

TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

Wai 3300

E PĀ ANA KI
CONCERNING

te Treaty of Waitangi Act 1975

Ā,
AND

Tomokia ngā tatau o Matangireia
– the Constitutional Kaupapa
Inquiry

HE PĀNUI WHAKAHĀU A TE MANA WHAKAHAERE

*MEMORANDUM-DIRECTIONS OF CHIEF JUDGE DR C L FOX COMMISSIONING
RESEARCH*

20 Poutūterangi 2026

Confirming commissioned research

1. Pursuant to clause 5A of the second schedule of the Treaty of Waitangi Act 1975, I commission Professor Andrew Geddis to prepare a report on parliamentary sovereignty, parliamentary practices, and constitutional convention, for Tomokia ngā tatau o Matangireia – the Constitutional Kaupapa Inquiry (Wai 3300).
2. The report will review the origin of legislative power and practice of parliament and then focus on its contemporary manifestation in Aotearoa New Zealand.
3. The report will address the following research questions where possible:
 - (a) With a particular focus on the response of Māori, what has been the historical development of parliament as an institution in Aotearoa New Zealand?
 - (i) What was the legal effect on the status of Māori authority in the Crown proclamations of sovereignty in 1840?
 - (ii) Outline the gradual extension of power acquired by the settler state, and the significance of refusals to implement section 71 of the New Zealand Constitution Act 1852.
 - (b) What lawmaking power have Aotearoa New Zealand's parliamentary legislatures held over time and currently?
 - (i) What are the current constitutional arrangements, including how conventions act as a restraint on unbridled parliamentary and executive power?
 - (ii) What is the constitutional status and legal effect of the Tiriti o Waitangi/Treaty of Waitangi and its effect on Cabinet and Parliament?
 - (c) What is, and has been, legislative practice in Aotearoa New Zealand?
 - (i) What is the nature and purpose of parliamentary practices, standing orders, and Cabinet procedures?
 - (d) What scope for participation by Māori has there been within the legislative process over time, through to the present day (above and beyond Māori presence and representation in the House)?
 - (i) What accommodations for Te Tiriti/the Treaty and tikanga have been incorporated, if any?
4. The commission ends on 15 December 2026, at which time an electronic copy of the final report must be submitted to the Registrar for filing. Indexed electronic copies of any supporting documents or transcripts must be provided within four weeks of the commission end date. A PDF copy of the report and any supporting documentation should be provided.
5. The report may be received as evidence and the author may be cross-examined on it.

Me tuku atu te Kairēhita i tētehi kape o tēnei whakahau ki ērā ki te rārangi whakamōhio mō Wai 3300, Tomokia ngā tatau o Matangireia – the Constitutional Kaupapa Inquiry.

The Registrar is to send a copy of this direction to all those on the distribution list for Wai 3300, Tomokia ngā tatau o Matangireia – the Constitutional Kaupapa Inquiry.

WHAKAPŪMAUTIA ki Te Whanganui-a-Tara i te 20 o te Poutūterangi 2026



Kaiwhakawā Matua Dr C L Fox
Tumuaki

TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI