

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	2017/18		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
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.	8,102	1,850	9,952
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.	-	250	250
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.	8,450	1,200	9,650
Crown Contribution to Facilitate the Transfer of Landcorp Assets to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua (M74) This appropriation is limited to part payment by the Crown for Landcorp assets being transferred to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua.	-	2,425	2,425
Loss on Sale of Commercial Properties (M74) This appropriation is limited to the loss on transfer of commercial properties transferred as part of Treaty of Waitangi Settlements.	-	440	440
Total Non-Departmental Other Expenses	16,552	21,695	38,247
Non-Departmental Capital Expenditure			
Crown Share in Kaweka Gwavas Forestry Company Limited (M74) This appropriation is limited to the Crown's acquisition of its portion of shares in Kaweka Gwavas Forestry Company Limited.	-	6,111	6,111
Crown Share in Patunamu Forest Limited (M74) This appropriation is limited to the Crown's acquisition of its portion of shares in Patunamu Forest Limited.	-	2,466	2,466
Total Non-Departmental Capital Expenditure	-	8,577	8,577

	2017/18		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Titles and Scopes of Appropriations by Appropriation Type			
Multi-Category Expenses and Capital Expenditure			
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act MCA (M74)	33,476	1,796	35,272
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.			
Departmental Output Expenses			
<i>Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act</i>	1,331	116	1,447
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.			
<i>Representation - Waitangi Tribunal and Courts</i>	2,046	(209)	1,837
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.			
<i>Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act</i>	30,099	1,889	31,988
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.			
Total Multi-Category Expenses and Capital Expenditure	33,476	1,796	35,272
Total Annual and Permanent Appropriations	50,028	32,068	82,096

Multi-Year Appropriations

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
Non-Departmental Other Expenses		
Historical Treaty of Waitangi Settlements 2017 - 2021 (M74)	Original Appropriation	1,400,000
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.	Estimated Actual for 2017/18	278,288
Commences: 30 June 2017		
Expires: 30 June 2021		
Historical Treaty of Waitangi Settlements 2018 - 2022 (M74)	Original Appropriation	1,400,000
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.	Estimated Actual for 2017/18	-
Commences: 30 June 2018		
Expires: 30 June 2022		

Total Annual and Permanent Appropriations and Multi-Year Appropriation Forecasts

	2017/18		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Total Annual and Permanent Appropriations	50,028	32,068	82,096
Total MYA Non-Departmental Other Expenses Forecasts	350,000	-	350,000
Total Annual and Permanent Appropriations and Multi-Year Appropriation Forecasts	400,028	32,068	432,096

Supporting Information

Part 1 - Vote as a Whole

1.2 - Trends in the Vote

Summary of Financial Activity

	2017/18				
	Estimates \$000	Supplementary Estimates			Total \$000
		Departmental Transactions \$000	Non- Departmental Transactions \$000	Total Transactions \$000	
Appropriations					
Output Expenses	-	-	-	-	-
Benefits or Related Expenses	-	N/A	-	-	-
Borrowing Expenses	-	-	-	-	-
Other Expenses	366,552	-	21,695	21,695	388,247
Capital Expenditure	-	-	8,577	8,577	8,577
Intelligence and Security Department Expenses and Capital Expenditure	-	-	N/A	-	-
Multi-Category Expenses and Capital Expenditure (MCA)					
<i>Output Expenses</i>	33,476	1,796	-	1,796	35,272
<i>Other Expenses</i>	-	-	-	-	-
<i>Capital Expenditure</i>	-	N/A	-	-	-
Total Appropriations	400,028	1,796	30,272	32,068	432,096
Crown Revenue and Capital Receipts					
Tax Revenue	-	N/A	-	-	-
Non-Tax Revenue	724	N/A	-	-	724
Capital Receipts	-	N/A	-	-	-
Total Crown Revenue and Capital Receipts	724	N/A	-	-	724

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

	2017/18		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	15,530	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.

Reasons for Change in Appropriation

This appropriation has increased by \$15.530 million for 2017/18 as a result of an expense transfer from 2016/17 for the final resolution and signing of a deed with Ngā Hapū o Ngāti Porou.

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

This appropriation has increased by \$1.850 million to \$9.952 million for 2017/18 due to:

- an increase of \$2.300 million as a result of an expense transfer from 2016/17.

Offset by:

- a decrease of \$450,000 due to a transfer to Vote Environment appropriation for the transitional support for the Local Government and iwi to support the implementation of the Hauraki collective redress.

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

	2017/18		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	250	250

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

This appropriation has increased by \$250,000 for 2017/18 due to an expense transfer from 2016/17 to provide financial support 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

This appropriation has increased by \$1.200 million to \$9.650 million for 2017/18 due to an expense transfer from 2016/17 to support additional demand for contributions to determining customary interests.

Crown Contribution to Facilitate the Transfer of Landcorp Assets to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua (M74)

Scope of Appropriation

This appropriation is limited to part payment by the Crown for Landcorp assets being transferred to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua.

Expenses

	2017/18		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	2,425	2,425

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve the part payment by the Crown for Landcorp assets being transferred to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua.

How Performance will be Assessed and End of Year Reporting Requirements

An exemption was granted under s15D(2)(b)(iii) of the PFA as the amount of this appropriation is less than \$5 million.

Reasons for Change in Appropriation

This is a new appropriation in 2017/18 to fund a part payment by the Crown for Landcorp assets being transferred to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua.

Loss on Sale of Commercial Properties (M74)

Scope of Appropriation

This appropriation is limited to the loss on transfer of commercial properties transferred as part of Treaty of Waitangi Settlements.

Expenses

	2017/18		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	440	440

What is Intended to be Achieved with this Appropriation

The appropriation is intended to achieve the efficient transfer of commercial properties as part of Treaty of Waitangi Settlements by providing for the loss involved in transferring the properties.

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 as this appropriation is solely for the technical accounting treatment of the Crown's purchase of property for Treaty settlements.

Reasons for Change in Appropriation

This is a new appropriation in 2017/18 to fund the loss on transfer of commercial properties as part of Treaty of Waitangi Settlements.

3.5 - Non-Departmental Capital Expenditure**Crown Share in Kaweka Gwavas Forestry Company Limited (M74)***Scope of Appropriation*

This appropriation is limited to the Crown's acquisition of its portion of shares in Kaweka Gwavas Forestry Company Limited.

Capital Expenditure

	2017/18		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	6,111	6,111

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve the acquisition by the Crown of shares in Kaweka Gwavas Forestry Company Limited on behalf of unsettled iwi.

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 these share purchases form part of the wider historical Treaty of Waitangi settlements.

Reasons for Change in Appropriation

This is a new appropriation in 2017/18 to fund the acquisition of shares in Kaweka Gwavas Forestry Company Limited on behalf of unsettled iwi.

Crown Share in Patunamu Forest Limited (M74)

Scope of Appropriation

This appropriation is limited to the Crown's acquisition of its portion of shares in Patunamu Forest Limited.

Capital Expenditure

	2017/18		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	2,466	2,466

What is Intended to be Achieved with this Appropriation

The appropriation is intended to achieve the acquisition by the Crown of shares in Patunamu Forest Limited on behalf of unsettled iwi.

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 these share purchases form part of the wider historical Treaty of Waitangi settlements.

Reasons for Change in Appropriation

This is a new appropriation in 2017/18 to fund the acquisition of shares in Patunamu Forest Limited on behalf of unsettled iwi.

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

	2017/18		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	33,476	1,796	35,272
Departmental Output Expenses			
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	1,331	116	1,447
Representation - Waitangi Tribunal and Courts	2,046	(209)	1,837
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	30,099	1,889	31,988

	2017/18		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Funding for Departmental Output Expenses			
Revenue from the Crown	33,328	1,691	35,019
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	1,325	11	1,336
Representation - Waitangi Tribunal and Courts	2,044	(209)	1,835
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	29,959	1,889	31,848
Revenue from Others	148	105	253
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	6	105	111
Representation - Waitangi Tribunal and Courts	2	-	2
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	140	-	140

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

	2017/18		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Assessment of Performance			
Departmental Output Expenses			
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act			
Mandates recognised (see Note 1)	9	(6)	3
Agreements in Principle signed (see Note 1)	4	2	6
Deeds of Settlement initialled (see Note 1)	7	4	11
Legislation introduced (see Note 1)	17	(12)	5

Note 1 - The Office of Treaty Settlements work programme, which sets the 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

This category has increased by \$116,000 to \$1.447 million for 2017/18 due to:

- an increase of \$105,000 for employees seconded to other government agencies, and
- an increase of \$11,000 for additional capital charge on the revaluation of land and buildings as at 30 June 2017.

Representation - Waitangi Tribunal and Courts

This category has decreased by \$209,000 to \$1.837 million for 2017/18 due to:

- a decrease of \$225,000 due to an expense transfer for legal expenses to 2018/19.

Offset by:

- an increase of \$16,000 for additional capital charge on the revaluation of land and buildings as at 30 June 2017.

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

This category has increased by \$1.889 million to \$31.988 million for 2017/18 due to:

- an increase of \$1.450 million due to a transfer from 2016/17 to support the Broadening the Reach Strategy work programme
- an increase of \$1.008 million due to a transfer from 2016/17 to fund additional costs for several Marine and Coastal Area High Court cases and costs associated with legal representation for Waitangi Tribunal urgency applications
- an increase of \$718,000 due to a transfer from Vote Justice to allow for movements in the allocation of Ministry overheads in the 2017/18 financial year
- an increase of \$300,000 due to a transfer from 2016/17 to fund higher survey costs relating to settlements, and
- an increase of \$258,000 for additional capital charge on the revaluation of land and buildings as at 30 June 2017.

Offset by:

- a decrease of \$1.260 million due to funds transferred to Vote Justice: Justice Policy Advice and Related Services appropriation to cover the new Crown/Māori Relationship work
- a decrease of \$550,000 due to an expense transfer for legal expenses to 2018/19, and
- a decrease of \$35,000 due to funds transferred to Vote Conservation to promote amendment to the Te Arawa Lakes Settlement Act 2006.

