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**Ngati Rahiri Tumutumu
Mandate Strategy**

Draft 6/3/11

Prepared by:

Ngati Tumutumu Ngati Rahiri Settlements Committee

6 March 2011

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Ngati Rahiri Tumutumu Mandate Strategy

1. Preamble

- 1.1 The Hauraki Maori Trust Board and the Marutuahu Working Group have both been unsuccessful in securing a mandate to represent the iwi of Hauraki in treaty negotiations with the Crown. To resolve this issue, the 12 iwi of Hauraki (as registered in the Hauraki Maori Trust Board Act 1988) formed the Hauraki Collective ("HC"). The Crown has agreed to deal with the HC in the settlement of Treaty claims in Hauraki. Ngati Rahiri Tumutumu is one of 12 iwi comprising the HC.
- 1.2 In November 2009, iwi represented in the HC started to elect interim negotiators to participate in Collective negotiations with the Crown.
- 1.3 On 31 January 2010, Ngāti Rāhiri Tumutumu held a hui ā-iwi to elect two interim negotiators to represent Ngāti Rāhiri Tumutumu in collective discussions with the Crown.
- 1.4 On 1 October 2010, the Hauraki collective signed a Hauraki Collective Framework Agreement with the Crown.
- 1.5 The Crown requires the formal election of mandated negotiators to further represent Ngāti Rāhiri Tumutumu in negotiations with the Crown regarding the comprehensive settlement of all Ngati Rahiri Tumutumu historical Treaty claims.
- 1.6 The Ngāti Tumutumu Ngāti Rāhiri Settlements Committee is a non-legal entity comprising 6 members elected to it at a hui ā-iwi of Ngāti Rāhiri Tumutumu on 31 October 2010 to support the interim negotiators. The Ngati Tumutumu Ngati Rahiri Settlements Committee ("the NTNRS Committee") wishes to put itself forward for election as the mandated negotiator for Ngati Rahiri Tumutumu.

2. Purpose of this Strategy Document

- 2.1 The purpose of this strategy document is primarily to provide information and insight into the intentions and the process to be undertaken by the NTNRS Committee to obtain a mandate to negotiate a Treaty of Waitangi settlement, on behalf of Ngati Rahiri Tumutumu. The mandate is to be achieved through a fair, open and robust process, and that is recognised by Ngati Rahiri Tumutumu and the Crown.
- 2.2 This strategy document is not for the purposes of describing specific details, part or full of the claim, nor of the settlement to be sought, as these are significant matters to be further discussed, negotiated and communicated directly between Ngati Rahiri Tumutumu and the Crown.
- 2.3 The contents of this strategy are without prejudice, and should in no way disadvantage or jeopardise any claimant group nor be used as a reference for the process of negotiations or settlement. That is the right of each claimant group at the appropriate time, to disclose such information to the Crown themselves.

3. **Claimant Definition**

3.1 Ngāti Rāhiri Tumutumu is comprised of two iwi, namely Ngāti Rāhiri and Ngāti Tumutumu. The claimant group includes all individuals and whānau of:

- Ngāti Tumutumu that trace descent from their tūpuna Tumutumu.
- Ngāti Rāhiri that trace descent from their tūpuna Rahiri ki Hauraki.

3.2 It is acknowledged that this description of the claimant group may be further refined when and if required and confirmed throughout the course of negotiations.

4. **Claims to be settled**

4.1 The Claims and negotiations process will seek to settle, and therefore will include, but not be limited to:

- a. All historical claims which are made on the basis of Ngati Rahiri Tumutumu whakapapa, whether registered or unregistered. It is likely that further research and preparation would need to be undertaken to properly present such issues of claim;
- b. Claims reported on by the Waitangi Tribunal, as listed below:

Wai No.	Claim Title	Claimants
Wai 695	Te Aroha Mountain and Te Aroha Lands	Tutuki Te Wharau Whānau
Wai	Te Aroha Domain and Lands	Robert Mokena
Wai 100 (as it relates to Ngati Tumutumu and Ngati Rahiri Ki Hauraki)		Hauraki Maori Trust Board
Wai ?	Te Aroha Block 29	Jill Taylor on behalf of the descendants of Harete Tutuki Te Wharau

5. **Area of Interest**

- 5.1 Ngati Rahiri Tumutumu boundaries (rohe) encompass the southern Hauraki boundary beginning at the Aongatete Stream on the eastern side of the Aroha Range reaching the top of the range at Puapuatirohia then down the Mangakahika Stream (Waiharakeke East Stream) to the Waihou River. From there it crosses various points in a westerly direction across the Mangapouri and Piraunui swamps to the Waitoa River near Kahia and Pukekaraka travelling then in a northwesterly direction to the Piako River to Maukoro (also called Taukoro). From there it follows the Hungawera range north to Maramarua then onto the 'district of Tamaki' (references: Waikato Minute Book 2: 215ff and Auckland Minute Book 2 p87 and p114). The boundaries of the Aroha Block as established in case law is the area outlined in map as Annexure 1.
- 5.2 It is acknowledged that while the boundaries set out in 5.1 are described in the documents therein referred to, that description does not necessarily represent the actual boundaries of the rohe, particularly in relation to Ngati Tumutumu iwi, established by numerous conventions including but not limited to those of Ahi Kaa, tikanga and by the Maori Land Court. Accordingly, the boundaries described in clause 5.1 may be subject to change throughout the course of negotiations.

6. Responsibilities of Ngati Tumutumu Ngati Rahiri Settlements Committee

- 6.1 The NTNRS Committee has a Charter to which the following will apply, with the Charter taking precedence over this Strategy document in any and all areas of reference, specifically:

Responsibilities and Accountabilities of the Ngati Tumutumu Ngati Rahiri Settlements Committee

- a. The NTNRS Committee will be ultimately responsible and accountable to Ngati Rahiri Tumutumu. All Negotiators appointed by the NTNRS Committee will be responsible to the NTNRS Committee. Responsibilities and accountabilities of the NTNRS Committee will include:
- i. Regular reporting to Ngati Rahiri Tumutumu people about the negotiation process;
 - ii. The production of regular financial accounts;
 - iii. Appoint a maximum of two negotiators (which could include NTNRS Committee members) to Hauraki Collective negotiations and participate with the NTNRS Committee in iwi specific negotiations with the Crown;
 - iv. Participate in iwi specific negotiations;
 - v. The constant review of the negotiating team and other advisors;
 - vi. The ability to engage and remove experts / specialists contracted for the purposes of negotiations;

- vii. Approve and sign off on key negotiation milestones, including but not limited to:
 - (1) Mandate Strategy;
 - (2) Deed of Mandate;
 - (3) Terms of Negotiation;
 - (4) Agreement in Principle; and
 - (5) Deed of Settlement;
- viii. Presenting the initialled Deed of Settlement for ratification to Ngati Rahiri Tumutumu.

Meeting of the Ngati Tumutumu Ngati Rahiri Settlements Committee

- b. The NTNRS Committee will meet regularly on a monthly basis. The NTNRS Committee also has the authority to call Special General Meetings, where required.

Special General Meetings of the Ngati Tumutumu Ngati Rahiri Settlements Committee

- c. The Chairman of the NTNRS Committee shall, upon receipt of a written request from not less than three NTNRS Committee members, call a Special General Meeting for the purpose of the NTNRS Committee dealing with the matter or matters specified in the written request for such a meeting.
- d. A Special General Meeting shall be held not less than seven days nor more than twenty-one days after the receipt of such written request. The Chairperson shall within this time fix the date for the Special General Meeting. The Chairman shall give each member at least seven days notice of the date, time and place of the meeting and of the matter or matters to be dealt with.
- e. The NTNRS Committee may also call a Special General Meeting to be held at such time and for such purpose as is deemed necessary, provided that at least seven days notice of the details are forwarded to each member.
- f. The purpose of Special General Meetings is to discuss urgent matters beyond the purview of an ordinary meeting. This includes, but is not limited to, expulsion of members, large expenditure, and dissolution of the organisation.

Reporting Process

- g. The NTNRS Committee will report to the Ngati Rahiri Tumutumu community about the Treaty settlement negotiation and its progress, in a number of ways, including:
 - i. Annual general meetings;
 - ii. Regular hui
 - iii. Regular pānui/newsletter;
 - iv. Website – TBA as under construction.

Decision making processes

- h. The NTNRS Committee will make decisions by way of consensus. In addition, the wider Ngati Rahiri Tumutumu community can participate in the decision making process by attending and voting on resolutions put at monthly hui-a-iwi held by the NTNRS Committee. All decisions made by the NTNRS Committee in relation to settlement negotiations will be made in accordance with Ngati Rahiri Tumutumu tikanga.

Dispute Resolution

- i. The NTNRS Committee members shall, in good faith, take all reasonable steps to resolve any dispute that may arise in connection with:
 - i. The Charter;
 - ii. The NTNRS Committee members;
 - iii. The Negotiators appointed by the NTNRS Committee;
 - iv. Any group that has a concern regarding the NTNRS Committee representation of their interests during negotiations.
- j. Until any dispute is resolved the terms of the Charter shall remain in force.
- k. In the event that a dispute arises, all disputes shall be submitted to the NTNRS Committee via the Chairperson or the Secretary, in writing and the NTNRS Committee shall acknowledge receipt of the notice within 10 working days of receipt of the notice.
- l. The NTNRS Committee will seek all relevant information required from the person(s) or group involved in the dispute to ensure it has a clear understanding of the nature of their concern.
- m. Once the information has been received, NTNRS Committee will then consider if the matter requires further action, and if so, it will meet with person(s) or group involved in the dispute and proceed into the dispute resolution process set out below.
- n. If the NTNRS Committee considers the matter to be valid and requiring further action, a delegation of NTNRS Committee members and if necessary, kaumātua, shall be convened to further investigate the matter in consultation with all parties involved. A report of findings and recommendations will be taken back to the NTNRS Committee for any decisions.
- o. If the parties are unable to resolve the dispute, the NTNRS Committee may make a finding in relation to the dispute.
- p. The parties involved in the dispute shall be informed of the outcome of the dispute and any decisions made by the NTNRS Committee.
- q. If either party disagrees with the finding of the NTNRS Committee, then that party may elect to have the dispute resolved by an independent facilitator.

- r. If the party elects to have the dispute resolved by an independent facilitator or the NTNRS Committee considers the dispute to be of a serious nature, the NTNRS Committee may opt to refer the matter back to the iwi, via hui ā-iwi, to resolve the matter. The hui ā-iwi may be asked to take a vote.
- s. If the matter involves the dismissal of a NTNRS Committee member, the iwi shall be given the opportunity via hui ā-iwi to re-appoint a replacement NTNRS Committee member if required.
- t. In the case of a serious dispute involving the Chairperson the position shall be temporarily replaced by an interim Chairperson until such time the matter is resolved. Should the position be vacated, the NTNRS Committee shall elect a new Chairperson.

7. Responsibilities & Accountabilities of the Negotiators

- 7.1 If the NTNRS Committee is recognised by the Crown as the mandated authority to represent Ngāti Rahiri Tumutumu in Treaty settlement negotiations, then the NTNRS Committee will formalise this interim arrangement and/or appoint or remove Negotiators as it sees necessary.
- 7.2 The NTNRS Committee will appoint Negotiators and remove Negotiators as it sees necessary.
- 7.3 The NTNRS Committee members can be appointed as Negotiators themselves.
- 7.4 The Negotiators will represent the NTNRS Committee in the collective negotiations at the HC and participate with the NTNRS Committee in iwi specific negotiations with the Crown.
- 7.5 The Negotiators are accountable to the NTNRS Committee. The NTNRS Committee will provide directions and advice to the Negotiators and the NTNRS Committee will report to Ngāti Rāhiri Tumutumu on progress at monthly hui ā-iwi and by any other methods the NTNRS Committee considers appropriate. The Negotiators are fully accountable to the NTNRS Committee (the mandated body). The NTNRS Committee will provide direction, advice and terms of reference for the Negotiators.
- 7.6 The Negotiators are fully accountable to the NTNRS Committee and will be required to report at least monthly to the NTNRS Committee. The NTNRS Committee will provide directions and advice to the Negotiators and the NTNRS Committee will report to Ngāti Rahiri Tumutumu on progress [at monthly hui ā-iwi and by any other methods the NTNRS Committee considers appropriate]. The Negotiators are fully accountable to the NTNRS Committee (the mandated body). The NTNRS Committee will provide direction, advice and terms of reference for the Negotiators (as set out in Appendix 3).

Reporting process for the Negotiators

- 7.7 The Negotiators will report to the NTNRS Committee on a monthly basis or as otherwise required. The Negotiators will also present a progress report on Treaty settlement negotiations.

Replace, Removal and Appointment of Negotiators

- 7.8 The NTNRS Committee will replace, remove and appoint negotiator(s) by way of resolution at its monthly meetings or at a Special General Meeting.

Decision making process of the Negotiators

- 7.9 The NTNRS Committee will also approve and sign off on all decisions undertaken by the Negotiators.

8. Information or Pre-mandate Strategy/Hui/Communications

- 8.1 The NTNRS Committee understands that mandating processes involve a tripartite relationship to achieve a successful Deed of Mandate. In that respect the NTNRS Committee will undertake to work effectively with the Office of Treaty Settlements and Te Puni Kōkiri in the delivery of a NTNRS Committee Deed of Mandate and that these efforts will be reciprocated by the parties.

9. Mandating Process

- 9.1 All mandating hui will be notified to members through:

- a. Hui ā-iwi
- b. NTNRS Committee meetings
- c. Newspapers (NZ Herald, Waikato Times, Hauraki Herald) and various Community Newspapers as may be deemed appropriate from time to time.

- 9.2 Notification will be placed with each of these media at least 21 days prior to each hui.

- 9.3 The public notice will clearly state the purpose of the hui and resolutions. Specific mention will include reference to the need to obtain mandate for the NTNRS Committee to enter into negotiations with the Crown for the comprehensive settlement of all the historical Treaty of Waitangi claims for and on behalf of Ngati Rahiri Tumutumu.

10. Mandating Hui

- 10.1 The NTNRS Committee will be holding publicly notified mandating hui in both Auckland and Te Aroha. The NTNRS Committee will be seeking the mandate from Ngati Rahiri Tumutumu to enter into negotiations with the Crown regarding the comprehensive settlement of all Ngati Rahiri Tumutumu historical Treaty claims.

- 10.2 The following resolutions will be put to the hui:

‘That the Ngati Tumutumu Ngati Rahiri Settlements Committee is mandated to represent Ngati Rahiri Tumutumu in negotiations with the Crown, regarding the

comprehensive settlement of Ngati Rahiri Tumutumu historical Treaty of Waitangi claims.’

10.3 Mandating hui will occur in the following locations:

Location	Venue	Date / Time
Auckland	Croatian Hall, Cnr Fanshaw Street and Cole Place, Te Atatu Auckland	1pm 12 March 2011
Te Aroha	Tui Pa Marae	12.30pm 13 March 2011

10.4 All mandating hui will be advertised in the NZ Herald, Waikato Times and Hauraki Herald, as well as other pānui and marae communication processes used. Minutes will be taken and attendance registers will be available for all mandate hui. This supporting information will be attached to the Deed of Mandate.

10.5 A standard and consistent presentation will be developed for these hui outlining the context and process of the mandate process. Members will have the opportunity to discuss the proposal with the NTNRS Committee, and put any questions to members before a resolution affirming the mandate of the NTNRS Committee is sought.

10.6 Te Puni Kōkiri will be invited to attend the hui as Crown observers. They will provide an observer report which will be made available to Ngati Rahiri Tumutumu, and OTS. This is subject to the Official Information Act 1982 so could also be made available to others on request.

Voting on Resolutions & Eligibility

10.7 Voting on the resolution will be by poll of eligible adult members of Ngati Rahiri Tumutumu present at the hui. For consistency and clarity, there will not be a postal voting process, nor will proxy votes be included. These voting processes will be reaffirmed by the facilitator of the hui, including the eligibility of the voter.

10.8 Members must be of legal voting age (18 years or older) to vote.

10.9 An attendance register will be taken at each hui and checked for eligibility by knowledgeable persons of the hapū. Kaumātua and kuia who are in attendance may be asked to verify whakapapa, where appropriate, to confirm eligibility.

Record Keeping

10.10 Copies of all advertisements, pānui and community notices must be kept.

10.11 Registration forms shall be made readily available at all hui.

Register of Attendance

10.12 A signed register of Attendance will be taken at every hui at records will be kept by NTNRS Committee for purposes of supplying evidence as required to the Crown.

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11. **The Deed of Mandate**

11.1 Upon completion of the Mandate Hui, the Deed of Mandate will be written and supporting evidence collated according to the guidelines as set out by OTS and submitted to TPK and OTS for assessment, for recognition from the Minister for Treaty Negotiations and the Minister of Māori Affairs.

11.2 The mandated body may alter or amend the Deed of Mandate document, as required.

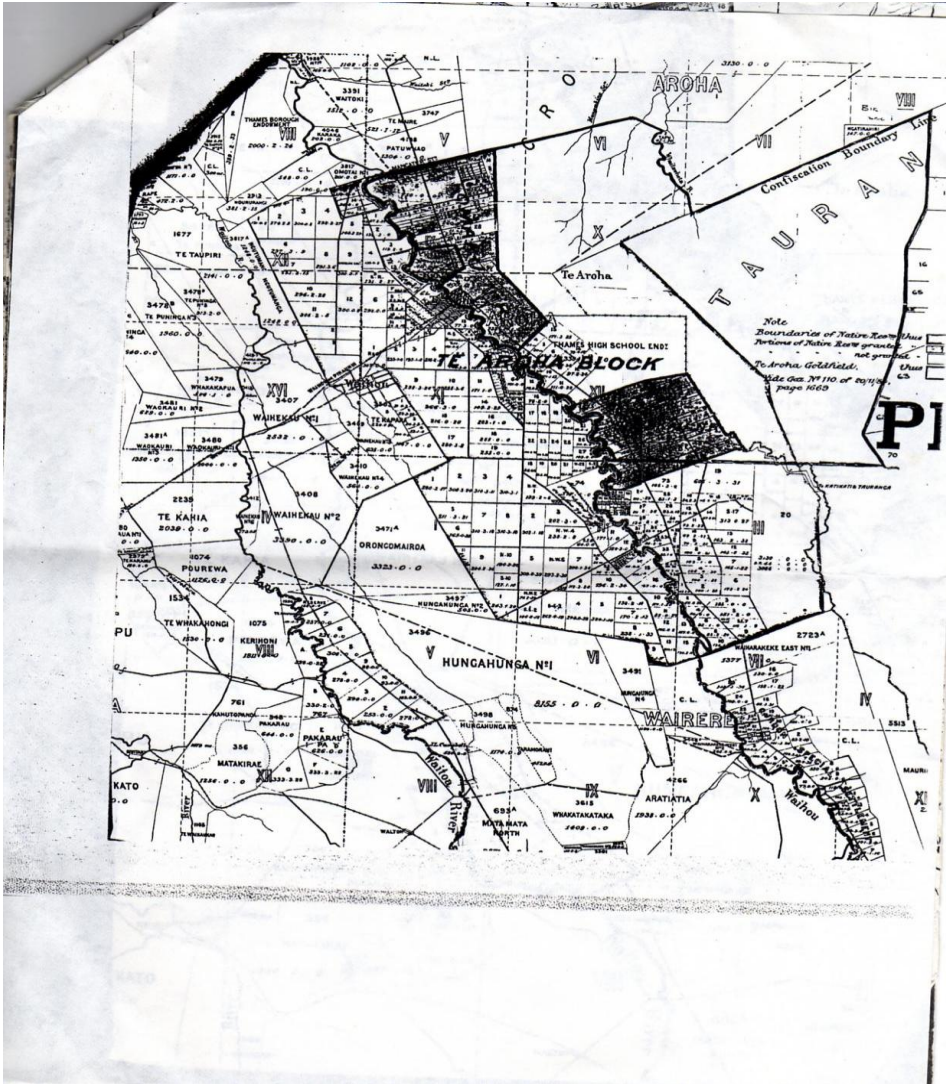
11.3 It is expected that information and mandating hui will be completed by 13 March 2011 and that a Deed of Mandate is expected to be submitted by no later than 21 March 2011.

12. **Alterations to the Strategy Document**

12.1 This strategy document may be altered and amended by the body of interim and mandated representatives, as required.

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Appendix 1: Map



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Appendix 2: Charter

Ngāti Tumutumu Ngāti Rāhiri Settlements Committee

Charter

Draft 6/3/17

Ngāti Tumutumu Rāhiri Settlements Committee Charter

13. Purpose of the Committee

- 13.1 The purpose of the Ngāti Tumutumu Rāhiri Settlements Committee is to represent ngā uri o Ngāti Rāhiri and Ngāti Tumutumu in Treaty settlement negotiations with the Crown for the comprehensive settlement of all the historical Treaty settlement claims.

14. Background

- 14.1 On November 2009, Hauraki iwi started to elect interim negotiators to participate in Collective negotiations with the Crown.
- 14.2 On 31 January 2010, Ngāti Rāhiri Tumutumu held a hui ā-iwi to elect two interim negotiators to represent Ngāti Rāhiri Tumutumu in collective discussions with the Crown.
- 14.3 On 1 October 2010, the Hauraki collective signed a Hauraki Collective Framework Agreement with the Crown.

15. Structure of the Committee

- 15.1 The Ngāti Tumutumu Ngāti Rāhiri Settlements Committee (“the Committee”) is a non-legal entity comprising 6 members elected to it at a hui ā-iwi of Ngāti Rāhiri Tumutumu on 31 October 2010 to support the interim negotiators. The elected committee members are to be the establishment Committee members.
- 15.2 The Committee is known as the Ngāti Tumutumu Ngāti Rāhiri Settlements Committee.
- 15.3 The establishment Committee members are:
- a. Greg Thorne (Chairman)
 - b. Nicki Green (Secretary)
 - c. Colleen Piaso
 - d. Theresa Wahitapu
 - e. Sheryl Tuki
 - f. Suzy Tuki
- 15.4 The duration of the Committee shall be until all Treaty of Waitangi settlement matters are settled with the Crown.
- 15.5 The Committee shall be governed and administered by and in accordance with this Charter. All members agree to abide by the rules as set out in this Charter.

15.6 The Committee may appoint a Treasurer. The Treasurer does not have to be a Committee member.

15.7 The Negotiators appointed by the Committee shall also be governed by this Charter. Upon appointment, the Negotiators will accede to this Charter.

16. **Scope of Authority**

16.1 The Committee, will have the mandate and scope of authority to manage all aspects of Treaty settlement negotiations with the Crown on behalf of Ngāti Rāhiri Tumutumu, including formation of a post settlement governance entity or entities (as the case may be).

16.2 The Committee does not have the authority to control and manage any or all, in full or in part the settlement assets to be received as a result of the settlement negotiations.

16.3 The Committee may amend this Charter provided those amendments are aligned with the Mandate strategy and then the Deed of Mandate.

17. **Claimant Definition**

17.1 Ngāti Rāhiri Tumutumu is comprised of two iwi, Ngāti Rāhiri and Ngāti Tumutumu. The claimant group includes all individuals and whānau of:

- Ngāti Tumutumu that trace descent from their tūpuna Tumutumu
- Ngāti Rāhiri that trace descent from their tūpuna Rāhiri ki Hauraki.

17.2 It is acknowledged that this description of the claimant group may be further refined when and if required and confirmed throughout the course of negotiations.

18. **Responsibilities and Accountabilities of the Ngāti Tumutumu Ngāti Rāhiri Settlements Committee**

18.1 The Committee will be ultimately responsible and accountable to the uri of Ngāti Rāhiri and Ngāti Tumutumu.

18.2 The responsibilities of the Committee are:

- a. Regularly report to Ngāti Rāhiri Tumutumu people about the negotiation process (monthly hui ā-iwi);
- b. Produce regular financial accounts;
- c. Appoint a maximum of two negotiators (which can include Committee members) to Hauraki Collective negotiations and participate with the Committee in iwi specific negotiations with the Crown;

- d. Participate in iwi specific negotiations;
- e. Regularly review the negotiating team and other advisors;
- f. Engage and remove experts / specialists contracted for the purposes of negotiations;
- g. Approve and sign off on key negotiation milestones, including but not limited to:
 - i. Mandate Strategy;
 - ii. Deed of Mandate;
 - iii. Terms of Negotiation;
 - iv. Agreement in Principle; and
 - v. Deed of Settlement;
- h. Present the initialled Deed of Settlement for ratification to the community of Ngāti Rāhiri Tumutumu.

19. Role of Officers

The Chairperson

19.1 The Chairperson must be of Ngāti Rāhiri Tumutumu descent as outlined in the Claimant Definition section.

The Chair's role is to:

- a. Manage the Committee meetings effectively;
- b. Set the agenda in conjunction with Committee members;
- c. Provide leadership to the Committee;
- d. Liaise with Committee members and all internal and external stakeholders such as the Crown, Government and Local Government representatives, other hapū and iwi chairpersons and representatives;
- e. Communicate regularly with its representatives and members on any relevant and key issues;
- f. Regularly inform kaumātua of Treaty settlement negotiations and Committee progress;
- g. In the absence of the Chair, the Committee shall delegate this responsibility.

The Treasurer

19.2 The Treasurer should:

- a. Prepare a budget and monitor it carefully.
- b. Keep the Committee's books up-to-date.
- c. Keep a proper record of all payments and monies received.
- d. Make sure financial reports are available and understood at all Committee meetings.
- e. Show evidence that money received is banked and documentation provided for all money paid out.
- f. Ensure that information for an audit is prepared each year.
- g. Arrange the audit.

- h. Provide a Treasurer's report at regular meetings.
- i. Produce an annual financial report.
- j. Send out accounts.
- k. Pay the bills.

The Secretary

19.3 The Secretary should:

- a. Prepare the agenda for meetings in consultation with the Chairperson.
- b. Make arrangements including venue, date, times and hospitality for Committee meetings.
- c. Send adequate notice of the meetings
- d. Collect and collate reports from office bearers.
- e. Call for and receive nominations for committees and other positions for the Committee SGM.
- f. Take the minutes of meetings.
- g. Write up the minutes as soon as possible after the meeting and distribute to Committee members, at least 7 days before the next meeting.
- h. Maintain registers of members' names and addresses, and contact details
- i. Maintain files of legal documents such as constitutions, and official iwi documents

20. Appointment and Removal of Committee Members

20.1 There shall be a minimum of 5 and a maximum of 9 members of this Committee. The Committee members at the date of adoption of this Charter are those named in clause 3.3 of this Charter.

20.2 If the number of Committee members at any time is lower than permitted under this Charter (through retirement or other eventuality) the Committee shall call for nominations and hold an election at a hui ā-iwi.

20.3 The appointment of a Committee member shall be vacated if a trustee:

- a. Resigns;
- b. Dies;
- c. Becomes bankrupt;
- d. Becomes of unsound mind;
- e. Becomes for any reason unable in the opinion of the remaining Committee members to perform the duties of a Committee member including (if the Committee determine) failing to participate in at least four consecutive Committee meetings without having previously obtained special leave; and
- f. Is convicted of an indictable offence.

21. Meetings of the Ngāti Tumutumu Ngāti Rāhiri Settlements Committee

- 21.1 The Committee Members will meet on a monthly basis, however this may be more or so less depending on circumstances
- 21.2 The quorum at Committee meetings shall be **four** members of the Committee. If there is less, then no resolutions or decisions can be made.

Committee Meeting

- 21.3 Each meeting will be required via the Chairperson to complete the following:
- a. Confirmation of quorum
 - b. Confirmation of Agenda
 - c. Confirmation of previous meetings minutes
 - d. Record of Attendance and apologies
 - e. Report by Treasurer
 - f. Report on Negotiations (Collective negotiations via Collective representatives)
 - g. General Business

Special General Meeting

- 21.4 The Chairman of the Committee shall, upon receipt of a written request from not less than three Committee members, call a Special General Meeting for the purpose of the Committee dealing with the matter or matters specified in the written request for such a meeting.
- 21.5 A Special General Meeting shall be held not less than seven days nor more than twenty-one days after the receipt of such written request. The Chairperson shall within this time fix the date for the Special General Meeting. The Chairman shall give each member at least seven days notice of the date, time and place of the meeting and of the matter or matters to be dealt with.
- 21.6 The Committee may also call a Special General Meeting to be held at such time and for such purpose as is deemed necessary, provided that at least seven days notice of the details are forwarded to each member.
- 21.7 The purpose of Special General Meetings is to discuss urgent matters beyond the purview of an ordinary meeting. This includes, but is not limited to, expulsion of members, large expenditure, and dissolution of the organisation.

22. Reporting Process

- 22.1 The Committee will report to the Ngāti Rāhiri Tumutumu community about the Treaty settlement negotiation and its progress, in a number of ways, including:
- a. Regular hui (monthly hui ā-iwi);

- b. Regular pānui/newsletter;
- c. Website (under construction).

23. Decision Making Processes

- 23.1 The Committee will make decisions by way of consensus.
- 23.2 The wider Ngāti Rāhiri Tumutumu community can participate in the decision making process by attending and voting on resolutions put at the monthly hui-a-iwi if and as held by the Committee. This does not include decisions that are of an administrative nature.
- 23.3 All decisions made by the Committee in relation to Treaty settlement negotiations will be made in accordance with Ngāti Rāhiri Tumutumu tikanga.

24. Dispute Resolution

- 24.1 The Committee members shall, in good faith, take all reasonable steps to resolve any dispute that may arise in connection with:
 - a. The Charter;
 - b. The Committee members;
 - c. The Negotiators appointed by the Committee;
 - d. Any group that has a concern regarding the Committee representation of their interests during negotiations.
- 24.2 Until any dispute is resolved the terms of the Charter shall remain in force.

Disputes Process

- 24.3 In the event that a dispute arises, all disputes shall be submitted to the Committee via the Chairperson or the Secretary, in writing and the Committee shall acknowledge receipt of the notice within 10 working days of receipt of the notice.
- 24.4 The Committee will seek all relevant information required from the person(s) or group involved in the dispute to ensure it has a clear understanding of the nature of their concern.
- 24.5 Once the information has been received, Committee will then consider if the matter requires further action, and if so, it will meet with person(s) or group involved in the dispute and proceed into the dispute resolution process set out below.
- 24.6 If the Committee considers the matter to be valid and requiring further action, a delegation of Committee members and if necessary, kaumātua, shall be convened to further investigate the matter in consultation with all parties involved. A report of findings and recommendations will be taken back to the Committee for any decisions.

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- 24.7 If the parties are unable to resolve the dispute, the Committee may make a finding in relation to the dispute.
- 24.8 The parties involved in the dispute shall be informed of the outcome of the dispute and any decisions made by the Committee.
- 24.9 If either party disagrees with the finding of the Committee, then that party may elect to have the dispute resolved by an independent facilitator.
- 24.10 If the party elects to have the dispute resolved by an independent facilitator or the Committee considers the dispute to be of a serious nature, the Committee may opt to refer the matter back to the iwi, via hui ā-iwi, to resolve the matter. The hui ā-iwi may be asked to take a vote.
- 24.11 If the matter involves the dismissal of a Committee member, the iwi shall be given the opportunity via hui ā-iwi to re-appoint a replacement Committee member if required.
- 24.12 In the case of a serious dispute involving the Chairperson the position shall be temporarily replaced by an interim Chairperson until such time the matter is resolved. Should the position be vacated, the Committee shall elect a new Chairperson.

25. **Negotiators**

Responsibilities & Accountabilities of the Negotiators

- 25.1 The Committee will appoint or remove Negotiators as it sees necessary.
- 25.2 The Committee members can be appointed as Negotiators themselves.
- 25.3 The Negotiators will represent the Committee in the collective negotiations at the HC and participate with Committee in iwi specific negotiations with the Crown.
- 25.4 The Negotiators are accountable to the Committee .The Committee will provide directions and advice to the Negotiators and the Committee will report to Ngāti Rāhiri Tumutumu on progress at monthly hui ā-iwi and by any other methods the Committee considers appropriate. The Negotiators are fully accountable to the Committee (the mandated body). The Committee will provide direction, advice and terms of reference for the Negotiators.

Reporting process for the Negotiators

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- 25.5 The Negotiators will report to the Committee on a monthly basis or as otherwise required. The Negotiators will also present a progress report on Treaty settlement negotiations with the Hauraki collective and iwi specific negotiations.

Replace, Removal and Appointment of Negotiators

- 25.6 The Committee will replace, remove and appoint negotiator(s) by way of resolution at its monthly meeting or at a Special General Meeting.

Decision making process of the Negotiators

- 25.7 The Committee will approve and sign off on all decisions undertaken by the Negotiators as in the Terms of Reference for Negotiators.

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Appendix 3: Terms of Reference for Negotiators

Objective

The overall objective of the Negotiators is as follows:

- The development of the negotiating strategy and negotiating briefs.
- Negotiating (and otherwise communicating) with Ministers and officials on all matters relating to the negotiation and to conclude an Agreement in Principle and later a Deed of Settlement.
- Instructing and working with legal counsel and other expert advisors (which have been engaged by the NTNRS Committee)
- Reporting to the NTNRS Committee on progress
- Complying with all directions of the Board and carrying out any other tasks directed by the NTNRS Committee.
- In performing these functions and responsibilities, the Negotiators must, at all times act in accordance with instructions from the NTNRS Committee.

Decision Making

The NTNRS Committee will retain the authority to make all substantive decisions concerning the negotiations. Substantive decisions will include, but are not limited to the following:

- Approval of the overarching negotiations strategy
- Acceptance (or not) of cultural, commercial or financial redress offers and approval of counter offers.
- Approval (or not) of an Agreement in Principle.
- Approval (or not) of a draft Deed of Settlement for ratification by the uri of Ngāti Rāhiri and Ngāti Tumutumu.
- Any matters the NTNRS Committee considers to be substantive.
- The Negotiators can make decisions concerning the day to day negotiations. These decisions will be outlined in more detail in the NTNRS Committee's policies and procedures for managing the Treaty settlement negotiations.
- For the avoidance of doubt, the Negotiators will not have financial delegations and will not have the ability to engage advisors or staff with the approval of the NTNRS Committee.
- The NTNRS Committee can revoke the powers and responsibilities of the Negotiators at any time.

Duties

The duties of Negotiators are to:

- Represent the NTNRS Committee in negotiations at the HC;
- Participate in iwi specific negotiations along with the NTNRS Committee;
- Act with reasonable care, diligence and skill.
- Act in good faith and with honesty and integrity.
- Work with fellow members and the NTNRS Committee in the spirit of collaboration and co-operation.
- Attend preparation, negotiating and other meetings and undertake the necessary preparation, as required.

- Not act in a manner that will bring the NTNRS Committee into disrepute or undermine or compromise Ngāti Rāhiri Tumutumu's interests.
- Act in a professional and courteous manner.

Reporting

The Negotiators are accountable to the NTNRS Committee and will report as follows:

- A monthly progress report, in writing
- Regular meetings with the NTNRS Committee and the appropriate people who may have delegations
- Otherwise as requested by the NTNRS Committee
- Negotiators will also be required (at the request of the NTNRS Committee) to attend and present at takiwa, hui ā-iwi, ratification and other hui.

Communications

- A more detailed communications protocol will be developed. Until such time, all communications with the Crown and other claimant groups should go through the Chairperson in the first instance.