




PRIME MINISTER

21 August 1997

*Received
30 August 1997*


Mr KJ Landaus
PO Box 56
COLLINGWOOD

Dear Mr Landaus

Thank you for your letter of 18 June 1997 raising concerns about the Ngai Tahu (Pounamu Vesting) Bill, and the settlement of Ngai Tahu's Treaty of Waitangi claim.

The Government is committed to resolving proven Treaty of Waitangi claims against the Crown. Ngai Tahu's claims to pounamu fall into this category. The Government's intention to return ownership of pounamu to Ngai Tahu (within its tribal area) has been known for some time.

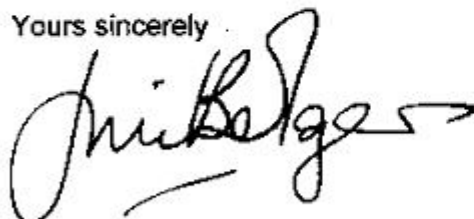
The Ngai Tahu (Pounamu Vesting) Bill proposes return of pounamu to Ngai Tahu. It also provides for those with current mining permits to continue mining until their permits expire. Future applications to mine pounamu will need to be directed to the new owner, Te Runanga o Ngai Tahu.

In my view, the Government does not have a duty to retain Crown ownership of pounamu, or to guarantee individuals rights to mine it. As you will be aware, the right to mine pounamu has always been by way of the grant of a permit. The Crown Minerals Act (and the Mining Act before it) does not provide for automatic granting or renewal of mining permits.

I can appreciate your concern about the impact of the proposed return on your business. I can assure you that the Government did consider the lawful interests of miners of pounamu when deciding to return pounamu. The Government has determined, however, that the settlement of Ngai Tahu's long standing and proven grievance in relation to improper acquisition of pounamu by the Crown is in the interests of the wider community.

The Government is prepared to pay limited compensation to those who applied for mining permits prior to the Bill being passed. This compensation will cover statutory expenses incurred in applications for licences, and will be paid on presentation of receipts. I understand that you have been advised that you are eligible to apply for compensation on this basis.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Bolger', with a long horizontal flourish extending to the right.

Rt Hon JB Bolger
Prime Minister