

Moriori Imi

**DEED OF SETTLEMENT
RATIFICATION BOOKLET**



Ratification Booklet for Mori Mori Imi Settlement Trust

*Manaka mai ta tira i uta
Manaka mai ta wheau i uta
Manawa mai ta aka i uta
Manaka mai te tira i uta, ka uwauwe
Uea mai i ru putake me re pu kerekere, kia mahuta ai
Tena taki mahuta te kawa
E tai na tutakina, takina, uea whenua*

Traditional Karakii Mori Mori for new beginnings

*Be kind to the new shoots
Be kind to the new leaves
Be kind to the new roots
Be kind to the new shoots
Foster the development of uptake and the energy
This process is good
It is good, good for the earth*

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LETTER TO MEMBERS

Tēnā kotou

Moriōri initially, through Hokotehi Moriōri Trust and for the last 18 months through the Moriōri Imi Settlement Trust (MIST), have been negotiating with the Crown for many years to settle the Imi's historical Treaty claims.

In August 2017 we signed an Agreement in Principle (AIP) and then in August 2018 members voted to ratify the MIST Deed. Members voted overwhelmingly in favour of continuing to negotiate the Deed of Settlement (DOS) under the umbrella of MIST and for MIST to become the Post Settlement Governance Entity (PSGE). MIST will be the entity which receives the settlement redress.

Adult registered members are now being asked to vote on the following resolution, as set out in the voting paper included in this information package:

I, as a Moriōri member, agree to accept the Deed of Settlement between the Crown and Moriōri Imi Settlement Trust.

A summary of the Crown offer is set out in this information pack and is also available on the Moriōri website at www.moriōri.co.nz. Hard copies will also be available at all upcoming ratification hui.

The voting period is between 13 September and 25 October 2019. We encourage you to attend one of the ratification hui we have organised around the North and South Islands and on Rēkohu/Rangihau. These hui will enable you to ask questions and discuss any concerns you have before voting.

After more than 10 years negotiating with the Crown we are satisfied that the settlement is the best deal that Moriōri will receive. We therefore strongly recommend that Moriōri members vote to accept the **Deed of Settlement**. Your decision will determine the path our imi will take in the future. You can vote either online or by post.

Me rongō



Maui Solomon
Chief Negotiator
Moriōri Imi Settlement Trust

SUMMARY OF DEED OF SETTLEMENT

The Deed of Settlement includes the following elements. For a detailed account please also refer to the separate “Deed of Settlement Summary” included in this mail-out.

Crown Apology and Acknowledgements

- An agreed historical account between the Crown and Moriori
- Crown acknowledgements
 - the Crown’s failure to act to end the enslavement of Moriori was a breach of the Treaty of Waitangi and its principles
 - the Crown’s failure to ensure Moriori retained sufficient lands for their present and future needs was a breach of the Treaty of Waitangi and its principles
 - the Crown’s failure to devise a just solution for Moriori in regard to land on the Chatham Islands following the Native Land Court’s 1870 determination of land title was a breach of the Treaty of Waitangi and its principles
 - the collection and trade of kōimi t’chakat by the Colonial Museum was a breach of the Treaty of Waitangi and its principles
 - the Crown’s role in generations of schoolchildren learning the myth that Moriori were racially inferior was a breach of the Treaty of Waitangi and its principles
 - the Crown’s failure, until 1922, to ensure Moriori could vote in Parliamentary elections and have political representation was a breach of the Treaty of Waitangi and its principles
- A Crown apology

Cultural redress

- Vesting of lands (ownership)
 - former Owenga school site and buildings (1.2ha)
 - Te Awanui (2ha)
 - Waihere and Glory blocks (767 ha and 461ha)
 - Glory housing property (5ha)
 - Waipāua coastal property (26ha)
 - Waipāua property (1ha)
 - Rangiauria property (41ha)
- Overlay classifications (highest level protection for wāhi tchap on conservation lands)
 - Waikokopu (Canister Cove) Scenic Reserve & Waipāua Scenic Reserve (615ha)
 - Mangere Island Nature Reserve (112ha)
 - Manaua (Ocean Mail) Scenic Reserve (831ha)
 - Part Wharekauri site 100 (eastern part) (61ha)
 - Rangatira Nature Reserve (218ha)
 - Wharekauri site 102 (192ha)
- Statutory acknowledgements recognising Moriori associations with 16 areas
- A deed of recognition over 14 areas, which obliges the Crown to consult with Moriori on specified matters in relation to those areas
- Co-management arrangements with DOC regarding
 - J M Barker (Hāpūpū) Historic Reserve
 - an area of the Waipaua Conservation Area remaining in Crown ownership and the Waipāua coastal property

- Protocols
 - Crown Minerals
 - Ministry for Primary Industries
- Relationship agreements
 - Department of Conservation
 - Culture & Heritage Agencies
 - Ministry for the Environment
- Letters of introduction to 6 government organisations
- 14 geographic name changes
- The recording of 20 place names as unofficial original Moriori names
- Name changes to 4 public conservation areas
- A new regime for the management of customary fishing on the Chatham Islands (shared with Ngāti Mutunga o Wharekauri)

Financial and commercial redress

- \$18m quantum (plus interest accrued between signing the AIP and settlement date)
- A right of first refusal over Crown properties on the Chatham Islands (shared with Ngāti Mutunga o Wharekauri)

Redress to be shared with Ngāti Mutunga o Wharekauri (to be delivered through a separate shared redress deed and bill)

- Transfer of the bed of Te Whanga Lagoon and some adjoining lands
- Transfer of 4 sites on Tikitiki Hill
- Sale and leaseback of Kaingaroa School (land only)
- A Management regime for Te Whanga Lagoon and some adjoining lands
- A new regime for the management of customary fishing on the Chatham Islands
- The establishment of a Joint Planning Committee of the Chatham Islands Council
- Further geographic name changes
- A joint overlay classification over the Cape Young portion of Wharekauri site 100

In addition to the redress outlined in the Deed of Settlement summary and subject to the agreement of Land Information New Zealand and the Minister for Treaty of Waitangi Negotiations there are further redress elements set out in the table following. If the Moriori Imi Settlement Trust and Ngāti Mutunga o Wharekauri Iwi Trust (the parties) are able to reach an agreement on the allocation of the six properties listed below before the Moriori Deed of Settlement is signed, those properties that the parties agree are allocated to Moriori may be included in the signed Deed of Settlement as deferred selection properties in favour of Moriori, meaning the agreed properties will be available for purchase by Moriori for a period following the Moriori settlement date.

If an agreement as set out above is not reached before the Moriori Deed of Settlement is signed, the Minister for Treaty of Waitangi Negotiations will make final decisions on the allocation of the six properties.

Name/Address	Legal Description <i>Wellington Land District – Chatham Islands Council</i>	Land Holding Agency
4 Meteorological Lane, Waitangi, Chatham Islands	1.6284 hectares, more or less, being Sections 1 and 2 SO 32101. Balance <i>Gazette</i> Notice 369343.1.	LINZ
3 Meteorological Lane, Waitangi, Chatham Islands PF1988	0.2364 hectares, more or less, being Lot 1 DP 486165. All record of title 692571 for the fee simple estate.	LINZ (Treaty Settlements Landbank)
6 Wilson Place, Waitangi, Chatham Islands	0.1142 hectares, more or less, being Lot 2 DP 49761. Part record of title WN56A/20 for the fee simple estate.	LINZ
7 Wilson Place, Waitangi, Chatham Islands	0.1248 hectares, more or less, being Lot 5 DP 49761. Part record of title WN56A/20 for the fee simple estate.	LINZ
9 Wilson Place, Waitangi, Chatham Islands PF1117	0.1128 hectares, more or less, being Lot 4 DP 49761. All record of title WN44A/633 for the fee simple estate.	LINZ (Treaty Settlements Landbank)
Highet Place, Waitangi, Chatham Islands PF1107	3.4219 hectares, more or less, being Part Kekerione 1 62 Block. All record of title WN54C/73 for the fee simple estate.	LINZ (Treaty Settlements Landbank)

NEXT STEPS FOLLOWING RATIFICATION

The path to settlement has been lengthy and extremely challenging. Moriori were part way through settlement negotiations in 2004 but negotiations halted in 2008 due to government priorities for settling larger tribal claims. We re-entered negotiations in 2016 and your negotiators have now initialled a Deed of Settlement.

What follows now is a series of member hui and a postal vote so members can decide whether or not to accept the Settlement. This is called the Deed of Settlement (DOS) ratification process. Each step of the settlement process has been communicated to members via consultation hui, postal votes, newsletters and website updates over the past 3 years. To date there has been a significant majority of members who have voted to continue with each significant step of the settlement process.

The settlement pathway has a number of steps that will enable members to be involved. Following the ratification vote and assuming a majority support the settlement a Bill will then be introduced to Parliament as the first step towards legislating the settlement into law. At this time the Bill will also be publicly available. This should be towards the end of this year.

Formal signing of the Deed (which will take place at Kōpinga Marae) and the 1st and 3rd readings of the Bill in Parliament will be significant opportunities for members to attend these milestone events. Your Board will send out documents setting out ways to enable members to attend these special events.

The order of events is as follows.

- **Hold signing ceremony at Kōpinga – time for members to attend. Some funding will be made available to assist members to attend who live off the Island (early 2020)**
- Introduce the Bill to Parliament with Cabinet approval (Bill now publicly available)
- Hold 3 readings of the Moriori settlement legislation in Parliament
- **Reading 1 (possibly March 2020) – time for members to attend. Members will be invited to attend but numbers may be restricted due to limited seats. Funding will be made available to assist members on Rēkohu/Rangihau to attend this event.**
- The Select Committee process which usually takes 6 months – this can result in amendments to the Bill
- Reading 2 – debate principles of the Bill. No public attendance
- **Reading 3 – final debate and a time for members to attend. Members will be invited to attend but number may be restricted due to limited seats (up to 100)**
- Royal assent to the Bill becoming an Act of Parliament

RATIFICATION INFORMATION FOR MORIORI IMI SETTLEMENT TRUST DEED OF SETTLEMENT

INTRODUCTION

Ratification Process

“Ratification” is the process of seeking formal consent or support from Moriori, for the Deed of Settlement. We are seeking ratification for the final offer from the Crown for our Deed of Settlement. Members will receive information by direct mail out of these booklets and also through our website and regional hui. We encourage you to attend at least one of these hui or contact the office if you have questions.

The purpose of this ratification process is to ensure that:

- i. Moriori members are sufficiently informed about the process for ratifying the Deed of Settlement (DOS);
- ii. Moriori members are sufficiently informed about the main components of the DOS; and
- iii. the voting period allows Moriori members sufficient opportunity to vote on whether to ratify and accept the DOS.

This ratification strategy is endorsed by the mandated Moriori representatives.

This ratification strategy contains the following sections:

- Introduction
- The Ratification Timetable
- Preparing for the Ratification Process
- The Ratification Booklet
- The Voting Process and Ratification
- The Ratification Information Hui

Eligibility to Vote

Moriori means:

- a) the collective group composed of individuals who descend from a Moriori karāpuna; and;
- b) every hūnau, hapū or group to the extent that it is composed of individuals referred to in paragraph (a), and
- c) every individual referred to in paragraph (a)

Approval from adult registered members will be sought for the following resolution:

I, as a Moriori member, agree to accept the Deed of Settlement between the Crown and Moriori Imi Settlement Trust.

Ratification Timetable

MAIN TASK	ACTIONS / TIMEFRAMES	DATE
	Identify independent returning officer	31 May 2019
	Ratification documents (booklet and voting pack) developed and sent to Te Arawhiti for review and approval	14 June 2019
Preparing for ratification	Presentation for ratification hui completed. Sent to Te Arawhiti for approval	26 August 2019
	Ministerial approval for Ratification Strategy received	<i>tbc</i>
	Initialling of Deed of Settlement	13 August 2019
	Ratification information packs printed	5 September 2019
Notifying the ratification process	<ul style="list-style-type: none"> Public notices about the ratification process and information hui will be done prior to the start of voting. Notices will be published in the Chatham Islander, Chatham Island Community Focus newsletters and through direct mail-out to all Moriori members The ratification process will also be notified through the Moriori website and social media facebook page Ratification notices and information packs will encourage non-registered members to register and vote 	From 30 August 2019
Mail out of ratification information packs	Ratification information packs sent to adult registered iwi members by post. Information made available on website Ratification information email sent to registered members	<i>starting 9 September</i>
Voting period opens		13 September
During the voting period	Reminders of the ratification process and hui sent via post and email Continue ratification notices via appropriate media Communicate ratification process through networks, marae and hui	
Ratification Hui	Hui venues are located within the iwi rohe and externally where members are located TPK to attend as independent Crown observers Key presentation delivered at each hui	<i>See hui schedule. These start 10 September on Rēkohu/Rangihau and conclude 14 October in NZ</i>
Voting period ends		<i>Fri 25 October 2019</i>
Votes counted	Registered and special votes counted Moriori Imi Settlement Trust receives a ratification results report from the independent returning officer	1 November 2019
Final ratification report	Provided by Moriori Imi Settlement Trust to Te Arawhiti and TPK	Nov 2019
Ratification approved	Confirmation from Te Arawhiti that ratification results have been accepted by the Crown / relevant Ministers	Dec 2019

Ratification Hui

The purpose of the ratification hui is to ensure Moriori members are informed in person and have the opportunity to ask questions, about the DOS and ratification process.

A powerpoint presentation about the DOS will be presented at each ratification information hui. This has been approved by Te Arawhiti and Te Puni Kōkiri prior to it being delivered.

Relevant information will be available to hui attendees, including the ratification booklets, member registration forms, copies of the full Deed of Settlement and special voting forms.

The ratification hui will be publicised in relevant local newsletters at least 14 days prior to each hui. The hui will also be advertised in community notices, and through the mail-outs, social media and emails sent to registered members.

Notices about the ratification will contain the following information:

- the purpose of the vote;
- the claims that propose to be settled;
- dates for the voting period;
- dates and locations of the ratification hui; and
- contact information.

Ratification Hui Dates and Locations

Date	Time	Venue
Tuesday 10 Sept	6-8pm	Kōpinga Marae, Rēkohu
Wed 11 Sept	TBC	Rangihaute (Pitt Island) subject to weather
Sun 6 Oct	3-5pm	Oakens Café, 538 Great King St, Dunedin
Mon 7 Oct	6-8pm	Pipe Band Hall, Temuka
Wed 9 Oct	6-8pm	Hintons Function Centre, 750 Wairakei Rd, Christchurch
Thurs 10 Oct	6-8pm	Marlborough Quality Hotel, 20 Nelson St, Blenheim
Fri 11 Oct	6-8pm	Ngāti Toa Hall, Plimmerton, Wellington
Sat 12 Oct	3-5pm	Pūtahi Marae, Wairoa
Sun 13 Oct	6-8pm	Naumi Hotel 153 Kirkbride Rd, Mangere, Auckland
Mon 14 Oct	6-8pm	Armitage Hotel 9 Willow St, Tauranga

At the hui the negotiators and their advisors will provide an overview of the proposed DOS and answer any questions. The Trust encourages you to attend at least one information hui, if you are able, before submitting your vote.

Crown Observers

Independent Crown observers will be invited to attend each hui. This will assist officials when reporting to their Ministers about the ratification process and results. It will also provide a summarised record of events in the case of challenge.

Preparations for the Ratification Process

Eligibility to Become a Registered Member

All Moriori members are eligible to apply to be a registered member. All adult registered imi members 18 years old and over are eligible to vote in the ratification process in one of the following three ways:

- postal voting using prepaid return envelopes;
- online voting using a unique identifier; or
- special voting for those who have yet to register as members of MIST.

New Member Registrations and the Electoral Roll

Members can register to vote via either the standard registration process through the office (office@kopinga.co.nz 0800 MORIORI) or the special voting process through the independent returning officer (0800 922 822 info@electionservices.co.nz).

Prior to the start of ratification voting on 13 September 2019, members can register to vote by submitting a registration application to Moriori Imi Settlement Trust (the Trust) by post to PO Box 188 Chatham Islands 8942 or email to office@kopinga.co.nz. The application will be reviewed by the Trust and assessed by the Hokopapa Committee as a matter of urgency. Applicants for registration will be advised of the result within 5 days of application and, if approved, will be sent a voting pack.

An electoral roll will be created using the details from the member register. The voting process is explained below.

Availability of Information to Moriori Members

The full DOS and ratification information booklet will be available at the following places:

- the Moriori website [www.moriori.co.nz];
- the Moriori Imi Settlement Trust Office, PO Box 188 Chatham Islands 8942 or at Kōpinga Marae, Owenga Road Chatham Islands;
- Te Puni Kōkiri Regional Offices;
- directly from Treaty negotiators; and
- at the ratification information hui.

The Voting Process

Preparing for Postal and Electronic Voting

An independent election officer, Independent Election Services Ltd (ESL), has been appointed to oversee this vote. ESL will send the following information to Moriori members at the start of the ratification process:

- ratification information booklet and voting pack; and
- voting papers and voting identifier numbers.

Voting Papers

The voting period opens on **13 September** and closes **25 October 2019**. All eligible voters will be sent a voting pack for return mail by **21 October** for the close of voting 5pm 25 October 2019. To be counted your vote must be received by the independent returning officer by 5pm Friday 25 October 2019 or by envelope date-stamped by Friday 25 October and received within three days of the close of voting (Wednesday 30 October 2019).

Resolution to be Voted on

The one resolution put to the vote will be:

Resolution	Vote	
	YES	NO
1. <i>I, as a Moriori member, agree to accept the <u>Deed of Settlement</u> between the Crown and Moriori Imi Settlement Trust.</i>		

How to Vote

All adult registered iwi members (aged 18 years or over) are eligible to make one vote for the resolution using their method of choice.

There will be two ways to vote:

- Postal ballot; and
- Electronic internet voting

Voting forms contain an identifier number for each member to allow the form to be checked against the register by the returning officer when votes are counted. The identifier number also ensures votes cannot be duplicated.

Special Votes

Voters must complete a special voting form if they:

- turn 18 years old during the voting period but before the closing date of voting;
- register during the voting period before the closing date of voting.

Each special voting form will use a unique voting identifier referencing which of the special conditions the person is voting under. If a member is not registered they must complete a member registration form with their special vote. Special votes will be counted subject to verification of the registration application by the Moriori Settlement Trust.

Confidentiality

Voting is anonymous. All completed votes (either paper or electronic) go directly to the Independent Returning Officer. No other party will have access to the voting papers.

Registration and the Close of Voting

It is expected that the work above will lead to an increase in member registrations. People who register and are verified during the voting period will be added to the member register and need to make a special vote. Processing of special votes is explained above.

Counting the Votes and Notification of Results

Once voting closes and all votes are cast the Independent Returning Officer will count the votes and report the results to MIST. A final ratification report will also be sent to Te Arawhiti and Te Puni Kōkiri. The Crown Ministers will then consider and approve the results.

Queries, Questions or Concerns

If you have any queries about your vote or the voting process please, in the first instance contact the Independent Returning Office by phone 0800 922 822 info@electionservices.co.nz

Please remember you need to be a registered member of the Imi in order to vote.

Me Rongo