

Propositions Underlying the Review of the Ture Whēnua Maori Act 1993

The Te Ture Whēnua Maori Act 1993 Review Panel (the panel) has developed an integrated package of five propositions to improve the likelihood of utilisation of Maori Land.

Proposition 1: Utilisation of Māori land should be able to be determined by a majority of engaged owners

An engaged owner is defined as an owner who has actively demonstrated their commitment to their ownership interest by exercising a vote either in person or by proxy or nominee. Engaged owners should be able to make decisions (excluding sale or other permanent disposition) without the need for endorsement by the Māori Land Court.

Proposition 2: All Māori land should be capable of utilisation and effective administration

Where owners are either not engaged or are unable to be located, an external manager or administrator may be appointed to manage under-utilised Māori land. The Māori Land Court should have a role in approving the appointment and retaining oversight of external administrators.

Proposition 3: Māori land should have effective, fit for purpose, governance

The duties and obligations of trustees and other governance bodies who administer or manage Māori land should be aligned with the laws that apply to general land and corporate bodies. There should be greater consistency in the rules and processes associated with various types of governance structures.

Proposition 4: There should be an enabling institutional framework to support owners of Māori land to make decisions and resolve any disputes

Disputes relating to Māori land should be referred to mediation in the first instance. Where the dispute remains unresolved following mediation, it may be determined by the Māori Land Court.

Proposition 5: Excessive fragmentation of Māori land should be discouraged.

Succession to Māori land should be simplified. A register should be maintained to record the names and whakapapa of all interests in Māori land, regardless of size.