

# Ngātiwai Trust Board

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## Deed of Mandate Amendments 27 May 2016

### Purpose

This document provides a brief background and context for further amendments to the Ngātiwai Trust Board (the “Board”) Deed of mandate dated 8 July 2015 (the “DoM”).

### Background

The Board’s DoM was formally recognised by the Crown on 21 October 2015. Previous amendments dated 7 August 2015 are set out in a separate document.

Section 58 of the Deed of Mandate provides for further amendments to be made to the DoM as follows:

#### ***“Authority to Amend this Deed of Mandate***

*The NTB will have the authority to amend this Deed of Mandate to make the management of negotiations more effective.*

*If the NTB consider that the changes are of a significant nature that could affect the LNG status of the NTB mandate, then this decision will need to be considered by a duly notified AGM or SGM. Any changes will be notified to OTS.”*

### Context

With the DOM recognised by the Crown on 21 October 2015 and urgency hearings granted on 2 May 2016 additional information and evidence has now been provided. On this basis the Board considered it timely to review the continued inclusion of Te Kapotai and their associated Wai claims in the DoM.

On 27 May 2016 the NTB reviewed the inclusion of Te Kapotai and their associated Wai claims in the DoM and resolve to remove them. At the same time the Board also approved its communication strategy 2016 which contains a “new look” map of Ngātiwai Marae. While Te Kapotai Marae have never been included in the DOM it was felt timely to include the updated map of Marae that are included in the DoM to improve clarify of this matter.

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## Summary of Amendments

The DOM has been amended to remove Te Kapotai and their associated Wai claims from the DOM.

A “new look” map of the relative location of Ngātiwai Marae has been included in the DOM in replacement of the older map. Those marae relate specifically to the 14 Ngātiwai marae listed in schedule 2 of the NTB Trust Deed and have never included Waikare Marae. The new map provides greater clarity on the Marae included in the DOM.

### Specific Amendments

The amendments addressed in this document relate to the following sections of the DoM:

- Section 12 with the removal of Te Kapotai from the list of Ngātiwai hapū included in the DoM;
- Section 14 with the replacement of the map showing Marae included in the DoM; and
- Section 15 with the removal of Wai 1464 (Te Kapotai & Ngāti Pare – Te Riwhi Whao Reti & Ors) and Wai 1546 (Te Kapotai – Edward Henry Cook) from the list of claims to be settled, to the extent they are Ngātiwai claims;

### Crown confirmation of amendments and recognition of the DoM

The Crown have confirmed that the amendments outlined in this document do not affect:

- the Crown’s view that Ngātiwai is a large natural group; or
- the Crown’s recognition of the mandate held by the NTB.

The Crown continues to recognise the NTB as having a mandate to represent Te Iwi o Ngātiwai in negotiations with the Crown for a comprehensive settlement of all remaining historical Treaty of Waitangi claims.