

## In Confidence

Office of the Minister of Health  
Chair, Cabinet Legislation Committee

## Pae Ora (Iwi-Māori Partnership Boards) Order 2025

### Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the Te Pūhāna Ora Iwi-Māori Partnership Board Pae Ora (Iwi-Māori Partnership Boards) Order 2025.

### Summary

- 2 The Pae Ora (Healthy Futures) Act 2022 (the Act) provides mechanisms for community voice to help local services be better tailored and responsive to local needs, so that people access timely, quality health care. Iwi-Māori Partnership Boards (IMPBs) are recognised in the Act as having a key role in representing local perspectives on Māori health needs and aspirations. To date, 15 IMPBs have been established.
- 3 Te Pūhāna Ora represents the collective interests of Ngāti Mutunga o Wharekauri Iwi Trust and Hokotehi Moriori Trust, based on the Chatham and Pitt Islands. It is one of two final emerging IMPBs awaiting formal recognition.
- 4 The regulation is routine, does not introduce new policy, and qualifies for an automatic exemption from Regulatory Impact Assessment requirements. No changes to fees or criminal offences are proposed. Consultation has been undertaken with all relevant parties and iwi partners, and the regulation complies with the New Zealand Bill of Rights Act 1990.
- 5 The Order in Council is proposed to come into force 28 days after notification in the New Zealand Gazette, unless urgency requires a waiver and will be proactively released subject to standard redactions under the Official Information Act 1982.

### *Recognition criteria for IMPBs*

- 6 Section 31(1) of the Act sets out the criteria for recognition of an organisation as an IMPB. The criteria are intended to ensure IMPBs are representative of all Māori within the relevant area.
- 7 The Director-General of Health has confirmed that Te Pūhāna Ora meets all statutory criteria under section 31 of the Act.

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- 8 The criteria are as follows:
- 8.1 the boundaries of the area covered by the organisation (the area) do not overlap with the boundaries of any area covered by any IMPB; and
  - 8.2 the organisation has taken reasonable steps to engage with Māori communities and groups that—
    - 8.2.1 are present in the area; or
    - 8.2.2 have interests in the area; and
  - 8.3 the organisation’s constitutional and governance arrangements demonstrate that—
    - 8.3.1 the organisation has the capacity and capability to perform its functions as an IMPB; and
    - 8.3.2 the organisation will engage with, and represent the views of, Māori within the area; and
    - 8.3.3 Māori communities and groups in the area can hold the organisation accountable for the performance of its functions in relation to the area; and
    - 8.3.4 the area is consistent with the effective functioning of Iwi-Māori Partnership Boards as a whole.
- 9 Under the Act, the Director-General of Health must advise the Minister of Health if satisfied that these criteria have been met. The Act then stipulates that the Minister must recommend the making of an Order in Council to list the IMPBs in Schedule 4 of the Act.
- 10 Once organisations are listed in Schedule 4, they are then recognised and can carry out their statutory functions of representing Māori perspectives in the health system. The Act does not impose any time limits on listing IMPBs in Schedule 4.

*Te Pūhana Ora are ready to operate as an IMPB*

- 11 Te Pūhana Ora represents Ngāti Mutunga o Wharekauri Iwi Trust and Hokotehi Mōriori Trust of the Chatham and Pitt Islands.
- 12 Te Pūhana Ora was incorporated as a charitable trust on 6 March 2025, with a Trust Deed that satisfies the requirements typically covered in a Terms of Reference.
- 13 The IMPB will consist of three to five members, including representatives from both iwi trusts and one independent member.
- 14 The Order in Council will amend Schedule 4 of the Act by formally listing Te Pūhana Ora as an IMPB. This amendment is necessary to:

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- 14.1 Complete the formal recognition process for Te Pūhana Ora under section 34(1)(c) of the Act.
- 14.2 Ensure that Māori communities on the Chatham and Pitt Islands have a formally recognised governance voice in the health system.
- 14.3 Support national coverage of IMPBs.
- 15 I seek Cabinet agreement to proceed with an Order in Council to formally recognise Te Pūhana Ora as an IMPB under the Pae Ora (Healthy Futures) Act 2022, by listing it in Schedule 4 of the Act.

### Timing and 28-day rule

- 16 Subject to Cabinet's approval, I propose that the Order in Council be submitted to the Executive Council on 16 December 2025 and notified in the New Zealand Gazette on 18 December 2025. The Order is proposed to come into force on 15 January 2026, 28 days after its notification in the New Zealand Gazette, in accordance with the Legislation Act 2019.

### Compliance

- 17 The Order in Council complies with:
  - 17.1 the principles of Te Tiriti o Waitangi;
  - 17.2 advice from the Treaty Provisions Officials Group on any Te Tiriti o Waitangi provisions;
- 18 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993;
  - 18.1 the principles and guidelines set out in the Privacy Act 2020;
  - 18.2 relevant international standards and obligations; and
  - 18.3 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.

### Regulations Review Committee

- 19 There are no grounds for the Regulations Review Committee to draw the proposed Order in Council to the attention of the House of Representatives under Standing Order 327.

### Certification by Parliamentary Counsel

- 20 The draft regulations were certified by the Parliamentary Counsel Office (PCO) as being in order for submission to Cabinet.

## Impact Analysis

- 21 The Ministry for Regulation has determined that this proposal is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor economic, social, or environmental impacts.
- 22 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this policy proposal, as the threshold for significance is not met.

## Publicity

- 23 The Ministry of Health will take the following steps to publicise the new regulation:
  - 23.1 Gazette notification: The Order in Council will be notified in the New Zealand Gazette in accordance with legislative requirements.
  - 23.2 Ministry website: A summary of the recognition of Te Pūhanga Ora as an IMPB will be published on the Ministry's website, including a link to the gazette notice.
  - 23.3 Direct communication: The Ministry will notify Te Pūhanga Ora, Health New Zealand, and relevant stakeholders directly once the Order is made.
  - 23.4 Proactive release: The briefing paper and supporting documents will be considered for proactive release, subject to standard redaction processes.

## Proactive release

- 24 I propose to proactively release this paper in full, subject to standard redactions under the Official Information Act 1982, within 30 business days of Cabinet consideration.

## Consultation

- 25 Ngāti Mutunga o Wharekauri Iwi Trust and Hokotehi Moriori Trust were consulted and support the recognition. Health New Zealand, Ministry of Justice, Ministry of Social Development, Te Puni Kōkiri, Te Tari Whakatau and Whaikaha were consulted on this paper. The Parliamentary Counsel Office was informed of its contents.

## Recommendations

I recommend that the Cabinet Legislation Committee:

- 1 Note the Pae Ora (Healthy Futures) Act 2022 provides for the recognition of Iwi-Māori Partnership Boards that meet statutory criteria set out in section 31 of the Act;
- 2 Note that an Iwi-Māori Partnership Board application was received by the Director-General of Health from Te Pūhana Ora representing iwi interests for the Chatham and Pitt Islands;
- 3 Note I have been advised by the Director-General of Health that Te Pūhana Ora Iwi-Māori Partnership Board meets the criteria for recognition under section 31 of the Pae Ora (Healthy Futures) Act 2022;
- 4 Authorise the submission to the Executive Council of the recognition of Pae Ora (Iwi-Māori Partnership Boards) Order 2025;
- 5 Note that the Pae Ora (Iwi-Māori Partnership Boards) Order 2025 will come into force on 15 January 2026.

Authorised for lodgement.

Hon Simeon Brown

Minister of Health