# **TE KAAHUI O RAURU**

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and

# HER MAJESTY THE QUEEN

in right of New Zealand

# PAEPAE RANGATIRA ACCORD

NO 1

### THIS ACCORD is made

### BETWEEN

TE KAAHUI O RAURU (the Governance Entity)

### AND

**HER MAJESTY THE QUEEN** in right of New Zealand acting by the Minister in Charge of Treaty of Waitangi Negotiations (the **Crown**)

### BACKGROUND

- A. Ngaa Rauru Kiitahi and the Crown are parties to a Deed of Settlement to settle the Historical Claims of Ngaa Rauru Kiitahi dated 27 November 2003.
- B. Ngaa Rauru Kiitahi and the Crown agreed under that Deed of Settlement that, if the Deed of Settlement became unconditional, the Governance Entity and the Crown would, by or on the Settlement Date, enter into an accord in this form providing for the establishment of a paepae rangatira between Ngaa Rauru Kiitahi and the Crown.
- C. The Deed of Settlement has become unconditional and this Accord is entered into by the parties to it in satisfaction of their obligations under the Deed of Settlement.

IT IS AGREED as follows:

### 1 PAEPAE RANGATIRA

1.1 The Crown and the Governance Entity agree to the establishment of a paepae rangatira between Ngaa Rauru Kiitahi and the Crown that is constituted by meetings as provided in this Accord.

### 2 PAEPAE RANGATIRA MEETINGS

- 2.1 The provisions of this clause relate to meetings under clause 1:
  - 2.1.1 meetings are to discuss:
    - (a) the health of Te Tiriti o Waitangi/the Treaty of Waitangi relationship between Ngaa Rauru Kiitahi and the Crown; and
    - (b) issues of importance to both Ngaa Rauru Kiitahi and the Crown;

2.1.2 participants at the meetings are to be:

- (a) the individuals from time to time nominated in writing by the Governance Entity;
- (b) the Minister in Charge of Treaty of Waitangi Negotiations (or another Minister nominated in writing by him or her);

- (c) the Minister of Maori Affairs (or another Minister nominated in writing by him or her); and
- (d) any other individual or individuals that the above participants agree should attend at a particular meeting (including any Minister whose portfolio is relevant to the matters to be discussed at the meeting, if that Minister agrees, or representatives of other iwi);
- 2.1.3 the first meeting is to be held on a date to be agreed by the Governance Entity, the Minister in Charge of Treaty of Waitangi Negotiations and the Minister of Maori Affairs that is within six months after the Settlement Date and at a venue agreed by them;
- 2.1.4 subsequent meetings are to be held annually on dates and at venues agreed by the Governance Entity and the Ministers who are to attend;
- 2.1.5 before a meeting, the Crown and the Governance Entity must each send the other a suggested agenda for that meeting;
- 2.1.6 the Crown, by the Office of Treaty Settlements and Te Puni Kokiri, is to provide a secretariat for the meetings whose role will include:
  - (a) documenting the agenda for, and giving notice of, meetings;
  - (b) preparing the minutes of meetings;
  - (c) providing reports to the participants at meetings; and
  - (d) such other services as may be agreed by a meeting; and
- 2.1.7 each party to this Accord must meet its own costs and expenses relating to a meeting.

### 3 REVIEW OF PAEPAE RANGATIRA MEETINGS

- 3.1 A review of the meetings is to be held at every fifth meeting by the participants at that meeting to discuss:
  - 3.1.1 whether the meetings have been successfully meeting their objectives of discussing:
    - (a) the health of the Te Tiriti o Waitangi/the Treaty of Waitangi relationship between Ngaa Rauru Kiitahi and the Crown; and
    - (b) issues of importance to both Ngaa Rauru Kiitahi and the Crown; and in particular

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3.1.2 whether changes should be made to assist meetings to meet those objectives including changes to:

- (a) the participants at meetings (including whether additional or other Ministers should attend);
- (b) the operational procedures relating to meetings (including the frequency and venue of meetings); and
- (c) the secretariat for meetings; and
- 3.1.3 whether the objectives of the meeting should be expanded to include other iwi and whether participants at the meeting should include representatives of those iwi on the Ngaa Rauru Kiitahi paepae.
- 3.2 The participants at a meeting conducting a review of the meetings are to conduct that review in good faith and use their best endeavours to reach agreement in relation to any changes that may be proposed at that review.
- 3.3 If the participants at a meeting conducting a review are unable to reach agreement in relation to a proposed change, the participants at each of the next five meetings are to continue to:
  - 3.3.1 hold those meetings on the same basis that prevailed at the time of the review (unless they can agree on the disputed proposed change); and
  - 3.3.2 continue at those meetings to discuss as an agenda item the disputed proposed change and use their best endeavours to reach agreement in relation to it.

### 4 VARIATION AND TERMINATION

4.1 The Crown and Ngaa Rauru Kiitahi may by agreement in writing vary or terminate this Accord.

### 5 MISCELLANEOUS

- 5.1 The provisions of this Accord do not limit:
  - 5.1.1 the ability of the Crown:
    - (a) to, in accordance with the law and Government policy, perform its functions and duties and exercise its powers, including its power to introduce legislation and change Government policy; or
    - (b) to interact or consult with any person the Crown considers appropriate including any iwi, hapuu, marae, whanau or representative of tangata whenua;
  - 5.1.2 the responsibilities of Ministers or Departments; or
  - 5.1.3 the legal rights of Ngaa Rauru Kiitahi or a Representative Entity.
- 5.2 The rights and obligations under this Accord:

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- 5.2.1 may not be assigned; and
- 5.2.2 are not legally enforceable.
- 5.3 If a party to this Accord does not comply with this Accord, that does not constitute a breach of the Deed of Settlement.

### 6 NOTICES

- 6.1 Notices to a party to this Accord may be given in the same manner as under clause 17.10 of the Deed of Settlement.
- 6.2 The Governance Entity's address for notices under this clause is as follows:

Te Kaahui o Rauru Suite 17 Wicksteed Terrace PO Box 4222 Wanganui Facsimile No: 06 348 4087

#### 7 INTERPRETATION

- 7.1 In this Accord, unless the context requires otherwise:
  - **Deed of Settlement** means the deed of settlement referred to in clause A of the Background;
  - meeting means a meeting under clause 2;
  - party to this Accord means the Governance Entity or the Crown;
  - **Governance Entity** means the trust called Te Kaahui o Rauru created by deed dated 9 December 2004; and
  - terms defined in the Deed of Settlement have the same meaning in this Accord.
- 7.2 The rules of interpretation in clause 18.7 of the Deed of Settlement apply to the M<sup>M</sup> interpretation of this Accord.

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July 11 2005 SIGNED on

SIGNED for and on behalf of HER MAJESTY THE QUEEN in right of New Zealand by the Minister in Charge of Treaty of Waitangi Negotiations

**WITNESS** Name:

Occupation: PRIVATE SECRETARY

Address: WELLINGTON

**SIGNED** for and on behalf of the **GOVERNANCE ENTITY** by the following as Trustees (Marae Delegates) and Tumu Whakarae of the Governance Entity:

#### Signed by QUEENIE RAUMANO GRIPP

In the presence of:

Witness Jeanette Tamarapa

Occupation Administrator 99 Peat Avenue, Wanganui Address

(Signature) (Signature)

### Signed by KELVIN LUKE

In the presence of:

Witness

Jeanette Tamarapa

Occupation Address

Administrator 99 Peat Avenue, Wanganui

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u (Signature) (Signature)

# Signed by TE POKIATUA ASHFORD

In the presence of:

Witness	Jeanette Tamarapa	
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OccupationAdministratorAddress99 Peat Avenue, Wanganui

Jelohiatuc aahjaaj (Signature)
(Signature)
Ma Alad (Signature) (Signature)
Kalence Klighteren (Signature) Kalence Klingh
(Signature) M. J. J.

Signature

# Signed by GLORIA ASHFORD

In the presence of:

Witness	Jeanette Tamarapa	
Occupation	Administrator	
Address	99 Peat Avenue, Wanganui	

# Signed by ROBERT NGATAIERUA

In the presence of:

Witness Jeanette Tamarapa

OccupationAdministratorAddress99 Peat Avenue, Wanganui

### Signed by WILLIAM GAWLER

In the presence of:

# Witness Jeanette Tamarapa

## Signed by PERRY MASON SOLOMAN

In the presence of:

Witness	Jeanette Tamarapa

OccupationAdministratorAddress99 Peat Avenue, Wanganui

(Signature) (Signature)

(Signature) (Signature)

# Signed by NAN WIKI PIRIKAHU-SMITH

In the presence of:

Witness	Jeanette Tamarapa
Occupation	A designistrator

OccupationAdministratorAddress99 Peat Avenue, Wanganui

(Signature) (Signature)

# Signed by JAMIE LICHELLE NGARONGA

In the presence of:

Witness Jeanette Tamarapa

OccupationAdministratorAddress99 Peat Avenue, Wanganui

# Signed by HAYDEN JAMES RUAWAI POTAKA

In the presence of:

### Witness Jeanette Tamarapa

(Signature) (Signature)

### Signed by LEANNE HAMILTON

In the presence of:

Witness	Jeanette Tamarapa
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OccupationAdministratorAddress99 Peat Avenue, Wanganui

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Signed by KAREN EMAEMAPOTI McGREGOR

In the presence of:

Witness Jeanette Tamarapa

OccupationAdministratorAddress99 Peat Avenue, Wanganui

(Creigo (Signature)

(Signature)

Signed by WATENE REWITI TE WHENA DAVIS

In the presence of:

Witness Jeanette Tamarapa

OccupationAdministratorAddress99 Peat Avenue, Wanganui

renn (Signature)

(Signature)

### Signed by ANN BERNISE DAVIS-MAROULIS

In the presence of:

Witness

Jeanette Tamarapa

Occupation Address

Administrator 99 Peat Avenue, Wanganui

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M.W. [-1 auto (Signature) (Signature)

## Signed by MIHIPEPENE KATRINA SUSAN DAVIS

In the presence of:

Witness	Jeanette Tamarapa	
Occupation	Administrator	
Address	99 Peat Avenue, Wanganui	

(Signature (Signature)

### Signed by ANGELIQUE TE KEHU KATENE

In the presence of:

- Witness Jeanette Tamarapa
- OccupationAdministratorAddress99 Peat Avenue, Wanganui

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(Sighature)

(Signature) (Signature)

### Signed by NGAPARI NUI

In the presence of:

Witness Jeanette Tamarapa

OccupationAdministratorAddress99 Peat Avenue, Wanganui

#### Signed by MATHEW WILLIAM HODGE

In the presence of:

Witness Jeanette Tamarapa

ignature (Signature)

Signed by TE RINGA PAORA PAUL TE AWHE (Signature) In the presence of: Witness Jeanette Tamarapa (Signature) Occupation Administrator Address 99 Peat Avenue, Wanganui M. Y.K KATARAINA WIKITORIA WINTERBURI Signed by DENNIS LESTER WINTERBURN (Signature) In the presence of: Witness Jeanette Tamarapa (Signature) Occupation Administrator Address 99 Peat Avenue, Wanganui Signed by TE AROHA ANNE RURU WAITAI (Signature) In the presence of: Witness Jeanette Tamarapa (Signature) Occupation Administrator Address 99 Peat Avenue, Wanganui Signed by RAYNA HUATAHI WAITAI man (Signature) In the presence of: Witness Jeanette Tamarapa (Signature) Administrator Occupation Address 99 Peat Avenue, Wanganui DC AKH BAN

Signed by MICHAEL JOHN NEHO (Tumu Whakarae)

In the presence of:

Witness Jeanette Tamarapa

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(Signature)
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(Signature)
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