

Mandate Strategy			
Large natural group	Ngāti Whakahemo		
Name of representative body	Ngāti Whakahemo Claims Trust (NWCT)		
Purpose of mandate	To represent Ngāti Whakahemo in direct negotiations with the Crown for the full and final settlement of Ngāti Whakahemo's historical claims.		
Limits to mandate	<p>The mandate is limited to negotiating a deed of settlement.</p> <p>NWCT must present an initialled deed of settlement and proposed post-settlement governance entity to Ngāti Whakahemo for ratification.</p>		
Contact details for the person who will answer questions about this mandate strategy		Contact details for NWCT	
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Role	Chairperson Ngāti Whakahemo Claims Trust		
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		Crown guidelines	NWCT
Claim and Claimant definition			
1	Whakapapa	What is the name of the founding ancestor of Ngāti Whakahemo?	<p>The founding ancestor of Ngāti Whakahemo is Maruahaira.</p> <p>The whakapapa is as follows:</p> <div style="text-align: center;"> <p>Maruahaira</p> <p> </p> <p>Mairaka</p> <p> </p> <p>Kaiakau</p> <p> </p> <p>Te Ingo</p> <p> </p> <p>Paretira</p> <p> </p> <p>Tirangi</p> <p> </p> <p>Ngamakini</p> <p> </p> <p>Te Awhe o Te Rangi – Te Aweawe</p> </div>
2	Hapū	What are the names of constituent hapū, both historical and contemporary?	<p>There are no constituent hapū of Ngāti Whakahemo.</p> <p>Ngāti Amonga and Ngāti Maruhaira are historical names for Ngāti Whakahemo used by cross claimants in hearings before the Native Land Court during the late 19th century.</p>
3	Marae	What are the marae associated with Ngāti Whakahemo?	<p>Pukehina (Wharenui – Tawakemoetahanga/Wharekai – Tuparewhaitaita).</p> <p>Maketū (Wharenui – Te Awhe o Te Rangi/Wharekai – Te Rokiroki-o-Whakaotiranga).</p>

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4	Wai claims	What are the historical Wai claims associated with Ngāti Whakahemo?	<p>In February 2008, Mihi Anaru and Murray Anaru filed a claim in the Waitangi Tribunal relating to Pukehina. This claim was registered as Wai 1471.</p> <p>In August 2008, Hemi Anderson filed a claim in the Waitangi Tribunal relating to Pongakawa and Maketū. This claim was registered as Wai 2536.</p>
5	Rohe	What is the area covered by Ngāti Whakahemo's historical claims?	<p>The rohe of Ngāti Whakahemo extends from Te Tumu to Ohinepanea and then from Motunau and Motiti to Rotoehu and Matawhaura.</p> <p>It encompasses the offshore islands of Motunau and Motiti and the areas generally known as Te Tumu, Pukaingataru, Maketū, Waihi, Paengaroa, Wharere, Pukehina, Pongakawa, Rotoehu, Matawhaura.</p> <p>See map attached as Appendix B.</p>
6	Previous engagement	Has Ngāti Whakahemo had any previous engagement with the Crown, such as engagement due to overlaps with other groups in negotiations or a previous on- account settlement?	<p>Ngāti Whakahemo were included as a subgroup of Ngāti Pikiao in the Deed of Settlement of the Historical Claims of Affiliate Te Arawa Iwi/Hapū dated 11 June 2008 as amended and Part 1 of Schedule 1 of the Affiliate Te Arawa Iwi and Hapū Claims Settlement Act 2008 (Affiliate Te Arawa settlement).</p> <p>The position of Ngāti Whakahemo, as recorded in subsequent correspondence to the Crown, is that there was no engagement with Ngāti Whakahemo on their inclusion in the Affiliate Te Arawa settlement as a subgroup of Ngāti Pikiao. Ngāti Whakahemo consider their inclusion in the Affiliate Te Arawa settlement as inappropriate and will seek to address this matter with the Crown in addition to negotiating a settlement of their unsettled historical claims as outlined in this deed of mandate.</p>

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Overlapping groups and background information			
7	Overlapping claims/iwi	Please identify overlapping groups.	<p>The rohe of Ngāti Whakahemo overlaps with the following groups:</p> <ul style="list-style-type: none"> • Ngāti Awa – Motiti, Waihi, Wharere, Pukehina, Pongakawa, Rotoehu, Matawhaura; • Ngāti Pukenga – Motiti, Te Tumu, Pukaingataru, Maketū, Waihi, Paengaroa; • Ngai Te Rangi – Motiti, Te Tumu, Pukaingataru, Maketū, Waihi, Paengaroa; • Ngāti Ranginui – Motiti; • Ngāti Makino – Maketū, Waihi, Paengaroa, Wharere, Pukehina, Pongakawa, Rotoehu, Matawhaura; • Ngāti Pikiao - Pukaingataru, Maketū, Waihi, Paengaroa, Wharere, Pukehina, Pongakawa, Rotoehu, Matawhaura; • Ngāti Whakaue – Te Tumu, Pukaingataru, Maketū, Waihi, Paengaroa, Wharere, Pukehina; • Waitaha – Te Tumu, Maketū, Waihi; • Tapuika - Te Tumu, Pukaingataru, Maketū, Waihi, Paengaroa; • Ngāti Rangiwewehi – Te Tumu, Pukaingataru, Paengaroa; • Ngāti Rangiteaorere – Te Tumu, Pukaingataru; • Ngāti Rangitahi - Maketū, Waihi, Paengaroa, Wharere, Pukehina; Pongakawa, Rotoehu, Matawhaura; <p>All the above overlapping groups have reached a full and final settlement with the Crown settled except Ngāti Whakaue, Ngai Te Rangi and Ngāti Ranginui.</p>
The representative body			

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8	Structure	What kind of entity is the representative body?	<p>Ngāti Whakahemo will directly mandate NWCT to negotiate with the Crown. It is proposed that the mandate and trust deed for NWCT (trust deed) will be approved by Ngāti Whakahemo at mandate hui.</p> <p>NWCT will be supported and advised by expert consultants, historians and legal counsel. NWCT will have its own administrative support and will be responsible for applying for and managing all claimant funding.</p>
9	Accountability	How will NWCT be accountable to Ngāti Whakahemo? How will NWCT make decisions?	<p>NWCT will be accountable to Ngāti Whakahemo in accordance with the trust deed and the tikanga of Ngāti Whakahemo.</p> <p>NWCT shall:</p> <ul style="list-style-type: none"> • act at all times in accordance with the trust deed and for proper purpose; • exercise its power and duties in the trust deed in accordance with the Trusts Act 2019 and the tikanga of Ngāti Whakahemo; • develop a robust and consultative process for the settlement of the historical claims; • actively engage with Ngāti Whakahemo on the settlement process and negotiation progress including but not limited to hui and/or wananga to present the deed of mandate, terms of negotiation and agreement in principle; • ensure that hui and/or wananga are advertised as widely as practicable; • report to Ngāti Whakahemo to ensure that Ngāti Whakahemo are well informed of the operations and funding of the trust; • manage and administer all aspects of negotiations with the Crown including funding and engaging specialist advice; • ensure that the ratification process is robust, transparent and in accordance with the tikanga of Ngāti Whakahemo; • make strategic decisions relating to negotiations including the approval of key milestones and documents including the mandate strategy, deed of mandate, terms of negotiation, overlapping claims, agreement in principle and deed of settlement; • monitor and report on all funding received from the Crown.

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10	NWCT register	<p>Is there a tribal register or a beneficiary list that identifies members of the claimant community?</p> <p>What is the process by which potential members of the claimant group can register and be verified as tribal members?</p> <p>It is important that the representative body establishes a tribal register or beneficiary list (if one does not already exist) and encourages registrations.</p>	<p>NWCT shall establish and maintain a register of members which may utilise the information held by the Ngati Whakahemo Claim Committee that relates solely to Wai 1471.</p> <p>Under the trust deed the members of the NWCT are defined as all persons who descend from Maruahaira. Any person who descends from Maruahaira shall be entitled to register with NWCT but only members aged 18 years and over are entitled to vote at general and special meetings of NWCT.</p> <p>NWCT will develop a registration, whakapapa and contact form to be completed by members. The whakapapa will, if necessary, be verified by the Taumata Kaumatua prior to registration.</p> <p>The register will be stored securely online but will be able to be produced in hard copy if necessary.</p>
11	Crown Policy regarding financial accountabilities	See Crown Policy regarding Financial Accountabilities attached at Appendix A.	

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12	Negotiators	<p>How will the negotiators be accountable to the mandated body?</p> <ul style="list-style-type: none"> - who will appoint the negotiators? - how will the negotiators be appointed and removed? - will the negotiators be bound by the mandated body's charter and/or a specific 'terms of reference' and what are they authorised to do? - on what basis will the negotiators be chosen? <p>how will the negotiators report to the mandated body?</p>	<p>The iwi of Ngāti Whakahemo has authorised NWCT to appoint and/or remove negotiators in accordance with the trust deed.</p> <p>NWCT will delegate two or three trustees to be the negotiators to represent Ngāti Whakahemo in accordance with clause 11.5 of the trust deed.</p> <p>NWCT can remove and/or replace any trustee on the negotiating committee in accordance with clause 11.5 of the trust deed.</p> <p>The negotiators as trustees are bound by, and required to report in accordance with, the trust deed.</p>
13	Removing and/or amending mandate conferred by the claimant community	<p>How can the claimant community remove or amend the mandate? Is the process for removing or amending the mandate clearly set out?</p>	<p>At all times the mana rests with the iwi of Ngāti Whakahemo. The iwi can therefore remove or amend NWCT's mandate for serious reasons and supported by evidence.</p> <p>Any dispute between NWCT and Ngāti Whakahemo about the mandate shall be resolved in accordance with the dispute resolution process in the trust deed. A copy of the trust deed and mandate strategy will be available to view on the NWCT website.</p> <p>If NWCT's mandate is removed under the dispute resolution process then NWCT will consult with the Crown to discuss and agree on any transitional arrangements.</p>
14	Disputes resolution process		<p>The trust deed contains a dispute resolution process. NWCT has agreed to be bound by this dispute resolution process for the duration of the negotiations with the Crown.</p> <p>NWCT has agreed that internal disputes shall be resolved in accordance with the tikanga of Ngāti Whakahemo.</p>

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The mandate process			
15	Mandate process		<p>Ngāti Whakahemo and the Crown have agreed that the mandating process needs the following steps to be completed:</p> <ol style="list-style-type: none"> 1. NWCT prepare a draft deed of mandate 2. NWCT submit draft mandate strategy to Crown for consideration; 3. Crown accepts draft mandate strategy; 4. Draft mandate strategy publicly notified with period for public submission; 5. Public submissions on draft mandate strategy considered by NWCT and Crown; 6. Crown endorses draft mandate strategy for Ngāti Whakahemo; 7. NWCT hold information hui at Pukehina and Maketū; 8. NWCT holds mandate hui at Pukehina, Auckland, Wellington, Maketū and Online; 9. Ngāti Whakahemo vote on draft deed of mandate; 10. Vote results and report submitted to Crown; 11. Draft deed of mandate publicly notified with period for public submission; and 12. Crown officials report to Ministers on the deed of mandate. <p><u>Information hui</u></p> <p>The information hui on the draft mandate strategy will be held at Pukehina and Maketū.</p> <p>The information hui will be notified at least three (3) weeks in advance by electronic means.</p> <p>The presentation to the information hui will be by way of power point covering background, historical claims, draft mandate strategy and trust deed. This</p>

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			<p>presentation will record that the settlement will be comprehensive and cover all historical claims, whether registered or unregistered.</p> <p>Hard copies of the power point presentation will be made available at the information hui.</p> <p>The information hui are scheduled for 15 February 2025 at Pukehina and 8 March 2025 at Maketū.</p> <p>If a mandate is recognised, further information hui will also be held regularly for the duration of the negotiations and will be advertised widely by electronic means.</p> <p>Social media will also be used as a means of disseminating information to, and receiving feedback from, Ngāti Whakahemo.</p>
			<p><u>Mandate hui</u></p> <p>Mandate hui will be held at Pukehina, Auckland, Wellington, Maketū and Online for members to convey whether they support the resolutions on the mandate.</p> <p>The mandate hui are scheduled for 3 May 2025 in Pukehina, 6 May 2025 in Wellington, 7 May 2025 in Auckland, and 17 May 2025 in Maketū with online attendance available. There will also be an online hui on 15 May 2025.</p> <p>The voting process at the mandate hui will be managed by Electionz. The voting process will provide for online, postal and ballot box voting.</p> <p>A chief returning officer from Electionz will be appointed to certify all registration and voting forms. The chief returning officer will work closely with kaumatua of Ngāti</p>

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			<p>Whakahemo on the any verification of whakapapa.</p> <p>The chief returning officer shall provide a certificate of the final result.</p> <p>Crown observers shall attend the mandate hui.</p> <p><u>Deed of Mandate</u></p> <p>The minutes of the mandate hui will be submitted with a draft deed of mandate to the Crown.</p> <p>The Crown will seek public submissions on the draft deed of mandate.</p> <p><u>Report to Ministers</u></p> <p>Following considerations of submissions and the iwi vote, the Minister for Treaty of Waitangi Negotiations and Minister for Māori Development will decide whether to recognise that Ngāti Whakahemo has conferred a mandate on NWCT.</p>
16	Resolutions	What are the resolutions for the mandate hui?	<p>The iwi of Ngāti Whakahemo approves the terms of trust for NWCT as set out in the trust deed.</p> <p>The iwi of Ngāti Whakahemo gives NWCT the mandate to represent Ngāti Whakahemo in negotiations with the Crown in respect of the full and final settlement of all Ngāti Whakahemo's historical claims including Wai 1471 and Wai 2536.</p>

Attachment checklist				
Map of area of interest	Appendix B			
Key Governing Document	Attached			
System generated bank deposit slip or bank statement header showing the account name and number	TBA			
Submissions on Mandate Strategy (Crown will complete this section)				
Submissions period	This Mandate Strategy will be placed on www.tearawhiti.govt.nz and submissions, views and inquiries invited.			
Number of submissions	Total: 22	For: 21	Against: 0	Unclear: 1
Summary of submissions	Strong support expressed across all submissions.			
How has the representative body addressed any concerns raised	Adjusted and reattached AOI map in response to a query in a submission.			
Your Mandate Strategy is now complete				

Further information to provide to the Crown after the mandate hui to complete a Deed of Mandate:

Attachment checklist				
Lists of hui attendees	Have you attached these?			
Minutes of hui, including confirmation of the resolutions passed at the hui	Have you attached these?			
Submissions on Deed of Mandate (Crown will complete this section) – with hapū decision making no Deed of Mandate publication or subs				
Submissions period	This Deed of Mandate will be placed on www.terawhiti.govt.nz and submissions, views and inquiries invited.			
Number of submissions	Total:	For:	Against:	Unclear:
Summary of submissions				
How has the representative body addressed any concerns raised				
Your Deed of Mandate is now complete				

Appendix A: Crown policy regarding financial accountability policy

Claimant funding is managed by NWCT on behalf of Ngāti Whakahemo. The onus is on NWCT to be accountable to Ngāti Whakahemo.

This includes NWCT's approval of the claimant funding management policy and disclosing the manner in which the claimant funding is being managed and reported to the claimant group, i.e. by providing financial reports to hui-a-iwi and/or including financial reports in regular newsletters.

NWCT is required to undertake an annual independent review of negotiation related financial statements and provide the review results to Te Arawhiti. The submission of an annual review and supporting documentation provides assurance to both Te Arawhiti and Ngāti Whakahemo that the funding released to NWCT has been used appropriately.

The Crown requires that NWCT to maintain a separate back account for the claimant funding receipts and negotiations expenses. Any change of bank account must be notified immediately. Other sources of funding, such as Crown Forestry Rental Trust funding, must be kept in a different account from the Crown negotiations and claimant funding account. Expenses claimed against Crown claimant funding must not also be claimed against other sources of funding (and vice versa).

NWCT must develop a transparent and accountable claimant funding management process that describes who will control the funding, how it will be controlled and how the funds will be used.

For example, NWCT should prepare a claimant funding management plan that sets out:

- the process to approve invoices and payment of invoices;
- a reporting mechanism for all incoming revenue/receipts and expenses/payments (i.e. an income statement that lists transactions of all incoming receipts and payments, their purpose and cost category); and
- when and how the annual review of the mandated representatives negotiation related financial statements (bank account and transactions) will take place.

It is the Crown's experience that mandates are challenged if claimant groups feel that their funding is being used inappropriately. NWCT confirms that it will comply with Crown policy at all times.

Appendix B: Map of area of interest

