



Te Rūnanga o NGĀI TAHU

A GUIDELINE FOR FILMING WITHIN THE TAKIWĀ OF NGĀI TAHU

Background

These guidelines have been jointly prepared by Te Rūnanga o Ngāi Tahu and the Screen Producers and Directors Association of New Zealand (SPADA) as information for screen production companies intending to film within the South Island Ngāi Tahu boundaries. Film New Zealand also endorses these guidelines.

Ngāi Tahu is the Maori tribe of the southern islands of New Zealand. For a brief written description of Ngāi Tahu and their boundaries see <http://www.Ngāitahu.iwi.nz/About-Ngāi-Tahu/>

Filming means screen production including television programmes, feature films, documentaries and commercials.

These guidelines were prepared to help address concerns raised by Ngāi Tahu over filming within their tribal area. The fundamental rationale of these guidelines is to promote mutual respect. The guidelines have been prepared to foster understanding and to provide production companies with information which allows them to plan effectively.

The concerns of Ngāi Tahu, which will require prior thought by production companies, include:

- use of indigenous knowledge. This should only be used in consultation with the owners of that knowledge
- misuse/misappropriation of iwi history/stories/ legends
- perceived inappropriate use of culturally significant images eg. Aoraki/Mt Cook; marae; traditional carvings etc. Inappropriate use can include the subject of filming (eg. a toilet paper or cigarette commercial) or the depiction of Aoraki/Mt Cook (eg. standing on the summit)
- significant adverse effects on the environment, including indigenous species, caused by the production
- consulting with the wrong iwi / Papatipu Rūnanga and/or individual
- resourcing for significant time spent on helping the production company get the required Department of Conservation and/or Council consents

- resourcing for iwi liaison when the filming involves sourcing iwi talent, locations, props etc

1. Intellectual property issues

There should be NO use of Ngāi Tahu spiritual, cultural, historical or traditional association (“intellectual property”) in the production or its subject matter without first obtaining the permission of Te Rūnanga o Ngāi Tahu and the relevant Papatipu Rūnanga.

Conditions that will be sought when there is use of Ngāi Tahu intellectual property in the production may include any or all of the following:

- payment for iwi liaison to source talent, props, locations, and negotiate locations agreements
- release forms/vetting of information
- agreed designated uses of footage
- acknowledgment by the production company of the rights of tangata whenua to its intellectual property
- acknowledgment by tangata whenua of the rights of the production company to its intellectual property
- acknowledgment in the credits
- where negotiated, a DVD copy of the final film material
- where negotiated, a copy of field footage and/or stills

2. Location issues

These centre on the appropriateness of the location planned for filming in terms of possible cultural effects (eg. wāhi tapu areas; tribal properties; significant sites such as Tōpuni) and environmental effects.

For land administered by the Department of Conservation, there is a requirement on the Department to consult with Ngāi Tahu over filming in Tōpuni areas, nohoanga sites, tribal properties, and any other areas specified by the Papatipu Rūnanga to the Department. In addition, it is expected that consultation will occur over any major film occurring on land administered by the Department of Conservation and over filming applications where the Department has significant concerns over effects. Prior consultation with Ngāi Tahu before seeking a Department of Conservation concession can be useful so production companies can plan their concession application effectively.

For lands not administered by the Department of Conservation production companies will need to consult over filming in Statutory Acknowledgment areas or any areas of known cultural significance. It would also be a courtesy to notify the local Papatipu Rūnanga and Te Rūnanga o Ngāi Tahu over major filming projects in their area.

Tōpuni sites and other special areas to Ngāi Tahu can be found on

<http://www.Ngāitahu.iwi.nz/About-Ngāi-Tahu/Settlement/Settlement-Offer/Cultural-Redress/Mana-Recognition.php>

Conditions sought may include an iwi representative being on site for filming in sensitive sites to ensure the correct protocols are followed. This would involve a contract of service.

3. Relationship issues

For productions proposing to use a culturally significant location it is strongly advised that the applicants make direct contact with Te Rūnanga o Ngāi Tahu as early as possible. The aim is to develop a good relationship and make the consultation process work as smoothly as possible. Te Rūnanga can also advise on potential issues for Ngāi Tahu at this early stage in case there are significant cultural concerns of which the applicants may be unaware.

For filming where there is significant Ngāi Tahu content as part of the subject matter of the film, it will be necessary to employ an iwi liaison person to work directly with the Ngāi Tahu people concerned. Ngāi Tahu Communications will be the normal channel for this liaison. Their role includes sourcing iwi talent, ensuring proper protocols are followed, advising on appropriateness of content, assisting with contracts and protecting tangata whenua intellectual property rights. The goal is to ensure that the film making process is efficient, respectful and mutually beneficial.

4. Costs and charging

- (a) For *minor productions requiring consultation over Department of Conservation locations*, no charge will be made.
- (b) For *productions requiring consultation over location only*, especially where proposed use is significant, the production company will need to consult directly with the Papatipu Rūnanga. In this case, it is courteous to provide a monetary koha. This is in recognition of time spent by the Papatipu Rūnanga to assist the applicant getting the necessary Department of Conservation and/or Council consents, and to cover marae/office costs for the meeting. In some cases, the Papatipu Rūnanga may have a charging policy in place. It is recommended that the applicant seek this information prior to the meeting.

Contact details for the Papatipu Rūnanga may be obtained from the Ngāi Tahu website <http://www.Ngāitahu.iwi.nz/Te-Runanga/Papatipu-Runanga/>

- (c) For *filming that involves significant Ngāi Tahu content*, Ngāi Tahu Communications is the designated iwi liaison contact. A contract of service will normally be required. Please note that there will be costs incurred for this and will be negotiable depending on the amount of work involved.

5. Contacts

Ngāi Tahu Communications Ltd

Attention: Blade Jones
 P O Box 13 469
 Christchurch, Aotearoa/ New Zealand
 Tel. (64 3) 64 3 371 3901
 Email: blade.jones@ngaitahu.iwi.nz

Te Rūnanga o Ngāi Tahu

P O Box 13 046,
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 Web: www.ngaitahu.iwi.nz

Film New Zealand

Screen Producers and Directors Association

Box 9567
 Wellington, New Zealand
 Tel: (64 4) 939 6934
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 Web: www.spada.co.nz

6. Glossary of Terms

(For the information of offshore filming personnel)

<i>concession</i>	A permit for commercial use of lands administered by the Department of Conservation
<i>Iwi</i>	Maori tribe
<i>Koha</i>	donation; gift
<i>Ngāi Tahu</i>	The Māori tribe of the southern islands of New Zealand
<i>Nohoanga</i>	Temporary camping area
<i>Papatipu Rūnanga</i>	Local tribal council. There are 18 Papatipu Rūnanga within the Ngāi Tahu rohe
<i>Takiwā</i>	Tribal area
<i>Statutory Acknowledgment areas</i>	Waterways of significance to Ngāi Tahu
<i>Te Rūnanga o Ngāi Tahu</i>	The tribal organisation of Ngāi Tahu. The 18 Papatipu Rūnanga each have a member elected on to the tribal council

<i>Tōpuni</i>	An area managed by the Department of Conservation and recognised as particularly special to Ngāi Tahu
<i>Wāhi tapu</i>	Sacred sites