

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 Appropriations and Forecast Permanent Appropriations

Titles and Scopes of Appropriations by Appropriation Type	2018/19		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Non-Departmental Other Expenses			
Claimant Funding (M74) This appropriation is limited to payment of claimant funding related to the settlement of historical Treaty of Waitangi claims.	8,102	4,300	12,402
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.	5,450	7,291	12,741
Total Non-Departmental Other Expenses	13,552	11,741	25,293
Non-Departmental Capital Expenditure			
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	-	2,466	2,466
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.	37,548	1,288	38,836
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.	1,122	21	1,143
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.	3,234	3	3,237
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.	33,192	1,264	34,456
Total Multi-Category Expenses and Capital Expenditure	37,548	1,288	38,836
Total Annual Appropriations and Forecast Permanent Appropriations	51,100	15,495	66,595

Multi-Year Appropriations

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
Non-Departmental Other Expenses		
Historical Treaty of Waitangi Settlements 2018 - 2022 (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 2018 Expires: 30 June 2022	Original Appropriation	1,400,000
	Estimated Actual for 2018/19	350,000
Historical Treaty of Waitangi Settlements 2019 - 2023 (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 2019 Expires: 30 June 2023	Original Appropriation	1,400,000
	Estimated Actual for 2018/19	-

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

	2018/19		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Total Annual Appropriations and Forecast Permanent Appropriations	51,100	15,495	66,595
Total Forecast MYA Non-Departmental Other Expenses	350,000	-	350,000
Total Annual Appropriations and Forecast Permanent Appropriations and Multi-Year Appropriations	401,100	15,495	416,595

Supporting Information

Part 1 - Vote as a Whole

1.2 - Trends in the Vote

Summary of Financial Activity

	2018/19				
	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	363,552	-	11,741	11,741	375,293
Capital Expenditure	-	-	2,466	2,466	2,466
Intelligence and Security Department Expenses and Capital Expenditure	-	-	N/A	-	-
Multi-Category Expenses and Capital Expenditure (MCA)					
<i>Output Expenses</i>	37,548	1,288	-	1,288	38,836
<i>Other Expenses</i>	-	-	-	-	-
<i>Capital Expenditure</i>	-	N/A	-	-	-
Total Appropriations	401,100	1,288	14,207	15,495	416,595
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 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

This appropriation has increased by \$4.300 million to \$12.402 million for 2018/19 due to an expense transfer of unused claimant funding from 2017/18.

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

	2018/19		
	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

This appropriation has increased by \$150,000 for 2018/19 due to an expense transfer from 2017/18 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 \$7.291 million to \$12.741 million for 2018/19 due to an expense transfer from 2017/18 to support additional demand for contributions to determining customary interests.

3.5 - Non-Departmental Capital Expenditure

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

	2018/19		Total \$000
	Estimates \$000	Supplementary Estimates \$000	
Total Appropriation	-	2,466	2,466

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve the acquisition by the Crown of shares in the 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 Public Finance Act 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 appropriation has increased by \$2.466 million for 2018/19 due to an expense transfer from 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

4 - 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

	2018/19		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	37,548	1,288	38,836
Departmental Output Expenses			
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	1,122	21	1,143
Representation - Waitangi Tribunal and Courts	3,234	3	3,237
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	33,192	1,264	34,456

	2018/19		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Funding for Departmental Output Expenses			
Revenue from the Crown	37,416	1,066	38,482
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	1,116	-	1,116
Representation - Waitangi Tribunal and Courts	3,232	-	3,232
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	33,068	1,066	34,134
Revenue from Others	132	222	354
Policy Advice - Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	6	21	27
Representation - Waitangi Tribunal and Courts	2	3	5
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act	124	198	322

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

	2018/19		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Assessment of Performance			
Departmental Output Expenses			
Representation - Waitangi Tribunal and Courts			
Number of Higher Court cases at which the Crown is represented	5	Measure removed	Measure removed
Number of High Court cases at which the Crown is represented	New measure	5	5
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act			
Deeds of Settlement initialled	10	(2)	8
Legislation introduced	9	Measure removed	Measure removed

Reasons for Change in Appropriation

This appropriation has increased by \$1.288 million to \$38.836 million for 2018/19 due to:

- an expense transfer of \$1.094 million from 2017/18 to 2018/19 for negotiation costs
- an expense transfer of \$396,000 from 2017/18 to 2018/19 to fund delayed survey work relating to settlements
- an increase of \$375,000 to improve the base pay of Ministry of Justice employees
- a fiscally neutral adjustment of \$178,000 for the Justice Centre lease costs, funded by additional revenue received from building tenants, and
- a fiscally neutral adjustment of \$44,000 for employees seconded to other government agencies.

This was partly offset by:

- a one-off fiscally neutral transfer of \$799,000 in 2018/19 to Vote Justice: Māori Crown Relations appropriation for the establishment of the Office for Māori Crown Relations - Te Arawhiti.