

Vote Treaty Negotiations

APPROPRIATION MINISTER(S): Minister for Treaty of Waitangi Negotiations (M74)

APPROPRIATION ADMINISTRATOR: Ministry of Justice

RESPONSIBLE MINISTER FOR MINISTRY OF JUSTICE: Minister of Justice

Details of Appropriations and Capital Injections

Annual and Permanent Appropriations

Titles and Scopes of Appropriations by Appropriation Type	2015/16		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Departmental Output Expenses			
Property Portfolio Management (M74) Management, transfer and disposal of Crown-owned property for Treaty settlement purposes.	11,538	(729)	10,809
Total Departmental Output Expenses	11,538	(729)	10,809
Non-Departmental Other Expenses			
Agreed Payments for Foreshore and Seabed Deeds of Agreement (M74) This appropriation is limited to agreed payments associated with implementing foreshore and seabed Deeds of Agreement.	15,530	-	15,530
Claimant Funding (M74) This appropriation is limited to payment of claimant funding related to the settlement of historical Treaty of Waitangi claims.	9,942	(2,532)	7,410
Contribution to Parihaka community engagement with the Crown support package (M74) This appropriation is limited to providing financial support to the Parihaka community to engage in the development and implementation of the Crown support package.	-	150	150
Contribution toward Determining Customary Interests in the Marine and Coastal Area (M74) This appropriation is limited to providing financial assistance for the investigation of applicant groups' customary rights under the Marine and Coastal Area (Takutai Moana) Act 2011.	7,950	(6,142)	1,808
Debt Write-offs (M74) Write-off of Bad Debts from Landbank rental properties.	120	-	120
Depreciation (M74) Depreciation on assets held in the Office of Treaty Settlements Landbank for Treaty settlements.	3,600	-	3,600
Total Non-Departmental Other Expenses	37,142	(8,524)	28,618
Non-Departmental Capital Expenditure			
Purchase of Assets for Possible Use in Future Treaty of Waitangi Settlements (M74) This appropriation is limited to the purchase of assets for possible use in future Treaty of Waitangi settlements.	10,000	5,664	15,664
Total Non-Departmental Capital Expenditure	10,000	5,664	15,664
Multi-Category Expenses and Capital Expenditure			
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act MCA (M74) The overarching purpose of this appropriation is to support the Crown in the negotiation, administration and implementation of historic Treaty of Waitangi settlement claims and the Marine and Coastal Area (Takutai Moana) Act 2011.	29,144	2,225	31,369
<i>Departmental Output Expenses</i>			
<i>Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act</i> This category 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.	1,363	(3)	1,360

	2015/16		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Titles and Scopes of Appropriations by Appropriation Type			
<i>Representation - Waitangi Tribunal and Courts</i> This category 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.	2,077	(5)	2,072
<i>Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act</i> This category 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.	25,704	2,233	27,937
Total Multi-Category Expenses and Capital Expenditure	29,144	2,225	31,369
Total Annual and Permanent Appropriations	87,824	(1,364)	86,460

Multi-Year Appropriations

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
Non-Departmental Other Expenses		
Historical Treaty of Waitangi Settlements 2015 - 2019 (M74) 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 2015 Expires: 30 June 2019	Original Appropriation Estimated Actual for 2015/16	1,400,000 450,402
Historical Treaty of Waitangi Settlements 2016 - 2020 (M74) 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 2016 Expires: 30 June 2020	Original Appropriation Estimated Actual for 2015/16	1,400,000 -

Total Annual, Permanent and Multi-Year Appropriations

	2015/16		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Total Annual and Permanent Appropriations	87,824	(1,364)	86,460
Total MYA Non-Departmental Other Expenses Forecasts	350,000	-	350,000
Total Annual and Permanent Appropriations and Multi-Year Appropriation Forecasts	437,824	(1,364)	436,460

Supporting Information

Part 1 - Vote as a Whole

1.2 - Trends in the Vote

Summary of Financial Activity

	2015/16				
	Estimates \$000	Supplementary Estimates			Total \$000
		Departmental Transactions \$000	Non- Departmental Transactions \$000	Total Transactions \$000	
Appropriations					
Output Expenses	11,538	(729)	-	(729)	10,809
Benefits or Related Expenses	-	N/A	-	-	-
Borrowing Expenses	-	-	-	-	-
Other Expenses	387,142	-	(8,524)	(8,524)	378,618
Capital Expenditure	10,000	-	5,664	5,664	15,664
Intelligence and Security Department Expenses and Capital Expenditure	-	-	N/A	-	-
Multi-Category Expenses and Capital Expenditure (MCA)					
<i>Output Expenses</i>	29,144	2,225	-	2,225	31,369
<i>Other Expenses</i>	-	-	-	-	-
<i>Capital Expenditure</i>	-	N/A	-	-	-
Total Appropriations	437,824	1,496	(2,860)	(1,364)	436,460
Crown Revenue and Capital Receipts					
Tax Revenue	-	N/A	-	-	-
Non-Tax Revenue	13,200	N/A	-	-	13,200
Capital Receipts	14,000	N/A	(14,000)	(14,000)	-
Total Crown Revenue and Capital Receipts	27,200	N/A	(14,000)	(14,000)	13,200

Part 2 - Details of Departmental Appropriations

2.1 - Departmental Output Expenses

Property Portfolio Management (M74)

Scope of Appropriation

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

Expenses and Revenue

	2015/16		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	11,538	(729)	10,809
Revenue from the Crown	11,506	(759)	10,747
Revenue from Others	32	30	62

Reasons for Change in Appropriation

The appropriation has decreased by \$729,000 to \$10.809 million for 2015/16, due to:

- a decrease of \$950,000 owing to a net transfer to 2016/17 to fund the delayed demolition of derelict buildings at the former Barrett Street and Tokanui hospitals, as resource consent processes have taken longer than anticipated, and
- a decrease of \$29,000 for funds returned to the Crown as a contribution to the share of costs for Budget 2015 whole-of-government initiatives.

Offset by:

- an increase of \$220,000 owing to a net transfer to fund the harvesting of the Pukeora forest. This has been delayed due to extended contractual processes and uncertainty over the preferred harvesting method, and
- an increase of \$30,000 funded from revenue received for employees seconded to other government agencies.

Part 3 - Details of Non-Departmental Appropriations

3.4 - Non-Departmental Other Expenses

Claimant Funding (M74)

Scope of Appropriation

This appropriation is limited to payment of claimant funding related to the settlement of historical Treaty of Waitangi claims.

Reasons for Change in Appropriation

The appropriation has decreased by \$2.532 million to \$7.410 million for 2015/16, due to transfers to align funding with expected levels of claimant applications.

Contribution to Parihaka community engagement with the Crown support package (M74)

Scope of Appropriation

This appropriation is limited to providing financial support to the Parihaka community to engage in the development and implementation of the Crown support package.

Expenses

	2015/16		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	150	150

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve assistance to the Parihaka community to engage with the Crown in the development of a support package and reconciliation process.

How Performance will be Assessed and End of Year Reporting Requirements

An exemption was granted under s15D(2)(b)(ii) of the PFA, as additional information is unlikely to be informative because this appropriation is solely for payments to the Parihaka community.

Reasons for Change in Appropriation

The appropriation has increased by \$150,000 due to a transfer from the Contribution toward Determining Customary Interests in the Marine and Coastal Area appropriation to provide for a Crown contribution to the Parihaka community.

Contribution toward Determining Customary Interests in the Marine and Coastal Area (M74)

Scope of Appropriation

This appropriation is limited to providing financial assistance for the investigation of applicant groups' customary rights under the Marine and Coastal Area (Takutai Moana) Act 2011.

Reasons for Change in Appropriation

The appropriation has decreased by \$6.142 million to \$1.808 million for 2015/16, due to:

- a transfer of \$6.500 million to 2016/17 to realign funding with anticipated applications for recognition under the Marine and Coastal Area (Takutai Moana) Act 2011, and
- a transfer of \$150,000 from the Contribution Toward Determining Customary Interests in the Marine and Coastal Area appropriation to provide for a Crown contribution to the Parihaka community.

Offset by:

- a transfer of \$508,000 from 2014/15 to fund expected applications under the Marine and Coastal Area (Takutai Moana) Act 2011.

3.5 - Non-Departmental Capital Expenditure

Purchase of Assets for Possible Use in Future Treaty of Waitangi Settlements (M74)

Scope of Appropriation

This appropriation is limited to the purchase of assets for possible use in future Treaty of Waitangi settlements.

Reasons for Change in Appropriation

The appropriation has increased by \$5.664 million to \$15.664 million for 2015/16, due to a transfer from 2014/15 for the acquisition of protection mechanism assets.

Part 4 - Details of Multi-Category Expenses and Capital Expenditure

Multi-Category Expenses and Capital Expenditure

Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act (M74)

Overarching Purpose Statement

The overarching purpose of this appropriation is to support the Crown in the negotiation, administration and implementation of historic Treaty of Waitangi settlement claims and the Marine and Coastal Area (Takutai Moana) Act 2011.

Scope of Appropriation

Departmental Output Expenses

Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act

This category 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.

Representation - Waitangi Tribunal and Courts

This category 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.

Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act

This category 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.

Expenses, Revenue and Capital Expenditure

	2015/16		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	29,144	2,225	31,369
Departmental Output Expenses			
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	1,363	(3)	1,360
Representation - Waitangi Tribunal and Courts	2,077	(5)	2,072
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	25,704	2,233	27,937
Funding for Departmental Output Expenses			
Revenue from the Crown	28,951	1,979	30,930
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	1,351	(3)	1,348
Representation - Waitangi Tribunal and Courts	2,075	(5)	2,070
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	25,525	1,987	27,512

	2015/16		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Revenue from Others	193	246	439
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	12	-	12
Representation - Waitangi Tribunal and Courts	2	-	2
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	179	246	425

What is Intended to be Achieved with each Category and How Performance will be Assessed

	2015/16		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Assessment of Performance			
Departmental Output Expenses			
Representation - Waitangi Tribunal and Courts			
Number of District enquiries at which the Crown is represented	2	1	3
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act			
Mandates recognised (see Note 1)	1	1	2
Agreements in Principle signed (see Note 1)	4	1	5
Deeds of Settlement initialled (see Note 1)	14	(7)	7
Legislation introduced (see Note 1)	23	(9)	14
Proportion of claims settled (see Note 1)	69%	(8%)	61%

Note 1 - The Office of Treaty Settlements work programme, which sets performance standards for this area has been revised. The standard for this performance measure has been revised to reflect the updated work programme.

Reasons for Change in Appropriation

Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act

The category has decreased by \$3,000 to \$1.360 million for 2015/16, due to funds returned to the Crown as a contribution to the share of costs for Budget 2015 whole-of-government initiatives.

Representation - Waitangi Tribunal and Courts

The category has decreased by \$5,000 to \$2.072 million for 2015/16, due to funds returned to the Crown as a contribution to the share of costs for Budget 2015 whole-of-government initiatives.

Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act

The category has increased by \$2.233 million to \$27.937 million for 2015/16, due to:

- an increase of \$1.900 million owing to transfers from 2014/15 to fund negotiation costs relating to settlements in the 2015/16 work programme
- an increase of \$350,000 owing to a transfer from 2014/15 to progress research into legal rights and interests in the common marine coastal area, and
- an increase of \$246,000 funded from revenue received for employees seconded to other government agencies.

Offset by:

- a decrease of \$200,000 owing to a transfer to 2016/17 for expected legal costs relating to Marine and Coastal Area High Court hearings and deed drafting for settlements, and
- a decrease of \$63,000 for funds returned to the Crown as a contribution to the share of costs for Budget 2015 whole-of-government initiatives.