Te Tari Whakatau
The Office of Treaty Settlements and Takutai Moana

Level 2, Justice Centre
19 Aitken Street
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17 August 2026

Renika Siciliano
Legal Counsel
Ngaitai Iwi Authority

Tēnā koe Renika

**Modified ouster clause in the Ngai Tai Treaty settlement**

Thank you for your letter of 4 June, and for discussions to date, on the Ngai Tai position regarding the jurisdiction of the Waitangi Tribunal in respect of Ngai Tai historical claims upon and subsequent to the Ngai Tai settlement date.

As advised verbally at our meeting on 31 July, Cabinet has agreed the standard ouster provisions in the Ngai Tai settlement legislation be amended in regard to the Wai 1750 North-Eastern Bay of Plenty District Inquiry (Wai 1750 District Inquiry). Cabinet has agreed the modified ouster provisions allow for the Waitangi Tribunal to continue the Wai 1750 District Inquiry, and make findings, but not recommendations under sections 6(3), 8A or 8HB of the Treaty of Waitangi Act 1975, in relation to Ngai Tai historical claims.

These changes to the standard ouster clause will only apply to the Wai 1750 District Inquiry.

This decision reflects the understanding that Ngai Tai members who are participating in the Wai 1750 District Inquiry will want to see their history reflected in the inquiry report, and that the inquiry is ongoing and is not likely to be concluded before the settlement bill is introduced into the House of Representatives. This decision also reflects the intention of the Crown and Ngai Tai that the Ngai Tai settlement will be full and final as to all historical claims of Ngai Tai, whether the subject of the Wai 1750 inquiry or not.

Cabinet's decision will be reflected in the draft Ngai Tai deed and settlement bill ahead of the planned initialling in September this year. Please reach out if you have any questions in the meantime.

Nāku noa, nā

Keawe Woodmore
**Negotiation and Settlement Manager**

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