



TAKUTAI MOANA – FORESHORE AND SEABED REFORM

National Iwi Chairs' Forum, Haruru Falls Resort

4th/5th February 2010

Report Back

- Māori Party confidence and supply agreement – review of the 2004 Act
- July 2009 – Review Panel Report released
- 26 August– Hopuhopu Iwi Chairs’ Forum - mandate for ILG to engage with the Crown on process to achieve repeal and develop replacement regime
- Outcomes from engagement with Crown:
 - Commitment to engagement in development of replacement regime
 - Resources to support hui amongst Iwi and hapū



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Report Back (cont.)

- Sept – Attorney General confirms engagement with ILG
- Aug-Jan 2010 – 6 meetings between ILG & AG
- Oct – Prime Minister announcement intention to repeal, subject to appropriate replacement regime being developed
- November-December – Regional hui to discuss expectations
- December – email report back
- Jan – Technical Reference Group hui



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Kōrero a Iwi (Bottomlines)

- Substantial, not cosmetic change from the current regime
- Affirm the mana of Iwi/hapū over their rohe moana in principle and give effect to it in practice
- Provide for effective input of tāngata whenua into all management of marine environment
- In some cases, recognise tāngata whenua as decision-makers



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Kōrero a Iwi (Bottomlines) (cont.)

- Provide for tikanga as operative law, in some circumstances at least
- Allow flexibility for tāngata whenua to develop their own mechanisms
- Where thresholds or tests are necessary source these in tikanga, rather than colonial law
- Going to court is least preferred option



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Current Situation

- Early indications of a promising Crown approach
- More recent concerns Crown approach won't meet Iwi/hapū bottomlines
- Updated view of the Crown approach due from the AG today



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