

HE AROTAKE I TE TURE MŌ NGĀ HUARAHI WHAKATAU A NGĀ PAKEKE

REVIEW OF ADULT DECISION-MAKING CAPACITY LAW

Ngā Kaupapa Matua: He Puka Mōhiohio

Mō te Arotake

Kei te arotake Te Aka Matua o te Ture i te ture mō ngā huarahi whakatau a ngā pakeke. Ko te ture matua e arotakengia ana ko te Protection of Personal and Property Rights Act 1988 (te PPPR Act).

I te marama o Paengawhāwhā 2024 i whakaputa mātou i tā mātou Puka Kaupapa Tuarua. E whakamārama ana te Puka Kaupapa Tuarua i ngā take e pā ana ki te ture o nāianei, ā, ka rapu urupare me pēhea te whakapai ake i te ture. Ka kitea te Pepa Kaupapa Tuarua kei [tō mātou pae tukutuku](http://capacity.lawcom.govt.nz).

Mō ngā Kaupapa Matua

Kei te taha o te Puka Kaupapa Tuarua, kua whakaputa mātou i ngā puka Kaupapa Matua e whā. He whakarāpopototanga poto, reo-ngāwari mō ētahi o ngā kaupapa matua kei roto i te Puka Kaupapa Tuarua. Kei roto i ia Kaupapa Matua, ka pātai atu mātou i ētahi pātai whakawhitiwhiti nui.

Kei te wātea ngā Kaupapa Matua kei [tō mātou paetukutuku](https://capacity.lawcom.govt.nz/) i ngā hōputu tomopai: te reo rotarota o Aotearoa, Pānui Māmā, ororongo, tuhi nunui, me te Tuhi Matapō. E tukuna ana i te reo Māori hoki.

Ko ngā Kaupapa Matua ko:

* Kaupapa Matua 1: He māngai ka kopoua e te Kōti.
* Kaupapa Matua 2: He tautoko huarahi whakatau.
* Kaupapa Matua 3: Mana pūmau o te māngai ā-ture.
* Kaupapa Matua 4: Ngā whakapainga whaitake me ngā tukanga kōti.

Kāore ngā Kaupapa Matua e hora rawa i ngā kaupapa, ngā take me ngā pātai whakawhitiwhiti katoa kei roto i te Puka Kaupapa Tuarua. Ka tohutoro atu ia Kaupapa Matua ki ngā wāhanga hāngai o te Puka Kaupapa Tuarua, kia ngāwari te kimi a te tangata i ā mātou tātaritanga āmiki, pātai hoki.

Tukuna ō whakaaro

Ka taea te whakamōhio mai ō whakaaro mā te tuku mai i tētahi tāpaetanga. Ka katia te wā tono ā te **5 i te ahiahi, ā te Rāmere, te 21 o Pipiri 2024.**

Ka taea e koe tāu tāpaetanga te tuku mā te:

* Īmēra mai ki: [huarahi.whakatau@lawcom.govt.nz](mailto:huarahi.whakatau@lawcom.govt.nz).
* Tuhi mai ki: He Arotake i te Ture mō ngā Huarahi Whakatau a ngā Pakeke, Te Aka Matua o te Ture Law Commission, Pouaka Poutāpeta 2590, Te Whanganui-a-Tara 6140.

Ka taea e tō tāpaetanga te urupare ki ngā pātai kei roto i ngā Kaupapa Matua, ka taea rānei te whakaputa i ō whakaaro whānui. E pai ana kia tuku i ngā tāpaetanga kiritahi, ki te mahi tahi ki ētahi atu tāngata ki te tuku i tētahi tāpaetanga ā-rōpū rānei.

Mehemea ka hiahia koe ki te whakautu i ngā pātai āhua āmiki kei tō mātou Puka Kaupapa Tuarua, ka kitea he mōhiohio me pēhea kei [tō mātou paetukutuku](https://capacity.lawcom.govt.nz/).

Mehemea kei te hiahia koe ki te tuku i tētahi tāpaetanga, engari kāore e taea ērā kōwhiringa, whakapā mai ki a mātou mā tētahi o ēnei ara:

* Īmēra mai ki: [huarahi.whakatau@lawcom.govt.nz](mailto:huarahi.whakatau@lawcom.govt.nz).
* Waea mai ki: 0800 832 526.
* Mehemea he turi koe, āhua turi, turi-kāpō, whaikaha tō reo, ka uaua te kōrero rānei, ka taea te whakamahi i te [New Zealand Relay Service](http://www.nzrelay.co.nz).

Tērā pea ka pupuke te kare ā-roto, ka taumaha rānei ki ētahi te tuku i te tāpaetanga. Mehemea ka hiahia koe ki te tuku tāpaetanga, tērā pea ka hiahia koe ki te whakarite i tētahi kaiāwhina hei āwhina i a koe. Mehemea e pāmamae ana, e auhi ana rānei koe, ka taea te waea, te pātuhi rānei ki 1737. He ratonga āwhina utukore tēnei, ka taea 24 ngā haora ia rā. Ka āhei koe ki te kōrero, ki te pātuhi kōrero rānei ki tētahi kaiwhakamahereora kua whakangungua. He ratonga tēnei e ratoa ana e Whakarongorau Aotearoa | New Zealand Telehealth Services.

Ka pēhea tā mātou whakamahi i ō pārongo

Ka uru ngā pārongo ka tukuna e koe ki te Official Information Act 1982, te Privacy Act 2020 hoki.

Mō ētahi pārongo anō mō te Official Information Act, tēnā, tirohia te [paetukutuku a te Kaitiaki Mana Tangata](https://www.ombudsman.parliament.nz/). Mō ētahi pārongo anō mō te Privacy Act, tēnā, tirohia te [paetukutuku a te Privacy Commissioner.](https://www.privacy.org.nz).

Ki te tuku mai koe i tētahi tāpaetanga, ko tā mātou mahi he:

* Whai whakaaro ki te tāpaetanga i roto i tā mātou arotake.
* Pupuri i te tāpaetanga ki roto i ā mātou mauhanga ōkawa.

Ka mahi hoki pea mātou ki te:

* Whakaputa i te tāpaetanga ki tā mātou paetukutuku.
* Kōrero mō te tāpaetanga i roto i ā mātou whakaputanga.
* Whakamahi i te tāpaetanga hei āwhina i ā mātou mahi ki arotake atu anō.

Kei roto pea i tō tāpaetanga he pārongo whaiaro. I ngā wā katoa, kei a koe te mōtika ki te uru, ki te whakatika hoki i ō pārongo whaiaro.

E āhei ana koe ki te tono mai kia kaua mātou e whakaputa i tō ingoa, i ngā pārongo rānei ka tautohua koe i roto i tō tāpaetanga. Ki te tono mai koe i tēnei, e kore mātou e whakaputa i tō ingoa, i ngā pārongo rānei ka tautohua koe, tangata atu anō rānei ki tā mātou paetukutuku, ki ā mātou whakaputanga rānei.

Ki te tae mai he tono i raro i te Official Information Act, ā, kei roto rā tāu tāpaetanga, me whai whakaaro mātou kia tuku pea i tērā. Mehemea kei roto i te tono ō pārongo whaiaro, ka whakawhitiwhiti kōrero tātou.

Mehemea he pātai āu mō te whakahaere i tō tāpaetanga, tēnā, whakapā mai ki a mātou kei [huarahi.whakatau@lawcom.govt.nz](mailto:huarahi.whakatau@lawcom.govt.nz).

Te whakamārama mō te arotake

Kei roto i te PPPR Act ētahi whakaritenga whānui ka taea te whakatau ina whakaaweawetia ngā huarahi whakatau a tētahi pakeke. Ka whakaaweawetia pea ngā huarahi whakatau o te tangata e ngā mea maha, hei tauira, te mate wareware, whara roro, whaikaha ako, wheako auhi hinengaro rānei.

Tokomaha ngā tāngata kua kī mai me arotake te ture mō tēnei kaupapa, ki te whakaū kia pai te ture mō ngā tāngata kua whakaaweawetia ō rātou huarahi whakatau, mō te hunga e tata ana ki a rātou hoki.

Ki tō mātou whakaaro me whakahou te PPPR Act, ki tētahi whakatureture hou, e kaha ake ai te arotahi ki ngā hiahia o te tangata kua whakaweawetia te huarahi whakatau.

I whakaputa mātou i tētahi Puka Kaupapa Tīmatanga i te Whiringa-ā-rangi 2022. I pātai tērā mō ngā wheako o ngā tāngata kei raro i te ture o nāianei. I whakamahi mātou i te urupare mai i te Puka Kaupapa Tīmatanga ki te whakawhanake i tā mātou Puka Kaupapa Tuarua. Ka kitea tā mātou Puka Kaupapa Tīmatanga kei [tō mātou pae tukutuku](https://capacity.lawcom.govt.nz/). Kāore he herenga kia pānui koe i te Puka Kaupapa Tīmatanga ki te tuku koe i tētahi tāpaetanga e pā ana ki ngā Kaupapa Matua.

Mō Te Aka Matua o te Ture

Ko Te Aka Matua o te Ture | Law Commission tētahi tari kāwanatanga motuhake ka tuku tohutohu ki te Kāwanatanga mō te whakahou i ngā ture. Kāore te Kāwanatanga e tohutohu ana ki a mātou me pēhea te whakahaere i ā mātou mahi, he aha ngā tūtohu rānei e whakatauria e mātou.

Ka whakahaere mātou i te rangahau me te whakapāpātanga, kātahi ka tuku i ngā tūtohu ki te Kāwanatanga ki te whakapai ake i te ture. Ka whakaputaina aua tūtohu kei roto i tētahi pūrongo ki te Minister of Justice. Mā te Minita e tuku tō mātou pūrongo ki te Pāremata. Mā te Kāwanatanga e whakatau ka panoni i te ture, kāore rānei, ā, me pēhea te panoni.

Ka taea e koe te ako anō mō ā mātou mahi kei te [paetukutuku a Te Aka Matua o te Ture](https://www.lawcom.govt.nz/about-us/what-we-do/).