



OFFICE OF TREATY SETTLEMENTS  
*Te Tari Whakatau Take e pā ana ki te Tiriti o Waitangi*

INTERNAL MEMORANDUM

**File Number:** CLA-N116-NF-01-03  
**To/Ki a:** Belinda Clark  
**From/Nā:** Paul James  
**Cc:** Gerard McGreevy  
**Date/Te Rā:** 15 October 2010  
**Subject/Kaupapa:** Ngātikahu ki Whangaroa Claimant Funding Request

**Purpose**

1. This memorandum seeks your approval to the release of \$50,000 of claimant funding to Ngātikahu ki Whangaroa from their claimant funding allocation. The proposed release would allow Ngātikahu ki Whangaroa to progress building a website and re-enter discussions with the Crown towards a deed of settlement.
2. Recently Cabinet authorised the Secretary for Justice to release claimant funding within the amounts set aside for each milestone from the overall claimant funding amount [TOW Min (09) 6/4 refers].

**Background**

3. In April 1999, Cabinet delegated authority to the Minister for Treaty of Waitangi Negotiations to release claimant funding in instalments once an overall funding limit has been approved [CAB (99) M11/20 refers]. In June 2006, Cabinet approved modifications to the claimant funding policy [CAB Min (06) 11/17 refers].
4. In June 2009, Cabinet approved further modifications to the claimant funding policy [TOW Min (09) 6/4 refers]. The Minister for Treaty of Waitangi Negotiations and the Minister of Finance subsequently agreed that Ngātikahu ki Whangaroa receive an allocation of \_\_\_\_\_ of claimant funding as a contribution to expenses incurred in negotiating their deed of mandate, terms of negotiation, agreement in principle, deed of settlement, ratification, legislation and governance workstreams.
5. The proposed release is within your delegated financial authority as Secretary for Justice [TOW Min (09) 6/4 refers]. The proposed release is appropriated through the non-departmental other expense appropriation: Claimant Funding. There is sufficient funding for the proposed release.

Withheld under section  
9(2)(f)(iv) of the Official  
Information Act 1982.

**Claimant funding request**

- 6. Ngātikahu ki Whangaroa have requested the release of \$50,000 of claimant funding. Officials are satisfied that the information they have provided shows they have incurred \$30,000 of legitimate negotiation costs against the previous release of \$30,000.

**Progress in negotiations**

- 7. Ngātikahu ki Whangaroa signed an agreement in principle milestone with the Crown on 22 December 2007. Negotiations have been in abeyance for the last year as attempts failed to resolve the occupation of Stony Creek. Ngātikahu ki Whangaroa met with officials on 24 September 2010 and provided a number of options to move forward to settlement.
- 8. Further to this Ngātikahu ki Whangaroa would like to create a website to provide better information to their people. We are supportive of this and recommend the funding be released to enable them to create a website.

**Remaining claimant funding**

- 9. If you approve the claimant funding request, \_\_\_\_\_ will remain available to Ngātikahu ki Whangaroa for signed deed of settlement milestone.
- 10. A total of \_\_\_\_\_ of claimant funding will remain to enable Ngātikahu ki Whangaroa to complete the settlement process.

	A	B	C	D	E=A-(B+C+D)
Milestones for claimant funding	Funding allocation at June 2009 (\$)	Prior releases against this allocation (\$) (excluding C)	Most recent release: March 2009 (\$)	Proposed release at Oct 2010 (\$)	Balance remaining after proposed release (\$)
Recognised Deed of Mandate					
Terms of Negotiation					
Formal Negotiations to Agreement in Principle					
Formal negotiations to Deed of Settlement					
Ratification					
Legislation and Governance					
<b>TOTAL</b>					

Withheld under section 9(2)(f)(iv) of the Official Information Act 1982.



**Recommendations**

11. It is recommended that you:

1. **note** officials are satisfied the previous claimant funding instalment has been spent on legitimate negotiation costs;
2. **note** the proposed release is within your financial delegation, and there is adequate funding in the non-departmental other expense; Claimant Funding in 2010/11.
3. **approve** the release of \$50,000 of claimant funding to Ngātikahu ki Whangaroa from their deed of settlement claimant funding milestone; and
4. **note** that if you approve this recommendation, Ngātikahu ki Whangaroa will have : from their deed of settlement claimant funding milestone unspent.

**YES / NO**

*Paul James*  
 Paul James  
 Director

Withheld under section 9(2)(f)(iv) of the Official Information Act 1982.

<b>ENDORSED / NOT ENDORSED</b>
<i>Approved</i>
Gerard McGreevy Deputy Secretary, Legal
Date: <i>18</i> / <i>10</i> / 2010

<b>NOTED / APPROVED / NOT APPROVED</b>
<i>Approved</i>
<i>B Clark</i>
Belinda Clark Chief Executive / Secretary for Justice
Date: <i>18</i> / <i>10</i> / 2010

RELEASED UNDER THE OFFICIAL INFORMATION ACT

