

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	2023/24		
	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.	36,768	3,995	40,763
Total Departmental Output Expenses	36,768	3,995	40,763
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.	1,900	-	1,900
Total Non-Departmental Output Expenses	1,900	-	1,900
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.	750	250	1,000
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	(1,632)	5,970
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.	12,023	18,800	30,823
Funding to Address Waitangi Tribunal Recommendations (M74) (A23) This appropriation is limited to addressing Waitangi Tribunal recommendations for contemporary claims.	-	500	500
Post-Settlement Resolution for New Zealand Defence Force Redress at Royal New Zealand Air Force Base Woodbourne (M98) (A23) This appropriation is limited to a payment to address issues arising from per- and polyfluoroalkyl substances contamination at Royal New Zealand Air Force Base Woodbourne.	25,200	-	25,200
Reconciliation Initiatives Outside of Treaty Settlements (M74) (A23) This appropriation is limited to Crown contributions to support the delivery of Māori Crown initiatives outside of the settlement of historical Treaty of Waitangi claims.	-	369	369
Total Non-Departmental Other Expenses	45,575	18,287	63,862

Titles and Scopes of Appropriations by Appropriation Type	2023/24		
	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.	11,825	1,000	12,825
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.	10,825	665	11,490
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.	1,000	335	1,335
Total Multi-Category Expenses and Capital Expenditure	11,825	1,000	12,825
Total Annual Appropriations and Forecast Permanent Appropriations	96,068	23,282	119,350

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 2022/23 Adjustments for 2023/24 Adjusted Appropriation Actual to 2022/23 Year End Estimated Actual for 2023/24 Estimate for 2024/25 Estimated Appropriation Remaining	4,400 1,083 1,100 6,583 3,394 3,189 - -
Non-Departmental Other Expenses		
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 Estimated Actual for 2023/24	1,400,000 350,000

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
Historical Treaty of Waitangi Settlements 2024 - 2028 (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 2024 Expires: 30 June 2028	Original Appropriation	1,400,000
	Estimated Actual for 2023/24	-
National Resilience Plan - Kaitia Airport Works (M98) (A23) This appropriation is limited to Crown contributions to support upgrades required at Kaitia Airport. Commences: 01 October 2023 Expires: 30 June 2028	Original Appropriation	5,400
	Adjustments to 2022/23	-
	Adjustments for 2023/24	-
	Adjusted Appropriation	5,400
	Actual to 2022/23 Year End	-
	Estimated Actual for 2023/24	-
	Estimate for 2024/25	5,400
Estimated Appropriation Remaining	-	

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

	2023/24		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Total Annual Appropriations and Forecast Permanent Appropriations	96,068	23,282	119,350
Total Forecast MYA Departmental Output Expenses	2,783	406	3,189
Total Forecast MYA Non-Departmental Other Expenses	350,000	-	350,000
Total Annual Appropriations and Forecast Permanent Appropriations and Multi-Year Appropriations	448,851	23,688	472,539

Supporting Information

Part 1 - Vote as a Whole

1.2 - Trends in the Vote

Summary of Financial Activity

	2023/24				
	Estimates \$000	Supplementary Estimates			Total \$000
		Departmental Transactions \$000	Non- Departmental Transactions \$000	Total Transactions \$000	
Appropriations					
Output Expenses	41,451	4,401	-	4,401	45,852
Benefits or Related Expenses	-	N/A	-	-	-
Borrowing Expenses	-	-	-	-	-
Other Expenses	395,575	-	18,287	18,287	413,862
Capital Expenditure	-	-	-	-	-
Intelligence and Security Department Expenses and Capital Expenditure	-	-	N/A	-	-
Multi-Category Expenses and Capital Expenditure (MCA)					
<i>Output Expenses</i>	11,825	665	335	1,000	12,825
<i>Other Expenses</i>	-	-	-	-	-
<i>Capital Expenditure</i>	-	N/A	-	-	-
Total Appropriations	448,851	5,066	18,622	23,688	472,539
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 2022/23	1,083
	Adjustments for 2023/24	1,100
	Adjusted Appropriation	6,583
	Actual to 2022/23 Year End	3,394
	Estimated Actual for 2023/24	3,189
	Estimate for 2024/25	-
	Estimated Appropriation Remaining	-

Reasons for Change in Appropriation

This appropriation increased by \$1.100 million to \$6.583 million due to a fiscally neutral adjustment to reflect the increased costs of the Wakatū litigation.

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

	2023/24		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	36,768	3,995	40,763
Revenue from the Crown	36,636	3,995	40,631
Revenue from Others	132	-	132

How Performance will be Assessed and End of Year Reporting Requirements

Assessment of Performance	2023/24		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Treaty Negotiations and the Marine and Coastal Area			
Deeds of Settlement signed (see Notes 1, 2 and 5)	New measure	New measure	3
Terms of Negotiation signed (see Notes 2, 3 and 5)	New measure	New measure	1
Legislation introduced (see Notes 4 and 5)	New measure	New measure	4
Legislation enacted (see Notes 4 and 5)	New measure	New measure	2
Develop the Marine and Coastal Area (Takutai Moana) Act 2011 Applicant Group Funding scheme updates (see Note 5)	New measure	New measure	1
Develop the Marine and Coastal Area (Takutai Moana) Act 2011 legislation updates (see Note 5)	New measure	New measure	2
Identify and implement pathways to resolve settlement issues (see Notes 5 and 6)	New measure	New measure	6
Services to Ministers			
The satisfaction of the Minister for Māori Crown Relations: Te Arawhiti and the Minister for Treaty of Waitangi Negotiations that Te Arawhiti advice to Ministers and Cabinet on engagement with Māori, Treaty based rights and interests, Treaty settlements and Takutai Moana is timely, informed, and enabling of good Cabinet decision-making, as per the common satisfaction survey (see Note 7)	New measure	New measure	At least 8/10

Note 1 - A Deed of Settlement is the complete, detailed and formal settlement agreement between the Crown and the claimant group.

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 is agreed between the Crown and a claimant group. The document outlines the objectives for the negotiations.

Note 4 - Settlement legislation operationalises the Deed of Settlement.

Note 5 - These new measures for 2023/24 were chosen to provide a more comprehensive overview of activities under this appropriation including the signing of Deeds of Settlement, Terms of Negotiation, and the introduction and enactment of relevant legislation, including updates under the Marine and Coastal Area (Takutai Moana) Act 2011.

Note 6 - The nature and complexity of each settlement issue varies widely and can involve a variety of iwi post-settlement governance entities and Crown agencies with settlement responsibilities. Te Arawhiti does not have full control over the achievement of this measure as it is partially reliant on settled groups and the agency with settlement responsibilities to engage in the pathway to resolve each settlement issue.

Note 7 - This new measure for 2023/24 was chosen because it evaluates the satisfaction of both Ministers with the policy advice provided.

Reasons for Change in Appropriation

This appropriation increased by \$3.995 million to \$40.763 million for 2023/24 due to:

- additional funding of \$1.610 million to support the implementation of the strategy to restore the Ngāpuhi Crown relationship
- an expense transfer of \$1.500 million from 2022/23 to 2023/24 for the Takutai Moana financial assistance scheme to progress hearings impacted by court backlogs and from adverse weather events, and
- a fiscally neutral adjustment of \$1.285 million to reflect the allocation of Ministry overhead costs in 2023/24.

This was partially offset by a fiscally neutral adjustment of \$400,000 to provide funding to the Crown Response to Wakatū Litigation and Related proceedings appropriation for increased costs of the Wakatū litigation.

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.

Reasons for Change in Appropriation

This appropriation increased by \$250,000 to \$1 million for 2023/24 due to an expense transfer from 2022/23 to 2023/24 to provide financial assistance to the beneficiaries where engagement was delayed.

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 \$1.632 million to \$5.970 million for 2023/24 due to:

- a fiscally neutral adjustment, utilising \$2.428 million to fulfil Crown commitments by funding other appropriations in Vote Lands and Vote Te Arawhiti
- a fiscally neutral adjustment of \$1.500 million to address cost pressures in the Takutai Moana Financial Assistance Scheme, and
- a fiscally neutral adjustment of \$137,000 to the Ministry for the Environment, for a crown contribution to local authorities for costs associated with the Kaitiaki Forum.

This decrease was partially offset by an expense transfer of \$2.433 million from 2022/23 to 2023/24 relating to unspent funds in 2022/23.

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 \$18.800 million to \$30.823 million for 2023/24 to address cost pressures in the Takutai Moana Financial Assistance Scheme, this included additional funding of \$17.300 million and a fiscally neutral adjustment of \$1.500 million.

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

Scope of Appropriation

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

Expenses

	2023/24		
	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 appropriation increased by \$500,000 to \$500,000 for 2023/24 due to an expense transfer from 2022/23 to 2023/24 to fund contemporary claims.

Historical Treaty of Waitangi Settlements 2024 - 2028 (M74) (A23)

Scope of Appropriation and Expenses

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
Historical Treaty of Waitangi Settlements 2024 - 2028 (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 2024 Expires: 30 June 2028	Original Appropriation	1,400,000
	Estimated Actual for 2023/24	-

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, 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)(ii) of the Public Finance Act 1989, as additional performance information is unlikely to be informative because this appropriation is solely for the settlement of claims, including redress.

National Resilience Plan - Kaitaia Airport Works (M98) (A23)

Scope of Appropriation and Expenses

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
National Resilience Plan - Kaitaia Airport Works (M98) (A23) This appropriation is limited to Crown contributions to support upgrades required at Kaitaia Airport. Commences: 01 October 2023 Expires: 30 June 2028	Original Appropriation	5,400
	Adjustments to 2022/23	-
	Adjustments for 2023/24	-
	Adjusted Appropriation	5,400
	Actual to 2022/23 Year End	-
	Estimated Actual for 2023/24	-
	Estimate for 2024/25	5,400
	Estimated Appropriation Remaining	-

What is Intended to be Achieved with this Appropriation

This appropriation is intended to restore greater resilience and reliability of the Kaitaia Airport as a critical infrastructure asset.

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)(ii) of the Public Finance Act 1989, as additional performance information is unlikely to be informative because this appropriation is solely for Crown contributions for upgrades at Kaitaia Airport.

Reasons for Change in Appropriation

This multi-year appropriation was established in 2023/24 with initial funding of \$5.400 million to provide funding to support upgrades required at Kaitaia Airport.

Reconciliation Initiatives Outside of Treaty Settlements (M74) (A23)

Scope of Appropriation

This appropriation is limited to Crown contributions to support the delivery of Māori Crown initiatives outside of the settlement of historical Treaty of Waitangi claims.

Expenses

	2023/24		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	369	369

What is Intended to be Achieved with this Appropriation

This appropriation is intended to support Māori Crown reconciliation through initiatives outside of the settlement of historical Treaty of Waitangi claims.

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)(ii) of the Public Finance Act 1989, as additional performance information is unlikely to be informative because this appropriation is solely for Crown contributions to Māori Crown initiatives.

Reasons for Change in Appropriation

This is a new appropriation with initial funding of \$369,000 to support the delivery of Māori Crown initiatives outside of the settlement of historical treaty of Waitangi claims.

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

	2023/24		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	11,825	1,000	12,825
Departmental Output Expenses			
Strengthening Crown Capability	10,825	665	11,490
Non-Departmental Output Expenses			
Supporting Significant Māori Events	1,000	335	1,335
Funding for Departmental Output Expenses			
Revenue from the Crown	10,825	665	11,490
Strengthening Crown Capability	10,825	665	11,490

How Performance will be Assessed for this Appropriation

	2023/24		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Assessment of Performance			
The satisfaction of the Minister for Māori Crown Relations: Te Arawhiti and the Minister for Treaty of Waitangi Negotiations that Te Arawhiti advice to Ministers and Cabinet on engagement with Māori, Treaty based rights and interests, Treaty settlements and Takutai Moana is timely, informed, and enabling of good Cabinet decision-making, as per the common satisfaction survey (see Note 1)	New measure	New measure	At least 8/10

Note 1 - This new measure for 2023/24 was chosen because it evaluates the satisfaction of both Ministers with the policy advice provided.

Reasons for Change in Appropriation

This appropriation increased by \$1 million to \$12.825 million in 2023/24 due to:

- a fiscally neutral adjustment of \$865,000 to reflect the allocation of Ministry overhead costs in 2023/24
- an expense transfer of \$500,000 from 2022/23 to 2023/24 to ensure the resource management reforms uphold Treaty settlements and takutai moana rights, and
- an expense transfer of \$335,000 from 2022/23 to 2023/24 to support the design, build and erection of statutes or symbols in places of significance.

This was partially offset by a fiscally neutral adjustment of \$700,000 to provide funding to the Crown Response to Wakatū Litigation and Related proceedings appropriation for increased costs of the Wakatū litigation.