

Te Poari o Te Mana Whakaatu Charter

August 2023

Background

1. The Office of Film and Literature Classification (Te Mana Whakaatu) is established under the Film, Videos and Publication Classification Act 1993 (the Act)¹ and consists of the Chief Censor and the Deputy Chief Censor².
2. The Chief Censor and the Deputy Chief Censor are the board of Te Mana Whakaatu Classification Office (the board) for the purposes of the Crown Entities Act 2004³.
3. To support the Te Mana Whakaatu commitment to Te Ao Māori, including developing and maintaining the capability of the organisation to engage with Māori and to understand Māori perspectives, Te Mana Whakaatu has appointed its Pou Ārahi to sit with the Chief Censor and the Deputy Chief Censor as Te Poari o Te Mana Whakaatu (Te Poari).

Purpose of the Charter

4. The purpose of this Charter is to record:
 - (a) The composition of Te Poari
 - (b) The role of the Pou Ārahi as a member of Te Poari
 - (c) The responsibilities and duties of Te Poari
 - (d) How Te Poari will work
 - (e) The Chief Censor and the Deputy Chief Censor's obligations under the Act and the Crown Entities Act 2004.

Composition of Te Poari

5. Te Poari will consist of three members:
 - (a) the Chief Censor (the Chair)
 - (b) the Deputy Chief Censor (the Deputy -Chair)
 - (c) the Pou Ārahi.

The role of Pou Ārahi

6. The Pou Ārahi will provide independent advice and guidance to Te Poari and contribute to decision making. In particular, the Pou Ārahi will review and provide feedback on the progress of the organisation's overall strategy to:
 - (a) Better express a commitment to te Tiriti o Waitangi
 - (b) Promote equity for Māori in decision making and communication
 - (c) Incorporate te ao Māori into the delivery of functions.
7. The Pou Ārahi will be appointed by Te Mana Whakaatu for a term of one year. The Pou Ārahi may be appointed for further term(s).

¹ Section 76 of the Act.

² Section 79(1) of the Act.

³ Section 79(1) of the Act.

Responsibilities and duties of Te Poari

8. Te Poari is responsible for the governance and overall strategic direction of Te Mana Whakaatu.
9. The duties of Te Poari include:
 - Providing leadership and setting strategic direction
 - Approving and monitoring the work programme and budget
 - Monitoring capital expenditures
 - Ensuring financial statements are accurate, complete, and comply with legislation and regulations
 - Overseeing and evaluating the performance of the management team
 - Ensuring compliance with legislation
 - Ensuring that there are adequate risk management systems and internal controls.
10. Te Poari will strive to act collectively and make decisions by consensus.
11. Te Poari members will bring a spirit of service to the community and a desire to improve the wellbeing of New Zealand and New Zealanders, including of Māori, consistent with Te Tiriti o Waitangi. Members will act with the highest levels of integrity and professional and personal standards and will observe the rules set within the Code of Conduct for Crown Entity Board Members⁴.
12. Actual and perceived conflicts of interest of Te Poari members will be declared, discussed and managed in a way that is consistent with the Code of Conduct for Crown Entity Board Members, and relevant systems and processes of Te Mana Whakaatu.

How Te Poari will work

13. Te Poari will meet as necessary, and at least quarterly. Meetings will be at the offices of Te Mana Whakaatu, unless alternative arrangements are agreed by the chair.
14. Te Poari will be supported by the Strategic Administrator (secretariat) and the Rōpū Whakahaere (the Mana Whakaatu Senior Management Team) and other staff as required.
15. Meeting papers will be sent to members the Friday before a meeting the following week, or at least three days before the meeting.
16. Minutes of each meeting will be taken by the secretariat, capturing significant points of discussion and all decisions. Minutes of the meeting will be sent to members the week following the meeting, and feedback will be collated by the secretariat. Minutes will be confirmed by the members at the following meeting and will be signed by the Chair.

⁴ [Code-of-Conduct-For-Crown-Entity-Board-Members.pdf \(publicservice.govt.nz\)](#)

The Chief Censor and the Deputy Chief Censor’s obligations under the Act and the Crown Entities Act 2004.

17. The Chief Censor and Deputy Chief Censor have chosen to conduct the governance of Te Mana Whakaatu through Te Poari o Te Mana Whakaatu in order to prioritise commitment to Te Ao Māori, however both have statutory powers and responsibilities under the Act and the Crown Entities Act which they may not pass to or share with others, in particular they have responsibilities to the Minister under section 26 of the Crown Entities Act.
18. The Chief Censor and Deputy Chief Censor acknowledge that some matters may require the decision, authorisation or action of the statutorily appointed board of the Classification Office. They will work to manage those matters in appropriate ways, including:
 - Working within Te Poari, with the advice of the Pou Ārahi and others present
 - Working within Te Poari but making a discreet decision as the board of the Classification Office
 - Meeting outside of Te Paori as the board of the Classification Office.
19. Where any document (for example minutes or a delegation of powers) requires a record of the actions of the board of the Classification Office these will be recorded as board actions, rather than of Te Poari.
20. The Chief Censor and Deputy Chief Censor each have the right to require any matter to be put before the board of the Classification Office.