WAITANGI TRIBUNAL

Wai 3584

CONCERNING the Treaty of Waitangi Act 1975

AND an application for an urgent hearing by Alaina Teki-Clark on behalf of herself, Ngāti Pāmoana and the legacy of Tauira.

MEMORANDUM-DIRECTIONS OF DEPUTY CHAIRPERSON

1. On 16 September 2026, the Tribunal received a statement of claim (Wai 3584, #1.1.1) accompanied by an application for an urgent hearing (Wai 3584, #3.1.2), application for special aid (Wai 3584, #3.1.3), one page application summary (Wai 3584, #3.1.2(a)), impact statement (Wai 3584, #3.1.4), a thematic table of contents (Wai 3584, #A1(a)), a cover letter (Wai 3584, #1.1.1(a)), refiling notice (Wai 3584, #3.1.1) and an indexed bundle of 87 exhibits (Wai 3584, #A1) from Alaina Teki-Clark on behalf of herself, Ngāti Pāmoana and the legacy of Tauira.

2. The claim concerns the Crown's ongoing failure to implement the settlement of historical Whanganui claims, enacted through the Ngā Hapū o te Iwi o Whanganui Claims Settlement Act 2026 (the Act), in accordance with its Treaty obligations and the implementation framework in the He Rau Tukutuku deed of settlement (the Deed).

3. Also on 16 September 2026, the applicant filed a supplementary memorandum (Wai 3584, #3.1.5) accompanied by two further exhibits, a copy of the Act and an Official Information Act 1986 response from Te Puni Kokiri (Wai 3584, #A2 & #A3).

4. I note that the Act has now been passed into law. Section 17(4) of the Act removes the Tribunal's jurisdiction in respect of the historical claims of Ngā Hapū o te Iwi o Whanganui, the Deed, the Act and the redress provided by the Deed and the Act. However, s 17(5) retains the Tribunal's jurisdiction to inquire into and make any findings or recommendations in respect of the interpretation and implementation of the Deed or the Act.

5. While the Tribunal has jurisdiction to inquire into the claim allegations regarding the implementation of the Deed and the Act, the question at this interlocutory stage is whether such an inquiry reaches the high threshold for an urgent inquiry or should instead be considered within a relevant kaupapa inquiry.

6. I direct the Crown and any interested parties to respond to the application for an urgent hearing by no later than **5 pm, Wednesday 7 October 2026.**

7. I also direct the applicant to file submissions in reply to those of the Crown and interested parties by no later than **5 pm, Wednesday 21 October 2026**. This reply is to be confined to reply to what has been said in terms of paragraph [6] above. It is not a further opportunity

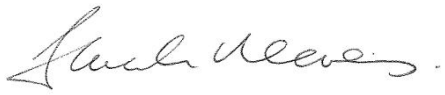
nor is it proper to replead or repeat the claim. Assertions are not to be made, except on matters raised by the Crown or the opposing parties.

8. Failure to comply may result in the rejection of documents or significant delay in deciding whether or not to grant urgency.

9. On 22 August 2025, the Chairperson released a practice note outlining a new and standardised procedure regarding the management of urgencies for the Tribunal to trial for 12 months. Parties are to use this practice note in the preparation of any forthcoming submissions regarding this application. The practice note is **appended** to this memorandum-directions for parties' reference.

The Registrar is to send a copy of this direction to the applicant, Crown counsel, those on the notification list for Wai 3584, the Whanganui Settlement Implementation (Teki-Clark) claim

DATED at Wellington this 23rd day of September 2026



Judge Sarah Reeves
Deputy Chairperson
WAITANGI TRIBUNAL