

IN THE WAITANGI TRIBUNAL

Wai 3300 Wai 2118
Wai 1307 Wai 146
Wai 81 Wai 48

IN THE MATTER OF

the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

Tomokia ngā tatau o Matangireia –
the Constitutional Kaupapa
Inquiry (Wai 3300)

BY

Te Amohia McQueen and Albert
McQueen on behalf of themselves,
their whānau and hapū, and the
descendants of Io Matua Kore and
Te Wherowhero Tawhiao of
Waikato Maniapoto

AND

others

MEMORANDUM OF COUNSEL REGARDING ELIGIBILITY ISSUES

Dated: 7 April 2026

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Counsel Acting: Janet Mason

Counsel Assisting: Nicholas Johnson

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Waitangi Tribunal

7 Apr 26

Ministry of Justice
WELLINGTON

MAY IT PLEASE THE TRIBUNAL:

1. This Memorandum of Counsel (“MoC”) is filed on behalf of:
 - a. Te Amohia McQueen and Albert McQueen on behalf of themselves, their whānau and hapū, and the descendants of Io Matua Kore and Te Wherowhero Tawhiao of Waikato Maniapoto (Wai 2118);
 - b. Matutaera Te Nana Clendon, Robert Sydney Willoughby on behalf of Te Aroha Rewha (*dec*), Russell Hook on behalf of Mārara Kaweora Hook (*dec*), Huia Storm Azimi, George Frederick Riley and James Henare Clendon, on behalf of themselves, and their whānau, and the hapū of Ngāti Kuta ki Te Rāwhiti (Wai 1307);
 - c. Florence Amohia, on behalf of herself, her whaanau, and her hapuu of Ngaati Haaua (Wai 48, 81, and 146) (a. – c. collectively known as “the Claimants”); and
 - d. seeks an extension for the filing of submissions regarding eligibility issues raised in the Memorandum Directions (“MD”) dated 19 Poutūterangi 2026.
2. On 19 March 2026, Kaiwhakawā Matua Dr Caren Fox raised eligibility issues relating to a number of claims involved in the Wai 3300 Constitutional Kaupapa Inquiry (“the Inquiry”) and directed relevant parties to file submissions by 6 April 2026.¹
3. On 20 March 2026 the registrar, via email, informed parties that Her Honour directed that the filing date be updated to 7 April 2026 as 6 April 2026 was a public holiday.
4. The eligibility issues fall under three categories:
 - a. issues in relation to settlement legislation;
 - b. issues in relation to the consolidation of the claim in another inquiry; and


¹ Wai 3300, #2.6.84, Memorandum Directions dated 19 Poutūterangi 2026 at [10]-[12].

- c. issues in relation to scope.2

Extension Request

5. Counsel is currently in the firm's Fiji office. Unfortunately, the recent cyclone has resulted in power outages in Fiji and damage to back up generators. This has resulted in no power being available, and electronic devices are currently having their power conserved for emergencies.
6. Accordingly, Counsel respectfully seeks an extension until Friday 10 April 2026 to file submissions relating to eligibility.

Dated 7 April 2026



Janet Mason
Counsel Acting

² Wai 3300, #2.6.84, Memorandum Directions dated 19 Poutūterangi 2026 at [6].