

## Information sheet 4

# Aquaculture Legislation Amendment Bill (No 3) – Delivering the Māori Commercial Aquaculture Claims Settlement

This information sheet is one of five explaining planned changes to the way marine-based aquaculture is managed in New Zealand. It outlines proposed changes to the Maori Commercial Aquaculture Claims Settlement Act 2004 (the Settlement Act) relating to the mechanism by which the Crown will deliver on its obligations to Māori for new aquaculture space. The other information sheets describe various parts of the Bill in more detail, namely:

- » Information sheet 1: Overview of the reforms
- » Information sheet 2: Planning and consenting
- » Information sheet 3: Undue adverse effects on fishing test
- » Information sheet 5: Implications for the aquaculture industry and applicants

### The Maori Commercial Aquaculture Claims Settlement Act 2004

The Settlement Act provides for the full and final settlement of contemporary Māori claims to commercial aquaculture space in the coastal marine area.

The Settlement Act gives iwi rights to 20% of the new aquaculture space created from 1 January 2005.

The Government is committed to ensuring the Crown upholds the settlement and that iwi retain all of the rights already provided for. What will need to change is how that obligation will be met because the current mechanism for delivering the settlement relies on aquaculture management areas (AMAs) being created, and AMAs will no longer exist under the new law.

### What does the Bill aim to do?

The Bill ensures that the Crown's obligations for settlement are maintained and can be delivered under the new law. Protecting the integrity of the settlement is an essential element of the Bill.

### What changes to the Maori Commercial Aquaculture Claims Settlement Act are proposed?

The Bill essentially retains the mechanism already in place for pre-commencement space (aquaculture space created between 21 September 1992 and 31 December 2004) under the Settlement Act 2004, and will use that mechanism to also deliver obligations for new space.

The Bill provides for the settlement to be delivered by providing either space or an agreed equivalent.

The Crown will engage with iwi to determine how best to deliver the settlement under the new law.

When an alternative mechanism is developed that might better fit the new regime and better deliver the settlement to iwi, that new mechanism will be written into the law. That change to the law could happen through a Supplementary Order Paper to the Bill, or through separate legislation.

### What won't change?

The Bill does not alter the core components of the 2004 settlement, including all rights associated with 20% of new aquaculture space created after 1 January 2005.

Settlement arrangements for pre-commencement space are not affected by the aquaculture reforms.

## What next?

The Aquaculture Legislation Amendment Bill (No 3) has been introduced to Parliament and is expected to be referred to the Primary Production Select Committee, which will examine the Bill in detail.

Information on the Select Committee process, including how to make a submission on the Bill, can be found at [www.parliament.nz/en-NZ/PB/](http://www.parliament.nz/en-NZ/PB/).

## Where to find out more

Information on the aquaculture reforms, including a link to the Aquaculture Legislation Amendment Bill (No 3), is available at the Ministry of Fisheries' website [www.fish.govt.nz](http://www.fish.govt.nz) and at [www.aquaculture.govt.nz](http://www.aquaculture.govt.nz).

Information on the Māori Commercial Aquaculture Settlement is available at [www.fish.govt.nz/en-nz/Maori/Details+of++Settlement/](http://www.fish.govt.nz/en-nz/Maori/Details+of++Settlement/).