

**House of Representatives**  
**Supplementary Order Paper**

**Tuesday, 8 March 2011**

**Marine and Coastal Area (Takutai Moana) Bill**

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*Proposed amendments*

Metiria Turei, in Committee, to move the following amendments:

*Clause 9*

To omit this clause.

*Clause 53*

To omit this clause.

*Clause 54*

To omit this clause.

*Clause 60*

To omit this clause.

*Clause 61*

To omit this clause.

*Schedule 1*

To omit Schedule 1.

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**Explanatory note**

This Supplementary Order Paper amends the Marine and Coastal Area (Takutai Moana) Bill in the following ways:

- *Clause 9*: this clause and Schedule 1 provide for Māori customary title to be overridden by petroleum exploration and infrastructure projects at the whim of the Government of the day. We believe it is only fair that customary Māori title is treated the same as other titles. The bill as it stands

is discriminatory as it sets up a different lower standard for allowing these activities to occur as compared to other forms of title.

- *Clauses 53, 54, 60, and 61:* provide the test for proving Māori customary rights and title. These are too high and will effectively remove existing Māori rights. The courts, using treaty and international law jurisprudence, are a better forum for establishing the appropriate tests to prove customary title.
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