



14 January 2026

[REDACTED]
[REDACTED]

Ref: OIA-2025/26-0381

Tēnā koe [REDACTED]

Official Information Act request relating to He Puapua, UNDRIP, and Tikanga in the Law

Thank you for your request made under the Official Information Act (the Act), received on 2 December 2025. You requested:

“The following information relating to He Puapua, UNDRIP implementation, the incorporation of tikanga Māori into the legal system, and any associated impacts on property rights in New Zealand:

1. Cabinet-Level Documents

Please provide all:

- Cabinet papers
- Cabinet committee papers
- Regulatory Impact Statements
- Briefings to incoming ministers
- Ministerial briefings
- Departmental reports
- Internal policy papers

...that relate to:

- He Puapua
- UNDRIP implementation or planning
- Embedding tikanga Māori into legislation or common law
- Potential implications for property rights or constitutional arrangements

2. Legal and Constitutional Advice

Please provide:

- Crown Law advice
- Ministry of Justice advice
- Any constitutional, legal, or judicial reform analysis
- Internal memos or assessments

...that relate to:

- Recognition or incorporation of tikanga Māori in New Zealand law
- Judicial use of tikanga in court decisions
- Property rights implications arising from these developments

3. Inter-Agency Communications

Please provide:

- Emails
- Meeting minutes
- Agenda notes
- Internal correspondence

- *Inter-departmental discussions*
- ...between DPMC and any of the following agencies:*
- *Ministry of Justice*
 - *Te Puni Kōkiri*
 - *Crown Law Office*
 - *Attorney-General*
 - *MBIE*
 - *Cabinet Office*
 - *Any relevant ministerial offices*
- ...relating to He Puapua, UNDRIP, or tikanga-related legal reforms.*

4. Proposals Considered but Not Pursued

Please provide any:

- *Draft proposals*
- *Options papers*
- *Concept documents*
- *Policy recommendations*

...on He Puapua or UNDRIP implementation that were developed but not taken forward.

5. Analysis of Property Rights Impacts

Please provide any:

- *Risk assessments*
- *Internal analysis*
- *Draft or final reports*
- *Advice to ministers*

...addressing whether He Puapua, UNDRIP implementation, or tikanga-based reform may affect:

- *Property rights*
- *Land ownership frameworks*
- *Governance structures*
- *Resource management law*

6. Index of All Documents Held

Please provide:

- *A complete list or index of all documents held by DPMC related to He Puapua, UNDRIP implementation, or the incorporation of tikanga Māori into the legal or constitutional framework.*

(This list allows me to request further items individually.)

Transfer Request

If any part of this request is better held by another agency, please transfer that portion to the appropriate agency under section 14 of the OIA and advise me when this occurs.

Format

I prefer the information in digital PDF or DOC format.”

Transfer deadline extension

I have extended the time limit for transferring your request under section 15(A) of the Act. This extension is required because of the consultation needed to make a decision on your request.

Partial transfers to Te Puni Kōkiri | the Ministry of Māori Development (TPK), Crown Law Office (CLO) and the Ministry of Justice (MoJ)

TPK

I believe the information you seek in **Part 1** of your request is more closely connected with the functions of TPK. Accordingly, I have decided to partially transfer this part of your request to TPK under section 14(b)(ii) of the Act.

For your awareness, the Department of the Prime Minister and Cabinet (DPMC) holds all Cabinet and Cabinet Committee papers and Minutes as Cabinet Office is a business unit within DPMC. However, it is our practice to transfer requests for Cabinet material to either the relevant portfolio Minister or, for previous administrations, the lead agency, as they are better placed to assess this information for release.

These transfers are made under section 14(b)(ii) of the Act, as the information is more closely related to the functions of the Minister or agency. This process is also outlined in paragraph 8.5 of the Cabinet Manual, available on DPMC's website: www.dPMC.govt.nz/our-business-units/cabinet-office/supporting-work-cabinet/cabinet-manual.

In addition, I am also partially transferring **Parts 2-5** of your request to TPK for any relevant information they may hold. These parts of your request are also transferred under section 14(b)(ii) of the Act.

MoJ

I believe some of the information you have requested is also either more closely connected to the functions of, and/or may be held by, MoJ. Accordingly, I have decided to transfer **Parts 1-5** of your request to MoJ under section 14 of the Act with respect to any additional information they may hold – that is, information not held by TPK.

CLO

Likewise, I believe some of the information you have requested is either more closely connected to the functions of, and/or may be held by, the CLO. Specifically, the part of your request for “Crown Law advice” in relation to:

- *“Recognition or incorporation of tikanga Māori in New Zealand law*
- *Judicial use of tikanga in court decisions*
- *Property rights implications arising from these developments.”*

Accordingly, I have decided to partially transfer your request to CLO under section 14 of the Act.

Each of these agencies has the usual timeframes under the Act from receipt of this transfer to make a decision on your request.

Part 6

Part 6 of your request is refused under section 18(e) of the Act as the requested document, namely an index of all the information DPMC may hold in relation to your request, does not exist. For your awareness, the Act does not require an agency to create new information in order to respond to a request.

Refusal of remainder of request

Per section 18B of the Act, we have made two attempts to refine the scope of your request with respect to any information held by DPMC. As of the time of writing, you have not provided us with a refined request. Having assessed the extent of work required to research and collate the information potentially in scope of the remainder of **Parts 1-5** of your request, I have decided to refuse these, insofar as they concern information held by DPMC, under section 18(f) of the Act. This is because the manual work required would be likely to impair efficient administration, such that neither extending nor charging would alleviate the reason for refusal.

If you wish to submit a new, more specific request to DPMC, we would of course be happy to assist you further.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on DPMC's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Nāku noa, nā



Jenna Hansen

Manager, Accountability and Ministerial Services