

<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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### Guidance information

- 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.waitangitribunal.govt.nz](http://www.waitangitribunal.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 preamble in the Treaty of Waitangi and Te Tiriti o Waitangi.

**Performance criteria**

- 1.1 Differences between the Treaty of Waitangi and Te Tiriti o Waitangi preambles are explained.
- 1.2 The preambles 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 is required.

**Performance criteria**

- 2.1 Details of how the legislation incorporates the Treaty of Waitangi and Te Tiriti o Waitangi Principles are explained.
- 2.2 The key differences of the Principles in legislation are identified and explained.
- 2.3 Legislation related to Article Four in Te Tiriti o Waitangi is identified and explained.

**Outcome 3**

Examine and discuss what 'Contra-Proferentem' is.

**Performance criteria**

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

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<b>Planned review date</b>	31 December 2027
<b>Replacement information</b>	This unit standard replaced unit standard 16069.

**Status information and last date for assessment for superseded versions**

Process	Version	Date	Last Date for Assessment
Registration	1	20 April 2017	31 December 2023
Review	2	25 August 2022	N/A

**Consent and Moderation Requirements (CMR) reference**

0091

This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

**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.