

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 | 2022/23 | | |
|--|------------------------|--------------------------------------|--------------------|
| | 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. | 37,536 | 1,764 | 39,300 |
| Total Departmental Output Expenses | 37,536 | 1,764 | 39,300 |
| 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. | 2,050 | - | 2,050 |
| Total Non-Departmental Output Expenses | 2,050 | - | 2,050 |
| 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 | 250 | 750 |
| Claimant Funding (M74) (A23) This appropriation is limited to payment of claimant funding related to the settlement of historical Treaty of Waitangi claims. | 7,602 | (500) | 7,102 |
| Cyclone Gabrielle - Māori Community Engagement in Response to Cyclone Gabrielle (M98) (A23) This appropriation is limited to the provision of funding to iwi to support their recovery relating to recent adverse weather events and to support their engagement with central and local government, and with their whanau, in the response to and recovery from such events. | - | 3,000 | 3,000 |
| 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. | 8,095 | 3,993 | 12,088 |
| Funding to Address Waitangi Tribunal Recommendations (M74) (A23) This appropriation is limited to addressing Waitangi Tribunal recommendations for contemporary claims. | - | 500 | 500 |
| 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. | 1,420 | - | 1,420 |
| Total Non-Departmental Other Expenses | 17,617 | 42,243 | 59,860 |

| Titles and Scopes of Appropriations by Appropriation Type | 2022/23 | | |
|--|------------------------------|---|--------------------------|
| | 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. | 12,520 | 1,739 | 14,259 |
| 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. | 10,850 | 1,739 | 12,589 |
| 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. | 1,670 | - | 1,670 |
| Total Multi-Category Expenses and Capital Expenditure | 12,520 | 1,739 | 14,259 |
| Total Annual Appropriations and Forecast Permanent Appropriations | 69,723 | 45,746 | 115,469 |

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 2021/22 Adjustments for 2022/23 Adjusted Appropriation Actual to 2021/22 Year End Estimated Actual for 2022/23 Estimate for 2023/24 Estimated Appropriation Remaining | 4,400 1,083 - 5,483 400 2,300 2,783 - |
| Non-Departmental Other Expenses | | |
| 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 Estimated Actual for 2022/23 | 1,400,000 350,000 |

| Type, Title, Scope and Period of Appropriations | Appropriations, Adjustments and Use | \$000 |
|---|-------------------------------------|-----------|
| Historical Treaty of Waitangi Settlements 2023 - 2027 (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 2023 Expires: 30 June 2027 | Original Appropriation | 1,400,000 |
| | Estimated Actual for 2022/23 | - |

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

| | 2022/23 | | |
|--|------------------------------|---|--------------------------|
| | Estimates Budget \$000 | Supplementary Estimates Budget \$000 | Total Budget \$000 |
| Total Annual Appropriations and Forecast Permanent Appropriations | 69,723 | 45,746 | 115,469 |
| Total Forecast MYA Departmental Output Expenses | 1,300 | 1,000 | 2,300 |
| Total Forecast MYA Non-Departmental Other Expenses | 350,000 | - | 350,000 |
| Total Annual Appropriations and Forecast Permanent Appropriations and Multi-Year Appropriations | 421,023 | 46,746 | 467,769 |

Supporting Information

Part 1 - Vote as a Whole

1.2 - Trends in the Vote

Summary of Financial Activity

| | 2022/23 | | | | |
|---|--------------------|---------------------------------------|---|--------------------------------|----------------|
| | Estimates \$000 | Supplementary Estimates | | | Total \$000 |
| | | Departmental Transactions \$000 | Non- Departmental Transactions \$000 | Total Transactions \$000 | |
| Appropriations | | | | | |
| Output Expenses | 40,886 | 2,764 | - | 2,764 | 43,650 |
| Benefits or Related Expenses | - | N/A | - | - | - |
| Borrowing Expenses | - | - | - | - | - |
| Other Expenses | 367,617 | - | 42,243 | 42,243 | 409,860 |
| Capital Expenditure | - | - | - | - | - |
| Intelligence and Security Department Expenses and Capital Expenditure | - | - | N/A | - | - |
| Multi-Category Expenses and Capital Expenditure (MCA) | | | | | |
| <i>Output Expenses</i> | 12,520 | 1,739 | - | 1,739 | 14,259 |
| <i>Other Expenses</i> | - | - | - | - | - |
| <i>Capital Expenditure</i> | - | N/A | - | - | - |
| Total Appropriations | 421,023 | 4,503 | 42,243 | 46,746 | 467,769 |
| 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

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.

Expenses and Revenue

| | 2022/23 | | |
|------------------------|--------------------|-------------------------------------|----------------|
| | Estimates \$000 | Supplementary Estimates \$000 | Total \$000 |
| Total Appropriation | 37,536 | 1,764 | 39,300 |
| Revenue from the Crown | 37,404 | 1,764 | 39,168 |
| Revenue from Others | 132 | - | 132 |

Reasons for Change in Appropriation

This appropriation increased by \$1.764 million to \$39.300 million for 2022/23 is due to:

- an expense transfer of \$1 million from 2021/22 to 2022/23 for the Takutai Moana financial assistance scheme to progress rescheduled hearings impacted by COVID-19
- an increase of \$579,000 to ensure core justice services are maintained by improving remuneration for Ministry of Justice employees
- a fiscally neutral adjustment of \$555,000 to reflect the allocation of Ministry overhead costs in 2022/23
- an expense transfer of \$500,000 from 2021/22 to 2022/23 for the establishment phase of the Takutai Moana Crown engagement strategy, and
- an expense transfer of \$130,000 from 2021/22 to 2022/23 to ensure the resource management reforms uphold Treaty settlements and takutai moana rights.

This was partially offset by a fiscally neutral adjustment of \$1 million to provide funding for the new Cyclone Gabrielle - Māori Community Engagement in Response to Cyclone Gabrielle appropriation.

Part 3 - Details of Non-Departmental Appropriations

3.1 - Non-Departmental Output Expenses

Operations of Ngāpuhi Investment Fund Limited (M74) (A23)

Scope of Appropriation

This appropriation is limited to the administration and management of Ngāpuhi Investment Fund Limited.

How Performance will be Assessed and End of Year Reporting Requirements

| Assessment of Performance | 2022/23 | | |
|--|--------------------|----------------------------------|----------------|
| | Estimates Standard | Supplementary Estimates Standard | Total Standard |
| Number of engagements to develop relationships and build understanding with Ngāpuhi iwi, hapū, rūpu or entities (see Note 1) | New measure | Achieved | Achieved |
| Committed disbursements (see Note 1 and 2) | New measure | \$300,000 | \$300,000 |

Note 1 - These new performance indicators for 2022/23 were selected as they represent the immediate areas of focus of Tupu Tonu's work.

Note 2 - Committed disbursements are up to 20% of Tupu Tonu's net investment returns from each preceding financial year that are provided as grants to organisations, whānau and hapū that affiliate to Ngāpuhi.

End of Year Performance Reporting

Performance information for this appropriation will be reported by Tupu Tonu in their Annual Report.

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.

Reasons for Change in Appropriation

This appropriation increased by \$250,000 to \$750,000 for 2022/23 due to an expense transfer from 2021/22 to 2022/23 to provide financial assistance to the beneficiaries where engagement was delayed due to COVID-19 and the finalisation of the successor list.

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 \$7.102 million for 2022/23 due to a fiscally neutral adjustment to provide initial funding for the new Funding to Address Waitangi Tribunal Recommendations appropriation.

Cyclone Gabrielle - Māori Community Engagement in Response to Cyclone Gabrielle (M98) (A23)

Scope of Appropriation

This appropriation is limited to the provision of funding to iwi to support their recovery relating to recent adverse weather events and to support their engagement with central and local government, and with their whanau, in the response to and recovery from such events.

Expenses

| | 2022/23 | | |
|---------------------|--------------------|-------------------------------------|----------------|
| | Estimates \$000 | Supplementary Estimates \$000 | Total \$000 |
| Total Appropriation | - | 3,000 | 3,000 |

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve immediate support to iwi following Cyclone Gabrielle.

How Performance will be Assessed and End of Year Reporting Requirements

An exemption was granted, as the appropriation is one from which resources will be provided to a person or an entity other than a department, a functional chief executive, an Office of Parliament, or a Crown entity, 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 \$3 million to support Iwi with their engagement with Central and Local Government, their access to and coordination of community funding, and their communications with their whānau.

Financial Assistance Toward Determining Customary Interests in the Marine and Coastal Area (M74) (A23)

Scope of Appropriation

This appropriation is limited to providing financial assistance to applicant groups to investigate their customary interests in the marine and coastal area.

Reasons for Change in Appropriation

This appropriation increased by \$3.993 million to \$12.088 million for 2022/23 due to an expense transfer from 2021/22 to 2022/23 for the Takutai Moana financial assistance scheme to progress rescheduled hearings impacted by COVID-19.

Funding to Address Waitangi Tribunal Recommendations (M74) (A23)

Scope of Appropriation

This appropriation is limited to addressing Waitangi Tribunal recommendations for contemporary claims.

Expenses

| | 2022/23 | | |
|---------------------|--------------------|-------------------------------------|----------------|
| | 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 addressing Waitangi Tribunal recommendations contemporary claims in a direct and transparent manner.

How Performance will be Assessed and End of Year Reporting Requirements

An exemption was granted, as the appropriation is one from which resources will be provided to a person or an entity other than a department, a functional chief executive, an Office of Parliament, or a Crown entity, 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 2022/23 due to a fiscally neutral adjustment to fund contemporary claims.

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

| | 2022/23 | | |
|---------------------|--------------------|-------------------------------------|----------------|
| | 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, as the appropriation is one from which resources will be provided to a person or an entity other than a department, a functional chief executive, an Office of Parliament, or a Crown entity, under 15D(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 for 2022/23 due to an expense transfer from 2021/22 to 2022/23 to reflect the revised timing of specific redress arrangements.

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.

How Performance will be Assessed and End of Year Reporting Requirements

| | 2022/23 | | |
|--|-----------------------|--|-------------------|
| | Estimates Standard | Supplementary Estimates Standard | Total Standard |
| Assessment of Performance | | | |
| Total number of iwi Māori groups supported to develop and lead regionally diverse events and resources that recognise Te Kāhui o Matariki (see Note 1) | 20 | 40 | 60 |

Note 1 - The total standard has increased for 2022/23 by 40 to better reflect the Matariki Ahunga Nui fund work programme.

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.

Expenses, Revenue and Capital Expenditure

| | 2022/23 | | |
|---|--------------------|-------------------------------------|----------------|
| | Estimates \$000 | Supplementary Estimates \$000 | Total \$000 |
| Total Appropriation | 12,520 | 1,739 | 14,259 |
| Departmental Output Expenses | | | |
| Strengthening Crown Capability | 10,850 | 1,739 | 12,589 |
| Non-Departmental Output Expenses | | | |
| Supporting Significant Māori Events | 1,670 | - | 1,670 |
| Funding for Departmental Output Expenses | | | |
| Revenue from the Crown | 10,850 | 1,739 | 12,589 |
| Strengthening Crown Capability | 10,850 | 1,739 | 12,589 |

Reasons for Change in Appropriation

This appropriation increased by \$1.739 million to \$14.259 million for 2022/23 due to:

- a fiscally neutral adjustment of \$1.300 million to reflect the allocation of Ministry of Justice overhead costs in 2022/23
- an expense transfer of \$288,000 from 2021/22 to 2022/23 to ensure the resource management reforms uphold Treaty settlements and takutai rights, and
- an increase of \$151,000 to ensure core justice services are maintained by improving remuneration for Ministry of Justice employees.