

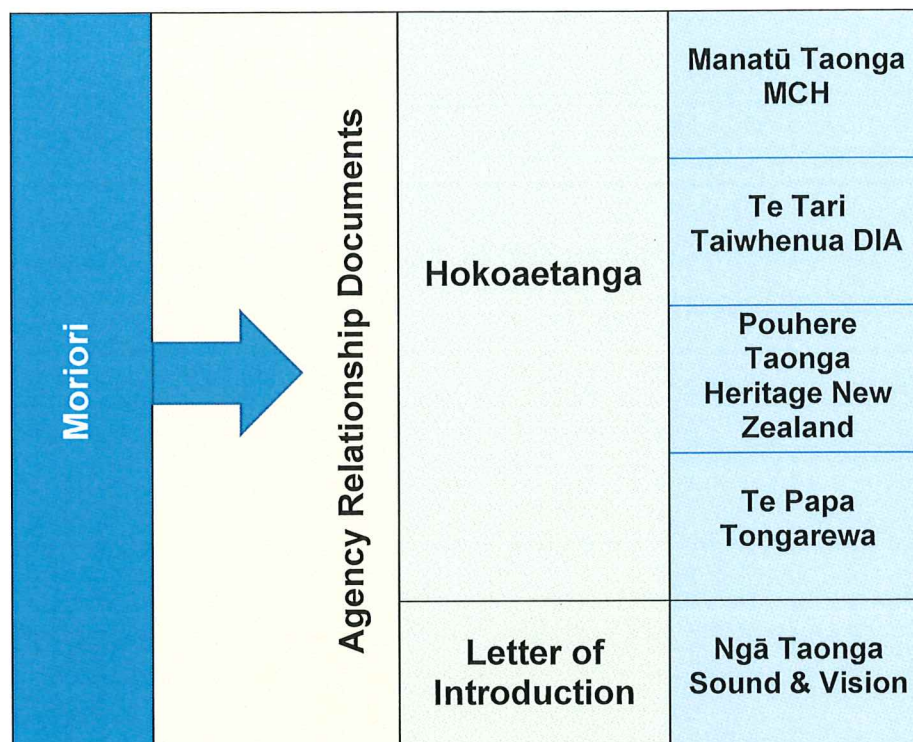
Hokoaetanga Tiaki Miheke

Relationship Agreement between the
Culture and Heritage agencies and
Mori Mori Imi Settlement Trust

“Hokohana Ka Miheke Mori Mori”

DATE: 16 February 2022

Hokoaetanga Tiaki Miheke - Overarching Relationship Agreement



***An agreement outside of Treaty settlement process.**

This diagram explains the way we give effect to the relationship between imi and the respective agencies. Some Culture and Heritage agencies come under this document, the Hokoaetanga Tiaki Miheke, and some have their own agreement. The constant is the relationship approach which is that agencies will work collaboratively to support imi and their miheke aspirations.

Opening Karakii

*Ko Rangitokona i tohe rangi
Ko Rangitokona tokona i tohe ātā
Ka tu ta pou ki ru pakira o tā rangi
Ki rū pehore o tā rangi
Ka tū tā mēmēa-a-nuku
Ka tū tā mēmēa-a-rangi
Ka tū tā kahi-a-nuku
Ka tū tā kahi-a-rangi
Ka tū tā pou
Ta pou, ka tū tā pou te pourangi - e*

Contents

THE PARTIES	6
INTRODUCTION.....	6
PURPOSE	7
VISION.....	8
PRINCIPLES.....	9
EFFECT	9
DEVELOPMENT OF SPECIFIC PIECES OF WORK.....	10
WORK PLAN TOPICS SHARED BY ALL PARTIES	10
ONGOING RELATIONSHIPS	12
COMMUNICATION.....	12
CHANGES TO POLICY AND LEGISLATION AFFECTING THIS HOKOAETANGA	13
DISPUTE RESOLUTION	14
REVIEW PROVISION	14
DEFINITIONS	15
SIGNING PARTIES.....	16
APPENDIX A: WORK PLAN TOPICS SPECIFIC TO CULTURE AND HERITAGE PARTIES	18
POUHERE TAONGA HERITAGE NEW ZEALAND– MORIORI HERITAGE	20
HOKOORANGA MIHEKE MARAE - MORIORI BUILDINGS CONSERVATION PROGRAMME	20
MAHI HURA HENUA - MORIORI HERITAGE AND ARCHAEOLOGY	21
MAHI RĀRANGI KŌRERO - MORIORI HERITAGE AND THE LIST	21
APPENDIX B: THE ROLE OF MANATŪ TAONGA - MINISTRY FOR CULTURE AND HERITAGE IN RELATION TO TAONGA TŪTURU (MIHEKE TŪTURU)	22
RELATIONSHIP PRINCIPLES.....	22
HOKOAETANGA PROVISIONS	22
PROTECTED OBJECTS ACT 1975.....	22
NOTIFICATION OF TAONGA TŪTURU	22
OWNERSHIP OF MIHEKE TŪTURU FOUND IN THE AREA OR IDENTIFIED AS BEING OF MORIORI ORIGIN FOUND ELSEWHERE IN NEW ZEALAND.....	23
CUSTODY OF MIHEKE TŪTURU FOUND IN THE AREA OR IDENTIFIED AS BEING OF MORIORI ORIGIN FOUND ELSEWHERE IN NEW ZEALAND.....	23

EXPORT APPLICATIONS - EXPERT EXAMINERS	24
APPENDIX C: BACKGROUND INFORMATION OF THE AGENCIES	26
Te Tari Taiwhenua (Department of Internal Affairs)	26
National Library of New Zealand (Te Puna Mātauranga o Aotearoa)	26
Archives New Zealand (Te Rua Mahara o te Kāwanatanga)	27
Museum of New Zealand Te Papa Tongarewa (Te Papa)	28
Manatū Taonga – Ministry for Culture and Heritage.....	29
Heritage New Zealand Pouhere Taonga	29
APPENDIX D: GLOSSARY/ KUPUTAKA	30
APPENDIX E: MORIORI AREA OF INTEREST	31

Hokoaetanga Tiaki Miheke

The Parties

The Parties to this Hokoaetanga Tiaki Miheke ("Hokoaetanga") are:

- Moriori Imi Settlement Trust, the post settlement governance entity;
- Te Tari Taiwhenua, Department of Internal Affairs ("DIA"), the agency responsible for:
 - the National Library Te Puna Mātauranga o Aotearoa ("National Library"); and
 - Archives New Zealand Te Rua Mahara o Te Kawanatanga ("Archives New Zealand")
- The Museum of New Zealand Te Papa Tongarewa ("Te Papa");
- Heritage New Zealand Pouhere Taonga ("Pouhere Taonga"); and
- Manatū Taonga, Ministry for Culture and Heritage ("MCH").

For the purposes of this Hokoaetanga the Moriori Imi Settlement Trust is the body representative of Moriori who have an interest in the matters covered under this Hokoaetanga. This derives from the status of the Moriori Imi Settlement Trust as tchakat henu in the Imi Area of Interest and is inextricably linked to hokopapa and has important cultural and spiritual dimensions.

The Department of Internal Affairs (as the agency responsible for the National Library and Archives New Zealand), Te Papa, Pouhere Taonga and MCH are for the purposes of this Hokoaetanga referred to as the "Culture and Heritage Parties."

A summary of the role and functions of each of the Parties is provided in the Appendices.

A Glossary of terms is included in Appendix D to provide translations from Moriori rē (language) to English and, where relevant, te reo Māori.

Introduction

Under the Deed of Settlement dated 16 February 2022 between Moriori and the Crown (the "Deed of Settlement"), the Parties agreed to the development of a:

1. Hokoaetanga between the Culture and Heritage Parties and the Moriori Imi Settlement Trust to facilitate:
 - 1.1. the care, management, access, use, development and revitalisation of Moriori miheke; and
 - 1.2. the identification, protection, preservation and conservation of the historical and cultural heritage of Moriori.

2. The Parties have entered into this Hokoatanga consistently with the partnership principle underlying Te Tiriti o Waitangi/Treaty of Waitangi.
3. The Parties wish to record in this Hokoatanga their common commitment relating to the care and management, use, development and revitalisation of, and access to, Moriori miheke (whether held by Moriori hūnau or the Culture and Heritage Parties)
4. Pouhere Taonga wishes to record its commitment to the identification, protection, preservation and conservation of the historical and cultural heritage of Moriori.
5. The Parties acknowledge that these common commitments are intended to support and promote the vision of Moriori Imi Settlement Trust.

Purpose

6. The Parties are seeking an ongoing relationship which facilitates the care and management, use, development and revitalisation of, and access to, Moriori miheke, whether held by Moriori hūnau, or the Culture and Heritage Parties.
7. Those Parties who have responsibilities for miheke recognise the following, which will guide them in giving effect to the purpose of this Hokoatanga and will be discussed as part of the development of the joint work plans:
 - 7.1. the significance of Moriori miheke to the maintenance and development of Moriori culture and to enriching the cultural life of New Zealand;
 - 7.2. that Moriori miheke is held and looked after by Moriori, and also by the Culture and Heritage Parties to this Hokoatanga;
 - 7.3. Moriori cultural and spiritual authority in relation to Moriori miheke;
 - 7.4. that active and meaningful engagement by the Culture and Heritage Parties with Moriori in the care and management, use, development and revitalisation of, and access to, Moriori miheke is required as agreed in the joint work plans;
 - 7.5. that innovative and technological solutions are required to provide opportunities for Moriori youthful population, and a percentage of that population who are living outside the traditional tribal rohe, to connect with Moriori culture and identity; and
 - 7.6. the need for an enduring and collaborative relationship to be developed between Moriori Imi Settlement Trust and the Culture and Heritage Parties.
8. Pouhere Taonga recognises the following which will guide it in giving effect to the purpose of this Hokoatanga and will be discussed as part of the development of the work plans:
 - 8.1. the significance of wāhi tchap', land based Moriori heritage, structures and monuments to enriching the cultural life of New Zealand; the significance that place-based miheke such as marae, wāhi tchap' and wāhi karāpuna, ancestral

footprints in archaeology, and others have for imi and the cultural life of New Zealand;

- 8.2. that wāhi tchap' and wāhi karāpuna, land based Moriori heritage, structures (eg rock shelters and kōpi grove kainga) and monuments are looked after by Moriori Imi Settlement Trust hūnau;
- 8.3. Moriori cultural and spiritual authority in relation to Moriori wāhi tchap' and wāhi karāpuna, land based Moriori heritage, structures and monuments;
- 8.4. that active and meaningful engagement by the Pouhere Taonga with Moriori in the identification, protection, preservation and conservation of Moriori wāhi tchap', land based Moriori heritage, structures and monuments are required as agreed in the work plans; and
- 8.5. the need for an enduring and collaborative relationship to be developed between Moriori Imi Settlement Trust and Pouhere Taonga.

Vision

9. The Culture and Heritage Parties recognise and respect Moriori Imi Settlement Trust's vision which is:
 - 9.1. *To protect and cherish our past for a better future.* This vision is based on principles that affirm the need to:
 - a. record and understand what we know, building a robust understanding of our heritage, cultural landscapes, wāhi tchap', archives and miheke Moriori;
 - b. respect the diversity and richness of all aspects of our heritage;
 - c. provide for our tchieki Moriori responsibilities to care for miheke Moriori and cultural landscapes and create opportunities to work collaboratively with heritage agencies and organisations, whilst supporting other interested parties to care for our heritage (eg landowners, local museum, schools), and;
 - d. create opportunities for the creation of miheke Moriori and future places of heritage value by promoting wise and sustainable landuse, by teaching and sustaining our people in the pursuit of their arts and culture and by kindling the fires of our cultural heritage
10. This vision is intended to facilitate access to Moriori miheke and their care and management, use, development and revitalisation and to facilitate the identification, protection, preservation and conservation of Moriori historical and cultural heritage.
11. The vision of Moriori Imi Settlement Trust is built upon the already existing relationships between Moriori and the Culture and Heritage Parties. The Parties recognise the common role shared by the Culture and Heritage Parties in collecting, preserving and providing access to the nation's art, culture and heritage collections

and resources and in identifying, protecting and preserving wāhi tchap', and land based Moriori heritage. The Parties recognise the importance of this existing relationship as contributing towards the role of the Culture and Heritage Parties.

Principles

12. The Parties acknowledge the following relationship principles that will guide the implementation of this Hokoatanga:
 - 12.1. working consistently with Te Tiriti o Waitangi/the Treaty of Waitangi and its principles;
 - 12.2. working with a 'no surprises' approach;
 - 12.3. working in a spirit of co-operation;
 - 12.4. acknowledging that the relationship is flexible and evolving;
 - 12.5. respecting the independence of the Parties and their individual mandates, roles and responsibilities; and
 - 12.6. recognising and acknowledging that the Parties benefit from working together by sharing their vision, knowledge and expertise.
13. Moriori Imi Settlement Trust and the Culture and Heritage Parties have entered into this Hokoatanga in good faith and in the spirit of partnership. Moriori Imi Settlement Trust and the Culture and Heritage Parties agree to act in good faith and work fairly, reasonably and honourably towards each other with respect to the commitments identified below.

Effect

14. The requirements of the Hokoatanga are aspirational and non-binding. The Parties acknowledge that while this Hokoatanga is not intended to constitute a contract that is enforceable in law between the Parties, the Parties are committed to working together in good faith in accordance with this Hokoatanga.
15. Appendix B (*The Role of Manatū Taonga - Ministry for Culture and Heritage in relation to Taonga Tūturu*) of the Hokoatanga is issued pursuant to sections 21-24 and 27-28 of the Moriori Claims Settlement Act 2021 that implements the Deed of Settlement, and is subject to the Settlement Legislation and the Deed of Settlement. Appendix B is legally enforceable under the Settlement Legislation.
16. For the avoidance of doubt the legally enforceable parts of the Hokoatanga are contained in Appendix B and apply to MCH only.
17. Resourcing of activities under this Hokoatanga will be within the existing resource limits and align with the Government priorities of the day.

18. Moriori Imi Settlement Trust acknowledges that all agreements and commitments contained in this Hokoetanga are subject to legislative rights and obligations under which the respective Culture and Heritage Parties operate and the terms upon which specific miheke are held by the Culture and Heritage Parties.

Development of specific pieces of work

19. That Moriori language (rē Moriori) and cultural identity will be respected as a distinct and unique miheke in and of itself. The Parties agree that Moriori cultural values will be incorporated into working relationships, protocols and plans developed under this agreement as far as reasonably practicable.
20. When requested by the Moriori Imi Settlement Trust, each of the Culture and Heritage Parties will confirm joint work plans (work plans) with Moriori, in relation to matters consistent with the purpose of this Hokoetanga of specific pieces of work to be undertaken which may:
- 20.1. provide the detail of the commitments agreed by Moriori Imi Settlement Trust and each respective Culture and Heritage Party;
 - 20.2. set out a timetable and milestones for delivering on any agreed commitments;
 - 20.3. confirm the responsibilities for the various parties in meeting the agreed commitments;
 - 20.4. identify a process for resolving any issues or disputes;
 - 20.5. identify key contact persons for the parties;
 - 20.6. provide for mutually agreed outcomes; and
 - 20.7. provide for the work plans to be reviewed at the annual meeting.
21. Final topics for the work plans will be mutually agreed by Moriori Imi Settlement Trust and each respective Culture and Heritage Party and will reflect the priorities, resources and the specific functions and duties of the parties.
22. When developing work plans Culture and Heritage Parties may invite any other party to be involved in discussions about the work plan. The Culture and Heritage Parties will engage with Moriori before issuing any such invitation.
23. The Culture and Heritage Parties will endeavour to ensure, wherever reasonably practicable, that relevant forms which require respondents to provide information on their iwi/imi affiliation, including on-line registration documents, specifically enable responses that recognise the distinct identity of Moriori.

Work Plan Topics Shared by all Parties

24. Potential topics for each of the respective Culture and Heritage Parties' work plans may include, but are not limited to, the topics identified below.

24.1. Care and Management of Moriori miheke held by Culture and Heritage Parties and of land based Moriori heritage structures and monuments:

- a. to provide access, advice and guidance on miheke and cultural heritage issues;
- b. to work collaboratively with Moriori Imi Settlement Trust as far as reasonably practicable, to develop and maintain inventories for Moriori miheke;
- c. to work collaboratively with Moriori Imi Settlement Trust to research Moriori miheke;
- d. to work with Moriori Imi Settlement Trust to develop metadata for Moriori miheke;
- e. to work collaboratively with Moriori Imi Settlement Trust on miheke care, management, and storage;
- f. to develop mutually beneficial research projects that enhance the understanding of Moriori miheke and Moriori culture; and
- g. to work collaboratively with Moriori Imi Settlement Trust on the identification, preservation and protection of their land based Moriori heritage, structures and monuments.

24.2. Sharing knowledge and expertise associated with Moriori cultural heritage in order to:

- a. share access to databases and/or catalogues specific to collections and miheke, subject to licence and contractual arrangements concerning the databases and/or catalogues;
- b. share information on database use and research methodologies specific to, or that can be applied towards Moriori miheke;
- c. work together on exhibition planning processes and related activities specific to Moriori miheke;
- d. seek advice from Moriori Imi Settlement Trust regarding specific policy and tikane guidance as it relates to Moriori miheke; and
- e. share information on the preservation and protection of land based Moriori heritage, structures and monuments.

24.3. Opportunities for increased learning and capacity building relating to Moriori miheke through:

- a. conservation and training in miheke and structure preservation;
- b. collection management systems;

- c. digitisation initiatives; and
 - d. training and development, with possible internships.
25. Final topics for the work plans will be mutually agreed by Moriori Imi Settlement Trust and each respective Culture and Heritage Party and will reflect the priorities, resources and the specific functions and duties of the Parties. Appendix A and B of this Hokoatanga includes potential topics for work plans between Moriori Imi Settlement Trust and each of the Culture and Heritage Parties.

Ongoing Relationships

26. The Parties agree to meet ("hui of the Parties") if requested by either party, at a date to be mutually agreed.
27. The Parties will jointly take responsibility for confirming the hui of the Parties and the hui agenda.
28. Each party will meet its own cost of attending the hui of the Parties.

Communication

29. The Parties commit to:
- 29.1. maintain effective communication with one another on any concerns and issues arising from this Hokoatanga and its implementation;
 - 29.2. as far as reasonably practicable, provide opportunities for meetings of relevant management and staff;
 - 29.3. as far as reasonably practicable, train relevant employees of the Parties to ensure that they are made aware of this Hokoatanga and the practical tasks which flow from it;
 - 29.4. as far as reasonably practicable, inform other organisations with whom they work, central government agencies and stakeholders about this Hokoatanga and future amendments; and
 - 29.5. include a copy of this Hokoatanga on the Culture and Heritage Parties' websites.
30. It is agreed by the Parties that any issue regarding the interpretation of clauses in this Hokoatanga shall be resolved after taking into account the Moriori Imi Settlement Trust vision and principles.

Changes to Policy and Legislation Affecting this Hokoatanga

31. In addition to the specific commitments in this Hokoatanga, the Culture and Heritage Parties will consult, wherever practicable, with the Moriori Imi Settlement Trust on legislative and policy development or review which potentially affects Moriori miheke and provide for opportunities for the Moriori Imi Settlement Trust to contribute to such developments.
32. If any of the Culture and Heritage Parties consult with the public, Moriori or with Māori generally on policy development or any proposed legislative amendment to the statutes under which the Culture and Heritage Parties operate, and which impacts on the purpose of this Hokoatanga, the Culture and Heritage Parties shall:
 - 32.1. notify the Moriori Imi Settlement Trust of the proposed policy development or proposed legislative amendment upon which consultation will be occurring;
 - 32.2. make available to the Moriori Imi Settlement Trust the information provided to Moriori as part of the consultation process referred to in this clause; and
 - 32.3. advise the Moriori Imi Settlement Trust the final outcome of any such consultation.
33. Where the Culture and Heritage Parties are required to consult under this Hokoatanga, the basic principles that will be followed in consulting with Moriori Imi Settlement Trust trustees in each case are:
 - 33.1. ensuring that Moriori Imi Settlement Trust trustees are consulted as soon as reasonably practicable following the identification and determination by the Chief Executive of the Culture and Heritage party of the proposal or issues to be the subject of the consultation;
 - 33.2. providing Moriori Imi Settlement Trust trustees with sufficient information to make informed submissions in relation to any of the matters that are the subject of the consultation;
 - 33.3. ensuring that sufficient time is given for the participation of Moriori Imi Settlement Trust trustees in the decision making process including the preparation of submissions by Moriori Imi Settlement Trust trustees in relation to any of the matters that are the subject of the consultation;
 - 33.4. ensuring that the Culture and Heritage party will approach the consultation with Moriori Imi Settlement Trust trustees with an open mind, and will genuinely consider the submissions of Moriori Imi Settlement Trust trustees in relation to any of the matters that are the subject of the consultation; and
 - 33.5. reporting back to Moriori Imi Settlement Trust trustees, either in writing or in person, in regard to any decisions made that relate to that consultation.

Dispute Resolution

34. In the event that the parties cannot agree on the interpretation or implementation of this Hokoatanga, or agree revised terms following a review of the Hokoatanga, then a meeting will be convened between the Moriori Imi Settlement Trust and the Chief Executive of, or relevant Minister for, the Culture and Heritage Party (or, in the case of Te Papa and Pouhere Taonga, the Chairperson of the Board). Any Party that makes a request for a meeting will give one months' notice to the other parties.
35. Where the dispute has not been resolved within a reasonable period of time through a meeting under clause 34 then either party may require the dispute to be referred to mediation as follows:
- 35.1. the party requiring the dispute to be referred to mediation must provide written notice to the other party or parties.
- 35.2. the parties will seek to agree upon a mediator and, failing agreement within 15 working days of the date of the notice described in clause 35.1 mediator will be appointed by the President for the time being of the New Zealand Law Society. The mediator will be:
- a. familiar with tikane based dispute resolution; and
 - b. independent of the dispute.
- 35.3. the mediator will not have the power to determine the dispute, but may offer advice of a non-binding nature.
36. Where a mediator is appointed through the process described in clause 35 the costs of the mediation will be met jointly by the Parties.

Review Provision

37. This Hokoatanga will be reviewed by the Parties from time to time as agreed by the Parties, including where there is a change or a proposed change to the legislation or policy relevant to the Culture and Heritage Parties that have the potential to affect the matters included in this Hokoatanga. This review will take place at the hui of the Parties, to ensure that the vision, principles and commitments entered into in the Hokoatanga remain relevant and continue to capture the purpose of the Hokoatanga.
38. The Parties will negotiate any amendments to provisions at a hui of the Parties referred to at clause 26 and may sign an amended Hokoatanga that reflects the changes which will take effect upon signing.

Definitions

“the Area”	means the Moriori Area of Interest as defined at Appendix E
“Culture and Heritage parties”	has the same meaning given to it in “the Parties” section of this Hokoatanga
“Deaccessioned”	means the permanent removal of an item from the collections of Te Papa
“Found”	has the same meaning as in section 2 of the Protected Objects Act 1975
“Inventories”	means list of information
“Hokoatanga”	means this Hokoatanga Tiaki Miheke
“National Library”	includes the Alexander Turnbull Library
“Settlement Date”	has the same meaning as in the Deed of Settlement.
“Miheke”	includes (but is not limited to) artefacts, modified human remains, manuscripts, archives, records, information and data, including multi-media formats such as sound, still and moving images, wāhi tchap’, wāhi tchap’ areas, wāhi karāpuna, historic places and historic areas of interest to Moriori. Te Papa includes natural environment collections in its definition of miheke.
“Tchiaki Miheke”	means the care and management, use, development and revitalisation of, and access to, miheke; whether held by imi or hūnau or the Crown parties
“Miheke Tuturu”	has the same meaning as “Taonga Tūturu” as defined in section 2 of the Protected Objects Act 1975

Issued on 16 February 2022

Signing Parties

Mori Mori Imi Settlement Trust

Date:

WITNESS

Te Tari Taiwhenua Department of Internal Affairs

Date: 10/1/2022

WITNESS

Name:
Occupation:
Address:

Ministry for Culture and Heritage Manatū Taonga

Date: 22 December 2021

WITNESS

Name:
Occupation:
Address:

Date:

Museum of New Zealand Te Papa Tongarewa

Date: 25 January 2022

WITNESS

Name:
Occupation:
Address:

Museum of New Zealand Te Papa Tongarewa
Date: 25 January 2022

WITNESS

Name:
Occupation:
Address:

Heritage New Zealand Pouhere Taonga
Date: 23 December 2021

WITNESS

Name:
Occupation:
Address:

Appendix A: Work Plan Topics Specific to Culture and Heritage Parties

Potential topics for Culture and Heritage Parties' respective work plans may include, but are not limited to, the topics identified below.

Te Tari Taiwhenua Department of Internal Affairs

National Library Te Puna Mātauranga o Aotearoa

1. Collaborative Care and Management of miheke:
 - a) to work with Moriori Imi Settlement Trust to develop processes to record what material relating to Moriori miheke is being accessed from the collections;
 - b) to work with Moriori Imi Settlement Trust develop protocols concerning use of and access to material relating to Moriori miheke;
 - c) to work with Moriori Imi Settlement Trust to develop exhibition opportunities relating to Moriori Settlement miheke; and
 - d) to provide Moriori Imi Settlement Trust the opportunity to share their mātauranga regarding key activities and events at National Library.
2. Sharing knowledge and expertise associated with Moriori miheke:
 - a) to share knowledge and expertise on Moriori miheke held overseas; and
 - b) to broker relationships with New Zealand and international libraries and heritage organisations.

Archives New Zealand Te Rua Mahara o Te Kawanatanga

3. Collaborative Care and Management of miheke:
 - a) to work with Moriori Imi Settlement Trust to develop processes to record what material relating to Moriori miheke is being accessed from the collections;
 - b) to work with Moriori Imi Settlement Trust to develop protocols concerning use of and access to materials relating to Moriori miheke;
 - c) to consult with Moriori Imi Settlement Trust regarding, and provide Moriori with the opportunity to acquire, in accordance with section 25 of the Public Records Act 2005, Moriori miheke that are superfluous to the needs of Archives New Zealand; and
 - d) to develop a process to provide information to Moriori Imi Settlement Trust on the type of research being conducted when Moriori miheke are being accessed.

4. Monitoring delivery of service:

- a) to develop processes to monitor the effectiveness of the relationship with and services to Moriori Imi Settlement Trust in achieving outcomes mutually agreed in the work plans.

5. Analysis and reporting:

- a) to prepare and prioritise a list of key questions to ask regularly in written reports to Moriori Imi Settlement Trust which will help Archives New Zealand achieve outcomes mutually agreed in the work plans.

6. Advice for public offices and local authorities on access to Moriori miheke:

- a) to consult with Moriori Imi Settlement Trust, and advise public offices and local authorities, on best practice in making access decisions for access to Moriori miheke held by the public archives and local authorities.

Museum of New Zealand Te Papa Tongarewa

7. To work with Moriori Imi Settlement Trust consistent with the principle of Mana Taonga which:

- a) seeks the input of communities for guidance on how their miheke should be managed, cared for, exhibited, or represented and gives all people who have miheke in Museum of New Zealand Te Papa Tongarewa's ("Te Papa") collections a special connection to the marae – Rongomaraeroa; and
- b) shapes and informs many of Te Papa's activities and provides guidance for staff in the research, care, and management of miheke.

8. Collaborative Care and Management of miheke:

- a) to develop and maintain an inventory of Moriori miheke held at Te Papa;
- b) to work with Moriori Imi Settlement Trust to develop exhibition opportunities; and
- c) to provide opportunities to promote Moriori artists at Te Papa.

9. To provide Moriori the opportunity to share their totohungatanga regarding key activities and events at Te Papa:

- a) to recognise the Moriori Imi Settlement Trust as an Imi authority for Moriori in relation to miheke issues; and
- b) to consult with Moriori Imi Settlement Trust regarding, and provide Moriori with the opportunity to acquire, Moriori miheke that may be deaccessioned by Te Papa.

10. Sharing knowledge and expertise associated with Moriori cultural heritage kaupapa:

- a) to share knowledge and expertise associated with Moriori cultural heritage kaupapa, including the following:
 - i) Legislation (e.g. the Protected Objects Act 1975) museum policies and practices;
 - ii) Visitor Market Research & Evaluation methodology and data;
 - iii) Moriori miheke held overseas;
- b) to actively facilitate Moriori relationships with New Zealand and international museums, galleries and heritage organisations; and
- c) to actively facilitate opportunities for access and reconnection of Moriori Imi Settlement Trust miheke through the relationships stated in 10 (b) above.

Te Papa: Future Aspirations:

11. In the future Te Papa and Moriori Imi Settlement Trust will work together on:

- a) New Zealand Museum Standards Scheme;
- b) advice on cultural centre development;
- c) cultural commercial initiatives;
- d) exhibition and project partnership;
- e) confirmation of provenance of kōimi t'chakat (Moriori skeletal remains) to Rēkohu is through hokopapa and verification of accession records of holding institutions and that when such provenance to Moriori has been established any competing claims will not be investigated

Pouhere Taonga Heritage New Zealand– Moriori Heritage

12. Moriori heritage places are miheke tuku iho, integral to Rēkohu and Aotearoa/ New Zealand's culture and identity. Pouhere Taonga – Heritage New Zealand ("Pouhere Taonga") promotes the identification, protection, preservation and conservation of the historical and cultural heritage of our country.

HOKOORANGA MIHEKE MARAE - MORIORI BUILDINGS CONSERVATION PROGRAMME

13. Wharenui, waka, ana and other forms of Moriori built heritage are important miheke to preserve for the future. Pouhere Taonga actively assists imi initiatives to preserve these miheke through a range of advisory and on-site services. The Moriori marae on Rēkohu (Kōpinga) is a relatively modern building (opened in 2005) but there are traditional living places for Moriori that will require conservation assistance, such as ana and the kōpi grove settlement sites.

14. These services include:

- a) conservation assessments;
- b) conservation technical advice and services;
- c) conservation workshops; and
- d) funding advice.

MAHI HURA HENUA - MORIORI HERITAGE AND ARCHAEOLOGY

15. The Heritage New Zealand Pouhere Taonga Act 2014 ("the Act") defines an archaeological site as a place associated with pre-1900 human activity where there may be evidence relating to the history of Rēkohu and Aotearoa/New Zealand. When any development is planned that may affect an archaeological site or suspected archaeological site, the developer must apply for an archaeological authority. The archaeological authority provisions are contained in the Act. The developers must consult tāngata whenua. Pouhere Taonga staff:

- a) assess the impact of proposed land development on Moriori cultural values, and check that consultation between developers and Imi has been conducted; and
- b) help liaise with communities – tchakat henu, landowners, developers, archaeologists.

MAHI RĀRANGI KŌRERO - MORIORI HERITAGE AND THE LIST

16. Formerly known as the Register, the New Zealand Heritage List/Rārangi Kōrero ("the List") recognises historic places, historic areas, wāhi tchap', wāhi tchap' areas and wāhi karāpuna that are significant to the heritage of Aotearoa / New Zealand. Entry of Moriori heritage places on the List is a process that informs landowners and the public about these places and can also support their protection. The introduction of protection mechanisms like covenants and listing on district plans can be assisted by entering them onto the List. Inclusion on the List can also support applications for funding for preservation work. Pouhere Taonga staff will:

- a) liaise and consult with Moriori and interested groups, e.g. landowners, local authorities, government departments;
- b) specifically prepare Moriori heritage proposals for entry on the List; and
- c) assist with research, and prepare reports for the Board of Pouhere Taonga and Māori Heritage Council.

Appendix B: The Role of Manatū Taonga - Ministry for Culture and Heritage in relation to Taonga Tūturu (Miheke Tūturu)

1. The Minister for Arts, Culture and Heritage ("the Minister") and the Chief Executive of the Ministry for Culture and Heritage ("the Chief Executive") have certain roles in terms of the matters described in this Appendix B. In exercising such roles, the Minister and the Chief Executive will provide Moriori Imi Settlement Trust with the opportunity for input into those matters.

RELATIONSHIP PRINCIPLES

2. Moriori Imi Settlement Trust, the Minister and the Chief Executive agree to abide by the relationship principles set out in clauses 12 and 13 of this Hokoatanga when implementing the relationship as set out in this Appendix and in exercising the various roles and functions described in this Appendix.

HOKOAETANGA PROVISIONS

3. The Ministry for Culture and Heritage ("MCH") agrees to comply with all of its obligations to Moriori Imi Settlement Trust set out in the body of the Hokoatanga.

PROTECTED OBJECTS ACT 1975

4. The Chief Executive has certain functions, powers and duties in terms of the Protected Objects Act 1975 (formerly known as the Antiquities Act 1975) and will consult, notify and provide information to Moriori Imi Settlement Trust trustees within the limits of the Act.
5. The Protected Objects Act 1975 regulates:
 - a) the export of protected New Zealand objects;
 - b) the illegal export and import of protected New Zealand and foreign objects; and
 - c) the sale, trade and ownership of miheke tūturu, including what to do if you find a miheke or Moriori artefact.

NOTIFICATION OF TAONGA TŪTURU

6. From the date this Hokoatanga is issued the Chief Executive will:
 - a) notify Moriori Imi Settlement Trust in writing of any Miheke Tūturu found within the Area or identified as being of Moriori origin found anywhere else in New Zealand;
 - b) provide for the care, recording and custody of any Miheke Tūturu found within the Area or identified as being of Moriori origin found anywhere else in New Zealand;

- c) notify Moriori Imi Settlement Trust in writing of its right to lodge a claim with the Chief Executive for ownership of any Miheke Tūturu found within the Area or identified as being of Moriori origin found anywhere else in New Zealand;
- d) notify Moriori Imi Settlement Trust in writing of its right to apply directly to the Māori Land Court for determination of the actual or traditional ownership, rightful possession or custody of any Miheke Tūturu found within the Area or identified as being of Moriori origin found anywhere else in New Zealand, or for any right, title, estate, or interest in any such Miheke Tūturu; and
- e) notify Moriori Imi Settlement Trust in writing of any application to the Māori Land Court from any other person for determination of the actual or traditional ownership, rightful possession or custody of any Miheke Tūturu found within the Area or identified as being of Moriori origin found anywhere else in New Zealand, or for any right, title, estate, or interest in any such Miheke Tūturu.

OWNERSHIP OF MIHEKE TŪTURU FOUND IN THE AREA OR IDENTIFIED AS BEING OF MORIORI ORIGIN FOUND ELSEWHERE IN NEW ZEALAND

- 7. If Moriori Imi Settlement Trust lodges a claim of ownership with the Chief Executive and there are no competing claims for any Miheke Tūturu found within the Area or identified as being of Moriori origin found anywhere else in New Zealand, the Chief Executive will, if satisfied that the claim is valid, apply to the Registrar of the Māori Land Court for an order confirming ownership of the Miheke Tūturu.
- 8. If there is a competing claim or claims lodged in conjunction with Moriori Imi Settlement Trust's claim of ownership, the Chief Executive will consult with Moriori Imi Settlement Trust for the purpose of resolving the competing claims, and if satisfied that a resolution has been agreed to, and is valid, apply to the Registrar of the Māori Land Court for an order confirming ownership of the Miheke Tūturu.
- 9. When the Ministry is notified of a newly found miheke tūturu and is satisfied that it is at risk of physical deterioration, the Chief Executive will promptly seek professional conservation advice regarding physical care of the miheke tūturu until ownership is determined by the Māori Land Court.

CUSTODY OF MIHEKE TŪTURU FOUND IN THE AREA OR IDENTIFIED AS BEING OF MORIORI ORIGIN FOUND ELSEWHERE IN NEW ZEALAND

- 10. If Moriori Imi Settlement Trust does not lodge a claim of ownership of any Miheke Tūturu found within the Area or identified as being of Moriori origin found elsewhere in New Zealand with the Chief Executive, and where there is an application for custody from any other person, the Chief Executive will:
 - a) consult Moriori Imi Settlement Trust before a decision is made on who may have custody of the Miheke Tūturu; and
 - b) notify Moriori Imi Settlement Trust in writing of the decision made by the Chief Executive on the custody of the Miheke Tūturu.

EXPORT APPLICATIONS - EXPERT EXAMINERS

11. For the purpose of seeking an expert opinion from Moriori Imi Settlement Trust trustees on any export applications to remove any Miheke Tūturu of Moriori origin from New Zealand, the Chief Executive will register Moriori Imi Settlement Trust trustees on the MCH Register of Expert Examiners.
12. Where the Chief Executive receives an export application to remove any Miheke Tūturu of Moriori origin from New Zealand, the Chief Executive will consult Moriori Imi Settlement Trust trustees as an Expert Examiner on that application, and notify the Moriori Imi Settlement Trust trustees in writing of their decision.

THE ROLE OF THE MINISTER UNDER THE PROTECTED OBJECTS ACT 1975

13. The Minister has functions, powers and duties under the Protected Objects Act 1975 and may consult, notify and provide information to Moriori Imi Settlement Trust within the limits of the Act. In circumstances where the Chief Executive originally consulted Moriori Imi Settlement Trust as an Expert Examiner, the Minister may consult with Moriori Imi Settlement Trust where a person appeals the decision of the Chief Executive to:
 - a) refuse permission to export any Miheke Tūturu, or Ngā Taonga Tūturu, from New Zealand; or
 - b) impose conditions on the approval to export any Miheke Tūturu, or Ngā Taonga Tūturu, from New Zealand;
14. MCH will notify Moriori Imi Settlement Trust in writing of the Minister's decision on an appeal in relation to an application to export any Miheke Tūturu where Moriori Imi Settlement Trust was consulted as an Expert Examiner.

REGISTRATION AS A COLLECTOR OF KĀ MIHEKE TŪTURU

15. The Chief Executive will register Moriori Imi Settlement Trust trustees as a Registered Collector of Miheke Tūturu.

BOARD APPOINTMENTS

16. The Chief Executive shall:
 - a) notify Moriori Imi Settlement Trust trustees of any upcoming ministerial appointments on Boards which the Minister for Arts, Culture and Heritage appoints to;
 - b) add Moriori Imi Settlement Trust trustees' nominees onto MCH's Nomination Register for Boards, which the Minister appoints to; and
 - c) notify Moriori Imi Settlement Trust trustees of any ministerial appointments to Boards which the Minister appoints to, where these are publicly notified.

NATIONAL MONUMENTS, WAR GRAVES AND HISTORIC GRAVES

17. The Chief Executive shall seek and consider the views of Moriori Imi Settlement Trust trustees on any national monument, war grave or historic grave managed or administered by MCH, which specifically relates to Moriori interests and/or is located in the Moriori Area of Interest

HISTORY PUBLICATIONS RELATING TO MORIORI

18. The Chief Executive shall:

- a) provide Moriori Imi Settlement Trust trustees with a list and copies of all history publications commissioned or undertaken by MCH that relate substantially to Moriori; and
- b) where reasonably practicable, consult with Moriori Imi Settlement Trust trustees on any work MCH undertakes that relates substantially to Moriori:
 - i) from an early stage;
 - ii) during the process of undertaking the work; and
 - iii) before making the final decision on the material of a publication.

19. Moriori Imi Settlement Trust trustees accept that the author, after genuinely considering the submissions and/or views of, and confirming and correcting any factual mistakes identified by Moriori Imi Settlement Trust trustees, is entitled to make the final decision on the material of the historical publication.

PROVISION OF CULTURAL AND/OR SPIRITUAL PRACTICES AND PROFESSIONAL SERVICES

20. When the Chief Executive requests cultural and/or spiritual practices to be undertaken by Moriori within the Area, the Chief Executive will make a contribution, subject to prior mutual agreement, to the costs of undertaking such practices.
21. Where appropriate, the Chief Executive will consider using Moriori Imi Settlement Trust trustees as a provider of professional services. The procurement by the Chief Executive of any such services set out in clause 20 and 21 of Appendix B is subject to the Government Procurement Rules, all government good practice policies and guidelines, and MCH's purchasing policy.

Appendix C: Background information of the agencies

Te Tari Taiwhenua (Department of Internal Affairs)

1. Te Tari Taiwhenua Department of Internal Affairs ("the Department") is the oldest government department and has been part of the fabric of New Zealand's Public Service since the signing of the Treaty of Waitangi.
2. The Department serves and connects people, communities and government to build a safe, prosperous and respected nation. The Department is responsible to six Ministers administering six Votes across seven portfolios. Our portfolios include Internal Affairs, Ministerial Services, Ethnic Affairs, Civil Defence, Racing, Local Government and the Community and Voluntary sector.
3. The Minister of Internal Affairs oversees the Government's ownership interests in the Department which encompass its strategy, capability, integrity and financial performance.
4. The Department:
 - (a) provides direct services to people, communities and government;
 - (b) provides policy advice to government;
 - (c) regulates peoples activity, encourages compliance and enforces the law;
 - (d) monitors performance; and
 - (e) currently employs 1500 staff in 21 cities and towns in New Zealand, Sydney and London.
5. In March 2010 Cabinet agreed that the functions of the National Library and Archives New Zealand should be amalgamated into the Department of Internal Affairs. From the date of legal amalgamation the Chief Executive of the Department of Internal Affairs will be accountable for the functions of the National Library and of Archives New Zealand.
6. The Chief Executive of the Department is responsible and accountable for the implementation of, and commitments set out in, this Hokoetanga in relation to the functions of the National Library and of Archives New Zealand, and will have an important role in managing the overall relationship with Moriori.

National Library of New Zealand (Te Puna Mātauranga o Aotearoa)

7. The National Library of New Zealand is set up under the National Library of New Zealand (Te Puna Mātauranga o Aotearoa) Act 2003. Under section 7 of the Act, the purpose of the National Library is to enrich the cultural and economic life of New Zealand and its interchanges with other nations by, as appropriate:

- (a) collecting, preserving, and protecting documents, particularly those relating to New Zealand, and making them accessible for all the people of New Zealand, in a manner consistent with their status as documentary heritage and miheke;
 - (b) supplementing and furthering the work of other libraries in New Zealand; and
 - (c) working collaboratively with other institutions having similar purposes, including those forming part of the international library community.
8. The Alexander Turnbull Library forms part of the National Library. Under section 12 of the Act, the purposes of the Alexander Turnbull Library are:
- (a) to preserve, protect, develop, and make accessible for all the people of New Zealand the collections of that library in perpetuity and in a manner consistent with their status as documentary heritage and miheke;
 - (b) to develop the research collections and the services of the Alexander Turnbull Library, particularly in the fields of New Zealand and Pacific studies and rare books; and
 - (c) to develop and maintain a comprehensive collection of documents relating to New Zealand and the people of New Zealand.

Archives New Zealand (Te Rua Mahara o te Kāwanatanga)

9. Archives New Zealand leads in advising on and monitoring the public record, and in the preservation of public records of long-term value. Archives New Zealand administers the Public Records Act 2005 which sets the functions the department is required to provide and the powers necessary to carry out these functions.
10. Archives New Zealand works to achieve the following outcomes:
- (a) Full and accurate records are kept by public sector agencies;
 - (b) Public archives are preserved and well-managed;
 - (c) Public archives are accessible and used; and
11. Archives New Zealand has a leadership and regulatory role in shaping, and intervening where necessary, in the information management practices of public sector agencies. This includes developing standards for information creation and maintenance, and providing advice and training for those implementing these standards.
12. Records of long-term value are transferred to the public archive on the authority of the Chief Archivist who has the statutory responsibility to determine whether to keep or dispose of information. These records form the record of each government administration.

13. Archives New Zealand ensures that public archives are preserved and well managed, while making those in the public arena accessible. The majority of the public archive is held in Archives New Zealand's repositories in Auckland, Wellington, Christchurch and Dunedin.
14. Access to the public archive is promoted through customer assistance and support in each of Archives New Zealand's four reading rooms across the country, our remote enquiries service, along with an increasing online digital presence.
15. Archives New Zealand has a responsibility to provide leadership and support for archival activities across New Zealand including the safekeeping of private and community records. Maintaining a presence and working within the wider community, including Māori, iwi and hānau is important to the department's role and responsibility. The regional offices provide local communities with access to records of local significance. Together we support government recordkeeping and Māori, iwi and hānau with the care and management of archives.

Museum of New Zealand Te Papa Tongarewa (Te Papa)

16. The Museum of New Zealand Te Papa Tongarewa ("Te Papa") is an autonomous Crown Entity under the Crown Entities Act 2004. It was established by the Museum of New Zealand Te Papa Tongarewa Act 1992, replacing the former National Museum and National Art Gallery.
17. Te Papa's purpose, as stated in the Museum of New Zealand Te Papa Tongarewa Act, is to "provide a forum in which the nation may present, explore, and preserve both the heritage of its cultures and knowledge of the natural environment in order to better understand and treasure the past, enrich the present and meet the challenges of the future".
18. Under the Act, in performing its functions, Te Papa shall:
 - (a) have regard to the ethnic and cultural diversity of the people of New Zealand, and the contributions they have made and continue to make to New Zealand's cultural life and the fabric of New Zealand society;
 - (b) endeavour to ensure both that the Museum expresses and recognises the mana and significance of Māori, European, and other major traditions and cultural heritages, and that the Museum provides the means for every such culture to contribute effectively to the Museum as a statement of New Zealand's identity;
 - (c) endeavour to ensure that the Museum is a source of pride for all New Zealanders.
19. For further information such as Annual Reports, Statements of Intent, and Statements of Performance Expectations, please refer to the Te Papa website: <https://www.tepapa.govt.nz/about/what-we-do/annual-reports-and-key-documents>

Manatū Taonga – Ministry for Culture and Heritage

20. The Ministry works with national cultural agencies such as NZ On Air, Creative New Zealand, the New Zealand Film Commission, and Te Papa Tongarewa. We administer their funding, monitor their activities and support appointees to their boards.
21. The Ministry provides advice to government on where to focus its interventions in the cultural sector. It seeks to ensure that Vote funding is invested as effectively and efficiently as possible, delivering the most collective outcome, and that government priorities are met. The Ministry supports the Minister for Arts, Culture and Heritage, the Minister of Broadcasting, Communications and Digital Media, and the Minister for Sport and Recreation.
22. The Ministry is responsible for, and has a strong track record of, delivering high-quality publications (including websites), managing significant heritage and commemorations, and acting as guardian of New Zealand's culture and kaitiaki of New Zealand's miheke. The Ministry's work prioritises cultural outcomes and also supports educational, economic and social outcomes, linking with the work of a range of other government agencies.
23. We maintain war graves and national memorials, including the National War Memorial. We award grants for regional museum projects, historical research, and Waitangi Day celebrations. The Ministry also maintains several heritage websites including Te Ara and NZHistory.govt.nz.

Heritage New Zealand Pouhere Taonga

24. Heritage New Zealand Pouhere Taonga is the leading national historic heritage agency. We operate in an environment marked by a growing interest in heritage, recognition of its social, cultural, environmental and economic benefits to our country, and awareness of its importance to national identity.
25. Heritage New Zealand Pouhere Taonga is an autonomous Crown Entity under the Crown Entities Act 2004. It is supported by the Government and funded via Vote Arts, Culture and Heritage through the Ministry for Culture and Heritage. Its work, powers and functions are prescribed by the Heritage New Zealand Pouhere Taonga Act 2014.
26. Most protective mechanisms for land-based historic heritage are administered by local authorities through their District Plan policies and heritage listings under the Resource Management Act 1991, although Heritage New Zealand Pouhere Taonga retains regulatory responsibilities regarding archaeological sites.
27. It is currently governed by a Board of Trustees, assisted by a Māori Heritage Council. The national office is in Wellington, with regional and area offices in Kerikeri, Auckland, Tauranga, Wellington, Christchurch and Dunedin, and a portfolio of 48 historic properties we care for around the country.

Appendix D: Glossary/ Kuputaka

Term	Definition
Ana	Cave
Hokoaetanga	Agreement (Whakaaetanga)
Hokopapa	Ancestry (Whakapapa)
Hūnau	Family <i>plural</i> (Whānau)
Imi	Tribe, bones (Iwi)
Karāpuna	Ancestors <i>plural</i> (Tūpuna)
Kōimi t'chakat	Human remains (Kōiwi tangata)
Miheke	Treasure (Taonga)
Rākau momori	Living tree engraving (memorial tree)
Rē	Language (Reo)
Rēkohu	Chatham Islands (also name of the main Chatham Island). <i>To see the sun through mist.</i>
Tchakat henu	Indigenous people of the land (Tangata whenua)
tchap'	Sacred (Tapu)
Tiaki	Care for
Totohungatanga	Knowledge (Mātauranga)
Wāhi tchap'	Sacred place, landscape (Wāhi tapu)

Appendix E: Moriori Area of Interest

