

# The Treasury

## Release of Submissions: Mixed Ownership Model Consultation with Māori

### Release Document

March 2012

[www.treasury.govt.nz/publications/reviews-consultation/mixed-ownership/submissions](http://www.treasury.govt.nz/publications/reviews-consultation/mixed-ownership/submissions)

Key to sections of the Official Information Act 1982 under which information has been withheld.

Certain information in this document has been withheld under the following section of the Official Information Act, as applicable:

[1] 9(2)(a) - to protect the privacy of natural persons, including deceased people.

Where information has been withheld, a numbered reference to the applicable section of the Official Information Act has been made, as listed above. For example, an [1] appearing where information has been withheld in a release document refers to section 9(2)(a).

In preparing this Information Release, the Treasury has considered the public interest considerations in section 9(1) of the Official Information Act.

## SUBMISSION

By Wendy Biddle

I Wendy Biddle, strongly oppose The Mixed Ownership Model in relation to:

- The Selling of State Owned Enterprises
- The Selling of S.O.E's to possible Foreign Ownership
- Disregarding Tangata Whenua as Owners of the four main power companies
- The Altering or removal of Section 9 of the SOE Act 1987 for the sole purpose of selling our 4 Major Power Companies.
- The Governments proposal to change legislation in order to create power to remove the mixed Ownership Models Companies from schedules 1 and 2 of the SOE Act by order in Council.
- The Government proposal to place Companies under new legislation
- The Government proposal to continue application of Sections 22 to 30 (1) of the SOE Act that will allow Ministers to transfer shares with very little transparency
- The Governments proposal to remove the companies from the ambit of the Ombudsmen Act 1975 and Official Information Act 1982.
- The Government proposal to continue with the application of the Public Records Act 2005 to the Mixed Ownership Model Companies in respect of records relating to the affairs of State Enterprises.
- The Government proposal to amend consequential technical amendments to other legislation to preserve the existing property rights of either the companies or of third parties.

Tena Koe

My name is Wendy Joan Aroha Biddle (nee Murray, nee Nikora).

I live at<sup>[1]</sup>

I am fortunate to have four Tamariki and two Mokopuna of which I furiously protect until they are old enough to take care of themselves.

I present my objections to the above changes proposed by the National Government to take place in March 2012.

I speak to you as a Daughter, Grand-daughter, Niece, Mother, Grandmother, Business Women, a Woman, a Maori Woman.

I speak on behalf of my Tupuna who are no longer with Us and therefore no longer have a voice. They would be disgusted with the changes the National Government plan to make.

I speak for my Tamariki Mokopuna who are at this point in time unable to comprehend or express the injustices that the National Government are proposing to make; but would definitely affect how they will live their lives in the future.

I speak for my Tipuna who are the Generations yet to be born and whom the proposed changes will have an impact on.

I present for those that have filled out the attached petition and have left their comments accordingly. Read the comments....they common thread to the over 300 names is that THEY DO NOT WANT the National Government or The Government of the Day to take away or water down the SOE Act 1987 just for the sake of making cash and deals with possible foreign investors. Read their comments...This is the voice of the Treaty Partner. YOUR Treaty Partner. Real people, with real names and real concerns. Stop what you're proposing to do Prime Minister John Key, Hon Bill English, Hon Tony Ryall, Crown and National Government 2012. Stop what you're proposing to do National and LISTEN and HEAR Us, Your Treaty Partner.

I have read over Your power point notes and booklet titled "Extension of the Mixed Ownership Model" – A proposal to change legislation in relations to: Genesis Power Ltd, Meridian Energy Ltd, Mighty River Power Lts & Solid Energy NZ Ltd".

I attended the Hui in Rotorua and even got the opportunity to ask questions there. I was very riri (angry) and hoha (pissed off), after leaving that Hui. Why, because I was convinced that You the Government have already made up your mind and you will not even be reading any submissions, because the deals have already been made behind the scenes.

So prove me wrong and answer the following questions before making your proposal a reality. If I don't hear from you, I suspect that my original whakaaro (thought) is bang on the money!

Questions:

- 1) Why are our four major Power Companies and other S.O.E's being put up for sale? Our Government Debt is very low in comparison to other Countries, so the urgency to sell them is not a valid one. Especially if they give us a regular income flow.
- 2) If The Crown is committed to maintaining its obligations under the Treaty, why are they rushing this process through? Written Submission opened on the 1-22 February. Hui were held from the 8-16 February. Legislation will be introduced in March. What's the big hurrray?
- 3) If the Government is committed to acting in accordance with the Treaty Principles and it is to remain the majority shareholder in the SOEs, then why do we need to remove Treaty protections anyway?
- 4) If the Governemnt proposal is to remove Section 9, because it does not serve any useful purpose, and is largely symbolic, then why not just leave section 9 in?

Section 9 is really powerful because it allows Maori (the Treaty Partner) the opportunity to take Crown decisions to an independent tribunal. Not including section 9 in the proposed new legislation would effectively take away the SOEs responsibility to act in good faith toward Maori.

In closing, selling off these assets without the APPROVAL of Maori is “inconsistent” with the Treaty. Once our SOEs are sold, those shares will go on the open market to overseas interests whether owned by individuals, groups or iwi, and once sold they will be lost to us forever!

I therefore strongly oppose to the changes proposed by the National Government. I will fight and protest, to ensure that no more of our lands and resources are lost to overseas interests. I will raise my tamariki mokopuna to do the same.

Naaku noa na  
Wendy Biddle.