

Information Supporting the Supplementary Estimates

Vote Treaty Negotiations

MINISTER(S) RESPONSIBLE FOR APPROPRIATIONS: Attorney-General (M5), Minister for Treaty of Waitangi Negotiations (M74)

ADMINISTERING DEPARTMENT: Ministry of Justice - OTS

MINISTER RESPONSIBLE FOR MINISTRY OF JUSTICE - OTS: Minister of Justice

Part 1 - Summary of the Vote

Part 1.3 - Trends in the Vote

Summary of Financial Activity

	2008/09				
	Estimates \$000	Supplementary Estimates			Total \$000
		Departmental Transactions \$000	Non- Departmental Transactions \$000	Total Transactions \$000	
Appropriations					
Output Expenses	20,577	4,911	-	4,911	25,488
Benefits and Other Unrequited Expenses	-	N/A	-	-	-
Borrowing Expenses	-	-	-	-	-
Other Expenses	61,620	-	11,628	11,628	73,248
Capital Expenditure	10,000	-	1,600	1,600	11,600
Intelligence and Security Department Expenses and Capital Expenditure	-	-	N/A	-	-
Total Appropriations	92,197	4,911	13,228	18,139	110,336
Crown Revenue and Capital Receipts					
Tax Revenue	-	N/A	-	-	-
Non-Tax Revenue	5,877	N/A	-	-	5,877
Capital Receipts	-	N/A	-	-	-
Total Crown Revenue and Capital Receipts	5,877	N/A	-	-	5,877

Part 2 - Details and Expected Performance for Output Expenses

Part 2.1 - Departmental Output Expenses

Policy Advice - Treaty Negotiations (M74)

Scope of Appropriation

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.

Reasons for Change in Appropriation

This appropriation has increased by \$4.612 million to \$16.016 million. The main reason for increase in this appropriation is new funding for Treaty Negotiations for 2008/09.

Property Portfolio Management (M74)

Scope of Appropriation

Management, transfer and disposal of Crown-owned property for Treaty settlement purposes.

Reasons for Change in Appropriation

This appropriation has increased by \$299,000 to \$6.511 million. This relates to new funding for Taranaki Whānui land banking properties.

Part 5 - Details and Expected Results for Other Expenses

Part 5.2 - Non-Departmental Other Expenses

Crown Contribution to Guardians Establishment Committee Costs (M74)

Scope of Appropriation

This appropriation is limited to the establishment, operation and support of the Guardians Establishment Committee.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	1,000	1,000

Reasons for Change in Appropriation

New funding approved for the Waikato River Statutory Board's Establishment Committee during 2008/09.

Crown contribution to Tainui Taranaki ki te Tonga's Waitangi Tribunal costs (M74)

Scope of Appropriation

This appropriation is limited to a one-off payment as a Crown contribution to Tainui Taranaki ki te Tonga's Waitangi Tribunal Costs.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	3,000	3,000

Reasons for Change in Appropriation

New funding approved for Te Tau Ihu and Lower North Island Treaty Claims during 2008/09.

Crown Contribution to Te Roroa to facilitate Te Roroa's purchase of the deferred selection properties (M74)

Scope of Appropriation

This appropriation is limited to a one-off ex gratia payment to the Te Roroa Governance Entity to help facilitate Te Roroa's purchase of the Aranga and Waikara Farms.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	6,000	6,000

Reasons for Change in Appropriation

New funding during 2008/09 for a contribution to Te Roroa was approved.

Crown Contribution to the Ngāti Mākinō Heritage Trust Negotiation Costs (M74)

Scope of Appropriation

This appropriation is limited to a one-off ex gratia payment to the Ngāti Mākinō Heritage Trust as a contribution towards the negotiation costs of their Treaty claims.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	140	140

Reasons for Change in Appropriation

New funding was approved during 2008/09 for a contribution to the Ngāti Mākinō Heritage Trust.

Crown Contribution to Waikato-Tainui River Negotiation Expenses (M74)

Scope of Appropriation

This appropriation is limited to a one-off payment to Waikato-Tainui for Waikato River negotiation costs.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	2,800	2,800

Reasons for Change in Appropriation

New funding for the Deed for Co-management of the Upper Waikato River was approved during 2008/09.

Crown Contributions to Taranaki Whānui's (Wellington) Waitangi Tribunal Costs and Negotiation Costs (M74)

Scope of Appropriation

This appropriation is limited the Crown Contributions to Taranaki Whānui's (Wellington) Waitangi Tribunal Costs and Negotiation Costs

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	1,946	1,946

Reasons for Change in Appropriation

New funding for the Taranaki Whānui ki te Upoko o Te Ika: Deed of Settlement was approved during 2008/09.

Crown Payment to the Ngāti Poneke Māori Association (M74)

Scope of Appropriation

This appropriation is limited to a one-off ex gratia payment to the Ngāti Poneke Māori Association in relation to a change in lease arrangements over Pipitea Marae.

Expenses

	2008/09		Total \$000
	Estimates \$000	Supplementary Estimates \$000	
Total Appropriation	-	1,738	1,738

Reasons for Change in Appropriation

New funding for a crown payment to the Ngāti Poneke Māori Association was approved during 2008/09.

Depreciation (M74)

Scope of Appropriation

Depreciation on assets held in the Office of Treaty Settlements Landbank for Treaty settlements.

Reasons for Change in Appropriation

This appropriation has increased by \$600,000 to \$2.100 million. In 2008/09 Joint Ministers approved an increase in this appropriation and outyears based on latest forecast trends.

Historical Treaty of Waitangi Settlements (M74)

Scope of Appropriation and Expenses

Type, Title, Scope and Period of Appropriations	Budgeted \$000	Estimated Actual \$000
Non-Departmental Other Expenses	2007-2012	
Historical Treaty of Waitangi Settlements (M74)	400,000	400,000
Settlement of historical Treaty of Waitangi claims, including redress through the transfer of assets (cash and property) from the Crown to claimant groups, any simple interest payable on settlements between signing of the Deed of Settlement and the Settlement Date, and payment of claimant funding. Commences: 1 July 2007 Expires: 30 June 2012		

Historical Treaty of Waitangi Settlements 2009 - 2013 (M74)

Scope of Appropriation and Expenses

Type, Title, Scope and Period of Appropriations	Budgeted \$000	Estimated Actual \$000
Non-Departmental Other Expenses	2009-2013	
Historical Treaty of Waitangi Settlements 2009 - 2013 (M74)	800,000	800,000
This appropriation is limited to settlement of historical Treaty of Waitangi claims, including redress through the transfer of assets (cash and property) from the Crown to claimant groups, any simple interest payable on settlements between the date specified in the Deed of Settlement and the Settlement Date, and payment of claimant funding. Commences: 30 June 2009 Expires: 30 June 2013		

Reasons for Change in Appropriation

A new multi-year appropriation for historical Treaty of Waitangi settlements is established each year in the Supplementary Estimates Act, and the balance of the previous multi-year appropriation is cancelled. The amount of the current multi-year appropriation 'Historical Treaty of Waitangi Settlements' is \$400 million over five years. The new multi-year appropriation 'Historical Treaty of Waitangi Settlements 2009 - 2013' (which will be in force from 30 June 2009) will have an amount of \$800 million over five years. The reason for the change is to ensure there is sufficient legal authority to finalise agreements in principle that were negotiated in 2008/09 and continue the momentum in Treaty settlements achieved in that year.

Māori Authorities (FoMA) Appeal (M5)

Scope of Appropriation

This appropriation is limited to expenses to meet the payments required as part of settlement agreements in relation to the NZMC v Attorney-General Supreme Court appeal.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	500	500

Reasons for Change in Appropriation

New funding to meet settlements in Central North Island litigation was approved during 2008/09.

Ngāti Mākino Heritage Trust (M74)

Scope of Appropriation

This appropriation is limited to an on-account payment to the Ngāti Mākino Heritage Trust for marae restoration and revitalisation and funding for a needs assessment and Whole-of-Government facilitator.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	1,500	1,500

Reasons for Change in Appropriation

New funding for Crown Settlement Offers to Ngāti Mākino and Waitaha was approved during 2008/09.

Notional interest for on-account payments to Te Tau Ihu groups (M74)

Scope of Appropriation

This appropriation is limited to the payment of notional interest on on-account payments to Kurahaupō, Ngāti Toa and Tainui Tananaki ki te Tonga until the signing of letters of agreement between the Crown and these groups.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	72	72

Reasons for Change in Appropriation

New funding for contribution to Ngāti Mākino was approved during 2008/09.

On-account payments for Tainui Taranaki ki te Tonga, Ngāti Toa and Kurahaupō ki te Waipounamu (M74)

Scope of Appropriation

This appropriation is limited to on-account payments for Tainui Taranaki ki te Tonga, Ngāti Toa and Kurahaupō ki te Waipounamu.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	6,000	6,000

Reasons for Change in Appropriation

New funding for Te Tau Ihu and Lower North Island Treaty Claims was approved during 2008/09.

Te Roroa Settlement - Adjustment to Land Value (M74)

Scope of Appropriation

This appropriation is limited to the difference between the current value of the land to be transferred under the Te Roroa settlement and transfer value of that land transferred as part of that settlement.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	1,490	1,490

Reasons for Change in Appropriation

New funding for Te Roroa Deferred Selection Properties was approved during 2008/09.

Waitaha Raupatu Trust (M74)*Scope of Appropriation*

This appropriation is limited to an on-account payment to the Waitaha Raupatu trust for marae restoration and revitalisation and funding for a needs assessment and Whole-of-Government facilitator.

Expenses

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	1,300	1,300

Reasons for Change in Appropriation

New funding for Crown Settlement Offers to Ngāti Mākino and Waitaha and Waitaha Raupata Trust were approved during 2008/09.

Part 6 - Details and Expected Results for Capital Expenditure

Part 6.2 - Non-Departmental Capital Expenditure

Advance Payment Against Notionally Accrued Interest (M74)

Scope of Appropriation

Payment of interest notionally accrued on Treaty Settlements after a Deed of Settlement has been signed and prior to settlement date, as agreed to through negotiations.

Capital Expenditure

	2008/09		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	1,600	1,600

Reasons for Change in Appropriation

New funding was approved during 2008/09.