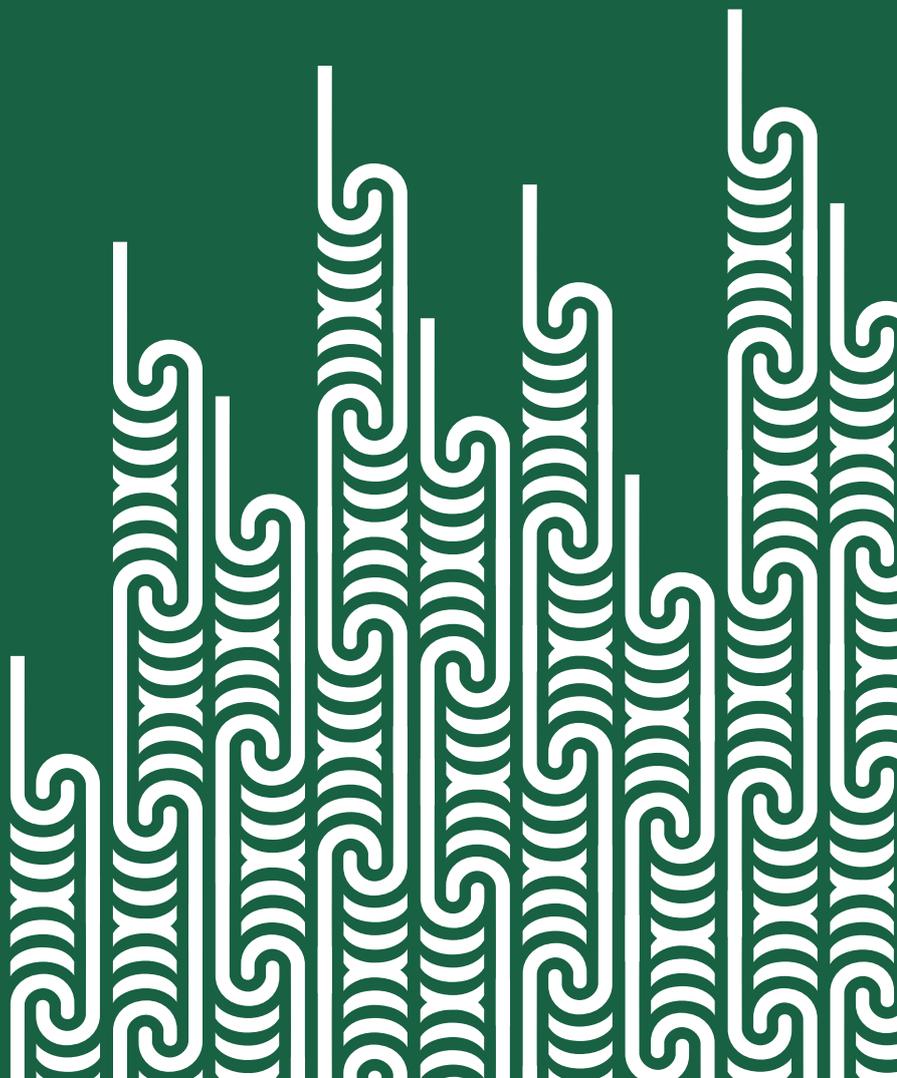


Whole of System (Core Crown) Report on Treaty Settlement Delivery



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Rupu takamua

Mā te mahi tahi, mā te pono ki te kaupapa, ka atawhaitia te ara ki Matangireia.

Mai anō i te whakatutukinga o ngā whakataunga Tiriti i ngā 30 tau kua pahure, koinei te pūrongo tuatahi e mau ana i ngā raraunga e pā ana ki te kaha o te Karauna ki te whakaea i ā mātou kawenga i raro i ngā whakataunga Tiriti.

I ngā tau roa o mua i a mātou e whakatutuki ana i ngā whakataunga Tiriti, kua whakapau kaha mātou ki te whakaea i ngā nawe, ā, ki te whakatū i tētahi hononga hou ki te taha o ngā rōpū whakahaere i muri mai i ngā whakataunga. Tae rawa mai ki nāianei, kāore anō mātou kia whai mōhiotanga e pā ana ki tō mātou kaha ki te whakatutuki i ō mātou kawenga.

He tīmatanga tēnei pūrongo, kia mahea ake te kitenga atu me te whai hua o ngā mahi a te Karauna ki te whakaea i ngā kōrero a ngā whakataunga Tiriti. Koinei te pae taketake e whakainea ai ngā kokenga whakamua tonu a te Karauna ki te whakatutukinga o āna kawenga i raro i ngā whakataunga Tiriti. Ka taka te wā, ka āta mōhio ai ngā rōpū whakahaere me ngā tāngata katoa o Aotearoa, e pono ana te Karauna ki ngā whakataunga Tiriti, ka noho pūmau hoki aua kawenga i ngā tau roa e haere mai ana.

E noho whakaiti ana ahau i te whakaputanga atu o tēnei pūrongo e whakaatu ana i te kaha o te Karauna ki te whakatutuki i āna mahi me ngā kokenga whakamua i tēnei wā. He hīkinga ngākau te kitenga atu o te whakatutukinga o te nuinga o ngā kawenga a te Karauna, arā, e 77% te nui o ngā kaupapa kei te ara tika, kua oti kē rānei te whakatutuki.

He mea nui tonu ki tēnei Kāwanatanga te whakatutukinga o ngā kawenga o ngā whakataunga. E pūmau ana mātou ki tō mātou hiahia ki te whakatutuki i ngā kawenga i te wā tata nei kia āhei ngā rōpū whakahaere o ngā whakataunga Tiriti me ō rātou tāngata ki te whakaea i ō rātou wawata

Mehemea he pai mō te tangata, mahia.

Foreword

Mā te mahi tahi, mā te pono ki te kaupapa, ka atawhaitia te ara ki Matangireia.

This report is the first time in our over 30-year Treaty settlement history that we have the data to understand how the Crown is honouring our Treaty settlement commitments.

In our lengthy Treaty settlement history, we have worked hard to address grievances and build a new relationship with settled groups post-settlement. To date, we have not captured how we are tracking towards fulfilling our commitments.

This inaugural report serves as a starting point for increasing the Crown's transparency and accountability for its Treaty settlement delivery. It provides a baseline against which we can measure the Crown's continued progress towards meeting its Treaty settlement commitments. Over time, this will provide greater assurance to settled groups and all New Zealanders that the Crown is committed to upholding Treaty settlements and ensuring their long-term durability.

I am privileged to deliver this report that holds the Crown to account and highlight progress made to date. It is encouraging to see the Crown is largely delivering on its commitments, with 77% being either on-track or complete.

Completing settlement commitments remains important to this Government. We are steadfast in our desire to see all commitments are met as soon as possible, to enable aspirations of post-settlement governance entities and the people they represent to be realised.

Mehemea he pai mō te tangata, mahia.

If it is good for the people, get on with it.

Purpose

This inaugural report provides for the first time, a system-wide view of how the core Crown is delivering on its Treaty settlement commitments arising from historical Treaty of Waitangi claims (Treaty settlements)¹.

To sustain the durability of Treaty settlements, post-settlement governance entities (PSGEs) and the Crown need confidence that settlement commitments are upheld. This report provides a high-level snapshot of core Crown agencies' self-assessment of their progress. It establishes a baseline for measuring against and reporting on progress made now and into the future. Ultimately, we expect annual reporting of core Crown Treaty settlement delivery to demonstrate an increase in settlement commitments being delivered and improving agency practice².

It is over 30 years since the first Treaty settlements, and this is the first time that the core Crown has assessed the extent to which it is meeting its settlement commitments. This is a Crown view only. Future reports will include the perspectives of PSGEs, on behalf of the people they represent, about progress made towards upholding Treaty settlements, and/or further analysis.

He Korowai Whakamana is a Cabinet approved framework for achieving oversight of and accountability for Treaty settlement delivery. He Korowai Whakamana refers to a cloak of protection. The metaphor of a korowai describes the framework as a symbol intended for the protection of settlements, which seeks to uphold their mana and ensure their durability.

Annual reporting is one of the accountability levers in the He Korowai Whakamana framework and provides visibility for core Crown agencies' Treaty settlement delivery. Prior to the implementation of He Korowai Whakamana, the Crown did not systematically hold information about Treaty settlement delivery. Further details regarding the framework are set out in the background section of this report.

Until now, we have not had the data to be able to inform PSGEs, Ministers, or the general public about how many commitments the core Crown considers it has delivered. Having this data can help inform resourcing, planning, and the guidance required by agencies to deliver on commitments.

The Government has outlined its intention to honour the undertakings made by the Crown through past Treaty of Waitangi settlements³. Continued annual reporting will help ensure sustained investment in delivery by core Crown agencies and, over time, demonstrate an increase in settlement commitments being delivered, as well as improved agency practice.

This report covers:

- a background to Treaty settlements, He Korowai Whakamana and Te Haeata – the Settlement Portal (**Te Haeata**);
- the dashboard which shows a cross core Crown view of Treaty settlement delivery;
- observations from core Crown agencies' annual reports data; and
- system level insights.

¹ 'Core Crown' refers to public service departments, departmental agencies, New Zealand Defence Force, and New Zealand Police.

² Relevant core Crown agencies for this report are set out in the Glossary at Appendix A.

³ See the Coalition Agreement between the New Zealand National Party and the New Zealand First Party, 54th Parliament at p10.





Background

History of the Treaty settlement process

Settling historical Treaty of Waitangi/Te Tiriti o Waitangi (the **Treaty**) claims has been a focus of successive governments since the early 1990s. Historical claims relate to acts or omissions made by the Crown prior to 21 September 1992, which is when Cabinet agreed on the following principles for negotiating historical Treaty claims:

- good faith;
- restoration of relationship;
- just redress;
- consistency in treatment of claimant groups;
- transparency; and
- for negotiations to be between claimant groups and the government⁴.

Settlements play an essential part in resolving grievances caused by the Crown's historical acts and omissions in breach of the Treaty. The above principles are intended to ensure settlements are fair, durable, final and occur in a timely manner. Through settlements, Ministers and government agencies commit to delivering redress to settling groups, and usually within a defined timeframe.

Although settlements tend to have the same core elements, the Crown's framework for negotiating Treaty settlements allows for innovation with bespoke redress being developed to meet the specific aspirations of a claimant group⁵. The following redress is commonly included in Treaty settlements:

- a Crown apology;
- cultural redress; and
- financial and commercial redress⁶.

To date, the Crown and claimant groups have signed approximately 100 deeds of settlement, of which 80 have been enacted through legislation. These range from the large Waikato-Tainui, Ngāi Tahu and Central North Island Collective settlements to smaller settlements such as Ngāti Tūrangitukua and Maraeroa A and B Blocks. About 26 settlements remain to be negotiated, while five are pending enactment of legislation⁷.

The Office for Māori Crown Relations – Te Arawhiti (Te Arawhiti) negotiates settlements of historical Treaty claims. Along with several other agencies and local government, Te Arawhiti has an implementation role in the settlements enacted to date. This includes transferring ownership of properties and implementing cultural redress instruments.

⁴ The Office for Māori Crown Relations (2021), *The Red Book - 'Ka tika ā muri, ka tika ā mua — Healing the past, building a future'*, at pp. 23-25. Accessible at: [Te Arawhiti - The Red Book](#)

⁵ The Crown strongly prefers to negotiate settlements with large natural groups of tribal interests, *ibid.* p39.

⁶ *Ibid.*, pp. 20, 76-78.

⁷ Treaty Settlements Quarterly Report, 1 July – 30 September 2024.

Post-settlement

The settlement of historical Treaty claims is not the end of Crown obligations under the Treaty – it marks the restoration of relationships between claimant groups and the Crown and recognises that the obligations following from the Treaty and subsequent Treaty settlements are ongoing. It is vital the Crown delivers on its undertakings and responsibilities, defined in Treaty settlements, through its actions, policies, and practices.

As more Treaty settlements are completed, the task of accountability, monitoring, reporting and prompt delivery of settlement commitments is becoming more important. A systematic approach for this is a critical component.

The Crown and claimant groups have worked together for over 30 years to settle historical Treaty claims. To sustain those relationships, maintain good faith, and uphold any contractual obligations made, it is crucial that the commitments made in those settlements are met.

The Minister for Māori Crown Relations: Te Arawhiti is responsible for ensuring the Crown meets its settlement commitments.

Te Arawhiti role

Te Arawhiti is the public service lead for providing oversight for how the Crown is meeting Treaty settlement commitments. We work alongside the rest of the Crown, local government and PSGEs to safeguard the durability of Treaty settlements. Te Arawhiti helps ensure the gains made through Treaty settlements are maintained and built upon.

There is an increased demand on Crown agencies to understand and uphold their settlement commitments and relationships. The ability of agencies to build on post-settlement relationships when progressing new initiatives can help avoid needless delay, or resource intensive litigation.

Te Arawhiti helps the Crown gain an overview of its Treaty settlement commitments, assist coordination across the agencies responsible for implementing commitments and acts as an initial contact point for enquiries on post-settlement matters. We also work with PSGEs and the lead agencies to resolve issues as they arise.

He Korowai Whakamana

On 22 December 2022, Cabinet mandated Te Arawhiti to lead system-wide oversight of the delivery of core Crown Treaty settlement commitments [CAB-22-MIN-0597]⁸. This mandate enables Te Arawhiti to create levers of accountability for the delivery of commitments across the core Crown.

These levers include:

- a set of expectations, developed and maintained by Te Arawhiti, for Crown Treaty settlement commitment holders, as well as guidance and tools to support settlement delivery;
- a requirement for core Crown agencies to enter statuses⁹ for their commitments in Te Haeata and to report annually on their progress in upholding their commitments; and
- an issue resolution pathway for PSGEs and Crown agencies to resolve issues that may arise during implementation of settlements.

Between 2022 and 2024, Te Arawhiti developed and communicated these levers with core Crown agencies and PSGEs. Key components of He Korowai Whakamana have been established, for example the guidance materials and the Te Haeata portal.

⁸ [Proactive release – He Korowai Whakamana – Enhancing oversight of Treaty settlement commitments](#)

⁹ The statuses are summarised in the data section of this report at p8 and in the Glossary at Appendix A.

Reporting

He Korowai Whakamana requires the relevant 26 core Crown agencies to enter a status against their commitments and report on their settlement delivery in their annual reports¹⁰. The improved visibility and transparency around the core Crown's Treaty settlement delivery is intended to drive positive behaviour change across the core Crown, by requiring agencies to:

- reflect on their progress in delivering settlement commitments;
- report and monitor the status of their commitments in Te Haeata; and
- report annually on their Treaty settlement delivery.

Ultimately, the above requirements seek to improve core Crown Treaty settlement delivery, strengthen relationships with PSGEs and promote the durability of Treaty settlements. The purpose of this system report is to show how the core Crown as a whole, has assessed progress made towards meeting its settlement commitments.

Te Haeata – the Settlement Portal

Te Haeata is a central database for recording settlement commitments and allows commitment holding agencies to enter a status for their commitments. It is a tool to support organisations with Treaty settlement responsibilities. It is not open to the public, however information on Treaty settlements remains publicly available.

Te Haeata records commitments from deeds of settlement and settlement legislation – defined as specific tasks that a party is required to carry out. Te Haeata does not record commitments found in other settlement documents, such as relationship agreements (which are documents open to ongoing review by the signing parties).

Before Te Haeata was created there was no equivalent all of Crown database, which meant the Crown lacked assurance that settlements were being honoured and were unable to provide assurance to PSGEs and the people they represent.

Development of Te Haeata

Te Haeata was built between 2018 and 2019, informed by discussions with PSGEs, central government agencies and local government. The online portal was officially launched by Te Arawhiti in June 2019.

Enhancements have been made to Te Haeata progressively since October 2019 to improve its functionality and user experience. These enhancements include the ability for commitment holders to enter statuses for each of their commitments, individual agency dashboards, and an all of core Crown dashboard that provides a high-level snapshot of the status of core Crown commitments, so progress can be tracked over time.

Te Haeata functionality and constraints

While Te Haeata has increased the visibility of core Crown agencies' settlement delivery, it has limited capability beyond being a database for agencies to self-assess, update, and maintain oversight of their commitments. It was not designed as a reporting tool, and it is unable to support automated analysis and reporting.

¹⁰ The 26 relevant core Crown agencies are listed in the Glossary at Appendix A.



The Data

The statuses entered by core Crown agencies in Te Haeata, are a self-assessment of their progress in implementing their Treaty settlement commitments. Responsibility for delivering commitments and entering a status on Te Haeata remains with the responsible agency.

Treaty settlement delivery has never been reported or collected in a systematic way prior to implementing He Korowai Whakamana. It was important for the core Crown to lead the way by self-assessing progress made towards implementing its settlement commitments and entering an appropriate status for each core Crown commitment.

He Korowai Whakamana guidance outlines the definition for each of the statuses that could be applied in Te Haeata, along with expectations for core Crown agencies to support a culture of delivering on Treaty settlement commitments across the Crown. This in turn, strengthens the durability of settlements. This guidance promotes consistency in agencies' self-assessments and statuses applied in Te Haeata, thereby enabling Te Haeata to be a single source of truth regarding the core Crown's Treaty settlement delivery.

The statuses

There are four statuses an agency can assign to a commitment in Te Haeata and one default status. The statuses are:

- 'complete': the responsible entity¹¹ has completed the actions required to deliver the commitment;
- 'on track': the responsible entity has the systems in place or has started the actions required to deliver the commitment and is on track to complete those (including within any specified timeframes) or it is an ongoing commitment;
- 'yet to be triggered': the responsible entity is yet to start delivery of the commitment. It may be conditional on other commitments or is to be delivered at a certain time in the future; and
- 'delivery issues': the responsible entity has made attempts to complete the actions required to fulfil the commitment, but complicating factors have meant that the responsible entity is unlikely to be able to deliver the commitment as required (including within any specified timeframes).

The default setting of 'not yet entered' applies automatically to all commitments published on Te Haeata before an agency has entered a status.

The method to capture data with one of four statuses simplifies the work required by agencies to use their own judgement to determine what status to assign to a commitment. We anticipate that PSGEs may not always agree with a status assigned. It is the responsibility of the commitment holding agency to explain the status it has assigned to a commitment to the relevant PSGE.

The status assigned only relates to the commitment itself and not to anything that may result from the commitment being met, for example undertakings arising from a relationship agreement being entered into.

¹¹ 'Responsible entity' is used as the category in Te Haeata to refer to an entity with responsibility for a commitment. This may include a Crown agency, or other organisations such as local government, Crown entity, PSGE etc.

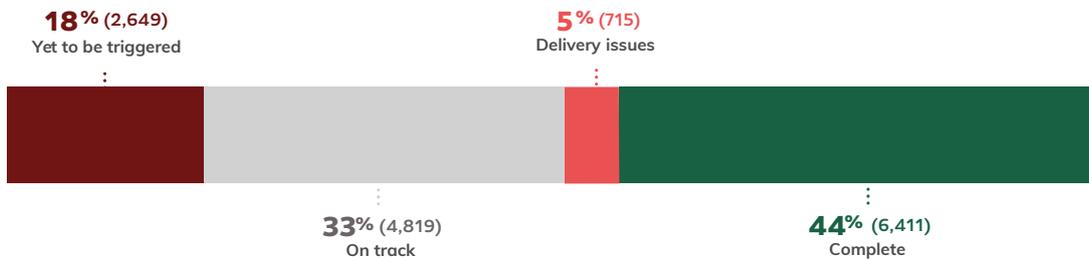
Summary delivery

Core Crown Treaty settlement delivery for the reporting year beginning 1 July 2023 and ending 30 June 2024, is as follows:

- completed settlement commitments: 44% (6,411)
- on track commitments: 33% (4,819)
- commitment yet to be triggered: 18% (2,649)
- commitments with delivery issues: 5% (715)

The graph below depicts the core Crown's view on Treaty settlement delivery across the 74 relevant Treaty settlements between 1 July 2023 and 30 June 2024¹².

Core Crown – Progress status breakdown



The above statistics are based on self-assessments of progress made by 26 core Crown commitment holding agencies and relate to 74 legislated settlements. The total number of commitments within this cohort, and which have a status assigned, is 14,594.

Further details regarding the core Crown's Treaty settlement delivery between 1 July 2023 and 30 June 2024 are set out in the Systems Insight section of this report.

¹² The number of relevant settlements is derived from those legislated settlements published on Te Haeata between the reporting period of 1 July 2023 – 30 June 2024.



System level insights

All of core Crown dashboard

The all of core Crown dashboard on page 9, provides a snapshot of the core Crown's view on Treaty settlement delivery across the 74 relevant Treaty settlements between 1 July 2023 and 30 June 2024. It presents a system-wide view of Treaty settlement delivery, as opposed to individual contributors of the system. The dashboard data is sourced from data entered in Te Haeata in line with He Korowai Whakamana reporting directives.

Progress in delivering settlements

The core Crown assessment shows that 44% of commitments are complete and 33% of commitments are on track. When read in combination, this assessment indicates 77% of commitments have been or are being delivered.

Some commitments are also inactive and categorised as yet to be triggered (18%). It is possible some commitments will remain as yet to be triggered into the future and will never be triggered, for example, tax provisions.

Delivery issues

Only 5% of commitments (total of 715 commitments) are reported as having delivery issues. It is important to note the 'delivery issues' status may be used by agencies for a variety of situations where a commitment may not be implemented in accordance with the terms of settlement or within specified timeframes. It may also be used for situations where an agency has been unable to locate evidence of a commitment being delivered. Understanding the reasons for delivery issues, whether it is locating evidence, or a breached commitment, is essential to implementing practices and policies that ensure commitments are met and preventing similar issues from arising in future.

The top three most common commitment types with delivery issues, are listed below¹³:

- relationship redress (192);
- deferred selection property (161); and
- participation arrangements over natural resources (127).

The above commitments with reported delivery issues largely align with Te Arawhiti's experience in responding to agencies and PSGEs about post-settlement issues. Treaty settlement implementation involves a range of variables including the number of commitment-holding agencies with responsibilities, the timeframes in which commitments are due, and interdependencies of some actions between parties. Delivery issues may occur for a variety of reasons and at various points during the implementation process. The type of delivery issues may also vary substantively in nature.

For example, in the case of relationship redress, several agencies have reported that the commitment has been delivered but they are unable to locate supporting evidence, for example, the original signed relationship agreement. A remedy for this is for agencies to ensure appropriate record management systems are in place.

Regarding deferred selection properties, there is often considerable time lag between deed signing and the potential transfer of such properties to PSGEs. The passage of time may mean the interests of parties and the physical condition of properties may have changed. Some changes may arise due to unanticipated circumstances (for example severe weather events).

As for participation arrangements over natural resources commitments, several of the delivery issues reported are due to agencies' inability to locate signed copies of documents (for example appointments to advisory committees).

¹³ These redress types are defined in Appendix A.

Agency annual reports

This report provides a baseline and snapshot of Treaty settlement delivery from the Crown's perspective and identifies high-level themes arising from agency annual reports. It does not provide an in-depth analysis of the data or draw conclusions from individual agency annual reports.

Reporting is an important function that enables agencies to track progress and, more importantly, be accountable for their settlement commitments. Agency annual reports are publicly available and therefore accessible to PSGEs and the people they represent, and the wider public.

Observations from annual reports

Key observations from our review of annual report Treaty settlement narratives are:

- Core Crown agencies have met He Korowai Whakamana reporting requirements, as they have reported on the status of their respective Treaty settlement commitments.
- Several agencies have provided additional commentary regarding their Treaty settlement delivery, for example explaining:
 - that some relationship redress commitments are of an-going nature and therefore assigned the status of 'on track', rather than 'complete';
 - why some commitments have 'delivery issues' and/or why commitments have 'yet to be triggered'. For example, agencies with large landholdings may have a sizeable number of 'yet to be triggered' commitments as a significant number of their properties may be included as deferred selection and/or right of first refusal properties; and
 - that they are actively seeking to resolve delivery issues with relevant stakeholders including PSGEs.

Our early experience indicates some inconsistencies in the way core Crown agencies have used the status categories. For example, some agencies have used the 'delivery issues' status to note it is not their commitment, rather than first raise the issue with Te Arawhiti. Some agencies have used 'yet to be triggered' as a placeholder for commitments where a status has not yet been determined. It is unclear how many other agencies may be using incorrect Te Haeata statuses as a placeholder, as that would require a line-by-line check of the statuses of each commitment.

Factors impacting agency delivery

Common factors identified by officials, which enable successful delivery of settlement commitments are as follows:

- understanding their commitments;
- consistent staff working on Treaty settlement delivery;
- resourcing dedicated to Treaty settlement delivery;
- institutional knowledge and effective recording keeping; and
- investing in staff capability to work with PSGEs.

In addition, Treaty settlement delivery could be strengthened by agencies' investment in:

- electronic record/document management systems, and
- quality assurance systems, including periodic audits of agencies' Te Haeata statuses.

The Office of the Auditor-General is undertaking an audit to determine how well public organisations are set up to meet their Treaty settlement commitments. Findings from the audit are expected to deepen our understanding of challenges faced by core Crown agencies' during Treaty settlement implementation and provide insights for improving agencies' settlement delivery. The Office of the Auditor-General is expected to publish the report in the first quarter of 2025.

Ultimately, greater transparency – through annual reporting of core Crown Treaty settlement delivery – may incentivise agencies to strengthen their settlement implementation capabilities, systems, and processes. While the findings in this inaugural report are positive, any delivery issues of a substantive nature can incur large costs to the Crown due to legal, contractual, commercial or Treaty obligations. These issues have a negative impact on the relationship between settled groups and the Crown and require sustained efforts by core Crown agencies to improve on the baselines established in this inaugural report.



Conclusion

This inaugural report is the first time since the beginning of Treaty settlements that there is a system-wide view of how the core Crown has upheld its Treaty settlement commitments.

Findings from this report, which reflect core Crown agencies self-assessments of their Treaty settlement delivery, indicate considerable progress has been made. More than three quarters (77%) of core Crown commitments are reported as being either complete or on-track, while only 5 % are reported to have delivery issues.

Core Crown agencies have now met He Korowai Whakamana reporting requirements and the annual report narratives reflect agencies' increased awareness of their responsibilities and commitment towards meeting their Treaty settlement obligations.

This report lays the foundation for future monitoring and reporting on the core Crown's assessment of progress in meeting its Treaty settlements commitments. It provides a crucial baseline that could be strengthened in future years. The data informing this first report has been limited to the Crown's view of its Treaty settlement delivery. In future years, consideration could be given to incorporating wider perspectives, as well as analysis on the quality of Treaty settlement delivery.

A crucial perspective that will benefit future reports are the views of PSGEs. This could help ensure the Crown is responsive to PSGE views on Treaty settlement delivery, including any issues which may arise during the long journey of Treaty settlement implementation.

Over time, we expect the sustained focus on Treaty settlement implementation – and getting implementation right – will foster trust between settled groups and the Crown, as well as ensure the durability of Treaty settlements.

Next steps

The post-settlement landscape is growing, and its foundations rest on the Crown delivering on the commitments that it has made through the Treaty settlement process. This report provides an initial core Crown view only of how the Crown is tracking. This has its limitations but provides an extremely helpful starting point to ensure the Crown is doing what it said it would.

Recommendations

We recommend that:

- Consideration be given to including key performance indicators for Treaty settlement delivery in Chief Executive performance expectations;
- All future annual Whole of System (Core Crown) Reports on Treaty Settlement Delivery include PSGE views on settlement delivery;
- Action be taken by responsible agencies to actively resolve 'delivery issues', with the expectation that the number of delivery issues will reduce over time;
- Oversight of Treaty settlement commitments be extended to enhance data quality and consistency; and
- Agencies consider how to utilise this report, and future reports, as an input to assessing the health of their relationship with post-settlement governance entities.

Appendix A: Glossary

He Korowai Whakamana terms

Term	Definition
Core Crown agency	Public service departments, departmental agencies, New Zealand Defence Force and New Zealand Police. Some core Crown agencies do not have commitments. For the 2023/24 annual reporting, these are the relevant agencies: Archives New Zealand, Department of Conservation, Department of Corrections, Department of Internal Affairs, Department of the Prime Minister and Cabinet, Toitū Te Whenua Land Information New Zealand, Ministry for Culture and Heritage, Ministry for Primary Industries, Ministry for the Environment, Ministry of Business, Innovation, and Employment, Ministry of Education, Ministry of Health, Ministry of Housing and Urban Development, Ministry of Justice, Ministry of Social Development, Ministry of Transport, National Emergency Management Agency, National Library, New Zealand Defence Force, New Zealand Geographic Board, New Zealand Police, Oranga Tamariki, Statistics New Zealand, Te Arawhiti, Te Puni Kōkiri, and the Treasury.
Complete	The responsible entity has completed the actions required to deliver the commitment. For example, all letters of introduction have been sent.
On track	The responsible entity has the systems in place or have started the actions required to deliver the commitment and are on track to complete those (including within any specified timeframes) or it is an ongoing commitment. For example, accord hui.
Yet to be triggered	The responsible entity is yet to start delivery of the commitment. It may be conditional on other commitments or is to be delivered at a certain time in the future. For example, the first meeting of a statutory board has not yet been held due to the requirement to wait for other participating iwi/hapū to finalise their Treaty settlements.
Delivery issues	The responsible entity has made attempts to complete the actions required to fulfil the commitment, but complicating factors have meant that the responsible entity is unlikely to be able to deliver the commitment as required (including within any timeframe specified). For example, a relationship agreement was not signed by the specified timeframe.

Redress terms

Redress mechanism	Definition
Relationship redress	All commitments related to restoring relationships between the Crown and post-settlement governance entities, excluding commitments related to the co-management of natural resources (see Participation arrangements over natural resources, below). Examples include relationship agreements, protocols, and accords. A protocol is a statutory instrument comprising a statement issued by a Minister of the Crown, or other statutory authority, setting out processes for how a particular government agency intends to interact with a post-settlement governance entity and enable that entity to have input into its decision-making process.
Deferred selection property	Properties the post-settlement governance entity has the right to purchase during a fixed period after settlement, as part of the commercial redress for that settlement package. They may also be subject to a leaseback to the Crown to continue to be used for particular purposes, i.e. schools.
Participation arrangements over natural resources	Arrangements provided through settlements or related arrangements that enable the involvement of post-settlement governance entities with local government or other agencies in decision making processes over natural resources under existing legal frameworks e.g. the Resource Management Act 1991. This includes advisory boards, joint management commitments and similar arrangements.
Transfer of Crown Forest Licenced land	Commitments relating to the transfer of Crown Forest Licensed land. This includes access to protected sites on Crown Forest Licensed land that is transferring to the post-settlement governance entity. With Crown Forest Licensed land the land transfers to the post-settlement governance entity, the license to cut trees remains with someone else until the license expires, at which time it transfers to the post-settlement governance entity. Crown Forest Licensed land is land under Crown exotic forests, subject to the Crown Forest Assets Act 1989. Cutting rights to trees may be licensed, and the Waitangi Tribunal can order the Crown to transfer land and other compensation to a claimant group in specified circumstances.

Redress mechanism	Definition
Property transfer terms (multiple redress types)	The terms that outline how properties will transfer to the post-settlement governance entity when there is more than one type of property, for example Deferred Selection Properties and Crown Forest Licensed land.
Transfer of commercial properties subject to leaseback	If a property is not surplus to Crown requirements, the post-settlement governance entity may be able to purchase the property on the condition that it is leased back to the applicable Crown agency so that the property can continue to be used in line with its current use (e.g. land under schools, police stations, prisons, military bases and courthouses).
Letters of introduction	A letter introducing the settling group to representatives of Crown agencies is listed in the deed of settlement. The purpose of a letter of introduction is to raise the profile of the post-settlement governance entity, or a kaupapa of importance to the post-settlement governance entity and enable better engagement between the post-settlement governance entity and relevant agency.
Cultural redress property transfer	Properties that vest in the post-settlement governance entity, usually on settlement date, as cultural redress. 'Vesting' refers to the statutory transfer of the land record (title or ownership).
Bespoke arrangements	Commitments relating to redress that is unique or unlikely to occur in other settlements. Commitments to negotiate future arrangements as part of other settlements are also included in this category.



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The Justice Centre
19 Aitken Street
Wellington 6011

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Email: reception@tearawhiti.govt.nz
Phone: +64 4 494 9800