

# Hon Damien O'Connor

MP for West Coast-Tasman

Minister of Agriculture

Minister for Biosecurity

Minister for Land Information

Minister for Rural Communities

Minister for Trade and Export Growth



The Rt Hon Anne-Marie Trevelyan MP  
Secretary of State for International Trade  
United Kingdom of Great Britain and Northern Ireland

28 February 2022

Dear Secretary of State

1. In connection with the signing on this date of the Free Trade Agreement between New Zealand and the United Kingdom of Great Britain and Northern Ireland (“Agreement”), I have the honour to confirm the understanding reached between the Government of New Zealand and the Government of the United Kingdom of Great Britain and Northern Ireland regarding the Haka Ka Mate.
2. New Zealand and the United Kingdom each acknowledge Ngāti Toa Rangatira’s<sup>1</sup> guardianship of the Haka Ka Mate.
3. For New Zealand, the Haka Ka Mate has particular importance, given its history and significance to the iwi Ngāti Toa Rangatira described below:
  - (a) The Haka Ka Mate was composed around 1820 by the famous Ngāti Toa chief Te Rauparaha, and is an iconic part of New Zealand culture. Although it may be known to some through its performance by cultural groups and New Zealand sports teams, it has special cultural significance for Ngāti Toa Rangatira.
  - (b) For Ngāti Toa Rangatira, the Haka Ka Mate has come to represent both the survival of Te Rauparaha as well as the re-establishment and re-invention of the Ngāti Toa Rangatira people as a result of his vision and actions.

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<sup>1</sup> In this letter, “**Ngāti Toa Rangatira**” refers to the iwi (tribe) defined as the collective group composed of individuals who are descended from:

- (a) Toa Rangatira;
- (b) any other recognised ancestor of Ngāti Toa Rangatira who migrated permanently to the area of interest of Ngāti Toa Rangatira in the nineteenth century and who exercised customary rights predominantly within that area;
- (c) includes those individuals; and
- (d) includes any whānau (extended family group), hapū (kinship group), or group to the extent that it is composed of those individuals.

- (c) Ngāti Toa Rangatira, as the kaitiaki (guardians) of the Haka Ka Mate, seek to ensure that any performance of the haka is undertaken in a manner that respects the values of ihi, wehi, and wana that Ngāti Toa Rangatira seeks to uphold. The ihi being the spiritual force and the wehi and wana being the emotions that emanate from understanding and performing correctly, inspiring emotional pride in the performers.
  - (d) As kaitiaki, the Ngāti Toa Rangatira's relationship with the Haka Ka Mate is perpetual and Ngāti Toa Rangatira's cultural obligations to protect the Haka Ka Mate from mistreatment, such as offensive and derogatory use, will continue.
  - (e) New Zealand domestic legislation acknowledges the significance of the Haka Ka Mate as a taonga (treasure) of Ngāti Toa Rangatira and an integral part of Ngāti Toa Rangatira history, culture, and identity and provides Ngāti Toa Rangatira a right of attribution in relation to Ka Mate.
4. I have the honour of proposing that this letter and your letter in reply, confirming that your Government shares the understanding set out in paragraph 2, will constitute an understanding between our two Governments of the matters set out in paragraph 2 that will come into effect on the date of entry into force of the Agreement.

Yours sincerely

Hon Damien O'Connor  
Minister for Trade and Export Growth  
New Zealand



## Department for International Trade

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28 February 2022

Dear Minister,

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

1. “In connection with the signing on this date of the Free Trade Agreement between New Zealand and the United Kingdom of Great Britain and Northern Ireland (“Agreement”), I have the honour to confirm the understanding reached between the Government of New Zealand and the Government of the United Kingdom of Great Britain and Northern Ireland regarding the Haka Ka Mate.
2. New Zealand and the United Kingdom each acknowledge Ngāti Toa Rangatira’s<sup>1</sup> guardianship of the Haka Ka Mate.
3. For New Zealand, the Haka Ka Mate has particular importance, given its history and significance to the iwi Ngāti Toa Rangatira described below:
  - (a) The Haka Ka Mate was composed around 1820 by the famous Ngāti Toa chief Te Rauparaha, and is an iconic part of New Zealand culture. Although it may be known to some through its performance by cultural groups and New Zealand sports teams, it has special cultural significance for Ngāti Toa Rangatira.
  - (b) For Ngāti Toa Rangatira, the Haka Ka Mate has come to represent both the survival of Te Rauparaha as well as the re-establishment and re-invention of the Ngāti Toa Rangatira people as a result of his vision and actions.

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<sup>1</sup> In this letter, “**Ngāti Toa Rangatira**” refers to the iwi (tribe) defined as the collective group composed of individuals who are descended from:

- (a) Toa Rangatira;
- (b) any other recognised ancestor of Ngāti Toa Rangatira who migrated permanently to the area of interest of Ngāti Toa Rangatira in the nineteenth century and who exercised customary rights predominantly within that area;
- (c) includes those individuals; and
- (d) includes any whānau (extended family group), hapū (kinship group), or group to the extent that it is composed of those individuals.

- (c) Ngāti Toa Rangatira, as the kaitiaki (guardians) of the Haka Ka Mate, seek to ensure that any performance of the haka is undertaken in a manner that respects the values of ihi, wehi, and wana that Ngāti Toa Rangatira seeks to uphold. The ihi being the spiritual force and the wehi and wana being the emotions that emanate from understanding and performing correctly, inspiring emotional pride in the performers.
  - (d) As kaitiaki, the Ngāti Toa Rangatira's relationship with the Haka Ka Mate is perpetual and Ngāti Toa Rangatira's cultural obligations to protect the Haka Ka Mate from mistreatment, such as offensive and derogatory use, will continue.
  - (e) New Zealand domestic legislation acknowledges the significance of the Haka Ka Mate as a taonga (treasure) of Ngāti Toa Rangatira and an integral part of Ngāti Toa Rangatira history, culture, and identity and provides Ngāti Toa Rangatira a right of attribution in relation to Ka Mate.
4. I have the honour of proposing that this letter and your letter in reply, confirming that your Government shares the understanding set out in paragraph 2, will constitute an understanding between our two Governments of the matters set out in paragraph 2 that will come into effect on the date of entry into force of the Agreement.”

I have the honour to confirm that paragraph 2 of the above reflects the understanding reached between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of New Zealand and that your letter and this letter in reply constitute an understanding between our two Governments of the matters set out in paragraph 2 of your letter that will come into effect on the date of entry into force of the Agreement.

Yours sincerely,

**THE RT HON ANNE-MARIE TREVELYAN MP**  
Secretary of State for International Trade  
United Kingdom of Great Britain and Northern Ireland