

House of Representatives

Supplementary Order Paper

Wednesday, 14 September 2022

Maniapoto Claims Settlement Bill

Proposed amendments

Hon Andrew Little, in Committee, to move the following amendments:

Clause 153

In *clause 153*, after the definition of **deferred selection property** (page 106, after line 3), insert:

Forestry Emission Unit Trust means the trust of that name established by trust deed dated 19 April 2011

In *clause 153*, after the definition of **licensor** (page 106, after line 18), insert:

New Zealand units has the meaning given in section 4(1) of the Climate Change Response Act 2002

New clause 163A

After *clause 163* (page 111, after line 18), insert:

163A Transfer of New Zealand units to trustees

- (1) On the settlement date, the licensed land is to be treated as being transferred to the trustees for the purposes of clause 6.1 of the Forestry Emission Unit Trust deed.
- (2) The effect of **subsection (1)** is that, as soon as is reasonably practicable after the settlement date, the trustees of the Forestry Emission Unit Trust must—
 - (a) determine the number of New Zealand units that the trustees of Te Nehenehenui are entitled to receive in relation to the licensed land; and

- (b) transfer to the trustees of Te Nehenehenui the New Zealand units received in response to the applications by the trustees of the Forestry Emission Unit Trust.

Clause 164

In *clause 164*, replace “**Section 163** applies” (page 111, line 20) with “**Sections 163 and 163A** apply”.

Clause 169

In *clause 169(1)(a)(ii)*, replace “the Waikato District Health Board” (page 114, line 13) with “Health New Zealand”.

Clause 186

Replace *clause 186* (page 119, lines 18 to 23) with:

186 Disposal by Health New Zealand

Health New Zealand (established by section 11 of the Pae Ora (Healthy Futures) Act 2022), or any of its subsidiaries, may dispose of RFR land to any person if the Minister of Health has given notice to the trustees that, in the Minister’s opinion, the disposal will achieve, or assist in achieving, Health New Zealand’s objectives.

Clause 203

In *clause 203(1)*, delete the definition of final report (page 125, lines 20 to 24).

Clause 212

Replace *clause 212* (page 129, line 35 to page 130, line 12) with:

212 Final report of Maniapoto Maori Trust Board

- (1) As soon as practicable after the commencement date, the trustees of Te Nehenehenui must prepare a final report for the Maniapoto Maori Trust Board as if it were an annual report required by section 31 of the Maori Trust Boards Act 1955.
- (2) The final report must show the financial results of the Maniapoto Maori Trust Board’s affairs during the period starting on the day after the last day covered by the previous annual report and ending on the day before the commencement date.
- (3) As soon as practicable after the final report is completed, the trustees of Te Nehenehenui must provide it to the Minister for Māori Development, who must present it to the House of Representatives as soon as practicable after receiving it.

Explanatory note

This Supplementary Order Paper amends the Maniapoto Claims Settlement Bill.

Clause 153 is amended to insert 2 new definitions that are required by *new clause 163A*.

New clause 163A is inserted to provide for the transfer of the licensed land on the settlement date for the purpose of the action required by clause 6.1 of the Forestry Emission Unit Trust deed. That transfer enables the trustees of the Forestry Emission Unit Trust—

- to determine the number of New Zealand units the trustees of the Te Nehenehenui Trust are entitled to receive in respect of the licensed land that is transferred under the settlement; and
- to transfer those New Zealand units to the trustees.

Because the trustees become the beneficial owners of the licensed land on the settlement date, and therefore have responsibility for associated obligations, the trustees may incur deforestation liabilities if New Zealand units do not also transfer on the settlement date.

Section 164 is amended to provide that *new clause 163A*, like section 163, applies whether or not the transfer of the fee simple estate in the licensed land has been registered.

Clauses 169 and 186 are amended to reflect the change made by the Pae Ora (Healthy Futures) Act 2022 to replace the district health boards with a central entity, Health New Zealand, for the delivery of health services in New Zealand.

Clause 203 is amended to delete the definition of **final report**.

Clause 212, reflecting an amendment to the Maori Trust Boards Act 1955, is replaced to remove the requirement for the final report of the Maniapoto Maori Trust Board to be audited by the Office of the Auditor-General, in light of the fact that neither the Trust Board nor the Maniapoto Fisheries Trust are public entities.

Departmental disclosure statement

The Office for Māori Crown Relations—Te Arawhiti considers that a departmental disclosure statement is not required to be prepared for this Supplementary Order Paper.