

Vote Te Arawhiti

APPROPRIATION MINISTER(S): Minister for Treaty of Waitangi Negotiations (M74), Minister for Māori Crown Relations: Te Arawhiti (M98)

DEPARTMENT ADMINISTERING THE VOTE: Ministry of Justice (A23)

RESPONSIBLE MINISTER FOR MINISTRY OF JUSTICE: Minister of Justice

Details of Appropriations and Capital Injections

Annual Appropriations and Forecast Permanent Appropriations

Titles and Scopes of Appropriations by Appropriation Type	2021/22		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Departmental Output Expenses			
Treaty Negotiations and Marine and Coastal Area Customary Interests (M74) (A23) This appropriation is limited to departmental expenses incurred in settling historical Treaty of Waitangi claims, determining customary interests in marine and coastal areas, and implementing such settlements of claims and determinations of interests.	39,580	-	39,580
Total Departmental Output Expenses	39,580	-	39,580
Non-Departmental Output Expenses			
Operations of Ngāpuhi Investment Fund Limited (M74) (A23) This appropriation is limited to the administration and management of Ngāpuhi Investment Fund Limited.	2,390	-	2,390
Total Non-Departmental Output Expenses	2,390	-	2,390
Non-Departmental Other Expenses			
Ancillary redress: financial assistance for beneficiaries (M74) (A23) This appropriation is limited to providing Crown contributions to beneficiaries and their representatives towards the costs they incur on finalising the terms of transfer to them of ancillary redress.	-	500	500
Claimant Funding (M74) (A23) This appropriation is limited to payment of claimant funding related to the settlement of historical Treaty of Waitangi claims.	8,102	(500)	7,602
Crown Contribution to Facilitate the Transfer of Landcorp Assets to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua (M74) (A23) This appropriation is limited to part payment by the Crown for Landcorp assets being transferred to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua.	-	2,389	2,389
Financial Assistance Toward Determining Customary Interests in the Marine and Coastal Area (M74) (A23) This appropriation is limited to providing financial assistance to applicant groups to investigate their customary interests in the marine and coastal area.	13,450	-	13,450
Specific Redress Arrangements (M74) (A23) This appropriation is limited to Crown contributions to support the delivery of redress arrangements in specific circumstances as determined by the Minister for Treaty of Waitangi Negotiations.	-	35,000	35,000
Supporting Matariki Kaupapa (M98) (A23) This appropriation is limited to providing funding for resources and events that acknowledge and support understanding of Matariki.	-	3,330	3,330
Total Non-Departmental Other Expenses	21,552	40,719	62,271

Titles and Scopes of Appropriations by Appropriation Type	2021/22		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Multi-Category Expenses and Capital Expenditure			
Māori Crown Relations MCA (M98) (A23) The single overarching purpose of this appropriation is to support the strengthening of the relationship between Māori and the Crown.	12,500	3,392	15,892
Departmental Output Expenses			
Strengthening Crown Capability This category is limited to the provision of services to strengthen Crown capability in building sustainable and productive Māori Crown relationships; including providing advice and information to support Ministers on government policy matters relating to the Māori Crown Relationship.	10,500	3,062	13,562
Non-Departmental Output Expenses			
Supporting Significant Māori Events This category is limited to providing funding for events that strengthen and display a Māori Crown Relationship.	2,000	(885)	1,115
Non-Departmental Other Expenses			
Enabling Iwi Māori-led responses to COVID-19 This category is limited to supporting Iwi in their responses to the COVID-19 pandemic.	-	1,215	1,215
Total Multi-Category Expenses and Capital Expenditure	12,500	3,392	15,892
Total Annual Appropriations and Forecast Permanent Appropriations	76,022	44,111	120,133

Multi-Year Appropriations

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
Departmental Output Expenses		
Crown Response to Wakatū Litigation and Related Proceedings (M98) (A23) This appropriation is limited to the development and delivery of a Crown response to the Wakatū litigation and any related proceedings. Commences: 01 July 2021 Expires: 30 June 2024	Original Appropriation Adjustments to 2020/21 Adjustments for 2021/22 Adjusted Appropriation Actual to 2020/21 Year End Estimated Actual for 2021/22 Estimate for 2022/23 Estimated Appropriation Remaining	4,400 - 1,083 5,483 - 2,883 1,300 1,300
Non-Departmental Other Expenses		
Historical Treaty of Waitangi Settlements 2021 - 2025 (M74) (A23) 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 2021 Expires: 30 June 2025	Original Appropriation Estimated Actual for 2021/22	1,400,000 350,000

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
Historical Treaty of Waitangi Settlements 2022 - 2026 (M74) (A23) 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 2022 Expires: 30 June 2026	Original Appropriation	1,400,000
	Estimated Actual for 2021/22	-

Total Annual Appropriations and Forecast Permanent Appropriations and Multi-Year Appropriations

	2021/22		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Total Annual Appropriations and Forecast Permanent Appropriations	76,022	44,111	120,133
Total Forecast MYA Departmental Output Expenses	1,800	1,083	2,883
Total Forecast MYA Non-Departmental Other Expenses	350,000	-	350,000
Total Annual Appropriations and Forecast Permanent Appropriations and Multi-Year Appropriations	427,822	45,194	473,016

Supporting Information

Part 1 - Vote as a Whole

1.2 - Trends in the Vote

Summary of Financial Activity

	2021/22				
	Estimates \$000	Supplementary Estimates			Total \$000
		Departmental Transactions \$000	Non- Departmental Transactions \$000	Total Transactions \$000	
Appropriations					
Output Expenses	43,770	1,083	-	1,083	44,853
Benefits or Related Expenses	-	N/A	-	-	-
Borrowing Expenses	-	-	-	-	-
Other Expenses	371,552	-	40,719	40,719	412,271
Capital Expenditure	-	-	-	-	-
Intelligence and Security Department Expenses and Capital Expenditure	-	-	N/A	-	-
Multi-Category Expenses and Capital Expenditure (MCA)					
<i>Output Expenses</i>	12,500	3,062	(885)	2,177	14,677
<i>Other Expenses</i>	-	-	1,215	1,215	1,215
<i>Capital Expenditure</i>	-	N/A	-	-	-
Total Appropriations	427,822	4,145	41,049	45,194	473,016
Crown Revenue and Capital Receipts					
Tax Revenue	-	N/A	-	-	-
Non-Tax Revenue	708	N/A	-	-	708
Capital Receipts	-	N/A	-	-	-
Total Crown Revenue and Capital Receipts	708	N/A	-	-	708

Part 2 - Details of Departmental Appropriations

2.1 - Departmental Output Expenses

Crown Response to Wakatū Litigation and Related Proceedings (M98) (A23)

Scope of Appropriation and Expenses

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
Crown Response to Wakatū Litigation and Related Proceedings (M98) (A23) This appropriation is limited to the development and delivery of a Crown response to the Wakatū litigation and any related proceedings. Commences: 01 July 2021 Expires: 30 June 2024	Original Appropriation	4,400
	Adjustments to 2020/21	-
	Adjustments for 2021/22	1,083
	Adjusted Appropriation	5,483
	Actual to 2020/21 Year End	-
	Estimated Actual for 2021/22	2,883
	Estimate for 2022/23	1,300
	Estimated Appropriation Remaining	1,300

Revenue

	Budget \$000
Revenue from the Crown to end of 2022/23	4,183
Revenue from Others to end of 2022/23	-
Total Revenue	4,183

Reasons for Change in Appropriation

This appropriation increased by \$1.083 million to \$5.483 million for 2021/22 due to underspends from 2020/21 within the previous appropriation included in Vote Justice and now transferred to Vote Te Arawhiti.

Treaty Negotiations and Marine and Coastal Area Customary Interests (M74) (A23)

Scope of Appropriation

This appropriation is limited to departmental expenses incurred in settling historical Treaty of Waitangi claims, determining customary interests in marine and coastal areas, and implementing such settlements of claims and determinations of interests.

How Performance will be Assessed and End of Year Reporting Requirements

Assessment of Performance	2021/22		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
<i>Services to Ministers</i>			
Percentage of fast-track consent application advised on within the time agreed with the Minister's office (see Note 1)	95%	-	95%
<i>Treaty Negotiations and the Marine and Coastal Area</i>			
Deeds of Mandate recognised (see Notes 2 and 3)	1	Measure replaced	Measure replaced
Terms of Negotiation signed	New measure	1	1
Deeds of Settlement initialled (see Notes 2 and 4)	6	(4)	2

Note 1 - Agreed time is to enable the Minister to meet the ten-day statutory timeframe for providing response.

Note 2 - Te Arawhiti 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 - Terms of Negotiation document sets out the ground rules for negotiations. It describes what the claimant group and the Crown want to achieve.

Note 4 - A Deed of Settlement is the complete, detailed and formal settlement agreement between the Crown and the claimant group.

Part 3 - Details of Non-Departmental Appropriations

3.4 - Non-Departmental Other Expenses

Ancillary redress: financial assistance for beneficiaries (M74) (A23)

Scope of Appropriation

This appropriation is limited to providing Crown contributions to beneficiaries and their representatives towards the costs they incur on finalising the terms of transfer to them of ancillary redress.

Expenses

	2021/22		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	500	500

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve in providing financial assistance to the beneficiaries of the ancillary redress committed in the 1990s.

How Performance will be Assessed and End of Year Reporting Requirements

An exemption was granted under s15D(2)(b)(iii) of the Public Finance Act 1989, as the amount of this annual appropriation for a non-departmental output expense is less than \$5 million.

Reasons for Change in Appropriation

This is a new appropriation with initial funding of \$500,000 for 2021/22 due to a fiscally neutral adjustment for providing financial assistance to the beneficiaries of the ancillary redress legally committed in the 1990s.

Claimant Funding (M74) (A23)

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 decreased by \$500,000 to \$7.602 million for 2021/22 due to a fiscally neutral adjustment to provide initial funding for the new Ancillary redress: financial assistance for beneficiaries appropriation.

Crown Contribution to Facilitate the Transfer of Landcorp Assets to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua (M74) (A23)

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

	2021/22		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	2,389	2,389

What is intended to be Achieved with this Appropriation

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

End of Year Performance Reporting

An exemption was granted under s15D(2)(b)(ii) of the Public Finance Act 1989 because the amount of this annual appropriation for a non-departmental other expense is less than \$5 million.

Reasons for Change in Appropriation

This appropriation increased by \$2.389 million to \$2.389 million for 2021/22 due to an expense transfer from 2020/21 to 2021/22 to facilitate the settlement and the provision of the Landcorp remedies.

Specific Redress Arrangements (M74) (A23)

Scope of Appropriation

This appropriation is limited to Crown contributions to support the delivery of redress arrangements in specific circumstances as determined by the Minister for Treaty of Waitangi Negotiations.

Expenses

	2021/22		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	35,000	35,000

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve efficient provision of Crown contributions to redress arrangements.

How Performance will be Assessed and End of Year Reporting Requirements

An exemption was granted under s15D(2)(b)(ii) of the Public Finance Act 1989 as additional performance information is unlikely to be informative because this appropriation is solely for contributory payments.

Reasons for Change in Appropriation

This appropriation increased by \$35 million to \$35 million for 2021/22 due to:

- an expense transfer of \$20 million from 2020/21 to 2021/22 to reflect the revised timing of specific redress arrangements, and
- additional funding of \$15 million to support the Taranaki Maunga negotiations.

Supporting Matariki Kaupapa (M98) (A23)

Scope of Appropriation

This appropriation is limited to providing funding for resources and events that acknowledge and support understanding of Matariki.

Expenses

	2021/22		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	3,330	3,330

What is Intended to be Achieved with this Appropriation

The appropriation is intended to enable iwi Māori to develop and lead regionally diverse recognition of Matariki.

How Performance will be Assessed and End of Year Reporting Requirements

	2021/22		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Assessment of Performance			
Number of iwi Māori groups supported to develop and lead regionally diverse events and resources that recognise Te Kāhui o Matariki	New Measure	20	20

End of Year Performance Reporting

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

Reasons for Change in Appropriation

This is a new appropriation with funding of \$3.330 million for 2021/22 due to:

- initial funding of \$4.750 million for the development of resources and engagement to support understanding of Matariki as Public Holiday.

This is partially offset by:

- an expense transfer of \$1.420 million from 2021/22 to 2022/23 to enable funding to be available at the appropriate time to support the regional variations in celebration of Mātauranga Matariki.

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

4 - Multi-Category Expenses and Capital Expenditure

Māori Crown Relations (M98) (A23)

Overarching Purpose Statement

The single overarching purpose of this appropriation is to support the strengthening of the relationship between Māori and the Crown.

Scope of Appropriation

Departmental Output Expenses

Strengthening Crown Capability

This category is limited to the provision of services to strengthen Crown capability in building sustainable and productive Māori Crown relationships; including providing advice and information to support Ministers on government policy matters relating to the Māori Crown Relationship.

Non-Departmental Output Expenses

Supporting Significant Māori Events

This category is limited to providing funding for events that strengthen and display a Māori Crown Relationship.

Non-Departmental Other Expenses

Enabling Iwi Māori-led responses to COVID-19

This category is limited to supporting Iwi in their responses to the COVID-19 pandemic.

Expenses, Revenue and Capital Expenditure

	2021/22		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	12,500	3,392	15,892
Departmental Output Expenses			
Strengthening Crown Capability	10,500	3,062	13,562
Non-Departmental Output Expenses			
Supporting Significant Māori Events	2,000	(885)	1,115
Non-Departmental Other Expenses			
Enabling Iwi Māori-led responses to COVID-19	-	1,215	1,215
Funding for Departmental Output Expenses			
Revenue from the Crown	10,500	3,062	13,562
Strengthening Crown Capability	10,500	3,062	13,562

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

Assessment of Performance	2021/22		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Departmental Output Expenses			
Strengthening Crown Capability			
<i>Services to Ministers</i>			
Percentage of fast-track consent applications advised on within the time agreed with the Minister's office (see Note 2)	95%	-	95%
<i>Strengthening Crown Capability - Māori Crown Relations</i>			
Percentage of core agencies that have a Whāinga Amorangi plan	100%	-	100%
Number of people signed up to use Te Haeata (see Note 3)	1,000	(100)	900
Percentage of all legislated settlements published on Te Haeata within 6 months of settlement date (except where Post Settlement Governance Entities have asked to pause publication of the settlement)	100%	-	100%

Note 2 - The agreed time is to enable the Minister to meet the ten-day statutory timeframe for providing response.

Note 3 - Te Haeata - the Settlement Portal, is an online record of Treaty settlement commitments, to help agencies and settled groups to search for and manage settlement commitments. Over time the goal is for the number of people signed up to increase, registered users are reviewed annually to ensure all email addresses remain valid.

Reasons for Change in Appropriation

This appropriation increased by \$3.392 million to \$15.892 million for 2021/22 due to:

- a fiscally neutral adjustment of \$2.662 million to reflect the allocation of Ministry of Justice overhead costs in 2021/22
- additional funding of \$1 million for enabling Iwi-Māori led responses to COVID-19
- an expense transfer of \$200,000 from 2020/21 to 2021/22 to support the Matariki advisory group for engagement activities, and
- additional funding of \$200,000 to facilitate the development of resources and engagement to support understanding of Matariki as a Public Holiday.

This was partially offset by:

- an expense transfer of \$670,000 from 2021/22 to 2022/23 to enable the Crown to work with Māori to publicly acknowledge significant Māori leaders or historical events through the design, build and erection of statues or symbols in places of significance.