



TE RUNANGA O NGATI WHATUA

MEMORANDUM OF AGREEMENT
BETWEEN THE UNIVERSITY OF OTAGO AND TE RUNANGA O NGATI WHATUA

TE TIMATANGA O TE MATAURANGA KO TE WHAKAARO
JULY 2006

BETWEEN

TE RUNANGA O NGATI WHATUA a body corporate constituted under Te Runanga o Ngati Whatua Act 1988 (Ngati Whatua)

AND

The UNIVERSITY OF OTAGO a research-led University founded in 1869 by an ordinance of the Otago Provincial Council

PREAMBLE

Te Runanga o Ngai Tahu acknowledges that the University of Otago is both a national and international university, that its campus extends outside the Ngai Tahu boundary and that the University is developing relationships with other tangata whenua/Iwi within their respective tribal takiwa as appropriate.

BACKGROUND

- 1 The Treaty of Waitangi (1840) establishes a relationship between Te Kawanatanga as exercised by The Crown and Te Tino Rangatiratanga as exercised by Iwi.
2 Under the Treaty of Waitangi both the Crown and tangata whenua have rights and obligations towards one another as Treaty partners.
3 Te Runanga o Ngati Whatua is the sole representative body and authorised voice of Ngati Whatua to deal with issues affecting the whole of Ngati Whatua.
4 The University of Otago, from its foundation in 1869 has embraced national and international roles with its mission to "advance, preserve and promote knowledge, critical thinking and intellectual independence to enhance the understanding, development and well-being of individuals and society."
5 The University of Otago has established a Centre in Auckland, for the purposes of:
5.1 Accommodating an extension of the University's Student Liaison, from which Liaison Officers visit over 250 schools in Auckland and Northland and from which Kaitakawaenga Maori (Maori Liaison Officers) work with current and intending Maori students from Auckland and Northland.
5.2 Providing a Centre for the teaching of specialist courses and distance education.

UNDERSTANDING

- 6 This Memorandum of Agreement is pursuant to clauses 7.2 and 7.3 below and recognises the primary Treaty relationship, embodied in the Memorandum of Understanding, between Ngai Tahu and the University of Otago.
7 The University of Otago considers that under the Treaty of Waitangi, its approach to fulfilling its treaty obligations are by:
7.1 Contributing to the achievement of tangata whenua/Iwi aspirations through a treaty-based partnership primarily with Ngai Tahu, to establish a protocol that gives effect to a partnership based on the Treaty of Waitangi.
7.2 Giving effect to the educational aspirations of Ngai Tahu and other Iwi by realising their treaty obligations as expressed in clause 5 of the University of Otago Charter.
7.3 Entering into treaty-based agreements and relationships with other Iwi as appropriate.

- 8 Ngati Whatua considers that under the Treaty of Waitangi:
8.1 Ngati Whatua has continued to exercise Tino Rangatiratanga and manawhenua within their rohe along with the continuing responsibility of exercising kaitiaki-tanga and manaakitanga.
8.2 Ngati Whatua will remember in perpetuity, that Te Tiriti is imbued with the mana of their ancestors who signed it so their focus is therefore Te Wairua o Te Tiriti.
9 In its exercise of manaakitanga towards all Iwi residing within its own rohe, Ngati Whatua endeavours to support the University of Otago Auckland Centre and education networks that the University of Otago may from time to time establish and operate within te rohe o Ngati Whatua.

OBJECTIVES

- 10 Ngati Whatua and the University of Otago will:
10.1 Support increased opportunities for involvement in University education by Ngati Whatua and Maori whanau within te rohe o Ngati Whatua;
10.2 In areas of mutual interest, pursue joint developments;
10.3 In areas of mutual interest, establish research initiatives that contribute to Maori development.

COMMITMENT TO WORK TOGETHER

- 11 Ngati Whatua and the University of Otago wish to subscribe to this Memorandum of Agreement as a statement of their spirit of cooperation and good faith towards one another, whilst mutually acknowledging that this memorandum is not intended to create legally binding relationships between them.
12 The parties wish to record their mutual understandings of the ways they intend to strengthen their treaty-based relationship in the area of tertiary education provided by the University of Otago.
13 The parties agree to co-operate in the implementation of the objectives that will give effect to the Memorandum of Understanding.
14 Nominees of the University of Otago and Te Runanga o Ngati Whatua will meet from time to time to review progress on this memorandum and to identify priority issues and tasks.

MECHANISMS AND PROCESSES FOR CO-OPERATION

- 15 Both parties agree to put in place mechanisms and processes through which the objectives of this agreement can be fulfilled.
16 Ngati Whatua and the University of Otago wish to conduct their dealings under this Memorandum of Agreement according to the Relationship Guidelines in Appendix II.

REVIEW OF THIS MEMORANDUM OF AGREEMENT

- 17 This Memorandum of Agreement will operate indefinitely unless either party to this memorandum gives three months notice in writing to the other to end it. This Memorandum of Agreement will be reviewed every four years.

1 See Appendix 1
2 Memorandum of Understanding between the University of Otago and Te Runanga o Ngai Tahu, 2005, Page 1
3 University of Otago Charter, 2003, Page 1



FOR AND ON BEHALF OF THE UNIVERSITY OF OTAGO

Lindsay Brown
Chancellor
Date
Professor David Skegg
Vice-Chancellor
Date

SIGNED:

FOR AND ON BEHALF OF TE RUNANGA O NGATI WHATUA

Rangimarie Naida Glavish
Chairman
Date
Allan Matthew Pivac
Chief Executive
Date



Appendix I. WHAKATAUKI

TE TIMATANGA O TE MATAURANGA KO TE WHAKAARO
The genesis of all wisdom is inspiration, thoughts, dreams and ideas.

The above phrase comes from an age where tohunga were the founts of all learning and the term "taonga" was used to describe the divine gifts of Io the Supreme Being and Creator of the Universe.

Tohunga, the human repository of all knowledge most sacred, were imbued and equipped with metaphysical powers which enabled them to enter at will, the "godly zone" where thoughts and ideas (whakaaro), which have never before occurred in the mind of another individual were manifested to them. The term "matau" means to know something that has not been known before and the term matauranga is applied to the learning of such things.

On their return to the present time and space continuum, those tohunga translated their divine gifts into learning for others within the Iwi.

Tepania Kingi, 10 October 2005

Appendix II. RELATIONSHIP GUIDELINES

PEOPLE WITHIN THIS RELATIONSHIP

People representing Ngati Whatua and the University of Otago in dealings under the accompanying Memorandum of Agreement will be people who:

- Understand the Memorandum of Agreement;
Understand the wairua and the principles of the Treaty of Waitangi;
Will help one another to gain a greater appreciation of the issues they respectively face in giving effect to the relationship represented by the Memorandum of Agreement;
Are prepared to work together for solutions to impediments to implementing the relationship represented by the Memorandum of Agreement;
Understand current issues surrounding Maori involvement and achievement in higher education.

MEETINGS

Ngati Whatua and the University of Otago will meet from time to time as mutually agreed. Meetings will be held at a mutually agreed venue. Meetings will be conducted according to the protocols of the host. The host of the meeting will make a record of the meeting and any agreed resolutions.

INFORMATION

Ngati Whatua and the University of Otago will co-operate and share information as appropriate to conduct their dealings under this relationship.