

# **VOTE** *Treaty* *Negotiations*

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## Terms and Definitions Used

Claimant Funding	A contribution from the Crown to claimant groups towards the costs of negotiating historical Treaty of Waitangi settlements.
Deed of Settlement	The complete, detailed and formal settlement agreement signed on behalf of the Crown and the claimant group. It is a legal document specifying the terms and conditions of the settlement of the Treaty claims.
Historical Claims	Those claims relating to alleged breaches of the Treaty of Waitangi before 21 September 1992.
Landbank	Surplus Crown property is held by the Office of Treaty Settlements to protect it for possible use in future Treaty of Waitangi settlements.
Protection Mechanism	The criteria applied when determining whether surplus Crown property will be landbanked.
Terms of Negotiation	A written agreement between the Crown and a claimant group setting out the agreed objectives and ground rules for negotiations.

## Footnotes

Note 1 In addition to the amounts shown in the referred table, actual other expenses under the multi-year appropriation for historical Treaty of Waitangi settlements is \$4.937 million in the period 1 July 2004 until 31 March 2005. The amount under the multi-year appropriation for the five-year period 2004/05 to 2008/09 is \$400 million. Details of the multi-year appropriation are in the 2004/05 Supplementary Estimates.

1994/95	\$165.577 million
1995/96	\$11.318 million
1996/97	\$45.488 million
1997/98	\$123.625 million
1998/99	\$9.195 million
1999/2000	\$9.845 million
2000/01	\$56.937 million
2001/02	\$14.699 million
2002/03	\$53.359 million
2003/04	\$30.308 million

# Treaty Negotiations

VOTE MINISTER: Minister in Charge of Treaty of Waitangi Negotiations

ADMINISTERING DEPARTMENT: Ministry of Justice

The Minister of Justice is the Responsible Minister for the Ministry of Justice

## Part B - Statement of Appropriations

### Summary of Appropriations

	Appropriations to be Used				Total Appropriations \$000
	By the Department Administering the Vote		For Non-Departmental Transactions		
Types of Appropriation	Annual \$000	Other \$000	Annual \$000	Other \$000	
<b>Operating Flows</b>					
Classes of Outputs to be Supplied	19,402	-	-	-	19,402
Benefits and Other Unrequited Expenses	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-
Other Expenses	-	-	5,381	-	5,381
<b>Capital Flows</b>					
Capital Contributions	-	-	1,215	-	1,215
Purchase or Development of Capital Assets	-	-	10,000	-	10,000
Repayment of Debt	-	-	-	-	-
<b>Total Appropriations for 2004/05</b>	<b>19,402</b>	<b>-</b>	<b>16,596</b>	<b>-</b>	<b>35,998</b>
<b>Total 2004/05 Main Estimates Appropriations</b>	<b>19,031</b>	<b>-</b>	<b>15,075</b>	<b>-</b>	<b>34,106</b>

In addition to the annual appropriations shown in the table above, there are two multi-year appropriations covering the 2004/05 financial year: the current multi-year appropriation covering 2003/04-2007/08 is being repealed in the Appropriation (2004/05 Supplementary Estimates) Bill, and is being replaced in that Bill by a new multi-year appropriation covering 2004/05-2008/09.

## Part B1 - Details of Appropriations

	2004/05						Purpose of and Reasons for Change in 2004/05 Appropriations
	Main Estimates		Supplementary Estimates		Cumulative Vote		
	Annual \$000	Other \$000	Annual \$000	Other \$000	Annual \$000	Other \$000	
Appropriations							
<b>Departmental Output Classes (Mode B Gross)</b>							
Policy Advice - Treaty Negotiations	9,387	-	14	-	9,401	-	Advice on generic Treaty issues and specific historical Treaty claims. Negotiation of historical Treaty claims. Where appropriate, the preparation of settlement legislation, property valuation, disclosure and preparation and execution of legal documentation required to enable the transfer of settlement assets to claimants.  The change in appropriation is to allow for realignment of corporate and overhead cost allocation.
Representation - Waitangi Tribunal	2,960	-	155	-	3,115	-	Allows the Crown to undertake research into historical Treaty grievances and ensures the Crown is represented with well prepared documentation and evidence at Waitangi Tribunal hearings.  The change in appropriation is to allow for realignment of corporate and overhead cost allocation.
Property Portfolio Management	6,684	-	202	-	6,886	-	Management, transfer and disposal of Crown-owned property for Treaty settlement purposes.  The increase in appropriation allows for realignment of corporate and overhead cost allocation.
<b>Total Appropriations for Departmental Output Classes (Mode B Gross)</b>	<b>19,031</b>	<b>-</b>	<b>371</b>	<b>-</b>	<b>19,402</b>	<b>-</b>	

<b>Other Expenses to be Incurred by the Crown</b>							
Ngāi Tahu Ancillary Claims Trust	-	-	318	-	318	-	The 2003/04 appropriation was for funding of the Ngāi Tahu Ancillary Claims Trust to return particular properties to identified beneficiaries.
Interest Payments on Settlements	4,400	-	663	-	5,063	-	Interest payable on the outstanding value of redress for settlements agreed between claimants and the Crown. Deeds of Settlement have been signed with Ngāti Awa, Ngaa Rauru and Tuwharetoa ki Kawerau.  The change reflects the signing of the Te Arawa Lakes Deed of Settlement and agreement by Ngāti Mutunga to a Crown Settlement offer.
<b>Total Appropriations for Other Expenses to be Incurred by the Crown</b>	<b>4,400</b>	<b>-</b>	<b>981</b>	<b>-</b>	<b>5,381</b>	<b>-</b>	
<b>Capital Contributions to Other Persons or Organisations</b>							
Advance Payment Against Notionally Accrued Interest	550	-	540	-	1,090	-	Advance payment of accrued interest payable on the outstanding value of redress for Ngaa Rauru.
Cash in Advance of Settlement	125	-	-	-	125	-	Advance payment of settlement redress as part of the negotiations with Tuwharetoa ki Kawerau.
<b>Total Appropriations for Capital Contributions to Other Persons or Organisations</b>	<b>675</b>	<b>-</b>	<b>540</b>	<b>-</b>	<b>1,215</b>	<b>-</b>	
<b>Purchase or Development of Capital Assets by the Crown</b>							
Land, Stock, Plant Purchases	10,000	-	-	-	10,000	-	The purchase of surplus Crown property is held in the Office of Treaty Settlements landbank to protect it for possible use in future Treaty of Waitangi Settlements.
<b>Total Appropriations for Purchase or Development of Capital Assets by the Crown</b>	<b>10,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>10,000</b>	<b>-</b>	
<b>Total Appropriations</b>	<b>34,106</b>	<b>-</b>	<b>1,892</b>	<b>-</b>	<b>35,998</b>	<b>-</b>	

## Part B2 - Details of Multi-Year Appropriation

Appropriations	2003/04-2007/08			2004/05-2008/09	Scope of Appropriations
	Vote \$000	Actual to 30 June 2004 \$000	Remaining Appropriation from 1 July 2004 \$000	Vote \$000	
Other Expenses to be Incurred on Behalf of the Crown					
Historical Treaty of Waitangi Settlements	400,000	30,308	369,692	400,000	<p>The multi-year appropriation reflects the Crown's commitment to settling historical Treaty of Waitangi claims and the uncertain timing of achieving settlement for each claim. The multi-year appropriation of \$400 million being sought for 2004/05-2008/09 rolls out by one financial year for the five-year period to which the multi-year appropriation applies. It replaces the unexpended balance of the multi-year appropriation of \$400 million for 2003/04-2007/08.</p> <p>This appropriation provides for the payment of redress, through the transfer of assets (cash and property) from the Crown to claimant groups, and for the payment of claimant funding.</p>

## Part F - Crown Revenue and Receipts

### Part F1 - Current and Capital Revenue and Receipts

	2004/05			Explanation of 2004/05 Crown Revenue
	Main Estimates	Supplementary Estimates	Total Budgeted	
	\$000	\$000	\$000	
<b>Current Revenue</b>				
Non-Tax Revenue				
Landbank Properties	6,970	(144)	6,826	Revenue arising from landbanked properties. The reduced revenue reflects the disposal of McLean House in Tauranga and the subsequent decrease in rent revenue.
<b>Total Non-Tax Revenue</b>	6,970	(144)	6,826	
<b>Total Current Revenue</b>	6,970	(144)	6,826	
<b>Capital Receipts</b>				
Waitomo Loan Repayments	31	-	31	Repayments of the principal of a loan for the Treaty of Waitangi Waitomo Settlement in 1990.
<b>Total Capital Receipts</b>	31	-	31	
<b>Total Crown Revenue and Receipts</b>	7,001	(144)	6,857	

