

Departmental Disclosure Statement

Ngā Hapū o Te Iwi o Whanganui Claims Settlement Bill

The departmental disclosure statement for a government Bill seeks to bring together in one place a range of information to support and enhance the Parliamentary and public scrutiny of that Bill.

It identifies:

- the general policy intent of the Bill and other background policy material;
- some of the key quality assurance products and processes used to develop and test the content of the Bill;
- the presence of certain significant powers or features in the Bill that might be of particular Parliamentary or public interest and warrant an explanation.

This disclosure statement was prepared by the Office of Treaty Settlements and Takutai Moana—Te Tari Whakatau.

The Office of Treaty Settlements and Takutai Moana—Te Tari Whakatau certifies that, to the best of its knowledge and understanding, the information provided is complete and accurate at the date of finalisation below.

May 2026

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Part One: General Policy Statement

The Ngā Hapū o Te Iwi o Whanganui Claims Settlement Bill (the Bill) gives effect to certain matters set out in the Ngā Hapū o Te Iwi o Whanganui Deed of Settlement signed between Ngā Hapū o Te Iwi o Whanganui and the Crown on 2 May 2026. The Bill contains provisions relating to redress that require legislation for their implementation. Other aspects of the arrangements are provided for only in the Deed of Settlement because they do not require legislative authority.

Negotiations

In June 2017, the Crown formally recognised the mandate of the Whanganui Land Settlement Negotiation Trust to negotiate the comprehensive settlement of the historical Treaty of Waitangi claims of Ngā Hapū o Te Iwi o Whanganui. Terms of negotiation were signed in July 2017.

Ngā Hapū o Te Iwi o Whanganui and the Crown signed an Agreement in Principle in August 2019.

Key elements of the Ngā Hapū o Te Iwi o Whanganui Claims Settlement Bill

The Bill comprises 3 parts:

Part 1—

- sets out the purpose of the Bill; and
- provides that the provisions of the Bill take effect on the settlement date (40 working days following the date of Royal Assent) unless a provision states otherwise; and
- specifies that the Bill binds the Crown; and
- sets out Te Tomokanga ki Te Matapihi (the Nga Hapū of Te Iwi o Whanganui tikanga and values framework) and Crown acknowledgement of the importance of Te Tomokanga ki Te Matapihi to Ngā Hapū o Te Iwi o Whanganui; and
- sets out a summary of the historical account, and records the text of the acknowledgements and apology given by the Crown to Ngā Hapū o Te Iwi o Whanganui; and
- defines terms used in the Bill, including key terms such as Ngā Hapū o Te Iwi o Whanganui and historical claims; and
- provides for the removal of section 27B memorials.

Part 2 provides for cultural redress in 7 subparts—

- subpart 1 outlines the protocols for Crown minerals and Taonga Tūturu; and
- subpart 2 outlines a statutory acknowledgement by the Crown of the Ngā Hapū o Te Iwi o Whanganui statements of their cultural, historical, spiritual and traditional association with certain statutory areas and the effect of that acknowledgement, together with a deed of recognition for specified areas; and
- subpart 3 outlines the overlay classification applying to certain areas of land; and
- subpart 4 outlines the provision of official geographic names; and
- subpart 5 outlines the provision for the appointment of the advisory committee by the Minister of Oceans and Fisheries; and

- subpart 6 lists the cultural redress properties to be vested in Ngā Hapū o Te Iwi o Whanganui; and
- subpart 7 outlines the cultural materials plan; and
- subpart 8 outlines the provisions for Ngā Tūtei a Maru, the joint reserves board with Whanganui District Council.

Part 3 provides for commercial redress in 5 subparts —

- subpart 1 provides for the transfer of commercial redress and deferred selection properties; and
- subpart 2 provides for licensed land; and
- subpart 3 provides for the transfer of the Whanganui Forest property; and
- subpart 4 provides for access to protected sites; and
- subpart 5 provides for the right of first refusal.

There are 4 schedules:

- *Schedule 1* describes the statutory areas; and
- *Schedule 2* describes the overlay areas; and
- *Schedule 3* describes the cultural redress properties; and
- *Schedule 4* the Ngā Tūtei a Maru reserves; and
- *Schedule 5* sets out provisions about notices in relation to right of first refusal land.

Part Two: Background Material and Policy Information

Published reviews or evaluations

2.1. Are there any publicly available inquiry, review or evaluation reports that have informed, or are relevant to, the policy to be given effect by this Bill?	YES
Waitangi Tribunal (1999) <i>The Whanganui River Report</i> and its evidentiary casebook Waitangi Tribunal (2003) <i>Te Whanganui A Tara Me Ona Takiwa</i> and its evidentiary casebook Waitangi Tribunal (2013) <i>Te Kāhui Maunga: The National Park District Inquiry Report</i> and its evidentiary casebook Waitangi Tribunal (2015) <i>He Whiritaunoka: The Whanganui Land Report</i> and its evidentiary casebook <i>All Waitangi Tribunal reports are accessible at: Tribunal reports Waitangi Tribunal</i>	

Relevant international treaties

2.2. Does this Bill seek to give effect to New Zealand action in relation to an international treaty?	NO
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Regulatory impact analysis

2.3. Were any regulatory impact statements provided to inform the policy decisions that led to this Bill?	NO
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Extent of impact analysis available

2.4. Has further impact analysis become available for any aspects of the policy to be given effect by this Bill?	NO
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2.5. For the policy to be given effect by this Bill, is there analysis available on:	
(a) the size of the potential costs and benefits?	NO
(b) the potential for any group of persons to suffer a substantial unavoidable loss of income or wealth?	NO

2.6. For the policy to be given effect by this Bill, are the potential costs or benefits likely to be impacted by:	
(a) the level of effective compliance or non-compliance with applicable obligations or standards?	NO
(b) the nature and level of regulator effort put into encouraging or securing compliance?	NO

Part Three: Testing of Legislative Content

Consistency with New Zealand's international obligations

3.1. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with New Zealand's international obligations?

No steps have been taken.

Consistency with the government's Treaty of Waitangi obligations

3.2. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with the principles of the Treaty of Waitangi?

During the settlement negotiations, the Office of Treaty Settlements and Takutai Moana—Te Tari Whakatau and Ngā Hapū o Te Iwi o Whanganui negotiators engaged with iwi and hapū whose interests are directly affected by the settlement. The redress given effect by this Bill is consistent with the Treaty of Waitangi and its principles and Treaty of Waitangi settlement policy.

Consistency with the New Zealand Bill of Rights Act 1990

3.3. Has advice been provided to the Attorney-General on whether any provisions of this Bill appear to limit any of the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990?

YES

Advice provided to the Attorney-General by the Crown Law Office, or a section 7 report of the Attorney-General, is generally expected to be available on the Ministry of Justice website upon introduction of a Bill. Such advice, or reports, will be accessible on the Ministry's website at:

Advice on consistency of Bills with the Bill of Rights Act | New Zealand Ministry of Justice

Offences, penalties and court jurisdictions

3.4. Does this Bill create, amend, or remove:

(a) offences or penalties (including infringement offences or penalties and civil pecuniary penalty regimes)?

NO

(b) the jurisdiction of a court or tribunal (including rights to judicial review or rights of appeal)?

YES

The Bill settles the historical Treaty claims of Ngā Hapū o Te Iwi o Whanganui and removes the jurisdiction of courts, tribunals and other judicial bodies in respect of the claims, deed, Act, and redress provided.

3.4.1. Was the Ministry of Justice consulted about these provisions?

NO

The provisions were developed by the Office of Treaty Settlements and Takutai Moana—Te Tari Whakatau, a departmental agency of the Ministry of Justice.

Clause 15 is a standard provision in Treaty settlement legislation.

Clauses 2A and 2B, Crown acknowledgement of the importance of Te Tomokanga ki te Matapihi to Ngā Hapū o Te Iwi o Whanganui in relationship agreements, have been considered by Crown Law Office.

Privacy issues

3.5. Does this Bill create, amend or remove any provisions relating to the collection, storage, access to, correction of, use or disclosure of personal information?

NO

3.5.1. Was the Privacy Commissioner consulted about these provisions?	NO
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External consultation

3.6. Has there been any external consultation on the policy to be given effect by this Bill, or on a draft of this Bill?	YES
<p><i>Overlapping groups, local authorities, and interested parties were informed of the key relevant provisions contained in the deed as the redress was negotiated and agreed.</i></p> <p><i>Local authorities: Whanganui District Council, Ruapehu District Council, Manawatū-Whanganui Regional Council (Horizons Regional Council).</i></p> <p><i>Overlapping groups: Ngāti Rangī, Te Korowai o Wainuiārua, Ngā Wairiki Ngāti Apa, Ngā Rauru Kīitahi, Ngāti Hāua, Ngāti Maru, Ngāti Tūwharetoa, Ngāti Ruanui, Ngāti Maniapoto, and Ngāti Toa Rangatira.</i></p>	

Other testing of proposals

3.7. Have the policy details to be given effect by this Bill been otherwise tested or assessed in any way to ensure the Bill's provisions are workable and complete?	YES
<p><i>The proposed provisions are tested throughout the negotiations process through consultation with iwi and engagement with third parties. Parliamentary Counsel Office completed quality assurance measures to ensure the workability of provisions. The deed was ratified by Ngā Hapū o Te Iwi o Whanganui during a 7-week voting period from 16 February to 8 April 2026.</i></p>	

Part Four: Significant Legislative Features

Compulsory acquisition of private property

4.1. Does this Bill contain any provisions that could result in the compulsory acquisition of private property?	NO
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Charges in the nature of a tax

4.2. Does this Bill create or amend a power to impose a fee, levy or charge in the nature of a tax?	NO
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Retrospective effect

4.3. Does this Bill affect rights, freedoms, or impose obligations, retrospectively?	NO
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Strict liability or reversal of the usual burden of proof for offences

4.4. Does this Bill:	
(a) create or amend a strict or absolute liability offence?	NO
(b) reverse or modify the usual burden of proof for an offence or a civil pecuniary penalty proceeding?	NO

Civil or criminal immunity

4.5. Does this Bill create or amend a civil or criminal immunity for any person?	NO
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Significant decision-making powers

4.6. Does this Bill create or amend a decision-making power to make a determination about a person's rights, obligations, or interests protected or recognised by law, and that could have a significant impact on those rights, obligations, or interests?	NO
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Powers to make delegated legislation

4.7. Does this Bill create or amend a power to make delegated legislation that could amend an Act, define the meaning of a term in an Act, or grant an exemption from an Act or delegated legislation?	NO
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4.8. Does this Bill create or amend any other powers to make delegated legislation?	NO
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Any other unusual provisions or features

4.9. Does this Bill contain any provisions (other than those noted above) that are unusual or call for special comment?	NO
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