

<b>Title</b>	<b>Explain the Treaty of Waitangi and Te Tiriti o Waitangi in legislation today</b>		
<b>Level</b>	<b>4</b>	<b>Credits</b>	<b>6</b>

<b>Purpose</b>	People credited with this unit standard are able to identify and explain: the contents of the pre-amble in the Treaty of Waitangi and Te Tiriti o Waitangi; legislation which incorporates the principles of the Treaty of Waitangi and Te Tiriti o Waitangi, and examine and discuss what contra-proferentem is.
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<b>Classification</b>	Te Mātauranga Māori me te Whakangungu > Te Mātauranga Māori Whānui
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<b>Available grade</b>	Achieved
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### Explanatory notes

- 1 Glossary  
*Mātauranga Māori* is inclusive of all ages and is whānau supported, modelled and monitored. It is within this context that this unit standard has been developed for Māori adults.
- 2 Resource support includes:  
Kawharu, I. H. (ed.), *Waitangi: Māori and Pākehā Perspectives of the Treaty of Waitangi*, (Auckland, NZ: Oxford University Press, 1989).  
McHugh, P. G. *The Māori Magna Carta: New Zealand law and the Treaty of Waitangi*, (Auckland, NZ: Oxford University Press, 1991).  
*The Principles of the Treaty of Waitangi*, (Te Puni Kōkiri, Ministry of Maori Development), available on the following website: [www.waitangi-tribunal.govt.nz](http://www.waitangi-tribunal.govt.nz).
- 3 Legislation for use in this unit standard may include but is not limited to: Treaty of Waitangi Act 1975, Resource Management Act 1991, Waikato Raupatu Claim Settlement Act 1995, Te Ture Whenua Māori Act 1993, Public Works Act 1928, Tohunga Suppression Act 1907, Environment Act 1986, Conservation Act 1987, State-Owned Enterprises Act 1986, Māori Language Act 2016, Treaty of Waitangi Act 1975, Resource Management Act 1991, Hazardous Substances and New Organisms Act 1996, Historic Places Act 1993, Foreshore and Seabed Act 2004 and their amendments and repeals.

### Outcomes and evidence requirements

#### Outcome 1

Identify and explain the contents of the pre-amble in the Treaty of Waitangi and Te Tiriti o Waitangi.

**Evidence requirements**

- 1.1 Differences between the Treaty of Waitangi and Te Tiriti o Waitangi pre-ambles are explained.
- 1.2 The pre-ambles as interpreted by the Waitangi Tribunal are explained.
- 1.3 The relevance of the Principles in both the Treaty of Waitangi and Te Tiriti o Waitangi are explained.

**Outcome 2**

Identify and explain legislation which incorporates the Principles of the Treaty of Waitangi and Te Tiriti o Waitangi.

Range evidence of two Acts required.

**Evidence requirements**

- 2.1 The explanation details how the legislation incorporates the Treaty of Waitangi and Te Tiriti o Waitangi Principles.
- 2.2 The explanation identifies the key differences of the Principles in legislation.
- 2.3 The explanation identifies legislation related to Article Four in Te Tiriti o Waitangi.

**Outcome 3**

Examine and discuss what 'Contra-Proferentem' is.

- 3.1 The effects of legislation for indoctrination of Indigenous Treaties is examined.
- 3.2 The impact of legislation in today's society with the adoption of contra-proferentem is examined.

<b>Planned review date</b>	31 December 2021
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<b>Replacement information</b>	This unit standard replaced unit standard 16069.
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**Status information and last date for assessment for superseded versions**

Process	Version	Date	Last Date for Assessment
Registration	1	20 April 2017	N/A

<b>Consent and Moderation Requirements (CMR) reference</b>	0091
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

**Please note**

Providers must be granted consent to assess against standards (accredited) by NZQA, before they can report credits from assessment against unit standards or deliver courses of study leading to that assessment.

Industry Training Organisations must be granted consent to assess against standards by NZQA before they can register credits from assessment against unit standards.

Providers and Industry Training Organisations, which have been granted consent and which are assessing against unit standards must engage with the moderation system that applies to those standards.

Requirements for consent to assess and an outline of the moderation system that applies to this standard are outlined in the CMR. The CMR also includes useful information about special requirements for organisations wishing to develop education and training programmes, such as minimum qualifications for tutors and assessors, and special resource requirements.

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**Comments on this unit standard**

Please contact the NZQA Māori Qualifications Services [mqs@nzqa.govt.nz](mailto:mqs@nzqa.govt.nz) if you wish to suggest changes to the content of this unit standard.