

SUBMITTER INFORMATION

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INTRODUCTION

1. This Submission is made by Te Tatau o Te Arawa (Te Tatau) on the Regulatory Standards Bill (the Bill).
2. Te Tatau is an independent Charitable Trust working to achieve the sustainable well-being of people, culture and place within te rohe o Te Arawa, mai Maketū ki Tongariro.
3. We serve and represent the Te Arawa iwi who mandated the establishment of the Trust in 2015 and determined that the Trust board be made up of elected members representing multiple Te Arawa sectors – rangatahi (youth), koeke (elders), Te Arawa land trusts and incorporations, hapū, iwi, and pan-Te Arawa entities.
4. Importantly Te Tatau was also mandated as the Te Arawa Partner to Rotorua Lakes Council to create and foster a high trust environment in order to achieve enhanced socio-economic and cultural prosperity for Te Arawa, for Māori and for the wider community in the Rotorua district.
5. We welcome the opportunity to provide feedback on the Regulatory Standards Bill and its implications for Te Arawa, the Crown-Māori relationship, including the principles of Te Tiriti o Waitangi (the Treaty of Waitangi) and the rights of Māori to self-determination and tino rangatiratanga.
6. This submission reflects our role in upholding Te Arawa's mana motuhake and advocating for a partnership model that ensures Māori voices are meaningfully integrated into decision-making processes.
7. We wish to speak to our Submission.
8. **Te Tatau o Te Arawa strongly oppose the Bill** in its current form and in the context of the kōrero below:

TE TIRITI O WAITANGI OBLIGATIONS

9. The Regulatory Standards Bill must align with the principles of Te Tiriti o Waitangi, which establishes the foundation for a partnership between the Crown and Māori. This partnership requires:
 - Active Protection of Māori Interests: The Bill must ensure that regulatory frameworks actively protect Māori taonga, including land, water, language, and cultural practices.
 - Meaningful Consultation: Any regulatory standard that may impact Māori interests must involve genuine and timely consultation with iwi, hapū, and whānau. Consultation should be more than a procedural formality; it must include co-designing processes that give effect to tino rangatiratanga.

10. This Bill is silent on Te Tiriti o Waitangi and does not include any explicit provisions that require decision-makers to give due regard to Te Tiriti principles, and establish mechanisms for partnership and consultation with Māori in regulatory decision-making.
11. The Bill has been developed without meaningful consultation with Māori and there are no specific provisions for ongoing partnership with Māori in regulatory decision-making which is a breach of the Crown's obligations.
12. We recommend that provisions be included in the Bill to give effect to the principles of Te Tiriti o Waitangi.

RECOGNITION OF TINO RANGATIRATANGA

13. Māori have the inherent right to self-determination and tino rangatiratanga, as guaranteed under Article 2 of Te Tiriti o Waitangi and affirmed by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Any regulatory standards must not undermine this right but instead support Māori-led governance structures.
14. The Bill includes provisions that give government powers to override Māori authority over their lands, resources, and tāonga. For example, the proposed principles around the taking of property mean that there are instances where land can be taken from Māori without their consent. This is a breach of Te Tiriti o Waitangi which promises the undisturbed authority of Māori over their land, tāonga and people.
15. Further, the liberties provisions proposed, present significant risks to the right of Māori to exercise tino rangatiratanga by giving final authority over liberties to the regulatory decision-makers.
16. Specific clauses in the Bill should acknowledge Māori rights to exercise tino rangatiratanga in areas affecting their land, tāonga and communities.

EQUITY IN DECISION-MAKING

17. Regulatory frameworks must address systemic inequities faced by Māori. Without intentional design, legislation can perpetuate disparities in social, economic, and environmental outcomes.
18. The proposed principles of good law-making include no reference to the obligations of the Crown to consult with Māori.
19. We recommend that provisions be included for effective engagement and consultation with Māori in regulatory decision-making.

ACCOUNTABILITY AND MONITORING

20. To uphold the partnership envisioned in Te Tiriti, there must be accountability measures to ensure compliance with Māori rights and interests.
21. It is recommended that a monitoring framework be established within the Bill to evaluate the Crown's adherence to its Te Tiriti obligations. This must include reporting on consultation processes, outcomes, and the integration of Māori perspectives in regulatory decisions.

CONCLUSION

22. The Regulatory Standards Bill presents an opportunity to embed transformative approaches to governance that honour Māori-Crown partnerships. This is not only a legal obligation under Te Tiriti but also a moral imperative to address historical grievances and ensure an equitable future.
23. We urge the Crown to recognise that the inclusion of Māori perspectives and the protection of tino rangatiratanga are not only beneficial for Māori but strengthen Aotearoa New Zealand's collective governance.
24. Te Tatau o Te Arawa Charitable Trust reiterates its commitment to advocating for the rights and aspirations of Te Arawa, Ngāi Māori and the wider community. We look forward to ongoing engagement with the Crown to ensure that the Regulatory Standards Bill reflects principles of partnership, equity, and tino rangatiratanga for Māori.
25. We urge the Crown to demonstrate leadership by incorporating our recommendations and upholding its obligations to Māori under Te Tiriti o Waitangi.

Date of Submission: 18 December 2024