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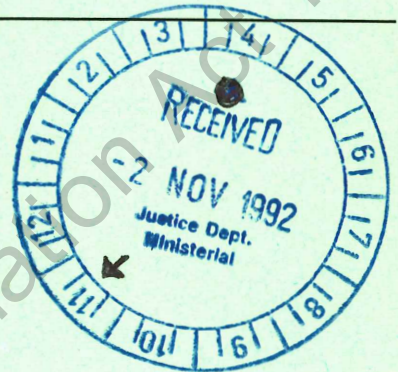
CAB (92) M 43/21

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Minister of Maori Affairs

Copies to:

- Prime Minister
- Minister of External Relations and Trade
- Minister of State Services
- Minister of Finance
- Leader of the House
- Attorney-General
- Minister of Justice
- Minister of Lands
- Minister for State Owned Enterprises
- Minister of Conservation
- Chief Parliamentary Counsel
- Secretary, Cabinet Committee on Treaty of Waitangi Issues
- Secretary, Cabinet Legislation Committee
- Monitoring System



ADDITIONAL ITEM : TREATY OF WAITANGI ACT : PROPOSED AMENDMENT ON LAND IN PRIVATE OWNERSHIP

Reference: Paper "Proposed Amendment to the Treaty of Waitangi Act Regarding Private Assets" tabled by the Minister of Maori Affairs

At the meeting on 27 October 1992 Cabinet:

- a noted that a degree of concern exists about the adverse impact which recommendations by the Waitangi Tribunal in relation to land in private ownership may have upon the value for future use of that land;
- b agreed that appropriate legislation be introduced to amend the Treaty of Waitangi Act 1975 to provide that the Waitangi Tribunal shall not make a recommendation that particular areas of land in private ownership be acquired by the Crown for return to Maori claimants;
- c i agreed that sufficient consensus exists in Caucus for the urgent initiation of appropriate legislation through a request to the Cabinet Legislation Committee for a Treaty of Waitangi Amendment Bill to be included in the legislative programme;

- ii invited the Minister of Maori Affairs to initiate the request referred to in paragraph (c)(i) above;
- d directed officials from Te Puni Kokiri and the Department of Justice to prepare drafting instructions for a Treaty of Waitangi Amendment Bill for Parliamentary Counsel, following approval by the Cabinet Legislation Committee for the Bill to be included in the legislation programme;
- e agreed that the drafting of appropriate legislation and its passage through the House be accorded priority in order that it be passed in the current parliamentary session;
- f noted that the Treaty of Waitangi Amendment Bill should be introduced at the same time as the Treaty of Waitangi Fisheries Claim Settlement Bill;
- g noted that there is likely to be a need to further amend the Treaty of Waitangi Act at a later date to give effect to changes in the structure and powers of the Tribunal which will allow it to operate more effectively.

Manie Sraha

Secretary of the Cabinet