero (1) o tenei kaupapa korero ki te mau motuhake i tenei tunga, a, ki te pupuri ranei i tenei tunga i a ia ano e mahi ana ma te Kawanatanga.” 40

9. Ko te Reo Maori hou mo Te Ture o Te Ra o Waitangi 1976—Ko te wahanga ki te Ture o Te Tiriti o Waitangi 1976 ka whakahoutia, i te whakakahoretanga o te wahanga Reo Maori, o taua Ture mo te Reo Maori kua whakaritea nei mo 5 tenei Ture.

APITITANGA

Nga Tekihana 4 me te 9

KA WHAKAHOUTIA I TE WHAKAKAHORETANGA O TE WAHANGA REO MAORI
O TE TURE MATUA ME TE TURE O TE RA O WAITANGI 1976

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 ata noho hoki, kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira hei kai wakarite ki nga tangata maori o Nu Tirani. Kia wakaetia e nga Rangatira maori te Kawanatanga o te Kuini, ki nga wahi katoa 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 Nawa, hei Kawana mo nga wahi katoa o Nu Tirani, e tukua aianeai 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, kihai 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 wakaetanga 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) WILLIAM HOBSON,

Consul and 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 wakaetia 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 Pepuere, i te tau kotahi mano, e waru rau, e wa tekau, o to tatou Ariki.

TREATY OF WAITANGI AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Treaty of Waitangi Act 1975. The most significant changes relate to the jurisdiction of the Waitangi Tribunal, and to its membership.

Under section 6 (1) of the principal Act, the Tribunal may hear any claim by a Maori who claims that he, or any group of Maoris of which he is a member, is or is likely to be prejudicially affected by any laws enacted or made after the passing of that Act, or by any policy or practice adopted or proposed to be adopted by or on behalf of the Crown after the passing of that Act, or by anything done or omitted or proposed to be done or omitted by or on behalf of the Crown after the passing of that Act, and further claims that those laws, or that policy or practice, or that act or omission, is inconsistent with the principles of the Treaty.

The important point to note is that only claims arising after the passing of the principal Act may be considered by the Tribunal at present. *Clause 3* of this Bill removes that limitation, and allows the Tribunal to consider claims arising at any time on or after the 6th day of February 1840.

The Tribunal presently consists of 3 members, being the Chief Judge of the Maori Land Court (who is the Chairman), one person appointed on the recommendation of the Minister of Justice, and one person (who must be a Maori) appointed on the recommendation of the Minister of Maori Affairs. *Clause 2* increases the membership to 7, being the Chief Judge of the Maori Land Court (who remains as Chairman), and 6 other members (of whom 4 must be Maori) appointed on the recommendation of the Minister of Maori Affairs made after consultation with the Minister of Justice.

In considering possible appointees, the Minister of Maori Affairs is required to consider their knowledge of, and experience in, the kind of matters that are likely to come before the Tribunal, as well as their personal attributes.

Provision is made by *clause 5* for any 4 members of the Tribunal (including the Chairman) to consider any particular case before the Tribunal. Majority decisions are allowed, and if the members are equally divided, the decision of the Chairman will prevail.

Clauses 6 and 8 provide for research assistance for the Tribunal. One or more research officers may be appointed to the staff of the Tribunal, and the Tribunal may commission any such person, or any other person, to investigate and report on any matter arising in respect of any claim before the Tribunal. Any such report may be received in evidence by the Tribunal, and each party will be entitled to receive a copy and to make submissions on the report.

Clause 7 empowers the Tribunal to appoint counsel to assist it in any proceedings, and to appoint counsel to assist any claimant where that is appropriate.

Clauses 4 and 9 correct errors in the Maori text of the Treaty in the principal Act and the Waitangi Day Act 1976.

Hon. K. T. Wetere

TREATY OF WAITANGI AMENDMENT

ANALYSIS

Title	5. Sittings of the Tribunal
1. Short Title and commencement	6. Tribunal may commission research and receive report in evidence
2. Waitangi Tribunal	7. Appointment of counsel
3. Jurisdiction of Tribunal to consider claims	8. Staff of Tribunal
4. New Maori text substituted in principal Act	9. New Maori text substituted in Waitangi Day Act 1976

A BILL INTITULED

An Act to amend the Treaty of Waitangi Act 1975

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

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1. Short Title and commencement—(1) This Act may be cited as the Treaty of Waitangi Amendment Act 1984, and shall be read together with and deemed part of the Treaty of Waitangi Act 1975* (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of July 1985.

2. Waitangi Tribunal—(1) Section 4 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsections:

“(2) The Tribunal shall consist of—

“(a) The Chief Judge of the Maori Land Court, who shall be the Chairman:

“(b) Six persons, of whom 4 shall be Maori, to be appointed by the Governor-General on the recommendation of the Minister of Maori Affairs made after consultation with the Minister of Justice. 5

“(2A) In considering the suitability of any person for appointment to the Tribunal, the Minister of Maori Affairs shall have regard not only to that person’s personal attributes but also to that person’s knowledge of and experience in the different aspects of matters likely to come before the Tribunal.” 10

(2) Section 4 (3) of the principal Act is hereby consequentially amended by omitting the words “or paragraph (c)”.

3. Jurisdiction of Tribunal to consider claims—(1) Section 6 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection: 15

“(1) Where any Maori claims that he or she, or any group of Maoris of which he or she is a member, is or is likely to be prejudicially affected— 20

“(a) By any ordinance of the General Legislative Council of New Zealand, or any ordinance of the Provincial Legislative Council of New Munster, or any provincial ordinance, or any Act (whether or not still in force), passed at any time on or after the 6th day of February 1840; or 25

“(b) By any regulations, order, proclamation, notice, or other statutory instrument made, issued, or given at any time on or after the 6th day of February 1840 under any ordinance or Act referred to in **paragraph (a)** of this subsection; or 30

“(c) By any policy or practice (whether or not still in force) adopted by or on behalf of the Crown, or by any policy or practice proposed to be adopted by or on behalf of the Crown; or 35

“(d) By any act done or omitted at any time on or after the 6th day of February 1840, or proposed to be done or omitted, by or on behalf of the Crown,—

and that the ordinance or Act, or the regulations, order, proclamation, notice, or other statutory instrument, or the 40

policy or practice, or the act or omission, was or is inconsistent with the principles of the Treaty, he or she may submit that claim to the Tribunal under this section.”

5 (2) Section 6 of the principal Act is hereby further amended by repealing subsection (6), and substituting the following subsection:

10 “(6) Nothing in this section shall confer any jurisdiction on the Tribunal in respect of any Bill that has been introduced into the House of Representatives unless the Bill has been referred to the Tribunal pursuant to section 8 of this Act.”

4. New Maori text substituted in principal Act—The First Schedule to the principal Act is hereby amended by omitting the text in Maori, and substituting the text set out in the Schedule to this Act.

15 **5. Sittings of the Tribunal**—Clause 5 of the Second Schedule to the principal Act is hereby amended by repealing subclause (4), and substituting the following subclauses:

20 “(4) Every claim before the Tribunal shall be heard and determined, and every Bill or proposed regulations or Order in Council referred to the Tribunal shall be considered and reported upon, by at least 4 members of the Tribunal (including the Chairman).

25 “(4A) In the event of disagreement in respect of any such matter, the decision of the majority of the members dealing with the matter shall be the decision of the Tribunal, and, where those members are equally divided, the decision of the Chairman shall be the decision of the Tribunal.”

6. Tribunal may commission research and receive report in evidence—The Second Schedule to the principal Act is hereby amended by inserting, after clause 5, the following clause:

35 “5A. (1) In respect of any claim before it, the Tribunal may commission any person (whether or not a member of its staff appointed under **clause 9** of this Schedule) to investigate any matter relating to the claim, and to prepare and submit a report on it for consideration by the Tribunal.

“ (2) The Tribunal may receive in evidence any report prepared and submitted to it pursuant to **subclause (1)** of this clause.

40 “ (3) Every party to the proceedings shall be entitled to receive a copy of the report, and to make submissions on it to the Tribunal.”

7. Appointment of counsel—The Second Schedule to the principal Act is hereby amended by inserting, after clause 7, the following clause:

“7A. (1) The Tribunal may appoint counsel to assist it in respect of any proceedings or any part of any proceedings before the Tribunal. 5

“(2) The Tribunal may appoint counsel to assist the claimant in respect of any proceedings or any part of any proceedings before the Tribunal if it is satisfied that the matter is of sufficient importance to warrant such an appointment and that it would be unjust to the claimant not to make such an appointment. 10

“(3) Every counsel appointed under this clause shall be paid out of money appropriated by Parliament for the purpose such fee as may be agreed between the Tribunal and the counsel appointed.” 15

8. Staff of Tribunal—The Second Schedule to the principal Act is hereby amended by repealing clause 9, and substituting the following clause:

“9. (1) There may from time to time be appointed under the State Services Act 1962 a Registrar of the Tribunal, and such research officer or officers or other staff as may be necessary for the efficient operation of the Tribunal. 20

“(2) Any person appointed to any position under **subclause (1)** of this clause may hold that position either separately or in conjunction with any other position in the Public Service.” 25

9. New Maori text substituted in Waitangi Day Act 1976—The Schedule to the Waitangi Day Act 1976 is hereby amended by omitting the text in Maori, and substituting the text set out in the Schedule to this Act.

SCHEDULE

Sections 4 and 9

NEW TEXT IN MAORI SUBSTITUTED IN PRINCIPAL ACT AND WAITANGI DAY
ACT 1976

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 ata noho hoki, kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira hei kai wakarite ki nga tangata maori o Nu Tirani. Kia wakaetia e nga Rangatira maori te Kawanatanga o te Kuini, ki nga wahi katoa 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 Nawa, 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, kihai 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 wakaetanga 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) WILLIAM HOBSON,

Consul and 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 wakaetia 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 Pepuere, i te tau kotahi mano, e waru rau, e wa tekau, o to tatou Ariki.