

House of Representatives

Supplementary Order Paper

Tuesday, 8 May 2007

Arbitration Amendment Bill

Proposed amendment

Hone Harawira, in Committee, to move the following amendment:

New clause 4A

To insert the following clause after clause 4:

4A Arbitrability of disputes

Section 10 is amended by adding the following subsection:

- “(3) Despite subsection (2), where the subject-matter of a proposed arbitration is Maori land or general land owned by Maori (as defined in Te Ture Whenua Maori Act 1993), that dispute is not capable of determination by arbitration, but must instead be dealt with by application to the Maori Land Court.”

Explanatory note

This Supplementary Order Paper amends the Arbitration Amendment Bill to ensure that where Maori land is the subject of a dispute, even when one of the parties to the dispute is not Maori, the dispute be dealt with in the Maori Land Court, and not arbitrated. The amendment recognises the expertise in Maori land and tikanga Maori that is held by the Maori Land Court.
