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KEI MUA I TE AROARO O TE ROOPUU WHAKAMANA  
I TE TIRITI O WAITANGI

BEFORE THE WAITANGI TRIBUNAL

WAI 2575

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IN THE MATTER OF

the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

THE HEALTH SERVICES AND OUTCOMES  
KAUPAPA INQUIRY

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MEMORANDUM OF COUNSEL PROVIDING UPDATE

17 Hune | June 2025

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**Te Tari Ture  
o te Karauna**  
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Waitangi Tribunal

17 Jun 25

Ministry of Justice  
WELLINGTON

**MAY IT PLEASE THE TRIBUNAL:**

1. This memorandum provides a further update in response to the Tribunal's direction of 9 June 2025.<sup>1</sup>
2. On 11 June 2025, the Crown advised the Tribunal:<sup>2</sup>
  - 2.1 proposed amendments to the Pae Ora (Healthy Futures) Act 2022 were considered and approved by Cabinet on 9 June 2025;
  - 2.2 the details of the proposals were confidential at that time; and
  - 2.3 the Minister of Health was actively considering when an announcement would be made, and counsel would update the Tribunal then.
3. On 14 June 2025 the Minister of Health made a public announcement about the proposed amendments to the Pae Ora (Healthy Futures) Act 2022.<sup>3</sup>
4. The following information about the proposed amendments is provided to update the Tribunal in its deliberations on the claims under inquiry.
5. Counsel are instructed:
  - 5.1 that the proposed amendments;
    - 5.1.1 clarify the role of iwi-Māori partnership boards, by clarifying that their function is to engage with Māori communities about health needs in their area, and provide insights and advice to the Hauora Māori Advisory Committee;
    - 5.1.2 strengthen the role of the Hauora Māori Advisory Committee to provide advice to the Minister of Health and Health New Zealand, with the Committee's purpose to be set out in the Act;

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<sup>1</sup> Wai 2575, #2.6.207 at [21].

<sup>2</sup> Wai 2575, #3.2.1283 at [11]-[12].

<sup>3</sup> That same day the Minister of Health issued a press release about the changes <https://www.beehive.govt.nz/release/putting-patients-first-government-refocus-health-system-outcomes>.

- 5.1.3 provide that the Health New Zealand board must take into account or consider the advice of the Hauora Maaori Advisory Committee;
- 5.1.4 provide for legislated health targets;
- 5.1.5 provide that all seven health strategies in the Act must give effect to the legislated health targets, to be set out in the Government Policy Statement on Health, and all the health strategies will be required to be aligned and consistent with each other;
- 5.1.6 repeal the health sector principles and the New Zealand health charter;
- 5.1.7 add a new statutory purpose aimed at ensuring all patients have access to timely, quality healthcare;
- 5.1.8 provide for stronger governance and financial oversight within Health New Zealand;
- 5.1.9 provide for the delivery of health infrastructure as a statutory function of Health New Zealand;
- 5.1.10 establish a permanent infrastructure committee to carry out functions related to the delivery of physical health infrastructure by Health New Zealand;
- 5.1.11 provide for the director-general of health to attend Health New Zealand board meetings to support monitoring;
- 5.1.12 simplify the provisions relating to the appointment of Health New Zealand board members;
- 5.1.13 clarify that public service integrity rules apply to the Health New Zealand board, chief executive, and staff; and
- 5.1.14 remove the requirement that the New Zealand Health Plan be audited;

- 5.2 that the amendment Bill is anticipated to be introduced to Parliament in coming weeks; and
- 5.3 that some aspects of the proposals continue to be confidential as they are subject to active consideration.
6. The 9 June Cabinet paper and minute have been proactively released (with some redactions).<sup>4</sup>

17 Hune | June 2025



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C Linkhorn / F Dean / T Garimella  
Counsel for the Crown

**TO:** The Registrar, Waitangi Tribunal

**AND TO:** Claimant Counsel

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<sup>4</sup> This proactive release can be found at <[Health-Delivery-Plan-Update-on-policy-and-legislative-changes.pdf](#)>.