OFFICE OF THE DEPUTY PRIME MINISTER

Memorandum for Cabinet Policy Committee

FORESHORE AND SEABED BILL: FINAL CHANGES BEFORE INTRODUCTION

Cabinet authorised the Policy Committee to have Power to Act on 7 April to take decisions on any further policy matters on the foreshore and seabed package before the introduction of the Bill, should that be necessary (CAB Min (04) 11/8 refers). The meeting has been deferred until 8 April.

The recent changes that have been incorporated in the Bill include some of policy significance while others are presentational or clarify existing features of the Bill. They comprise:

- the removal of the phrase 'public domain' from the purpose clause of the Bill;
- the deletion of a clause requiring that certain areas subject to erosion be vested in the Crown;
- a time limit of 2015 on the lodging of applications for both ancestral connection orders and customary rights orders, in either the Maori Land Court or the High Court;
- automatic appeal rights for the Crown, both in the Maori Land Court and the High Court, in proceedings concerning customary rights orders;
- clarifying that local authorities have the ability to appear before the Maori Land Court when it is considering foreshore and seabed matters.

I recommend that the Policy Committee:

1. **approve** the removal of the phrase 'public domain' from the purpose clause of the Bill;

2. **approve** the deletion of a clause requiring that certain areas subject to erosion be vested in the Crown;

3. **approve** a time limit of 31 December 2015 on the lodging of applications for both ancestral connection orders and customary rights orders, either in the Maori Land Court or the High Court;

4. **approve** the inclusion of automatic appeal rights for the Crown, both in the Maori Land Court and the High Court, in proceedings concerning customary rights orders;

5.   **confirm** that local authorities have the ability to appear before the Maori
      Land Court when it is considering foreshore and seabed matters.

Hon Dr Michael Cullen
Deputy Prime Minister