

Mixed Ownership Model Submission Form

The Government welcomes your feedback on this consultation document, particularly the questions set out below.

You can make a submission by using this form, which is also available electronically at www.treasury.govt.nz/mixed-ownership-consultation

1 Contact Details

I am responding (please complete one):

On behalf of an organisation

Organisation you represent	Treaty Relationships Group of the Religious Society of Friends of Aotearoa New Zealand (Quakers)
Address	7 Moncrieff Street Mt Victoria Wellington 6011

2 Submission

The Treaty Relationships Group is a committee established by Quakers to monitor government actions in relation to Te Tiriti o Waitangi (Treaty of Waitangi) and make submissions on behalf of Quakers on Treaty issues, with the objective of moving Aotearoa New Zealand towards a nation based on the Treaty of Waitangi.

We are cautious of the motives behind the proposal to extend the Mixed Ownership Model beyond Air New Zealand to the 4 energy state enterprises, and of the implications for Treaty rights.

For a start, we are pleased that the Government recognises that Māori have special interests and rights in the state enterprises under the State-Owned Enterprises Act 1986, and is undertaking consultation with Māori. We are less pleased that Government has already decided to apply the model. The consultation is limited to the specific form the expression of Treaty rights will take. Consultation needed to occur at the very beginning when the idea was first mooted, and only progress with broad iwi and hapū support.

The consultation time frame is too short; effectively 1 to 22 February. Although your consultation document “Extension of the Mixed Ownership Model” states that the Government believes that Māori rights associated with present or future settlement process are fully protected, we think sufficient time should be allowed for proper negotiation with hapū and iwi on the way forward. The implications need to be thought through, and thankfully Māori tend to take a long-term view that considers what is good for the mokopuna, not just for the current generation.

It is encouraging that the Government recognises that the Crown must honour the Treaty of Waitangi, with or without section 9 of the State-Owned Enterprises Act, but we think repetition of section 9 is likely to be a potent and useful reminder in any new legislation. Since it is Government that is changing the rules for state enterprises, we think the matter of how Treaty obligations are best expressed should be one for hapū and iwi to decide.

Rights in relation to fresh water or geothermal resources are significant assets of at least 3 of the enterprises subject to the proposed ownership changes. We note that Māori have lodged a claim with the Waitangi Tribunal over these resources as tāonga of significance to Māori. We think any change to the ownership should be subject to and await the Waitangi Tribunal's recommendations.

We note that Air New Zealand is considered outside the scope of the consultation. In view of the Crown's current substantial ownership and the importance of a national airline carrier for the economy, we think iwi and hapū ought to be consulted over bringing Air New Zealand under the proposed Mixed Ownership Model legislation.

All submissions will be publicly available

The Government will publicly release your submission, a summary of submissions and a list of the names of submitters, on The Treasury's website: www.treasury.govt.nz/mixed-ownership-consultation.

Your name will be made publicly available as part of your submission when it is released

Your contact details will be removed from your submission before it is posted on the website, recorded in the summary of submissions or released under the Official Information Act 1982 (OIA).

If you do not wish your name in your submission to be released, please clearly state this in your submission or tick the option below:

I request that my name be removed from my submission before it is released and that it is recorded as 'anonymous' in the summary of submissions.

If there is particular information in your submission that you wish to remain confidential, please clearly indicate this and explain your reasons for wanting the information kept confidential.

The Treasury is subject to the OIA and copies of submissions sent to The Treasury will normally be released in response to an OIA request from a member of the public. If your submission is subject to an OIA request, The Treasury will consider your confidentiality request in accordance with the grounds for withholding information outlined in the OIA. You can view a copy of the OIA on the New Zealand Legislation website: www.legislation.govt.nz.

The Privacy Act 1993 governs how The Treasury collects, holds, uses and discloses personal information about you which is contained in your submission. You have the right to access and correct this personal information.

Submissions can be sent by email to mixed-ownership-consultation@treasury.govt.nz or by post to:

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Mixed Ownership Model: Consultation with Māori
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The deadline for receipt of submissions is **5pm on Wednesday 22 February 2012**. Late submissions will not be considered.