

# NZCPL Government Law Year in Review 2021

## Tiriti and Māori legal issues

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# Outline of my kōrero

- Enactment of s 14 of the Public Service Act 2020 and its implications
- Key issues arising for Māori communities
- Brief comment on Shelly Bay / Marukaikuru

# Public Service Act 2020, s 14

- (1) The role of the public service includes supporting the Crown in its relationships with Māori under the Treaty of Waitangi (te Tiriti o Waitangi).
- (2) The public service does so by the Commissioner, public service chief executives, interdepartmental executive boards, and boards of interdepartmental ventures having responsibility for—
  - (a) **developing and maintaining the capability** of the public service to **engage with Māori** and **to understand Māori perspectives** ...

# Public Service Act 2020, s 15

## 15 Who responsibilities are owed to, how these apply, and reporting to Commissioner

(1) A person or board is responsible under section 14,—

(a) in the case of the Commissioner, only to the Minister:

(b) in the case of a chief executive who leads a department or departmental agency or a functional chief executive, only to the appropriate Minister for the agency or functional chief executive:

(c) in the case of an interdepartmental executive board or a board of an interdepartmental venture, only to the appropriate Minister for the board or venture.

(2) A person or board has the responsibilities in section 14,—

(a) in the case of the Commissioner, in relation to the Commissioner's functions and responsibilities:

(b) in the case of a chief executive who leads a department or departmental agency, in relation to the operation of that agency:

(c) in the case of a functional chief executive, in relation to their particular functions:

(d) in the case of an interdepartmental executive board or a board of an interdepartmental venture, in relation to the operation of that board or venture.

(3) Chief executives, interdepartmental executive boards, and boards of interdepartmental ventures must report to the Commissioner on progress made towards achieving the responsibilities listed in section 14(2) at intervals required by the Commissioner.





**ORANGA  
TAMARIKI**  
Ministry for Children



Te Rūnanga o NGĀI TAHU

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# Ngāi Tahu Rangatiratanga over Freshwater









**waatea**  
**news.com**



Tino  
Rangatiratanga  
sphere

Iwi/Hapū Assembly

The Kāwanatanga  
sphere

The Crown

The Relational sphere

Joint Deliberative  
Body





Ma  
When

WAKA UMANGA  
A PROPOSED LAW  
FOR MĀORI  
GOVERNANCE ENTITIES



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