

# Glossary of Terms



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<b>Term</b>	<b>Description</b>
Advisory committee	representatives of a claimant group who advise a Minister or a government agency on matters related to species management
Agreement in Principle (AiP)	outline of proposed settlement between the Crown and a claimant group that will settle all that group's historical claims against the Crown
Camping entitlement (Nohoanga, Ukaipō)	statutory instrument that provides the claimant group with the exclusive right to use a defined area of Crown land for temporary camping during specified periods
Casebook	body of technical and historical research required to begin Waitangi Tribunal hearings
Coastal tendering	when the Minister of Conservation offers Authorisations of any part of the Specified Coastal Marine Area by public tender
Commercial redress	any Crown assets, such as property, that contribute to the total settlement redress quantum
Conditions precedent	specific provisions and actions the Crown needs to undertake before a property is transferred
Conservation covenant	the Reserves Act (s.77) provides for the Minister of Conservation to agree with the claimant group for a covenant to provide for the management of private land in a manner which will preserve the conservation values
Crown acknowledgements	those matters that the Crown acknowledges as breaches of the Treaty and its principles; these form the basis of the apology in a Deed of Settlement
Crown apology	the Crown's formal statement of regret for breaches of the Treaty as it relates to the claimant group
Crown forest licences	licences on Crown forest land for which rental is paid by forest owners and held in trust by the Crown Forestry Rental Trust
Crown forest licensed land (Redress licensed land)	Crown lands predominantly under exotic forests as defined by Section 2 of the Crown Forest Assets Act 1989
Crown leaseback	non-surplus Crown land sold to claimant group on condition that they provide lease to the Crown for a define period, usually long-term
Cultural Redress	non-commercial sites and areas of cultural, spiritual, historical or traditional significance to the claimant group
Deed of Mandate (DoM)	formal document produced as part of the mandating process, which states the names of the chosen representatives of the claimant group
Deed of Recognition (DoR)	provides for governance entity to be consulted on specified matters and regard had to its views; may be added to area where a statutory acknowledgement has been made; only used over land managed by the Crown
Deed of Settlement (DoS)	document recording comprehensive and final settlement reached between claimant group and the Crown; details redress provided to claimants, subject to ratification
Deferred Selection Process (DSP)	the right for a claimant group to, over a specified period following enactment of its Deed of Settlement, to purchase specific Crown-owned properties at the valuation, terms and conditions that applied at the time the DoS was signed.

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Due diligence	examination of all information related to specific property to ascertain extent of risks and liabilities that may be attached to that property
Easement	rights a third party or the public may have over land (eg. right of way, access for specific purposes, utilities, flood protection or drainage facilities). Easements are registered on land titles
Fee simple vesting (title)	fee simple, or freehold title, means ownership (legal title) to land
Financial (and Commercial) Redress	part of settlement, primarily economic or commercial in nature, which is given a monetary value
Giftng back	on sites of great importance, the Crown may restore the sense of custodianship to the claimant group who then unconditionally gift the site back to the nation
Gifts	rarely used cultural redress mechanism that provides for cash to develop an item of cultural significance or in some cases the gifting of land
Governance body	governance entity, sometimes constituted as a governance board, which is responsible for setting strategic direction and policies to be implemented by management
Historical account	written summary record of historical events that led to Treaty grievance and claim; sets context and parameters of the Crown acknowledgements and apology
Joint Advisory or Management Committees	established to advise on or manage a conservation reserve site or area of importance to both claimant group and Crown
Land alienation	loss of ownership of land, through sale, raupatu (confiscation) or other means such as acquisition under the Public Works Act 1981 or similar legislation
Landbank	schedule Crown-owned land, or formally Crown-owned land identified as surplus; available for future use in the settlement of Treaty claim
Large Natural Grouping (LNG)	claimant group with clear kinship links and a sizeable membership and claim area
Leasehold land	land owned by lessor (landlord) that is under an exclusive possession by a lessee (tenant) for defined period of time
Mandate	an authority to act on behalf of other people, which has been accepted by the Crown
Mandating	process by which a claimant group selects representatives who will represent the claimant group during negotiations and who will have authority to act on its behalf
Memorials (section 27B memorials)	notation or record placed on a title to Crown land transferred to State-Owned Enterprises means the Waitangi Tribunal can order the Crown to 'resume' (take back) that property to be used in settling a Treaty claim
Negotiation brief	document that sets out the interests which the claimants wish to promote through the settlement process
Overlapping claims (cross claims)	where two or more claimant groups make historical Treaty claims over the same area of land
Overlay classifications (Tōpuni, Kirihipi, Whenua Rāhui, Owakatihi, Ngā Taki Poipoia)	highly significant sites administered by Department of Conservation. A Statutory Instrument which allows for the recognition of a claimant group's traditional values to a specific area without altering the underlying classification of the land

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Place-name changes	settlement legislation can be used to change official place-names within the claim area to joint Māori/English names and occasionally Māori-only name
Post-settlement governance entity	body that receives and manages the assets on behalf of the settlement group
Project plan	plan of what, who, when and how to complete the identified stage of settlement; it identifies key milestones and timetables, skills and humans resources required for each stage, and other resources required
Protected private land	the Reserves Act (s.76) provides for owners to enter into an agreement with the Minister of Conservation to protect conservation values on private land
Protection mechanism	generic term for mechanisms which ensures Crown assets are protected in case they may be needed for use in Treaty settlements
Protocols	statement issued by Minister of the Crown or other statutory authority setting out how a government agency intends to exercise its powers and perform its functions and duties in relation to specified matters within its control in the claimant group's Protocol Area
Ratchet clause	provision in AiP which enables claimant negotiators to negotiate an item (or items) of redress detail in the Deed of Settlement that is no less favourable than past claimants have achieved
Ratification	process in which claimant group members vote to approve the Deed of Settlement and/or post-settlement governance entity
Redress quantum	monetary value of Financial and Commercial Redress, also known as quantum or redress amount
Relativity clause	special 'top up' mechanism in Ngāi Tahu and Waikato Deeds of Settlement which ensures their respective cash settlements are maintained relative to all other tribes that settle
Research facilitator	Trust employee who works with the claimants, claimants counsel and liaises with Waitangi Tribunal or Office of Treaty Settlement staff to agree on a programme of research that best reflects claimant needs
Reserves as cultural redress	vesting of fee simple in a site to claimant group on condition that they manage and control the site as a reserve, including associated costs
Resumption Orders	where Waitangi Tribunal exercises its binding powers of recommendation to land claims in respect of memorialised lands (generally former Crown-owned land transferred to State Owned Enterprises) and Crown forest licensed land
Right of First Refusal (RFR)	right of a claimant group to have, for a specified period, the opportunity to purchase specified surplus Crown properties ahead of other potential buyer
Settlement legislation	legislation which confirms in law the details of the settlement, including the Crown apology, and the full and final nature of the settlement
Sites of significance	places within the rohe that are of particular importance to the claimant group; eg pa sites, wahi tapu, maunga, awa
Statutory acknowledgement	statutory instrument in which the Crown recognises a claimant group's special relationship with sites of high and significant importance to them, eg lakes, rivers, mountains, forests, islands, wetlands, coastal areas, etc
Statutory instruments	mechanisms enshrined in settlement legislation allowing for a range of cultural arrangements between Crown and claimant group

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Statutory vesting	technical term for when settlement legislation transfers legal title (ownership) of land to a claimant group
Terms of Negotiation (ToN)	written agreement between the Crown and claimant's representatives stating the rules and objectives for the negotiations
Terms of transfer	conditions and encumbrances attached to specific properties to be transferred at settlement date
Unique redress	one-off cultural redress item specific to one claimant group
Valuation	independent assessment by registered valuer of assets of aspecific property to determine its monetary worth
Vested recreation reserves	cultural redress mechanism under Reserves Act (s.26) in which fee simple is vested in claimant group but administered by a local authority or trustees
Wai # (Wai number)	Waitangi Tribunal claim number; each Waitangi Tribunal claim is assigned a number for identification purposes

