



Minister of Energy

K J Landaus
PO Box 43
HAAST

Dear Mr Landaus

In June this year the Secretary of Commerce wrote to you about the Government's decision to vest the Crown's current rights to pounamu (greenstone) in Te Runanga o Ngai Tahu. The Government's intention was that while existing licences would continue, existing applications for licences and permits would not be granted.

The legislative process for implementing that decision has commenced. The Ngai Tahu (Pounamu Vesting) Bill, which transfers the ownership of Crown owned pounamu to Te Runanga o Ngai Tahu, was introduced into the House on 1 August this year. The Bill has been referred to the Maori Affairs Select Committee and it will be considered by the next Parliament. Any interested person will have the opportunity to make submissions to, and appear before, the Select Committee. The Bill specifically provides that applications for licences and permits under the Mining Act 1971 and the Crown Minerals Act 1991 for pounamu will not be granted. Any existing licences will not be affected.

Although I am not able to guarantee the successful passage of the Bill, I consider it appropriate at this time to deal with the issue of compensating persons who have made applications for licences and permits for pounamu. The current Government's commitment to settling Ngai Tahu's Treaty claim to pounamu has been confirmed with the introduction of the Bill.

As noted above the Bill provides that the Minister of Energy shall not grant any applications for a permit made before the commencement of the Act. In recognition of the costs you have incurred in making your application I propose to reimburse you for the statutory costs of your application.

In order to be eligible for this offer, your application must meet the following criteria:

- pounamu (greenstone) must be the primary mineral of the application;
- the application must have been lodged by 1 August 1996;
- and the application must be undetermined.

FAX (04) 471 2930

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In relation to applications meeting the above criteria, I propose to reimburse the following costs:

- i all application fees will be refunded in full. The application fees cover the statutory fee for the lodgement and consideration of the application;
- ii any costs associated with obtaining a Chief Surveyor's Report for your application will be refunded. You will need to provide the appropriate documentation to claim the expenses associated with obtaining a Chief Surveyor's Report;
- iii any costs of advertising in accordance with section 104 of the Mining Act 1971 will be refunded. You will need to provide the appropriate documentation to claim the advertising expenses;
- iv any costs associated with a Planning Tribunal hearing in relation to the application. These costs may have been incurred if objections to the application were lodged. These costs will be reimbursed on production of the appropriate documentation.

If you wish to withdraw your licence application now and accept this offer of compensation please write to the Manager, Crown Minerals Group, Ministry of Commerce, PO Box 1473, Wellington, enclosing the receipts as appropriate.

The uncertainty brought about by having a moratorium on granting permits until the Treaty claim was settled has been undesirable. I am pleased that progress has been made on this aspect of Ngai Tahu's Treaty claim and the issue of outstanding permit applications can now be resolved.



Hon Doug Kidd
Minister of Energy