

The Treaty of Waitangi

There are three copies of the treaty here:

- the Maori version as signed; and
- a modern English translation of the Maori version.
- the English version as signed

TIRITI O WAITANGI 1840

Ko Wikitoria te Kuini o Ingarani i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira--hei kai wakarite ki nga Tangata maori o Nu Tirani--kia wakaetia e nga Rangatira maori te Kawanatanga o te Kuini ki nga wahikatoa o te Wenua nei me nga Motu--na te mea hoki he tokomaha ke nga tangata o tona Iwi Kua noho ki tenei wenua, a e haere mai nei.

Na ko te Kuini e hiahia ana kia wakaritea te Kawanatanga kia kua ai nga kino e puta mai ki te tangata Maori ki te Pakeha e noho ture kore ana.

Na, kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kawana mo nga wahi katoa o Nu Tirani e tukua aiane, amoa atu ki te Kuini, e mea atu ana ia ki nga Rangatira o te wakaminenga o nga hapu o Nu Tirani me era Rangatira atu enei ture ka korerotia nei.

KO TE TUATAHI

Ko nga Rangatira o te wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu--te Kawanatanga katoa o o ratou wenua.

KO TE TUARUA

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga hapu--ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te Wenua--ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

KO TE TUATORU

Hei wakaritenga mai hoki tenei mo te wakaetanga ki te Kawanatanga o te Kuini--Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

[signed] William Hobson Consul & Lieutenant Governor

** ----- **

'Ko te atakau o te whenua
i riro i a te Kuini,
ko te tinana o te whenua
waiho ki nga Maori'

'only the shadow of the land
goes to the Queen,
but the substance
remains with us'

Nopera Panakareao 1840
** ----- **

Treaty Links

The Treaty of Waitangi
Maori Text
Translation of Maori Text
English Version
A quick guide to the Treaty of
Waitangi
Common Questions and Answers
Treaty image

Department of Conservation & the Public Estate

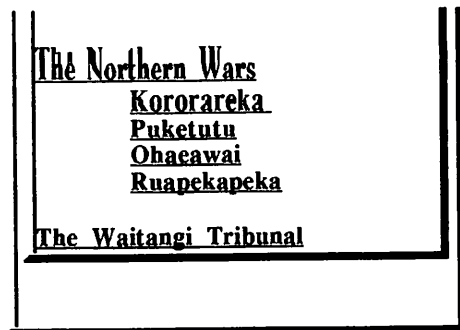
Does your party consider?

1. That national parks, conservation areas, etc. are held in trust by Government for the benefit of all New Zealanders and ^{should} ~~will~~ not be privatised?
2. That DoC should be retained as the primary administrator and manager of Crown owned public lands?
3. That "fostering" recreation by DoC should have a greater priority than "allowing" tourism?
4. That DoC's name should be changed to Department of Conservation & Recreation (DCR) to better reflect its dual role?
5. That a Recreation Directorate should be established within DoC to provide national consistency in recreational policy and practice?
6. That sufficient Government funding be provided so that the DoC is not dependent on commercial operations and concessions to fund its conservation and recreation functions?
7. That the ~~recent~~ practice of issuing certificates of title for public lands be discontinued as (a protection) against future land sales?
8. That there should be no public entry charges to areas administered by DoC?
9. That access charges be prohibited for fresh and recreational sea fishing, recreational hunting, and walking access thereto?

South Island pastoral leases

Does your party consider?

1. That, as a result of tenure review, public reserves should be created over lands of value for recreation, with secure public access rights?
2. That private parks should not be established through freeholding of mountain lands?
3. That Government funding of the tenure review process should be increased?
4. That covenants don't provide adequate protection of conservation values or secure public access and recreation?
5. That the Crown should decline the renewal or granting of new commercial recreation ventures until tenure review on individual properties is ~~completed~~ ^{agreed}?
6. That market rentals should be introduced from 2003?



Na ko matou ko nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani ka huihui nei ki Waitangi ko matou hoki ko nga Rangatira o Nu Tirani ka kite nei i te ritenga o enei kupu, ka tangohia ka wakaetia katoatia e matou, koia ka tohungia ai o matou ingoa o matou tohu.

- Ka meatia tenei ki Waitangi i te ono o nga ra o Pepueri i te tau kotahi mano, e waru rau e wa te kau o to tatou Ariki.

TREATY OF WAITANGI 1840 translated

by Prof Hugh Kawharau

Victoria, the Queen of England, in her concern to protect the chiefs and the subtribes of New Zealand and in her desire to preserve their chieftainship (1) and their lands to them and to maintain peace (2) and good order considers it just to appoint an administrator (3) one who will negotiate with the people of New Zealand to the end that their chiefs will agree to the Queen's Government being established over all parts of this land and (adjoining) islands (4) and also because there are many of her subjects already living on this land and others yet to come. So the Queen desires to establish a government so that no evil will come to Maori and European living in a state of lawlessness. So the Queen has appointed "me, William Hobson a Captain" in the Royal Navy to be Governor for all parts of New Zealand (both those) shortly to be received by the Queen and (those) to be received hereafter and presents (5) to the chiefs of the Confederation chiefs of the subtribes of New Zealand and other chiefs these laws set out here.

The first

The Chiefs of the Confederation and all the Chiefs who have not joined that Confederation give absolutely to the Queen of England for ever the complete government (6) over their land.

The second

The Queen of England agrees to protect the chiefs, the subtribes and all the people of New Zealand in the unqualified exercise (7) of their chieftainship over their lands, villages and all their treasures (8). But on the other hand the Chiefs of the Confederation and all the Chiefs will sell (9) land to the Queen at a price agreed to by the person owning it and by the person buying it (the latter being) appointed by the Queen as her purchase agent.

The third

For this agreed arrangement therefore concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand and will give them the same rights and duties (10) of citizenship as the people of England (11).

[signed] William Hobson Consul & Lieut. Governor

So we, the Chiefs of the Confederation of the subtribes of New Zealand meeting here at Waitangi having seen the shape of these words which we accept and agree to record our names and our marks thus.

The Queen's Chain

Does your party consider?

- 1 7. That an investigation into completion of the Queen's Chain around the shores of all major lakes, the seacoast, and along major rivers should be a priority for the next Government?
- 2 8. That public access and recreation should be restored ^{to be} as the primary functions of marginal strips and esplanade reserves?
- 3 9. That provision for private managers over marginal strips should be repealed?
- 4 10. That all marginal strips should be made moveable with changes to rivers, etc.?
- 5 11. That provisions for private leases over marginal strips should be repealed?
- 6 12. That Land Information New Zealand should be required to record the existence of marginal strips on all relevant survey plans?
(Explanation: ^{summary} notations that land "is subject to section 24 Conservation Act" does not tell the public if a strip exists, or ^{is} merely *liable* to be created ^{in the future} - this is a major deterrent for ^{public} use).
- 7 13. That restrictions to public access under the 10th Schedule of the Resource Management Act should be repealed?

Resource Management Act

Does your party consider?

Her Majesty Victoria Queen of the United Kingdom of Great Britain and Ireland regarding with Her Royal Favour the Native Chiefs and Tribes of New Zealand and anxious to protect their just Rights and Property and to secure to them the enjoyment of Peace and Good Order has deemed it necessary in consequence of the great number of Her Majesty's Subjects who have already settled in New Zealand and the rapid extension of Emigration both from Europe and Australia which is still in progress to constitute and appoint a functionary properly authorized to treat with the Aborigines of New Zealand for the recognition of Her Majesty's Sovereign authority over the whole or any part of those islands.

Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the native population and to Her subjects has been graciously pleased to empower and to authorize "me William Hobson a Captain" in Her Majesty's Royal Navy Consul and Lieutenant Governor of such parts of New Zealand as may be or hereafter shall be ceded to Her Majesty to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.

ARTICLE THE FIRST

The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess, over their respective Territories as the sole Sovereigns thereof.

ARTICLE THE SECOND

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Preemption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

ARTICLE THE THIRD

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.

[Signed] W Hobson Lieutenant Governor

Now therefore We the Chiefs of the Confederation of the United Tribes of New Zealand being assembled in Congress at Victoria in Waitangi and We the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names, having been made fully to understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof in witness of which we have attached our signatures or marks at the places and the dates respectively specified

The Treaty and Maori claims to public resources

Does your party consider?

1. That "the Crown" represents all of the people of New Zealand?
What is "the Crown"?
2. ~~What is a "Maori"?~~
2. Does being 'Maori' depend on descent or ethnicity?
If "descent", does an individual's part-Maori descent create greater legal and civil entitlements than that individual's non-Maori origins no matter what the mix?
3. That there is or isn't a Treaty "partnership between Maori and the Crown"?
If "yes", does this mean that approximately 13% of the population are entitled to the ownership, control, or management of 50% or other share of public resources or political power?
4. That national parks, reserves, public conservation areas, etc. should not be readily available for settlement of Maori claims?
5. ~~Is~~ the Department of Conservation set up to administer public lands on behalf of all citizens, or is its role primarily to satisfy Maori aspirations ahead of wider public wishes?
6. That a formal public consultation process^{should} be established before "the Crown" negotiates settlements involving public lands and waters?
7. That Maori "co-management", exclusive camping reserves ('nohoanga'), or 'Topuni' "overlay reserves" over national parks, etc., are justified as Treaty settlement mechanisms? If so, do these adequately protect the wider public interest in the management and recreational use of such areas?
8. That it is desirable to legislate for the repeal of provisions in the Ngai Tahu and any other settlements allowing freeholding of nohoanga "temporary camping reserves" and surrounding lands?
9. That it is desirable to remove any on-going rights of first refusal to surplus Crown lands after "full and final" settlements are made?
10. That the Government should not negotiate the transfer of ownership or control of public lands and waters to Maori without independent verification of claims by the Waitangi Tribunal or Courts?
11. That the Tribunal is not well equipped to determine the truth, and not all of its findings and recommendations are valid?
12. That the Tribunal be disbanded and replaced by the High Court acting as a commission of inquiry using normal rules of evidence and cross examination?
13. That the sea, seabed, foreshores, and rivers are all part of "the commons" and must be retained in Crown ownership?
14. That, if the Government, you will legislate to overrule any Court determinations to the contrary?
15. That there are major differences in the meaning and scope of the Treaty between its actual provisions and ~~forever~~ developing "principles"?

Done at Waitangi this Sixth day of February in the year of Our
Lord one thousand eight hundred and forty.

1999 Election Policies

Public Roads

Does your party consider?

1. That public roads are for all means of public passage and not just for motor vehicles?
2. That ^{public} ownership of public roads should be ^{retained} ~~privatised~~?
3. That ^h control of public roads should be ~~privatised~~?
4. That funding of roads should ^{not} move towards direct user-pays i.e. tolling?
5. That tolls should be confined to major new motorways, bridges or tunnels until construction costs are paid off, provided alternative public roads ^{remain} ~~are~~ available?
6. That motorways are different legal entities from public roads and ^{therefore} do not have common law rights of passage?
7. Those existing common law rights of ~~passage~~ for everyone should be maintained over public roads?
8. That unformed roads (being half the road network) are a large part of the Queens Chain, and are important for public access to rivers, lakes, the coast, and public lands in general?
9. That unformed roads be retained in Crown or local authority ownership subject to existing road 'stopping' procedures?
10. That unlawful obstruction of unformed roads is a ^{major} ~~problem~~? If so, would you support a legislative equivalent to ^{that in} the UK Highways Act creating a duty for district councils to assert and protect public rights of passage?
11. That the right of 'frontage' of public and private lands to roads should be retained? If so, will you oppose moves to repeal s321 Local Government Act, under the Resource Management Amendment Bill 1999, and repeal an earlier amendment to Clause 6, 10th Schedule LGA?
 (Explanation: ~~individual allotment~~ ^{primary reason for} 'frontage' to roads is the ~~essential~~ ^{reason for} ~~existence~~ ^{of} public roads ~~existence~~. Removal of existing legal requirements to maintain frontage will ~~extinguish the primary~~ ^{remove} protection against 'stopping' or permanent closing of roads).