

WAITANGI TRIBUNAL

Wai 2358

CONCERNING

the Treaty of Waitangi Act 1975

ANDthe National Fresh Water and
Geothermal Resources Claim**MEMORANDUM-DIRECTIONS OF THE CHAIRPERSON**

The Registrar is directed to add to Wai 2358 an amended statement of claim received on 2 March 2012, and to record its date of receipt in the register of claims.

This amended claim seeks to further particularise the original statement of claim for Wai 2358.

The claimants allege that, in breach of the principles of the Treaty of Waitangi, the Crown has unilaterally acted and legislated to remove Māori rangatiratanga and control over freshwater and geothermal resources without compensation or consent.

Furthermore, the claimants add allegations that the Crown is currently proposing to undertake a number of steps, which will directly affect Māori rangatiratanga over these resources, including:

- Selling of shares in power generating State-Owned Enterprises;
- Completing the Fresh Start for Fresh Water review of New Zealand's water ownership and management regimes; and
- Proposed negotiation of Māori rights and interests in freshwater through the Iwi Leaders Forum.

The claimants submit that while the Tribunal has previously made determinations in relation to Māori rights and interests in water and geothermal resources this has yet to be completed on a national level.

Therefore the claimants seek to amend the Tribunal recommendations sought to include recommendations that the Crown halt its Fresh Start for Fresh Water review, along with any negotiations regarding these resources with the Iwi Leaders Forum and the sale of shares in the power generating State-Owned Enterprises until such time as a comprehensive national inquiry into and determination on Māori rights in water and geothermal resources is completed.

The amendment is to be entered on Wai 2358, the National Fresh Water and Geothermal Resources Claim, as document 1.1.1(a).

The Registrar is to send a copy of this direction to the claimant and give notice of the amendment to those on the notification list for Wai 2358, the National Fresh Water and Geothermal Resources Claim.

DATED at Rarotonga this 7th day of March 2012

A handwritten signature in black ink, appearing to read 'W W Isaac', with a period at the end.

Chief Judge W W Isaac
Chairperson

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