

Ngātiwai Trust Board

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Deed of Mandate Amendments 7 August 2015

Purpose

This document provides a brief context and background for the amendments made to the Deed of mandate dated 8 July 2015. The specific wording for all of the amendments is also provided.

Context

The Ngātiwai Trust Board submitted amendments to the Deed of Mandate dated 8 July 2015 to the Crown after careful and considerable consideration of:

- submissions received via three separate submission processes over the course of the last year and a half (i.e. December 2013 to present or July 2015)
- Independent analysis and advise commissioned on three separate occasion
- discussion and engagement with small groups of the claimants who made submissions in addition to open mandate hui described in the mandate strategy and
- Receipt of additional information.

It should be noted that the Ngātiwai Trust Board commissioned the independent analyst to ensure that it was able to identify the main issues raised in submissions about the mandate and address them.

Background Information

Detailed background information about the processes undertaken by the Ngātiwai Trust Board can be found in the Deed of Mandate and Mandate Strategy folders on the board website along with a summarised update of the journey so far available at: <http://www.ngatiwai.iwi.nz/treaty-settlement-information>

Next steps

There is no further process or action required of, or proposed by, the Ngātiwai Trust Board while we await a response from the Crown on if it is able to endorse the amended Deed of Mandate.

If the mandate is achieved the next phase is referred to as the Terms of Negotiations and will likely take place between September and December when we set up our supporting structures in preparation for negotiations. Information about the supporting structures can be found on pages 20 to 23 of the Deed of Mandate. Once this phase has been completed the next phase is to enter into negotiations proper.

Ngātiwai Trust Board Deed of Mandate Amendments

1. Section 8 Founding Tupuna and section 12 Hapu included in this Deed of Mandate

Section 8 and 12 have the following words inserted to clarify that Manaia I and II are the founding tupuna of Ngātiwai:

Section 8: *“For the purpose of Treaty Settlement negotiations, Ngātiwai means all those members of Ngatiwai who can claim descent from these tupuna of Ngatiwai.”*

Section 12: *“Ngatiwai tupuna are defined in paragraph 8 of this section.”*

Section 12 is also amended by adding a hash symbol (#) next to Ngāti Takapari indicating that it is also listed in the claimant definition of another Large Natural Grouping.

2. Section 15 Claims to be included

Section 15 has the following claims inserted to clarify that these claim include Ngātiwai interests:

- *Wai 1148 lodged by Arthur Harawira and Te Raa Nehua and*
- *Wai 1837 lodged by Deirdre Nehua*

3. Section 22 Treaty Claims Committee

Section 22 has the following words inserted to include two additional positions on the TCC:

“Two positions on the TCC are to be made available for suitable applicants. Applicants must have demonstrated skills and experience and support from among Wai claimants, hapu or rangatahi. Successful applicants will act in an advisory rather than reporting capacity.”

4. Section 27 Inclusion of Ngātiwai Claimants and Researchers:

Section 27 has the following words inserted making provision for a parallel process.

“However, should Wai claimants request a parallel funded process the NTB will support this option only if:

- *All parties involved (including all Wai claimants) agree to the parallel process; and*
- *Ngatiwai Trust Board together with the Crown agree on the design of a parallel process.”*

5. Section 55 Communications with Members

Section 55 has the following words inserted to accommodate additional reporting and engagement opportunities.

- *“Monthly Board meeting summaries to be released following each meeting providing regular updates on matters under discussion by the Board and*
- *Three additional hui-a-iwi (in addition to the AGM) in total providing quarterly opportunities for engagement and discussion.”*