

# *Vote Treaty Negotiations*

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

APPROPRIATION ADMINISTRATOR: Ministry of Justice

RESPONSIBLE MINISTER 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 2015/16 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 2015 to 2019. 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 2015/16 total \$88 million. This is intended to be spent as follows:

- \$11 million (12% of the Vote) for the purchase of property management services from the Ministry of Justice
- \$16 million (18% of the Vote) for agreed payments for Foreshore and Seabed agreements
- \$10 million (11% of the Vote) for claimant funding to support the settlement of historical Treaty claims
- \$8 million (9% of the Vote) for contributions toward determining customary interests in the Marine and Coastal Area
- \$120,000 (less than 1% of the Vote) for debt write-off of rentals owing from Landbank properties
- \$4 million (5% of the Vote) for depreciation on assets held in the Landbank
- \$10 million (11% of the Vote) for the purchase of assets for possible use in future historical Treaty of Waitangi settlements, and
- \$29 million (33% 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.

The Ministry of Justice expects to collect \$7 million of revenue on behalf of the Crown from Landbank property operations and \$6 million of interest revenue from lending to implement the Ngāti Whātua Ōrākei Deed of Settlement.

The Ministry of Justice also expects to receive \$14 million from the sale of the former Keneperu Hospital site.

Details of these appropriations are set out in Parts 2-4.

# Details of Appropriations and Capital Injections

## Annual and Permanent Appropriations

Titles and Scopes of Appropriations by Appropriation Type	2014/15		2015/16
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Departmental Output Expenses</b>			
<b>Property Portfolio Management (M74)</b> Management, transfer and disposal of Crown-owned property for Treaty settlement purposes.	13,126	13,126	11,538
<b>Total Departmental Output Expenses</b>	13,126	13,126	11,538
<b>Non-Departmental Other Expenses</b>			
<b>Agreed Payments for Foreshore and Seabed Deeds of Agreement (M74)</b> This appropriation is limited to agreed payments associated with implementing foreshore and seabed Deeds of Agreement.	-	-	15,530
<b>Claimant Funding (M74)</b> This appropriation is limited to payment of claimant funding related to the settlement of historical Treaty of Waitangi claims.	9,000	9,000	9,942
<b>Contribution Toward Determining Customary Interests in the Marine and Coastal Area (M74)</b> 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.	741	741	7,950
<b>Debt Write-offs (M74)</b> Write-off of Bad Debts from Landbank rental properties.	120	120	120
<b>Depreciation (M74)</b> Depreciation on assets held in the Office of Treaty Settlements Landbank for Treaty settlements.	3,600	3,600	3,600
<b>Loss on Disposal or Write-off of Landbank Assets (M74)</b> This appropriation is limited to losses incurred on the disposal or write off of landbank assets.	160	160	-
<b>Total Non-Departmental Other Expenses</b>	13,621	13,621	37,142
<b>Non-Departmental Capital Expenditure</b>			
<b>Purchase of Assets for Possible Use in Future Treaty of Waitangi Settlements (M74)</b> This appropriation is limited to the purchase of assets for possible use in future Treaty of Waitangi settlements.	22,494	22,494	10,000
<b>Total Non-Departmental Capital Expenditure</b>	22,494	22,494	10,000
<b>Multi-Category Expenses and Capital Expenditure</b>			
<b>Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act MCA (M74)</b> 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.	34,127	32,127	29,144
<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.	1,230	1,230	1,363
<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.	2,075	2,075	2,077

Titles and Scopes of Appropriations by Appropriation Type	2014/15		2015/16
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Multi-Category Expenses and Capital Expenditure - cont'd</b>			
<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.	30,822	28,822	25,704
<b>Total Multi-Category Expenses and Capital Expenditure</b>	34,127	32,127	29,144
<b>Total Annual and Permanent Appropriations</b>	83,368	81,368	87,824

## Multi-Year Appropriations

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
<b>Non-Departmental Other Expenses</b>		
<b>Historical Treaty of Waitangi Settlements 2014 - 2018 (M74)</b> 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 2014  Expires: 30 June 2018	Original Appropriation Estimated Actual for 2014/15	1,400,000 229,691
<b>Historical Treaty of Waitangi Settlements 2015 - 2019 (M74)</b> 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 2014/15	1,400,000 -

## Total Annual, Permanent and Multi-Year Appropriations

	2014/15		2015/16
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Annual and Permanent Appropriations	83,368	81,368	87,824
Total MYA Non-Departmental Other Expenses Forecasts	350,000	229,691	350,000
<b>Total Annual and Permanent Appropriations and Multi-Year Appropriation Forecasts</b>	<b>433,368</b>	<b>311,059</b>	<b>437,824</b>

## *Supporting Information*

### Part 1 - Vote as a Whole

This part provides trend information for the vote.

## 1.2 - Trends in the Vote

### Summary of Financial Activity

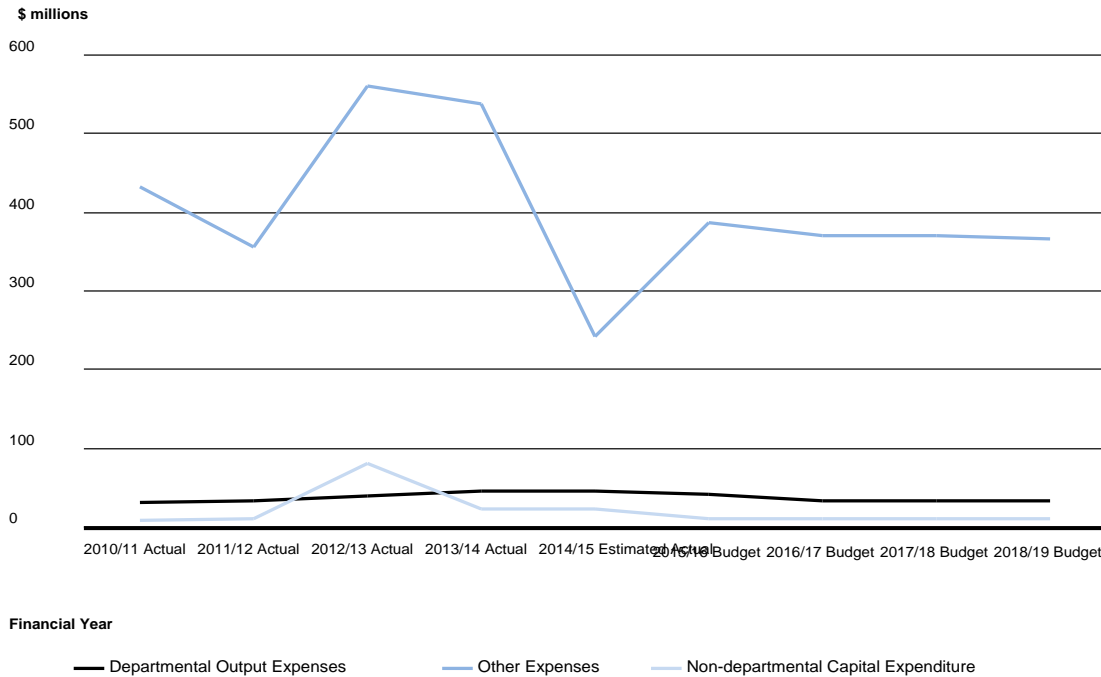
	2010/11	2011/12	2012/13	2013/14	2014/15		2015/16			2016/17	2017/18	2018/19
	Actual \$000	Actual \$000	Actual \$000	Actual \$000	Budgeted \$000	Estimated Actual \$000	Departmental Transactions Budget \$000	Non- Departmental Transactions Budget \$000	Total Budget \$000	Estimated \$000	Estimated \$000	Estimated \$000
<b>Appropriations</b>												
Output Expenses	7,328	9,366	9,299	9,892	13,126	13,126	11,538	-	11,538	8,537	7,532	7,532
Benefits or Related Expenses	-	-	-	-	-	-	N/A	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	432,871	354,526	560,316	537,740	363,621	243,312	-	387,142	387,142	370,022	371,272	367,272
Capital Expenditure	8,523	10,702	81,090	22,072	22,494	22,494	-	10,000	10,000	10,000	10,000	10,000
Intelligence and Security Department Expenses and Capital Expenditure	-	-	-	-	-	-	-	N/A	-	-	-	-
Multi-Category Expenses and Capital Expenditure (MCA)												
<i>Output Expenses</i>	23,427	24,365	30,228	34,796	34,127	32,127	29,144	-	29,144	25,305	25,207	25,207
<i>Other Expenses</i>	-	-	-	-	-	-	-	-	-	-	-	-
<i>Capital Expenditure</i>	-	-	-	-	-	-	N/A	-	-	-	-	-
<b>Total Appropriations</b>	472,149	398,959	680,933	604,500	433,368	311,059	40,682	397,142	437,824	413,864	414,011	410,011
<b>Crown Revenue and Capital Receipts</b>												
Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Non-Tax Revenue	8,802	9,683	11,064	15,868	15,836	15,836	N/A	13,200	13,200	12,732	12,438	8,048
Capital Receipts	-	-	-	-	-	-	N/A	14,000	14,000	-	-	-
<b>Total Crown Revenue and Capital Receipts</b>	8,802	9,683	11,064	15,868	15,836	15,836	N/A	27,200	27,200	12,732	12,438	8,048

Note - where restructuring of the vote has occurred then, to the extent practicable, prior years information has been restated as if the restructuring had occurred before the beginning of the period covered. In this instance Total Appropriations for the Budgeted and Estimated Actual year may not equal Total Appropriations in the Details of Appropriations and Capital Injections.

## 1.3 - Analysis of Significant Trends

### *Total Vote: All Appropriations*

**Figure 1** - Vote trends in actual expenses and capital expenditure by appropriation type



Source: Ministry of Justice Vote treaty Negotiations

### *Output Expenses*

Departmental output expenses reduce slightly from 2015/16 onwards. This is due to the receipt of additional funding in 2014/15 to maintain Treaty settlement progress.

### *Other Expenses*

During 2013/14 and 2014/15 a number of significant Treaty settlement milestones were reached. From 2015/16 onwards, expenditure on Treaty settlements is expected to remain relatively constant over the forecast period.

### *Non-Departmental Capital Expenditure*

Non-departmental capital expenditure is scheduled to return to baseline levels from 2015/16 onwards.

### *Performance Trends*

The Ministry continues to negotiate with claimant groups who are willing and able. A number of issues resulted in variances to the Office of Treaty Settlements' forecast achievement of negotiation milestones in 2014/15. This included negotiations being paused where the claimant groups have litigated against the Crown and a number large ongoing negotiations preventing new negotiations from being brought on to the work programme.

## 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*

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	13,126	13,126	11,538
Revenue from the Crown	13,094	13,094	11,506
Revenue from Others	32	32	32

##### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve the efficient and effective management, acquisition and disposal of Crown-owned property held in the Office of Treaty Settlements Landbank for historical Treaty of Waitangi settlements.

##### *How Performance will be Assessed and End of Year Reporting Requirements*

	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Assessment of Performance			
Percentage of strategic future Treaty settlement assets acquired in compliance with Cabinet policy	100%	100%	100%
Percentage of Treaty settlement assets disposed on time and in accordance with Cabinet approvals and Treaty settlement legislation	100%	100%	100%

##### *End of Year Performance Reporting*

Performance information for this appropriation will be reported by the Ministry of Justice in its Annual Report.

##### *Current and Past Policy Initiatives*

Policy Initiative	Year of First Impact	2014/15 Budgeted \$000	2015/16 Budget \$000	2016/17 Estimated \$000	2017/18 Estimated \$000	2018/19 Estimated \$000
Demolition of derelict Landbank properties, harvesting of Pukeora forest and management of the former Kenepuru Hospital site	2013/14	4,457	4,000	1,000	-	-



*Reasons for Change in Appropriation*

The decrease in this appropriation of \$1.588 million for 2015/16 is mainly due to expense transfers from 2013/14 to 2014/15 to fund the felling of the Pukeora forest, the demolition of derelict buildings held in the Office of Treaty Settlements Landbank, and a transfer from other appropriations administered by the Ministry of Justice taking into account changes to the allocation of the efficiency dividends, and to allow for movements in the allocation of overheads in the 2014/15 financial year.

## Part 3 - Details of Non-Departmental Appropriations

### 3.4 - Non-Departmental Other Expenses

#### Agreed Payments for Foreshore and Seabed Deeds of Agreement (M74)

##### *Scope of Appropriation*

This appropriation is limited to agreed payments associated with implementing foreshore and seabed Deeds of Agreement.

##### *Expenses*

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	-	-	15,530

##### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve the settlement of Deeds of Agreement signed under the Foreshore and Seabed Act 2004, before it was repealed.

##### *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 performance information is unlikely to be informative because this appropriation is solely for Deeds of Agreement payments. Performance information relating to what is intended to be achieved with this expenditure is provided under the Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act multi-category appropriation, specifically the Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act category.

##### *Reasons for Change in Appropriation*

The increase in this appropriation of \$15.530 million for 2015/16 is due to transfers to align funding for the Ngāti Porou Foreshore Deed of Agreement to the year in which the costs are expected to be incurred.

#### 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.

##### *Expenses*

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	9,000	9,000	9,942

### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve an effective process for providing financial assistance for claimant groups, to durably settle historical Treaty of Waitangi claims.

### *How Performance will be Assessed and End of Year Reporting Requirements*

	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Assessment of Performance			
Number of claimant groups funded (see Note 1)	50	37	40
Percentage of payments made to groups within 10 working days of approval of claim	95%	88%	95%

Note 1 - Claimant groups can lodge an application for funding at any stage of the negotiation and settlement process. The amount of funding they may receive depends on the size of the claimant group and the complexity of the claim.

### *End of Year Performance Reporting*

Performance information for this appropriation will be reported by the Minister of Justice in a report appended to the Ministry of Justice's Annual Report.

### *Current and Past Policy Initiatives*

Policy Initiative	Year of First Impact	2014/15 Budgeted \$000	2015/16 Budget \$000	2016/17 Estimated \$000	2017/18 Estimated \$000	2018/19 Estimated \$000
Integration of legal aid into Crown claimant funding	2011/12	2,402	2,402	2,402	2,402	2,402

### *Reasons for Change in Appropriation*

The increase in this appropriation of \$942,000 for 2015/16 is mainly due to an expense transfer to ensure that unspent funds are retained for expected applications from claimants. In 2016/17 the appropriation returns to baseline.

## **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.

### *Expenses*

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	741	741	7,950

*What is Intended to be Achieved with this Appropriation*

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

*How Performance will be Assessed and End of Year Reporting Requirements*

	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Assessment of Performance			
All groups that have signed terms of engagement with the Minister under section 95 of the Marine and Coastal Area (Takutai Moana) Act are funded	Achieved	Achieved	Achieved
All applications in the High Court are funded in accordance with funding policy	Achieved	Achieved	Achieved

*End of Year Performance Reporting*

Performance information for this appropriation will be reported by the Minister of Justice in a report appended to the Ministry of Justice's Annual Report.

*Reasons for Change in Appropriation*

The increase in this appropriation of \$7.209 million for 2015/16 is mainly due to expense transfers to better align contributions with estimates of when funding will be needed.

**Debt Write-offs (M74)***Scope of Appropriation*

Write-off of Bad Debts from Landbank rental properties.
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*Expenses*

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	120	120	120

*What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve effective management of debt from rental properties held in the Office of Treaty Settlements Landbank.

*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 performance information is unlikely to be informative because this appropriation is solely for the write-off of bad debts. Performance information relating to what is intended to be achieved with this expenditure is provided under the Property Portfolio Management appropriation.

## Depreciation (M74)

### *Scope of Appropriation*

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

### *Expenses*

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	3,600	3,600	3,600

### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve effective depreciation of property held in the Office of Treaty Settlements Landbank.

### *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 performance information is unlikely to be informative because this appropriation is solely for depreciation on assets. Performance information relating to what is intended to be achieved with this expenditure is provided under the Property Portfolio Management appropriation.

## Historical Treaty of Waitangi Settlements 2014 - 2018 (M74)

### *Scope of Appropriation and Expenses*

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
<b>Historical Treaty of Waitangi Settlements 2014 - 2018 (M74)</b> 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 2014  Expires: 30 June 2018	Original Appropriation	1,400,000
	Estimated Actual for 2014/15	229,691

A multi-year appropriation for historical Treaty of Waitangi settlements is established each year in the Appropriation (Supplementary Estimates) Act, and the previous multi-year appropriation is revoked. The reason for this change is to ensure there is sufficient legal authority to finalise agreements in principle negotiated in earlier years and to continue the momentum of settling Treaty of Waitangi claims.

### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve durable settlement of historical Treaty of Waitangi claims.

### *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 performance information is unlikely to be informative because this appropriation is solely for the settlement of claims, including redress. Performance information relating to what is intended to be achieved with this expenditure is provided under the Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act multi-category appropriation, specifically the Representation - Waitangi Tribunal and Courts, and Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act categories.

## **Historical Treaty of Waitangi Settlements 2015 - 2019 (M74)**

### *Scope of Appropriation and Expenses*

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
<b>Historical Treaty of Waitangi Settlements 2015 - 2019 (M74)</b> 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	1,400,000
	Estimated Actual for 2014/15	-

A multi-year appropriation for historical Treaty of Waitangi settlements is established each year in the Appropriation (Supplementary Estimates) Act, and the previous multi-year appropriation is revoked. The reason for this change is to ensure there is sufficient legal authority to finalise agreements in principle negotiated in earlier years and to continue the momentum of settling Treaty of Waitangi claims.

### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve durable settlement of historical Treaty of Waitangi claims.

### *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 performance information is unlikely to be informative because this appropriation is solely for the settlement of claims, including redress. Performance information relating to what is intended to be achieved with this expenditure is provided under the Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act multi-category appropriation, specifically the Representation - Waitangi Tribunal and Courts, and Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act categories.

### 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.

##### *Capital Expenditure*

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	22,494	22,494	10,000

##### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve the efficient and effective purchase of assets for possible use in future Treaty of Waitangi settlements.

##### *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 performance information is unlikely to be informative because this appropriation is solely for the purchase of assets. Performance information relating to the purchase and disposal of assets is provided under the Property Portfolio Management appropriation.

##### *Reasons for Change in Appropriation*

The decrease in funding for this appropriation is mainly due to an expense transfer from 2013/14 to 2014/15 to align with expected purchases of Protection Mechanism assets which are landbanked for Treaty settlements. In 2015/16, the appropriation returns to baseline.

## 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*

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Total Appropriation</b>	34,127	32,127	29,144
<b>Departmental Output Expenses</b>			
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	1,230	1,230	1,363
Representation - Waitangi Tribunal and Courts	2,075	2,075	2,077
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	30,822	28,822	25,704
<b>Funding for Departmental Output Expenses</b>			
<b>Revenue from the Crown</b>	33,794	33,794	28,951
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	1,219	1,219	1,351
Representation - Waitangi Tribunal and Courts	2,073	2,073	2,075
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	30,502	30,502	25,525



	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Revenue from Others</b>	333	333	193
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	11	11	12
Representation - Waitangi Tribunal and Courts	2	2	2
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	320	320	179

### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve the negotiation, administration and implementation of historical Treaty of Waitangi claims, and the administration and implementation of the Marine and Coastal Area (Takutai Moana) Act 2011.

### *How Performance will be Assessed for this Appropriation*

	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Assessment of Performance			
The satisfaction of the Minister for Treaty of Waitangi Negotiations with progress towards negotiation milestones	At least 80%	At least 80%	At least 80%

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

	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Assessment of Performance			
<b>Departmental Output Expenses</b>			
<b>Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act</b>			
This category is intended to achieve efficient and effective services to support decision-making by Ministers on government policy matters relating to historical Treaty of Waitangi claims and the Marine and Coastal Area (Takutai Moana) Act 2011.			
Technical quality of policy advice papers assessed by a survey with a methodological robustness of 90% (see Note 1)	At least an average of 70%	At least an average of 70%	At least an average of 70%
The satisfaction of the Minister for Treaty of Waitangi Negotiations with the policy advice service, as per the common satisfaction survey.	At least 80%	At least 80%	At least 80%
The total cost per hour of producing outputs	At most \$150	At most \$150	At most \$150
<b>Representation - Waitangi Tribunal and Courts</b>			
This category is intended to achieve efficient and effective Crown representation in the Waitangi Tribunal and Courts on matters concerning Treaty of Waitangi claims. It also provides funding to provide support and evidence to the High Court to assist this Court's consideration of Marine and Coastal Area (Takutai Moana) Act 2011 applications.			
Number of District enquiries at which the Crown is represented	3	2	2
Number of Higher Court cases at which the Crown is represented	5	7	7

Assessment of Performance	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	Budget Standard
<b>Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act</b>			
This category is intended to achieve efficient and effective services to support the negotiation, administration and implementation of historical Treaty of Waitangi claims and to support the administration and implementation of the Marine and Coastal Area (Takutai Moana) Act 2011.			
Percentage of settlement date obligations met	100%	100%	100%
Mandates recognised (see Notes 2 and 3)	1	1	1
Agreements in Principle signed (see Notes 2 and 4)	5	5	4
Deeds of Settlement initialled (see Notes 2 and 5)	6	6	14
Legislation introduced (see Note 2)	8	8	23
Proportion of claims settled (see Note 2)	56%	56%	69%

Note 1 - This indicator provides a standardised score for technical quality reviews of policy advice, which are undertaken by a third party assessor. The review may include an assessment of clarity, accuracy, analytical rigour, fitness for purpose, and relevance.

Note 2 - The Ministry does not have full control over the achievement of these measures as it is partially reliant on claimant groups undertaking the work required by them to achieve a mandate to negotiate, broadly agree to the Crown's offer and move steadily towards the conclusion of negotiations.

Note 3 - A Deed of Mandate is a formal statement prepared by a claimant group stating who is appointed to represent them in negotiations with the Crown, and how the Mandate was approved by the claimant group. If satisfied, the Minister for Treaty of Waitangi Negotiations and the Minister of Māori Affairs recognise the Mandate on behalf of the Crown.

Note 4 - An Agreement in Principle is an agreement between the Crown and a claimant group marked by an exchange of letters between the claimant group and the Minister for Treaty of Waitangi Negotiations. The letters describe the broad outline of a settlement package.

Note 5 - A Deed of Settlement is the complete, detailed and formal settlement agreement between the Crown and the claimant group.

### *End of Year Performance Reporting*

Performance information for this appropriation will be reported by the Ministry of Justice in its Annual Report.

### *Current and Past Policy Initiatives*

Policy Initiative	Year of First Impact	2014/15 Budgeted \$000	2015/16 Budget \$000	2016/17 Estimated \$000	2017/18 Estimated \$000	2018/19 Estimated \$000
<i>Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act</i>						
Relativity Mechanism Dispute Resolution	2014/15	2,025	2,836	-	-	-
Iwi participation in Government share offer	2012/13	3,500	-	-	-	-

### *Reasons for Change in Appropriation*

As a result of the Public Finance Amendment Act 2013, the existing Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act Multi-Class Output Appropriation (MCOA) was converted to a Multi Category Appropriation (MCA). The explanations below represent the movements between the MCOA figures in 2013/14 and the new MCA figures for 2014/15 as they fund the same outputs.

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

The increase in this appropriation of \$133,000 for 2015/16 is mainly due to a transfer to other appropriations administered by the Ministry of Justice taking into account changes to the allocation of the efficiency dividends, and to allow for movements in the allocation of overheads in the 2014/15 financial year, which reduced the appropriation in 2014/15. In 2015/16 the appropriation returns to baseline.

#### **Representation - Waitangi Tribunal and Courts**

The increase in this appropriation of \$2,000 for 2015/16 is mainly due to a transfer to other appropriations administered by the Ministry of Justice taking into account changes to the allocation of the efficiency dividends, and to allow for movements in the allocation of overheads in the 2014/15 financial year, which reduced the appropriation in 2014/15. In 2015/16 the appropriation returns to baseline.

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

The decrease in this appropriation of \$5.118 million in 2015/16 is mainly due to additional funding received in 2014/15 for negotiating historical Treaty of Waitangi settlements, and a transfer from other appropriations administered by the Ministry of Justice taking into account changes to the allocation of the efficiency dividends, and to allow for movements in the allocation of overheads in the 2014/15 financial year.

