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WAITANGI TRIBUNAL

Wai 1151, #2.1
Wai 1152, #2.1
Wai 1153, #2.1
Wai 1154, #2.1
Wai 1155, #2.1
Wai 1156, #2.1
Wai 1157, #2.1
Wai 1158, #2.1
Wai 1159, #2.1
Wai 1160, #2.1
Wai 1161, #2.1
Wai 1162, #2.1
Wai 1163, #2.1
Wai 1164, #2.1
Wai 1165, #2.1
Wai 1166, #2.1
Wai 1167, #2.1
Wai 1168, #2.1
Wai 1169, #2.1

CONCERNING the Treaty of Waitangi Act 1975

AND nineteen claims by Geoffrey Fuimaono Karena relating to Waitangi blocks 1 to 19

MEMORANDUM-DIRECTIONS OF THE TRIBUNAL

The Registrar will please enter these matters on the Register of claims and give them the next nineteen available Wai numbers. The Register should note that the claims were all received on 16 March 2004.

The claims are lodged by Geoffrey Fuimaono Karena on behalf of the Kaneihana Trust, the Waremana Whānau Trust, the Eruera Garland Whānau Trust and the Wire Mohi Whānau Trust.

The claimant has expressly sought that the claims, though broadly similar in substance, be registered separately. Each claim concerns a separate block of land. The blocks are each listed below with corresponding Wai numbers.

The claimant alleges that in each case the block was illegally taken by the Crown by way of a number of Acts of Parliament that are listed in the statements of claim. It is further alleged that the Crown's sale of each block without consent of the owners was in breach of the Treaty of Waitangi.

By way of relief the claimant seeks the return of each block with accrued rents, profits and improvements. To the extent, if at all, the claimant seeks the return of land that is private land (as defined by section 2 of the Treaty of Waitangi Act 1975), the Tribunal notes that, under section 6(4A) of the same Act, it is prevented from recommending the return to Māori ownership of any private land or the acquisition by the Crown of any private land. This restriction,

however, is qualified by the resumption provisions of the Treaty of Waitangi Act 1975 (see sections 8A to 8HJ of the Act).

The claimant is advised also that the Tribunal is a recommendatory body only. Its decisions are not binding on the Crown.

The claim is likely to be heard with other claims with which it overlaps. In due course, the Tribunal will convene conferences to deal with research planning and other preliminary matters. The claimant will have the opportunity to attend and be involved in those conferences.

In respect of legal assistance, the claimant is advised that he may apply to the Legal Services Agency for the provision of legal aid for claims to the Waitangi Tribunal.

The claimant will be required to further particularise the statements of claim at a later stage and before the Tribunal inquires into the claim any further. As the claims fall within the Auckland Rangahaua Whanui district, the Registrar is asked to send to the claimant a copy of the report commissioned by the Tribunal on this district.

The claims are allocated Wai numbers as follows:

Waitangi 1—Wai 1151
Waitangi 2—Wai 1152
Waitangi 3— Wai 1153
Waitangi 4— Wai 1154
Waitangi 5— Wai 1155
Waitangi 6— Wai 1156
Waitangi 7— Wai 1157
Waitangi 8— Wai 1158
Waitangi 9— Wai 1159
Waitangi 10 — Wai 1160
Waitangi 11—Wai 1161
Waitangi 12—Wai 1162
Waitangi 13—Wai 1163
Waitangi 14—Wai 1164
Waitangi 15—Wai 1165
Waitangi 16—Wai 1166
Waitangi 17—Wai 1167
Waitangi 18—Wai 1168
Waitangi 19—Wai 1169

The Registrar is to send a copy of this direction to the claimant and to give notice of the claims to:

Bay of Islands County Council
Crown Forestry Rental Trust
Crown Law Office
Far North District Council
Legal Services Agency

Nga Puhi Māori Council
Nga Puhi Trust Board
Office of Treaty Settlements
Taiamai ki te Marangai takiwa (Judah Heihei)
Te Puni Kōkiri
Te Rūnanga o Nga Puhi
All those on the notification list for :
Wai 45 The Muriwhenua Land claim

DATED at Wellington this 30th day of April 2004

Chief Judge J V Williams
Chairperson
WAITANGI TRIBUNAL