

WAITANGI TRIBUNAL

Wai 1040

CONCERNING

the Treaty of Waitangi Act 1975

AND

the Te Paparahi o Te Raki
Inquiry

MEMORANDUM-DIRECTIONS OF JUDGE C T COXHEAD

12 December 2019

Request for the aggregation of claims

1. On 18 November 2019, the Tribunal received a memorandum of counsel for Wai 1259, the Taepa Kiwa – Te Uri o Te Aho Claim, and Wai 1538, the Ihutai Hapū Claim, seeking that those claims be changed from consolidated to aggregated in Wai 1040, the Te Paparahi o Te Raki district inquiry. Counsel submits that the claims also relate to Wai 45, the Muriwhenua Land Inquiry. On 19 November 2019, counsel also filed an amended statement of claim for Wai 1538.
2. Where there are multiple claims in an inquiry, the Tribunal's practice is to combine the record of inquiry for each claim into one common record of inquiry. The record of a claim is consolidated into the common record of inquiry where it is expected that all the issues in that claim relate to and will be heard in the inquiry. The record will be aggregated where it is expected that only some of the issues in the claim will be heard.
3. On examining the statements of claim for Wai 1259 and the as-yet-unregistered amended statement of claim for Wai 1538, it is clear that those claims concern issues that extend beyond the district boundaries of the Wai 1040 inquiry. They should therefore be aggregated. Accordingly, I direct the Registrar to move Wai 1259 and Wai 1538 from list of consolidated claims to the list of aggregated claims in the Wai 1040 inquiry.
4. As the amended statement of claim for Wai 1538 relates to matters beyond the scope of this inquiry, it will be for the Chairperson or Deputy Chairperson to register it.

The Registrar is to send this direction to all those on the notification list for Wai 1040, the Te Paparahi o Te Raki inquiry.

DATED at Rotorua this 12th day of December 2019



Judge C T Coxhead
Presiding Officer

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