

Vote Treaty Negotiations

MINISTER(S) RESPONSIBLE FOR APPROPRIATIONS: Minister for Treaty of Waitangi Negotiations (M74)

ADMINISTERING DEPARTMENT: Ministry of Justice

MINISTER RESPONSIBLE FOR MINISTRY OF JUSTICE: Minister of Justice

Overview of the Vote

The Minister for Treaty of Waitangi Negotiations is responsible for appropriations in Vote Treaty Negotiations for the 2012/13 financial year including a multi-year appropriation and a range of annual appropriations.

Vote Treaty Negotiations contains a multi-year appropriation of \$1,400 million for the five year period 2012 to 2016. This appropriation is for the settlement of historical Treaty of Waitangi claims and 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 interest on settlement redress.

In addition, annual appropriations sought for Vote Treaty Negotiations in 2012/13 total \$169.969 million. This is intended to be spent as follows:

- \$23.911 million (14% of the Vote) for the purchase of negotiation and implementation of historical Treaty claims and administration and implementation of the Marine and Coastal Area (Takutai Moana) Act 2011 from the Ministry of Justice
- \$9.963 million (6% of the Vote) for the purchase of property management services from the Ministry of Justice
- \$2.220 million (1% of the Vote) for the purchase of Crown representation at Waitangi Tribunal and Court hearings of historical claims
- \$695,000 (less than 1% of the Vote) for the purchase of policy advice on historical Treaty claims and administration and implementation of the Marine and Coastal Area (Takutai Moana) Act 2011 from the Ministry of Justice
- \$12.602 million (7% of the Vote) for claimant funding to support the settlement of historical Treaty claims
- \$120,000 (less than 1% of the Vote) for writing off debt associated with rentals owed from Landbank properties
- \$2.400 million (1% of the Vote) for agreed payments for Foreshore and Seabed agreements
- \$13.693 million (8% of the Vote) financial contributions to applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011
- \$3.600 million (2% of the Vote) for depreciation on assets held in the Landbank
- \$6.405 million (4% of the Vote) for the write down of commercial properties transferred as part of a Treaty settlement
- \$27.980 million (16% of the Vote) for the purchase of property for the Landbank administered by the Ministry of Justice for historical Treaty of Waitangi settlement purposes, and
- \$66.380 million (39% of the Vote) to support lending to implement the Ngāti Whatua o Orakei Deed of Settlement.

The Ministry of Justice expects to collect \$14.183 million of revenue on behalf of the Crown from Landbank property operations.

Details of these appropriations are set out in Parts 2-6 for Vote Treaty Negotiations in the *Information Supporting the Estimates of Appropriations*.

Details of Appropriations

Details of Annual and Permanent Appropriations

Titles and Scopes of Appropriations by Appropriation Type	2011/12		2012/13
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Departmental Output Expenses			
<i>Property Portfolio Management (M74)</i> Management, transfer and disposal of Crown-owned property for Treaty settlement purposes.	9,405	9,405	9,963
<i>Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act MCOA (M74)</i> <i>Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act</i> This output class is limited to the provision of advice to support decision-making by Ministers on government policy matters relating to Treaty Negotiations and the Marine and Coastal Area (Takutai Moana) Act 2011.	-	-	26,826
<i>Representation - Waitangi Tribunal and Courts</i> This output class is limited to Crown representation in the Waitangi Tribunal and in the Courts on matters concerning Treaty claims, and associated research into historical Treaty grievances to support representation.	-	-	695
<i>Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act</i> This output class is limited to the negotiation and implementation of historical Treaty claims, and the administration and implementation of the Marine and Coastal Area (Takutai Moana) Act 2011.	-	-	2,220
<i>Policy Advice - Treaty Negotiations (M74)</i> 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.	22,791	22,791	23,911
<i>Representation - Waitangi Tribunal (M74)</i> 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.	2,056	2,056	-
Total Departmental Output Expenses	34,252	34,252	36,789
Non-Departmental Other Expenses			
<i>Agreed Payments for Foreshore and Seabed Deeds of Agreement (M74)</i> This appropriation is limited to agreed payments associated with implementing foreshore and seabed Deeds of Agreement.	-	-	2,400
<i>Claimant Funding (M74)</i> This appropriation is limited to payment of claimant funding related to the settlement of historical Treaty of Waitangi claims.	10,082	10,082	12,602
<i>Contribution Toward Determining Customary Interests in the Marine and Coastal Area (M74)</i> This appropriation is limited to providing a financial contribution to applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011.	300	300	13,693
<i>Debt Write-offs (M74)</i> Write-off of Bad Debts from Landbank rental properties.	120	120	120
<i>Depreciation (M74)</i> Depreciation on assets held in the Office of Treaty Settlements Landbank for Treaty settlements.	3,600	3,600	3,600

Titles and Scopes of Appropriations by Appropriation Type	2011/12		2012/13
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Non-Departmental Other Expenses - cont'd			
<i>Write down of Commercial Properties in Vote Treaty Negotiations (M74)</i> This appropriation is limited to the difference between the current value of the commercial property to be transferred through a Treaty settlement, and the agreed transfer value of that commercial property transferred as part of a Treaty settlement.	35,298	35,298	6,405
Total Non-Departmental Other Expenses	49,400	49,400	38,820
Non-Departmental Capital Expenditure			
<i>Land, Stock, Plant Purchases (M74)</i> 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.	24,088	24,088	27,980
<i>Lending to Support Implementation of the Ngati Whatua o Orakei Deed of Settlement (M74)</i> This appropriation is limited to lending to implement the Ngati Whatua o Orakei Deed of Settlement.	-	-	66,380
Total Non-Departmental Capital Expenditure	24,088	24,088	94,360
Total Annual and Permanent Appropriations	107,740	107,740	169,969

Details of Multi-Year Appropriations

Type, Title, Scope and Period of Appropriations	\$000
Non-Departmental Other Expenses	
<i>Historical Treaty of Waitangi Settlements 2011 - 2015 (M74)</i> This appropriation is limited to the settlement of historical Treaty of Waitangi claims, including redress through the transfer of assets (cash and property) from the Crown to the claimant groups, and any simple interest payable on settlements between the date specified in the Deed of Settlement and the Settlement Date. Commences: 30 June 2011 Expires: 30 June 2015	1,400,000
<i>Historical Treaty of Waitangi Settlements 2012 - 2016 (M74)</i> This appropriation is limited to the settlement of historical Treaty of Waitangi claims, including redress through the transfer of assets (cash and property) from the Crown to the claimant groups, and any simple interest payable on settlements between the date specified in the Deed of Settlement and the Settlement Date. Commences: 30 June 2012 Expires: 30 June 2016	1,400,000