



WAITANGI TRIBUNAL

Wai 495.



CONCERNING

the Treaty of Waitangi Act 1975

AND

a claim by Mahuta Pitau Williams relating to lands within the Marutuahu Tribal region located in the South Auckland, Hauraki districts.

MEMORANDUM-DIRECTIONS OF TRIBUNAL

The Registrar will please enter this matter on the Register of claims and give it the next available wai number . The Register should note that the claim was received on the 23rd day of November 1994.

The claim relates to the alleged wrongful taking of land within the Marutuahu Tribal Region pursuant to various statutes and includes areas known as Moehau, Ohinemuri, Katikati, South Auckland and Mahurangi.

The claim requires research to be completed before it can proceed to a hearing and will need to be integrated with other claims with which it overlaps. In this respect the claim should be heard and considered along with all claims consolidated under the Wai 406 claim.

Before the claim can proceed however, further particulars of claim must be filed. As it currently stands, the claim is phrased in very general terms. The claimants should provide the Tribunal with further particulars about the following matters:

- 1 The specific legislative measures and Crown acts , omissions, policies and practices complained of and which are alleged to be breaches of the principles of the Treaty of Waitangi.
- 2 Brief particulars of why it is considered that the particular Crown actions complained of in each case are inconsistent with the principles of the Treaty of Waitangi and how they are prejudicial to the claimants.

The Registrar should also forward to the claimant the publication " A Guide To Completing a Claim " together with a sample form of claim as per Permanent Instruction 1990/16.

The claimant has requested the appointment of a researcher however due to lack of funds the Tribunal is at present unable to appoint a researcher to investigate this matter. However the Tribunal notes that part of the claim relates to Forest land. The Registrar is directed to advise the claimant as to the assistance available from the Crown Forest Rental Trust with regard to the preparation, presentation and negotiation of claims relating to Crown Forests.

The provision for legal aid for Tribunal matters is administered by the Wellington District Legal Services Committee and the claimants should make application for such assistance to that body.

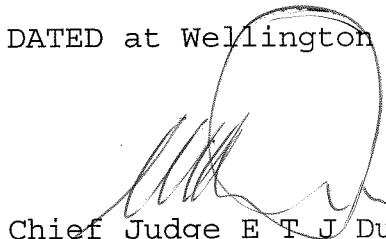
Claimants may amend the claim at a later stage if necessary.

The claim requests the return of land, some of which now appears to be in private ownership. The Tribunal notes that under section 6 (4A) of the Treaty of Waitangi Act 1975 it is prevented from recommending the return to Maori ownership of any private land or the acquisition by the Crown of any private land.

A copy of this direction should be sent to the claimant and notification should go to :

Crown Law Office
 Maori Land Information Office
 Office of Treaty Settlements
 Department of Survey and Land Information
 Crown Forest Rental Trust
 Claimants under Wai 406 South Auckland - Hauraki claims

DATED at Wellington this 12th day of April 1995



Chief Judge E T J Durie
 Chairperson

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