

HIKURANGI TAKIWA TRUST

Website:

Email:

5 August 2015

Ministry for Primary Industries
PO Box 2526
WELLINGTON 6140

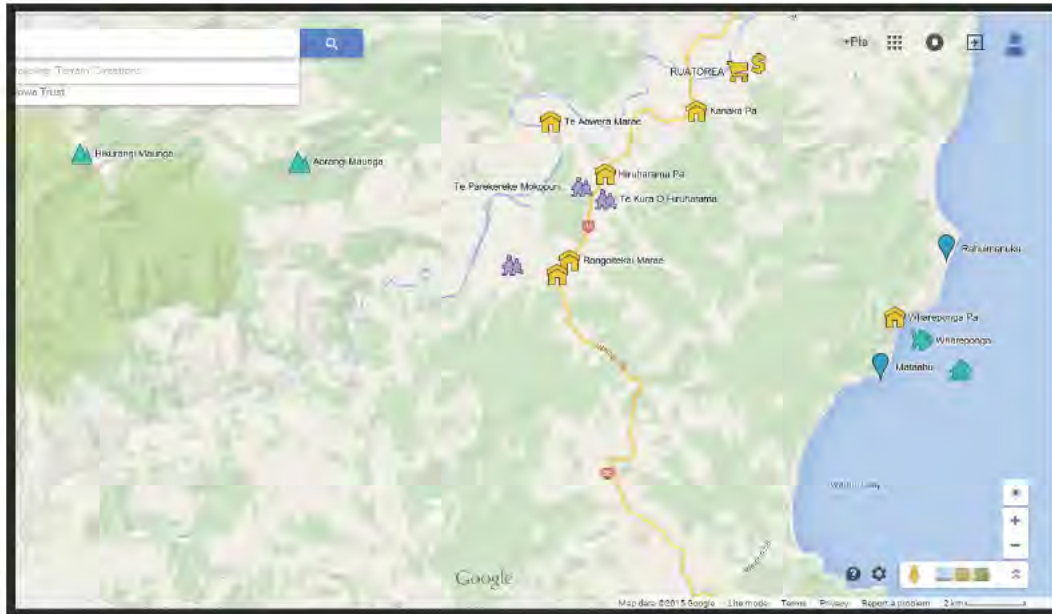
NES-PFConsultation@mpi.govt.nz

Tena koe,

Submission on National Environmental Standard for Plantation Forestry

Hikurangi Takiwa Trust is a charitable trust representing a collective of hapū and pā – Whareponga, Kariaka, Hiruharama, Te Aowera, Penu (Rongoitekai) and Te Pahou (Rongohaere) – with a takiwa (tribal estate) covering approximately 30,000 hectares bounded by Waipiro Bay, Hikuranga Maunga and Ruatoria. The purpose of the Trust is to enable whanau to act collaboratively and respond collectively to issues affecting hapu and to promote Mana Atua, Mana Whenua, Mana Moana, Mana Tangata, Mana Matauranga and Mana Reo of hapu.

Te rohenga tipuna o Hikurangi refers to the *hapu and whanau* territories of Te Aitanga A Mate, Te Aowera, Te Whanau A Rakairoa, Te Whanau A Hinekehu, Te Whanau A Kapohanga A Rangi, Te Whanau A Rongohaere, Te Whanau A Rongoitekai and Te Awe Mapara. These being the hapu claimed by nga uri me nga whanau o enei pa.



This submission is based on a resolution of Hikurangi Takiwa Trust passed at a meeting of the Trust at Whareponga on Sunday 2 August 2015. The resolution agreed that the Trust should make a submission in opposition to the NES for Plantation Forestry.

Significant areas within our Takiwa are currently in plantation forestry, significant tracts of clear land are at risk of erosion and subject to Gisborne District Council Overlay 3A requirements to treat erosion risk with tree planting in the next ten years and other areas within the Takiwa are likely to be planted in trees intended for timber as subsidies and incentives for tree planting and wood products.

Representatives of Hikurangi Takiwa Trust participated in a consultation hui held in Ruatoria in March 2015 and expressed a number of concerns related to the proposed NES as it stood then. These concerns do not appear to have been addressed in the Draft NES that submissions have been invited for.

While hapū are in the process of developing capability and capacity to better participate in policy development and decision-making processes, we work closely with local authorities and a number of central government agencies including the Department of Conservation, Ministry for Primary Industries and others. In this instance we have worked with Gisborne District Council staff, share their concerns about the likely impact of the proposed Plantation Forestry NES in our Takiwa and the wider region. Based on a large number of concerns in the proposed NES we cannot support its progression and need to state the opposition of the hapu and marae that Hikurangi Takiwa Trust represent. In conjunction with Gisborne District Council, we endorse the recommendations below and advise the Crown that should the NES progress and these issues not be addressed, we reserve the right to seek remedy through the range of legal instruments available to us as Treaty of Waitangi partners with the Crown.

No case made for NES

Plantation forest establishment has long been an important tool for soil erosion control. Once planted in plantation forest the land remains vulnerable to disturbance, and plantation forestry on steep and erosion prone hill country involves landscape disturbance activities that can be on a large scale, unlike any other land use. Clearfell harvesting affects biodiversity and re-introduces erosion risks similar to, and in some cases more extreme than, grassland for a number of years. Existing rules in Gisborne District Council's statutory RMA plans are adequate to manage adverse effects. They are operative rules that have been agreed by the community, including forestry interests.

It is pleasing that MPI has recognised some variation between consenting authorities controls on forestry is natural due to environmental, economic, social or cultural factors. In this respect "unwarranted variations" is a better reason for an NES than previously used "inconsistencies" between plans. However the Trust considers the benefit of removing both "unwarranted variations" between plans and the opportunity for plan changes is more than offset by negative regional impacts on community inputs and environmental standards. In essence the Trust does not believe an evidential case for a Plantation Forestry NES has been made and is concerned about its impacts, for this reason we oppose the proposed NES in its entirety.

Should the NES proceed, following are changes we will require to satisfy our hapū.

Orange Zone Harvesting

Harvesting on all of the Orange Erosion Susceptibility Class (ESC) is a permitted activity in the proposed NES. This is opposed.

Orange land includes a number of Land Use Capability (LUC) units that are steep to very steep on erosion prone soft geology prone to soil slipping that removes the entire soil layer down to bedrock that is then unable to sustain trees of any type. This land is found in areas known to be "hotspots" for cyclonic storms. It is the source of woody debris that has been recently deposited onto river flats, into river channels and on beaches in large quantities. Under the District Plan harvesting requires a consenting process to give the flexibility to develop and put in place site-specific preventative and mitigation measures such as re-planting requirements. The NES permitted activity conditions are inadequate and rigid. It is unacceptable that such land is afforded permitted activity status given the risks involved. Section 43 A (3) (b) RMA 1991 does not allow an NES to state that an activity is a permitted activity if it has significant adverse effects on the environment. This is such an activity.

Requested change: *Include controlled or restricted discretionary status for harvesting on steep to very steep erosion prone LUC units of Orange ESC.*

Orange Zone Afforestation

Linked to Orange ESC harvesting issues is afforestation (of new forests) on Orange being a permitted activity. This would prevent any planting restrictions as a method to mitigate woody debris from future harvesting. This is opposed.

Requested change: *Restricted discretionary status for afforestation on steep to very steep erosion prone LUC units of Orange ESC.*

Sensitive Receiving Environments

The ESC classification is based on LUC which is then used to determine activity status. This is a very good process to assess risk on the sites where the forestry activities are being carried out, but takes no account of variations in downstream receiving environments which demand site specific measures to avoid or mitigate adverse effects. Where the activity status includes a resource consent requirement this imparts the flexibility to provide for differing receiving environments and this is supported for this reason. However where permitted activity status applies, supported by generic permitted activity conditions only without allowance for variations in downstream receiving environments, this is opposed. It also breaches the Section 43A (3) (b) RMA 1991 stipulation.

Requested change: *Inclusion of sensitive receiving environments such as estuaries, coastal marine areas, water intakes, dwellings and amenity features into the matters where Consenting Authorities can apply more stringent rules. It is noted an earlier Plantation Forestry NES proposal included an exception for sensitive receiving environments.*

Uncertainty of Conditions

The proposed permitted activity conditions frequently use uncertain language such as “as far as is practicable”, “if unavoidable”, “except where unsafe or impracticable to do so”. Such language results in conditions that are litigious or unenforceable. A rule that is unenforceable has little effect. Use of uncertain language throughout permitted activity conditions is opposed. The NES proposal explains further analysis and drafting is envisaged and the rules as they are amount to drafting instructions. There is no obvious clear and certain language for many of the rules that would suitably manage adverse effects across all circumstances.

Requested change: *That if permitted activity status is retained the relevant conditions err on the side of caution, alternatively a consents regime should be required.*

Ability to be More Stringent

The listed NES activities covered by rules encompass all major within forest activities. The ability for Consenting Authorities to be more stringent is tightly constrained. This is opposed. To properly apply sustainable management and give effect to their statutory responsibilities Consenting Authorities need the ability to be more stringent than allowed for in the NES. Mapping areas of significance is expensive and takes considerable time to collect and collate the required data. Good outcomes can be achieved through setting out key parameters and using site-specific assessments and conditions.

Requested change: *Unmapped wahi tapu sites, unmapped significant indigenous flora and fauna, other than outstanding but still significant freshwater bodies and natural features and landscapes (as well as sensitive receiving environments as above) all be included as matters where Consenting Authorities can apply more stringent rules.*

Management Plans

Harvest Plans, Quarry Management Plans and Erosion and Sediment Control Plans are required to be prepared for harvesting, quarrying and earthworks respectively. These provisions are opposed in their present format. The contents required of these plans is broadly described and it is by no means certain that plans will adequately describe activities or the activities intended will be sufficient to achieve other permitted activity conditions. The role of Consenting Authorities is restricted to being advised when activities will begin and having the Plans made available to them. There is no provision for Consenting Authorities (or any other body such as iwi or hapū) to certify the Plans as adequate.

Requested change: During the legal drafting phase, management plans content should be made clearer and linked to clear outcomes and provision made for Consenting Authorities certification as adequately meeting the content requirements.

Mechanical Land Preparation – Root Raking

Root raking is permitted in the Orange and Red Zones on slopes >25° if the activity does not affect the subsoil. This would allow the total removal of the topsoil and is opposed. Top soil removal would severely limit plant growth of any kind and is a practice not regarded as sustainable land management. Without topsoil and plant cover land is subject to soil erosion. Topsoil disturbance should be kept to a minimum.

Requested change: Root raking in the Orange and Red Zones on slopes >25° should only be permitted if the soil A horizon is not removed. The A horizon should be defined as “the surface soil layer consisting of surface mineral horizons with maximum organic matter, usually dark in colour”.

Permitted Activities

The proposal, for this district would mean fewer forestry activities would be subject to resource consent processes. Instead there would be more permitted activities subject to NES permitted activity conditions. The cost of monitoring resource consent conditions is recoverable from consent holders. The cost of monitoring permitted activity conditions is not. This would amount to a shift in cost from those carrying out forestry activities to the wider community.

Resource consent processes involve pre-application discussions, requiring further information and formulating clear activity based conditions that will lead to required environmental outcomes. These are proactive processes by which forestry activities are able to be shaped before they begin. They enable useful advice to be conveyed to contractors not used to local conditions. Forestry activities such as earthworks, quarrying and harvesting are irreversible and are often large in scale and happen very quickly. Where activities are permitted they are able to proceed without Consenting Authorities approval. How the activities are carried out is unable to be influenced. Consenting Authorities involvement is limited to compliance monitoring and enforcement. These are reactive in nature, occurring after activities have occurred.

Requested change: Orange zone harvesting as a controlled or restricted discretionary activity; and inclusion of sensitive receiving environments as matters where Consenting Authorities can apply more stringent rules. These are areas of the NES where environmental risks are high and intensive compliance monitoring would be required.

Water Quality Limits and the NPS for Freshwater Management.

Many of the proposals in the draft NES cut across the NPS-FM Objectives 1 and 2, and the requirements for the Consenting Authorities to manage water quality set out in that NPS-FM. While the “Ability to be more stringent” section of the NES identifies that this is “where required to meet the Objectives of the NPS-FM”, the discussion document identifies this as where a limit has been set that has not been met, and forestry activities are the source of the contaminant.

Based on this explanation, this would seem to cut across the NPS-FM requirement for Consenting Authorities to “maintain and improve” water quality – as Consenting Authorities could only be more stringent if the water quality was degraded.

Limiting the ability for the Consenting Authorities to be more stringent to only where a water quality limit has been exceeded is opposed.

Requested change: *Consenting Authorities have the ability to be more stringent in relation to all water quality limits set in order to enable them to maintain and improve water quality as required by the NPS.*

Outstanding waterbodies

The discussion document identifies that Consenting Authorities can be more stringent “where significant values of outstanding waterbodies have been specified and forestry activities would have an adverse effect on these values” yet the rules set a number of permitted and controlled activity rules for outstanding waterbodies – including setbacks, river crossings and installation of slash traps. This is likely to create confusion and is opposed.

Requested change: *Delete references to outstanding waterbodies in the rules and allow Consenting Authorities the full ability to put in place appropriate rules for activities which could affect the values of outstanding waterbodies.*

Wetlands

The NPS-FM specifically requires the protection of the significant values of wetlands. The discussion document does not specifically identify wetlands and their riparian areas as being a matter over which Consenting Authorities can be more stringent.

All of the forestry activities identified within the rule tables have the ability to affect the significant values of wetlands. For example In relation to setbacks the NES rule tables reference wetlands only greater than 2500m². In many instances the setbacks proposed may be insufficient to protect a wetland’s significant values – for example by altering the water table. The provisions for wetlands in the NES are opposed.

Requested change: *That the rules in relation to wetlands are deleted in their entirety and Consenting Authorities retain the ability to be more stringent around the management of wetlands and their riparian areas across all activities.*

Timing of Earthworks

Timing of earthworks and activity within riverbeds is a significant issue both in terms of generation of sediment and avoidance of impacts on aquatic ecosystems and riverine birdlife. No provision for an earthworks “close out” season is provided for in

order to protect the values of sensitive receiving environments including outstanding waterbodies and wetlands.

Requested change: *Consenting Authorities have the ability to be more stringent around the timing of earthworks and activities within the bed of a river or lake in all zones where this is required to protect sensitive receiving environments.*

Fish Species Spawning, Migration and Riverine Birds

The General Conditions provide for fish spawning but only relate to a small number of mostly non-migratory species. Only 5 of these species are found in the Gisborne region, and many are not found in the North Island. It does not include a number of nationally critical and nationally endangered species as species such as inanga which are a substantial component of the whitebait fishery. Relief sought: This list should be amended to include: long finned eel, short finned eel, short jawed kokopu, torrentfish, Crans bully, bluegill bully, upland bully, giant bully, inanga, banded kokopu, lamprey and smelt.

The General Conditions list periods of time where beds of rivers cannot be disturbed in order to protect the spawning of the fish species. These dates however do not align with local spawning dates of species in different parts of New Zealand. Fish will spawn at a different time in Invercargill to Northland – or Gisborne. This renders these dates ineffective and they are opposed.

Requested change: *Allow Consenting Authorities to identify the local spawning times for fish species in their region through regional plans.*

The General Conditions do not provide for native fish migration. In the case of species such as long finned eel, barriers to downstream migration can result in the death of the tuna as they have undergone physiological change in order to undertake migration and no longer feed.

Requested change: *Allow Consenting Authorities to identify important migration periods for native fish in their regions and be more stringent in relation to activities in the beds of rivers during these periods.*

The General Conditions provide for protection of nesting sites from disturbance for Nationally Critical or Nationally Endangered species. This does not provide for regionally threatened species or stronghold populations.

Requested change: *Consenting Authorities are able to be more stringent where they have identified regionally threatened species or stronghold populations.*

Genetic Engineering

The proposed NES specifies that afforestation and replanting using genetically modified tree stock would be classed as a permitted activity where approval has been granted by the Environmental Protection Authority (EPA) for the use of such organisms. This is explained as affirming the EPA's authority to determine any risks of GMOs, and affirming that any conditions imposed by the EPA would be sufficient to ensure risks are managed. There would be no opportunity for a Consenting Authority to make its own rules, policies or conditions in relation to GM tree species in its landscapes and ecosystems. This provision contradicts the recent Environment Court decision (*Federated Farmers v Northland Regional Council* [2015] NZEnvC 89) where Judge Newhook found that there is jurisdiction under the RMA for regional

councils to make provision for control of the use of GMOs through regional policy statements and plans. The proposal that GMO forestry would be a permitted activity could constrain Consenting Authorities ability to respond to valid future concerns about the use of GMO species (potentially for a range of reasons including environmental risk, pest management, or risks to the regional, iwi or hapu economy, brand and reputation and our ability to market our produce overseas).

Requested change: *Consenting Authorities continue to exercise precaution and to have the ability to set rules relating to GMO in their region.*

Heoi ano, ka oti o matou whakaaro.

On behalf of Hikurangi Takiwa Trust,



Pia Pohatu, Trustee



Natasha Koia, Trustee



Te Hapu o te Wakaminenga Wahi o Maniapoto o Nu Tireni



*Internationally Recognised Proclaimed Hapu Authority, Enacted in accordance with
He wakauputanga o te Rangatiratanga o Nu Tireni of 1835, with full acknowledgement of
Te Tiriti o Waitangi of 1840, whilst exercising Hapu Kawa Tikanga within the Territory of Nu Tireni.*

C/- Rangatira Georgina Job Address: 152, Golf Road, R D 5 Te Awamutu
Tel.: 0278713044. Email: s 9(2)(a)

7th August, 2015

**TO: Ministry for the Environment, Ministry for Primary Industries, Scion Research, Forestry
Industry, and their Agents and Principles.**

ATT:

Nick Smith Minister for the Environment Freeport Parliament Private Bag 18 888 Wellington 6160 nick.smith@parliament.govt.nz Hon Maggie Barry Minister of Conservation Freeport Parliament Private Bag 18 888 Wellington 6160 Maggie.barry@parliament.govt.nz Associate Ministers of Conservation Hon Peter Dunne Peter.dunne@parliament.govt.nz Hon Nicky Wagner Nicky.wagner@parliament.govt.nz	Hon Jo Goodhew Stuart Miller Spatial, Forestry and Land Management Ministry for Primary Industries PO Box 2526 Wellington 6140 NES- PFConsultation@mpi.govt.nz	Scion Te Papa Tipu Innovation Park s 9(2) (a) s 9(2)(a) Sheldon Drummond Ms Elizabeth Chambers Judith StanWay Anthony Nowell Warren Parker Russel Burton Elspeth MacRae Brian Richardson Keri-anne Tane Rob Trass Steve Sopora
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NOTICE OF CEASE AND DESIST

In the matter of Nu Tireni with respect to the policy relating to the release of Genetically Modified (Engineered, or Transgenic) Organisms/species in the Ministry for Primary Industries (MPI) proposed new National Environmental Standard for Plantation Forestry.

Let it be known that on this 29th day of the month of March in the year 2015 that we of Te Hapu o te Wakaminegna Wahi o Maniapoto o Nu Tireni having publicly Proclaimed Our Right of Self Determination, Our Sovereignty and Our enactment of the internationally recognised He wakauputanga o te Rangatiratanga o Nu Tireni of 1835 and Te Tiriti o Waitangi of 1840 having gathered together in our collective capacity as Hapu exercising Our Hapu Kawa Tikanga have discussed in detail the matter raised and made the following determination:

That the Tupuna Whenua, ManaTaimoana, Mana Wai, Mana Waipapa, and Taonga Toku Iho described in this matter is Tupuna Whenua of the above Proclaimed Hapu of Ngati Maniapoto and Nga Hapu o Nu Tireni any and all resources within said area are under the absolute authority of said Hapu. Hence it is our will and intent to continue to occupy our Tupuna Whenua and utilise its resources as we see fit, as is our ancestral right, our customary right, our inherent right and our birth right in accordance with our Hapu

Te Hapu Wakaminenga Wahi o Maniapoto, s 9(2)(a), New Zealand/Nu
Tireni Ph s 9(2)(a), email: s 9(2)(a)

Kawa Tikanga and the internationally recognised He wakuputanga o te Rangatiratanga o Nu Tireni of 1835, and protected by the internationally recognised Te Tiriti o Waitangi of 1840.

Therefore the said land and its resources are ***not to be contaminated by the release of genetically modified/ genetically engineered or transgenic organisms or other life forms made artificially or the patenting of genetic material*** without or activities which result in the permanent degradation of our environment, waterways, and culture and heritage without the expressed written permission of we the Proclaimed Hapu, as we the Proclaimed Hapu hold Absolute Authority of the said land and all its resources and have a permanent rahui on our rohe making it a “GE Free ZONE”. **We the Proclaimed Hapu ban “profit de prendre” titles on our estates, emissions trading of carbon credits with caveats on our environment, and the commercial trading and privatisation of water, without our expressed written permission.**

If the Ministry for the Environment, Ministry for Primary Industries, Scion Research, Forestry Industry, and their Agents and Principles continues to proceed with this matter We NOTICE the Ministry for the Environment, Ministry for Primary Industries, Scion Research, Forestry Industry, and their Agents and Principles continues that:

It is an undisputed fact that there has been no lawful rebuttal to an exacting point of law of Te Hapu o Te Wakaminenga Wahi o Maniapoto o Nu Tireni Public Proclamation of Self Determination, Sovereignty and enactment of He wakuputanga o te Rangatiratanga o Nu Tireni of 1835. Thus it prevails in truth and law.

It is an undisputed fact that Te Hapu o Te Wakaminegna Wahi o Maniapoto o Nu Tireni whilst enacting He wakuputanga o te Rangatiratanga o Nu Tireni of 1835 and exercising Our Hapu Kawa Tikanga hold absolute authority over all Our territory, Our Tupuna Whenua, and all that it encompasses.

It is an undisputed fact that our Rights are Internationally recognised.

It is an undisputed fact that Our Rights are also protected through the enactment in New Zealand statute of Section 28 of the 1990 NZ Bill of Rights Act, which Binds the Crown.

It is an undisputed fact that the **Ministry for the Environment, Ministry for Primary Industries, Scion Research, Forestry Industry, and their Agents and Principles** has produced no internationally recognised documented lawful authority substantiating the **Ministry for the Environment, Ministry for Primary Industries, Scion Research, Forestry Industry, and their Agents and Principles** claim to the land or other taonga. Until such claim is substantiated to an exacting point of law the **Ministry for the Environment, Ministry for Primary Industries, Scion Research, Forestry Industry, and their Agents and Principles** is bereft of any credibility as to its lawful standing in this matter and is not in a lawful position to negotiate or conduct any transaction pertaining to the said land or taonga. To continue to do so will be seen as a fraudulent act and thus a criminal offence.

It is an undisputed fact that any party present upon the said land or taonga without the live signed authority of the Proclaimed Hapu is acting in trespass and potential invasion and breaching Our Hapu Kawa Tikanga.

It is an undisputed fact that only Queen Elizabeth II herself is able to purchase land, and only land that has been agreed to be sold by Congress of Nga Hapu. And any and all acting in Her name need adhere to, and are bound by, the internationally recognised Te Tiriti o Waitangi of 1840. To do otherwise is a trespass of jurisdiction and breach of international agreement.

The Ministry for the Environment, Ministry for Primary Industries, Scion Research, Forestry Industry, and their Agents and Principles will be a breach of NZ legislation being:

Crimes Act 1961; and,
Crimes of Torture Act 1989; and,
NZ Bill of Rights Act 1990; and,
NZ Human Rights Act 1993; and,

Te Hapu Wakaminenga Wahi o Maniapoto, C/-152 Golf, R D 5 Kihikihi, Te Awamutu 3875, New Zealand/Nu Tireni Ph 06478713042 or 064278713044, email: maniapotomedia@gmail.com

Terrorism Suppression Act 2002; and,
Criminal Procedure Act 2011;
Health Act 1956
Health(Drinking Water) Amendment Act 2007
Animal Welfare Act 1999
Wildlife Act 1953
Conservation Act 1987
Hazardous Substances and New Organisms Act 1996
Biosecurity Act 1993

And breaches of International Law being:

Te Tiriti o Waitangi of 1840; and,
Universal Declaration of Human Rights 1948; and,
Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery 1956; and,
International Covenant On Civil And Political Rights (ICCPR) 1966;

And issue **FINAL WARNING** that:

Any further interference with Proclaimed Hapu land and members will constitute a Breach of Our Peace, a trespass of jurisdiction, a breach of Te Tiriti o Waitangi 1840 and will create an international incident which will be pursued to the highest International Court where the instigators and perpetrators will be held personally liable for all such criminal charges as may apply and would have to pay Te Hapu o Te Wakaminenga Wahi o Maniapoto £UK1 billion per incident (payable in a substance of our choice).

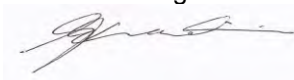
SUCH IS OUR WILL ~ SO BE IT

In all Honour



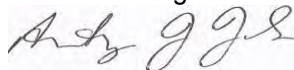
Theresa Aperehama

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Rangatira



Georgina Job

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Rangatira



Anthony Job

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Rangatira

Enclosures

Te Hapu Wakaminenga Wahi o Maniapoto, s 9(2)(a) , New Zealand/Nu
Tireni Ph s 9(2)(a) , email: s 9(2)(a)

Proclamation of Te Hapu o te Wakaminenga wahi o Maniapoto of Nu Tireni



To ALL and SINGULAR; Hereto on the twenty ninth day of March in the year Two Thousand and Fifteen A.D. We the People of Te Hapu o te Wakaminenga wahi o Maniapoto exercising our ancient Right stemming from time immemorial do hereby with One Voice and Consent of Tongue and Heart Publish and Proclaim our Self-determination, our Intrinsic Sovereignty, and our Honouring and Enactment of the internationally recognised Proclamation He wakauputanga o te Rangatiratanga o Nu Tireni 1835, and the internationally recognised Standing Agreement of the Parties Te Tiriti o Waitangi 1840. And We do solemnly in the presence of the Creator profess, testify, and declare that We do make this Proclamation, and every part thereof, in the plain and ordinary sense of the words as they are commonly understood by the Native People.

By the passing of our Ancestors We are called to assume and fulfil the duties and responsibilities of our Inherent Sovereignty. Thus We the people of Te Hapu o te Wakaminenga wahi o Maniapoto O Nu Tireni Lawfully Constituted to internationally recognised He wakauputanga o te Rangatiratanga o Nu Tireni 1835, with full acknowledgement and agreement between Her Honourable Majesty Queen Elizabeth II and Nga Rangatira o Nga Hapu o Nu Tireni, and exercising our self-determination through our Hapu Kawa Tikanga our ancient Right and customary usages, do hereby Publically Proclaim our Absolute Sovereignty over our Lives and Property. We, standing in the Light of the Creator, and to the best of our collective abilities, are fully committed to upholding our Self-determination, our Natural Sovereignty and the Honour and Mana of the stated documents, in agreeance and affirmation of our Ancestors.

Whereas disregard and contempt for our Proclaimed Sovereignty and that of our Sovereign Territory is resulting in barbarous acts which outrage the conscience of We the Sovereigns who hold the obligation and responsibility as Guardians for the well-being of our Territory and of all that dwell within it,

Whereas ignorance of fact and law by some has become a disregard and contempt for the Intrinsic Unalienable Absolute Human Right of all men and women to Self-determination; and,

Whereas this ignorance perpetuates the ongoing enslavement and oppression of members of the Human Family; and,

Whereas recognition that to exercise Self-determination, the unfettered peaceful expression of ones will, and to form associations to live together in peace and harmony and in Honour of all things, is the Absolute Right of all men and women; and,

Whereas, being Men and Women of Sovereign State, it is our responsibility and obligation to strive to create a world in which all men, women and children shall enjoy freedom of expression, freedom from fear and deprivation, and freedom from enslavement, and that Peace and Good Order is maintained for the betterment of all that dwell within our Territory.

Therefore it is the duty and responsibility of We the People as True Native Sovereigns to insure that the Constitutional Order and Rule of Law of our Territory of Nu Tireni is Honoured, and that the agreement granting the privilege of governance to Queen Victoria is Lawfully administered and upheld in the fullness of its intent and entirety.

SUCH IS OUR WILL~SO BE IT Nga Rangatira ~ Hereditary Chiefs

Petricia Hineawai Toi
Joc

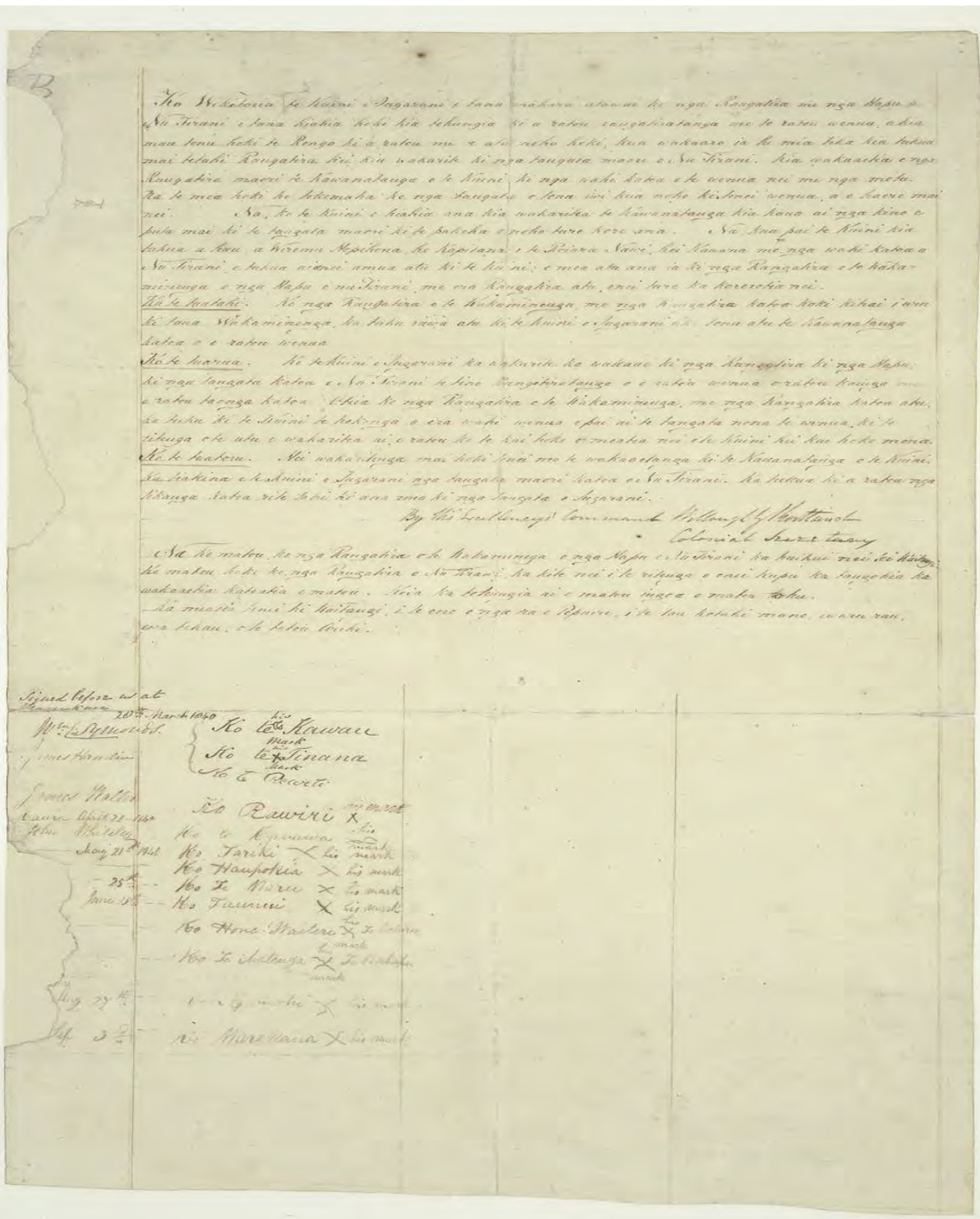
Print Name	Signature	Print Name	Signature
Matene RUTIA	[Signature]	K. Barrett	[Signature]
Mona HUGHES	[Signature]	Moana Hughes	[Signature]
Catherine Proletti	[Signature]	TERESA APREHAWA	[Signature]
Lanier Hughes	[Signature]	Lucy Mary Wallace	[Signature]
KRueger	[Signature]	VR-Clk	[Signature]

Rose Vaimea [Signature]
[Signature]

Whiti ora koe

[Signature]

Tireni Ph 06478713042 or 064278713044, email: maniapotomedia@gmail.com



Manukau-Kawhia Te Tiriti o Waitangi Sheet 1840 with Maniapoto Rangatira (chiefs) signatories.

Te Hapu Wakaminenga Wahi o Maniapoto, C/-152 Golf, R D 5 Kihikihi, Te Awamutu 3875, New Zealand/Nu
Tireni Ph 06478713042 or 064278713044, email: maniapotomedia@gmail.com

Te Rohe Whenua raua ko Rohe Moana o Maniapoto
The Land and Sea Territory of Maniapoto

Koia tenei te rohe?—

Timata i Kawhia, ka rere mai ki Whitiura, tapahi tonu mai i runga o Pirongia, ka heke iho ki runga o Pukehoua, ki te puau o Mangauika, haere i roto o Waipa, te puau o Puniu, haere i roto o Puniu, te puau o Wairaka haere tonu, Mangakaretu, haere i uta, Mangere, ka makere ki roto o Waikato, haere tonu te puau o Mangakino haere tonu i roto o Waikato, te puau o Waipapa, haere i uta, te Parakiri, rere tonu Whangamata, Taporaroa, ka makere ki roto o Taupo, te au o Waikato, i waenganui o Taupo, ki Motuoapa, te Tokakopuru, Ngutunui, te Kopiha, te Whakamoenga, te Riaka, te Matau, rere tonu Hirihiri, Tauranga, rere tonu i roto o Tauranga te matapuna, ka tapahi i runga o Kaimanawa, te matapuna o Rangitikei, haere, i roto o Rangitikei, te Akeake, haere i te rohe o Ruamutu, te matapuna o Moeawhango haere i te rohe o Rangipo, Waipahihi, ka makere ki Waikato ka haere i te au o Waikato, Nukuhaupē, ka kati ki Paretetaitonga, ka huri ki tua a Paretetaitonga, te Kohatu, Mahuia, te Rerenga o Toakoru, te Tukatai, Piopioea, te Ruharuha, Hautawa, te Hunua, Manganui, te Murumuru, te Iringa o te Whiu, te Makahiroi, Pukehou, Huirau, ka makere ki roto o Whanganui, Paparoa, haere i roto o te awa a Paparoa, te Maanga a Whatihua, rere tonu i roto o Paparoa, Makahikatoa rere tonu, ka piki i te Upoki o Purangi, te Ruakerikeri, te Puta o te Hapi, rere tonu te Arawaere, te matapuna o Pikopiko te Tarua te Kaikoara, te Patunga o Hikairo, te Hieke, ka makere ki Ohura rere tonu te Whauwhau, Kokopu, Oheao, haere i roto i Oheao, te Motumaire, piki tonu i te hiwi o te Motumaire, ka heke ki Taungarakau, rere tonu te puau o te Waitanga, haere tonu, te Rerepahupahu, haere, Opuhukoura, te Hunua, te Rotowhara, te Matai, Waitara te Matawai o Waipingao, ka puta ki te puaha, e ruatakeu maero ki te Moana nui, rere atu i waenga moana, ki te taha hauraro, ka huri mai ano ki Kawhia ki te timatanga.

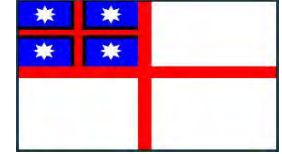
Wahanui, Taonui, Rewi Maniapoto and 412 other tribal members Petition to the Native Land Court 3rd August 1883 AJHR_1883_I_1_02a



Nga Mana Whenua raua ko Mana Moana o Maniapoto 1883

Maniapoto tribal territory (rohe) at 1883 prior to it being alienated unlawfully in 1886. Beforehand our territory extended to Whangaparaoa Auckland, Waikato, Hauraki, Bay of Plenty, and around the country back to Hawaiiki, but was unlawfully confiscated in the Land Wars and alienated via legislation and meddling by outsiders in the Native Land Court.

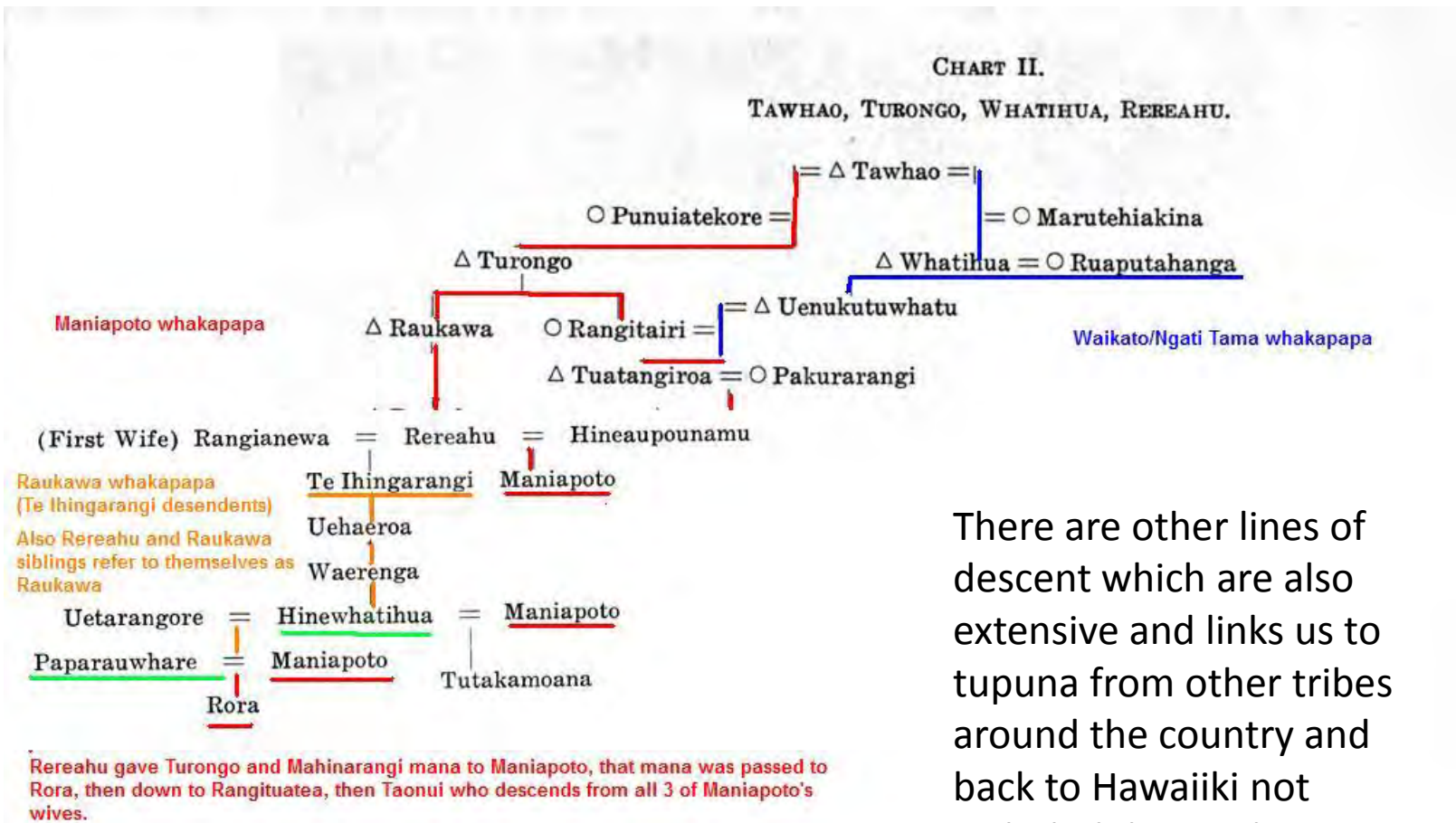
Te Hapu Wakaminenga Wahi o Maniapoto, C/-152 Golf, R D 5 Kihikihi, Te Awamutu 3875, New Zealand/Nu Tirenī Ph 06478713042 or 064278713044, email: maniapotomedia@gmail.com



Maniapoto Constitutional History

Presented by
Te Hapu o te Wakaminenga Wahi o
Maniapoto o Nu Tireni.

Whakapapa



There are other lines of descent which are also extensive and links us to tupuna from other tribes around the country and back to Hawaiiki not included due to document space reasons

Constitutional Documents

- He Wakaputanga o Nga Rangatiratanga o Nu Tireni 1835
- Feudal Title 1836 making Nu Tireni a protectorate of the British Crown
- Fiduciary Title 1839 and Standing Orders on Te Tiriti o Waitangi
- Te Tiriti o Waitangi 1840- allowed British to establish a colonial government to manage their own people

Chiefs of New Zealand Flag

*Colonial Secretary's Office,
Sydney, 17th August, 1835.*
NEW ZEALAND.

HIS Excellency the GOVERNOR is p'leased to direct it to be notified, for general information, that a Despatch has recently been received from the Right Honorable the Secretary of State for the Colonies, conveying His Majesty's approbation of an arrangement made by this Government for complying with the wishes of the Chiefs of New Zealand to adopt a National Flag in their collective capacity, and also, of the Register of Vessels, built in that country, granted by the Chiefs and certified by the British Resident, being considered as valid instruments, and respected as such in the intercourse which those Vessels may hold with the British Possessions.

The following is a description of the Flag which has been adopted:—

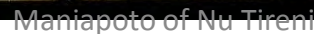
A Red St. George's Cross on a White ground.

In the first quarter, a Red St. George's Cross on a Blue ground, pierced with four white stars.

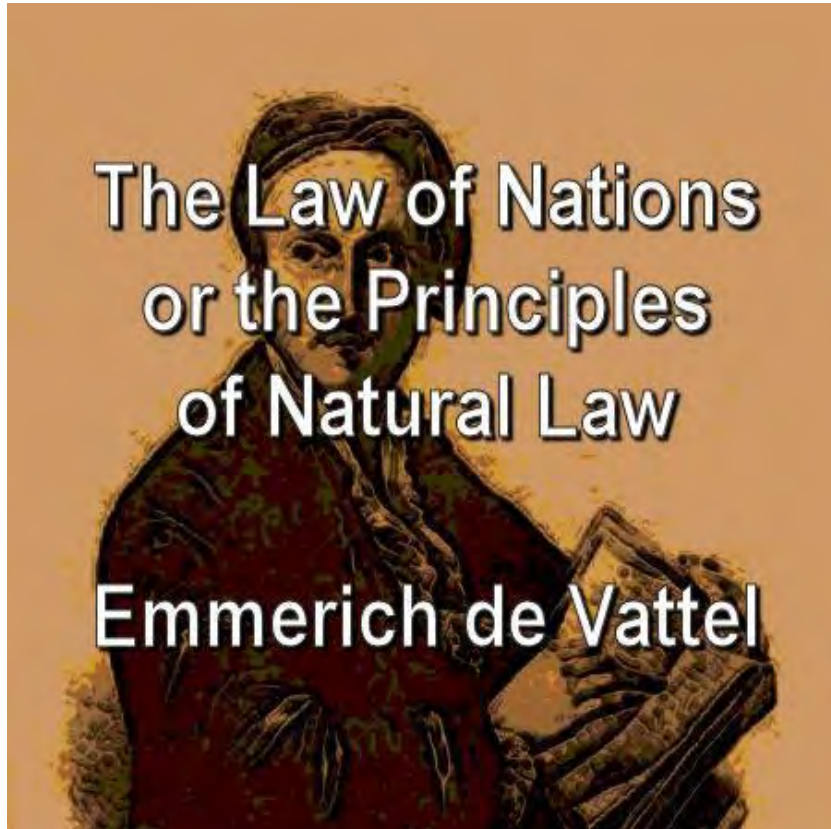
By His Excellency's Command,

ALEXANDER M'LEAY.

7/08/2015



Law of Nations



- A smaller sovereign can seek the protection of a bigger sovereign without giving up sovereignty.
- Right to Self Determination

British Crown Feudal (Protectorate) Title of New Zealand

The British Crown's Feudal (Protectorate) Title of New Zealand

Extract of a Dispatch from – “Lord Glenelg”

To: Major-General “Sir Richard Bourke”

New South Wales

Dated 25th May 1836

Place: Downing Street

I have received a letter from Mr. Busby (British Resident in New Zealand) enclosing a copy of a Declaration made by the Chiefs of the Northern parts of New Zealand, setting forth the Independence of their Country, and Declaring the Union [Incorporation] of their respective tribes into One State, under the designation of United Tribes of New Zealand. I perceive that the Chiefs at the same time came to a resolution to send a copy of their Declaration to His Majesty [King William] to thank him for his acknowledgement of their Flag, and to Entreat that in return for: -

- (a) The “Protection and Friendship which they have shown, and are prepared to show”.
- (b) To such “British Subjects” as have settled in their Country or Resorted to its shores.
- (c) For the “Purpose of Trade”.
- (d) “His Majesty” will continue to be “The Parent” of their “Infant State”.
- (e) “Its (External) Protector”.
- (f) From “All Attempts on its Independence”.

With reference to the desire which the Chiefs have expressed on this occasion: -

- (a) To “Maintain a Good Understanding” with “His Majesty’s Subjects”, it would be proper.
- (b) That “They should be assured, In His Majesties Name”.
- (c) That “He Will Not Fail to Avail Himself of Every Opportunity of Showing His Good Will”.
- (d) And of “Affording to those Chiefs such Support and Protection as may be consistent with a due regard to the Just Rights of Others”.
- (e) And to “The Interest of His Majesties Subjects”.

Fiduciary Title- Standing Orders.

British Crown Fiducial Title of New Zealand
Intention of Te Tiriti O Waitangi
Standing Orders in Council 1839

Annexation of New Zealand to New South Wales
Instruction from the Secretary of State for War and Colonies,
Lord Normanby,
To Captain Hobson, recently appointed H.M. Consul at New
Zealand,
Dated 14 August 1839

[1] A very considerable body of Her Majesty's subjects have resided and effected settlements there, and formed themselves into a Society, having for removal of emigrants to those islands. Her Majesty's proceedings with attention and solicitude.

[2] We have not been insensible to the importance of Britain in Australia, nor unaware of the great distinguished, or that its geographical position enable it, in the hands of civilized men to exert the globe. There is probably no part of the earth a greater or surer prospect of national advantage.

[3] On the other hand, the Ministers of the Crown from engaging in such an enterprise. They have been appointed by the House of Commons in the hope that the Aborigines residing in the vicinity of our colonies would be a great benefit to the Committee in thinking that the increase of the population of New Zealand, would be a most serious and must be inflicted on this Kingdom itself, by a calamity but too certainly fraught with calamity to a nation. The soil and to the Sovereignty of New Zealand, as recognised by the British Government.

[4] We retain these opinions in unimpaired force, and our control have at length compelled us to allow them to depart from it with extreme reluctance.

[5] The necessity for the imposition of the Government has however become too evident to admit of any further inaction. The reports which have reached this office within the last few months establish the facts that, about the commencement of the year 1838 a body of not less than two thousand British Subjects had become permanent residents of New Zealand, that amongst them were many persons of bad or doubtful character – convicts who had fled from our penal settlements, or seamen who had deserted their ships; and that these people, unrestrained by any law, and amenable to no tribunals, were alternately the authors and the

[20] All dealings with the Aborigines for their lands must be conducted on the same principles of sincerity, justice and good faith as must govern your transactions with them for the recognition of Her Majesty's Sovereignty in the islands. Nor is this all. They must not be permitted to enter into any contracts in which they might be the ignorant and unintentional authors of injuries to themselves.

[21] You will not, for example, purchase from them any Territory the retention of which by them would be essential, or highly conducive, to their own comfort, safety or subsistence. The acquisition of land by the Crown for the future Settlement of British Subjects must be confined to such Districts as the Native can alienate without distress or serious inconvenience to themselves. To secure the observance of this rule will be one of the first duties of their Official Protector....

Te Tiriti o Waitangi 1840



Waitangi Sheet



Bay of Plenty Sheet



Cook Strait Sheet



East Coast Sheet



Herald Sheet



Tauranga Sheet



Waikato Kawhia Sheet



Waitangi Sheet

-Manukau-Kawhia Sheet

Maniapoto Signatories

Te Kāwau

Tinana

Reweti

Rawiri Te Hauparoa

Te Kawana.

Tariki.

Haupokia.

Te Waru (Hori).

Taonui

Hone Waitere

Aoturoa.

Te Matena Te Whapu.

Ngamotu.

Wharekawa

Te Hapu o Te Wakaminenga Wahi o

Maniapoto of Nu Tirenī

Te Tiriti o Waitangi -Article 2.

Ko te Kuini o Ingarani ka wakarite
ka wakaae ki nga Rangitira ki nga
hapu – ki nga tangata katoa o Nu
Tirani te tino rangatiratanga o o
ratou wenua o ratou kainga me o
ratou taonga katoa. Otiia ko nga
Rangatira o te wakaminenga me
nga Rangatira katoa atu ka tuku ki
te Kuini te hokonga o era wahi
wenua e pai ai te tangata nona te
Wenua – ki te ritenga o te utu e
wakaritea ai e ratou ko te kai hoko
e meatia nei e te Kuini hei kai hoko
mona.

Her Majesty the Queen of England
confirms and guarantees to the
Chiefs and Tribes of New Zealand and
to the respective families and
individuals thereof the full exclusive
and undisturbed possession of their
Lands and Estates Forests Fisheries
and other properties which they may
collectively or individually possess so
long as it is their wish and desire to
retain the same in their possession;
but the Chiefs of the United Tribes
and the individual Chiefs yield to Her
Majesty the exclusive **right of**
Preemption over such lands as the
proprietors thereof may be disposed
to alienate at such prices as may be
agreed upon between the respective
Proprietors and persons appointed by
Her Majesty to treat with them in that
behalf.

Te Tiriti o Waitangi 1840

- Maintains Hapu Common Law and Authority
 - He Wakaminenga o Nga Hapu o Nu Tireni- The United Tribes of New Zealand (National Parliament Congress for dealing with National Issues for Hapu, Whanau, and Rangatira
 - Mana and Tino Rangatiratanga of Hapu and Rangatira
 - Hapu Tikanga- Customs and Laws of hapu under local hapu wakaminenga (tribal parliament congress)
- Allows for English Common Law to be used (For Example)
 - Magna Carta – Rule of Law, Right to Lawful Rebellion, Justice should not be sold (Anti corruption) No one to be denied justice, or delayed justice, King or Government not above the Law.
 - Bill of Human Rights
 - Freedom of Expression
 - Right to Protest
 - Common law Right to Life
 - Common Law Marriages
 - Common Law Trials
 - Common law on Equities
 - Common Law on Nuisances'
 - Abolition of Slavery
 - Allows a colonial government to manage British subject settlers and immigrants
 - NZ government uses a legal system of Acts and Statutes

Hapu, whanau, rangatira can choose to live under Hapu or English Common Law in Nu Tireni (New Zealand)

Non -Maori can also live under Hapu Common Law –Hapu Tikanga if they are adopted (whangai), married (Hono) into, or become naturalised into the Hapu

**Resources property rights transferred
Only through the Right of Pre-Emption**

Hapu

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangitira ki nga hapu – ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te Wenua – ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

Treaty of Waitangi

Her Majesty

Governor General

NZ Government

**Iwi Trust Boards
Maori TB Act**

**Regional Councils
RMA, Local Govt
Acts**

**Self Autonomous
Iwi Companies**

**Council
Controlled
Companies**

THE NEW ZEALAND CONSTITUTION ACT.

ENGLISH VERSION.

"THE NEW ZEALAND CONSTITUTION ACT, 1852."— 15 AND 16 VICTORIA, CAP. 72, SEC.71.

Her Majesty may cause Laws of Aboriginal Native Inhabitants to be maintained.

Passed 30th of June, 1852.

SECTION 71.—And Whereas it may be expedient that the Laws, Customs, and Usages of the Aboriginal or Native Inhabitants of New Zealand, so far as they are not repugnant to the general principles of Humanity, should for the present be maintained for the Government of themselves, in all their relations to and dealings with each other, and that particular districts should be set apart within which Laws, Customs, or Usages should be so observed. It should be lawful for Her Majesty, by any Letters Patent to be issued under the Great Seal of the United Kingdom from time to time to make Provisions for the purposes aforesaid, any repugnancy of any such Native's Laws, Customs, or Usages, to the Law of England or to in any part thereof, in any wise notwithstanding.

Maniapoto

NEVER ceded
SOVEREIGNTY

- Maniapoto was collateral damage in the Land Wars and was unfairly penalised by having their northern lands taken by Raupatu.
- Maniapoto was forced to take refugees from the Land Wars.
- Government forced the Native Land Courts onto Maniapoto and threatened to give Maniapoto lands to the Kingitanga if they did not let the Rail through.
- Maniapoto is not the Kingitanga. Totally different political institutions one being a sovereign treaty signatory and a tribe, the other being a political movement and non sovereign.
- Government tricks Maniapoto saying that they were to keep their customary lands in perpetuity unmolested, but have government then gives Maniapoto lands to Kingitanga by stealth.

Treaty Signatories Did Not Cede Sovereignty in February 1840 – Tribunal

The rangatira who signed te Tiriti o Waitangi in February 1840 did not cede sovereignty to the British Crown, the Waitangi Tribunal has concluded.

The Tribunal today released its report on stage 1 of its inquiry into Te Paparahi o te Raki (the great land of the north) Treaty claims.

The report concerns the 'meaning and effect' of the Treaty in February 1840, when the first signings of te Tiriti took place in the Bay of Islands and the Hokianga. Stage 2 of the inquiry, which is under way, will consider events after February 1840.

'Though Britain went into the treaty negotiation intending to acquire sovereignty, and therefore the power to make and enforce law over both Māori and Pākehā, it did not explain this to the rangatira', the Tribunal said.

Rather, Britain's representative William Hobson and his agents explained the Treaty as granting Britain 'the power to control British subjects and thereby to protect Māori', while rangatira were told that they would retain their 'tino rangatiratanga', their independence and full chiefly authority.

'The rangatira who signed te Tiriti o Waitangi in February 1840 did not cede their sovereignty to Britain', the Tribunal concluded. 'That is, they did not cede authority to make and enforce law over their people or their territories.'

The rangatira did, however, agree 'to share power and authority with Britain'.

'They agreed to the Governor having authority to control British subjects in New Zealand, and thereby keep the peace and protect Māori interests', the Tribunal said.

'The rangatira consented to the treaty on the basis that they and the Governor were to be equals, though they were to have different roles and different spheres of influence. The detail of how this relationship would work in practice, especially where the Māori and European populations intermingled, remained to be negotiated over time on a case-by-case basis.'

The Tribunal said that, having considered all of the evidence available to it, the conclusion that Māori did not cede sovereignty in February 1840 was inescapable.

The Tribunal said nothing about how and when the Crown acquired the sovereignty that it exercises today. However, it said, the Crown 'did not acquire that sovereignty through an informed cession by the rangatira who signed te Tiriti at Waitangi, Waimate, and Mangungu'.

The question of whether the agreement that was reached in February 1840 was honoured in subsequent interactions between the Crown and Māori will be considered during stage 2 of the inquiry.

For further information, contact Antony Paltridge, Team Leader (Media), Ministry of Justice on 04 9188980 or 027 6890867

Reservations

- Rewi opposed the creation of the Maori King and showed his disgust by pulling down the flag.
- Maniapoto chief Taonui was asked to be Maori King but refused the offer as he knew the consequences with respect to Te Tiriti o Waitangi.
- Potatau asked if it was ok for him to be King which Maniapoto chiefs said it was his choice. Maniapoto chiefs did not cede their mana and tino rangatiratanga to the Maori King.

Governors Declaration 1861

COPY OF A DECLARATION BY THE GOVERNOR TO THE NATIVES ASSEMBLED AT
NGARUAWAHIA.

THOMAS GORE BROWNE, Governor.

In order to avoid misapprehension, the Governor directs the attention of the Chiefs and people, assembled at Ngauawahia, to the present condition of affairs in New Zealand, and states distinctly the course necessary to be taken in order to avert the calamities that threaten the country.

In the year 1858 a portion of the Maori people, resident in Waikato, pretended to set up a Maori King, and Potatau was chosen for the office. He was installed at Rangiaowhia in the month of June in that year. On Potatau's death, in 1860, Matutaera his son was nominated his successor.

Diversity of opinion existed from the commencement as to what would result from this movement. Some were led to believe that its supporters desired only the establishment of order, and a governing authority amongst themselves; while others viewed with apprehension a confederacy which they deemed fraught with danger to the peace of the Colony. The Governor at first inclined towards the more favorable view of the movement, but soon felt misgivings, which have been justified by the event.

The Governor however has not interfered to put down the Maori King by force. He has been unwilling to relinquish the hope that the Maoris themselves, seeing the danger of the course they were pursuing, and that the institution of an independent authority must prove inefficient for all purposes of good, would of their own accord, abandon that course.

The Governor can now only look with sorrow and displeasure on what has been done in the name, and by the adherents, of the Native King:—

1. An authority has been set up inconsistent with allegiance to the Queen, and in violation of the Treaty of Waitangi.
2. A large number of the adherents of the Native King have interfered between the Governor and other Native tribes in matters with which they had no concern; have levied war against the Queen, fought against her troops, and burnt and destroyed the property of her peaceful subjects.
3. Other adherents of the King have assisted, encouraged, and harboured the men who have committed these outrages.
4. A war party of several hundred men some time since assembled, and advanced to within forty miles of Auckland, for the purpose of interfering with the due course of the administration of Justice.
5. Her Majesty's Mail has been stopped; jurisdiction has been usurped over Her Majesty's European subjects; and other offences have been committed to the subversion of Her Majesty's sovereignty, and of the authority of Law.

At this very time the adherents of the Native King, are using the most strenuous efforts to possess themselves of arms and ammunition for the purpose of effecting their objects by intimidation and violence.

The Governor cannot permit the present state of things to continue. No option now rests with him: he has been commanded by Her Majesty the Queen to suppress unlawful combinations, and to maintain Her Majesty's sovereignty in New Zealand.

Submission to Her Majesty's Sovereignty requires—

1. That every man yield implicit obedience to what the Law (which is the same for all) prescribes for the public welfare. But while the law exacts what is essential for this object, it confers great benefits and guarantees freedom and security to the weak as well as to the strong.
2. That rights be sought and protected through the Law, and not by a man's own will and strength. No man in the Queen's dominions is permitted to enforce rights, or redress wrongs, by force: he must appeal to the law.

3. That men do not enter into combinations for the purpose of preventing other men from acting, or from dealing with their own property, as they think fit. This is against the law.

4. That every man, European or Native, under the Queen's Sovereignty, submit to have roads and bridges made on his land, wherever the public convenience requires them. But land can only be taken for these purposes under lawful authority, and on payment of reasonable compensation.

On the other hand Her Majesty's Sovereignty, secures "to the Chiefs and Tribes of New Zealand, "and to the respective families and individuals thereof, the full, exclusive, and undisturbed possession "of their lands and estates, forests, fisheries and other properties, which they may collectively or "individually possess, so long as it is their wish and desire to retain the same in their possession." This is the Maori's safeguard for their lands, and it has never been violated. The Governor has been falsely accused of desiring to introduce a new system in dealing with Native Lands. This he has never attempted, nor has he the power to do so. The Queen's promise in the Treaty of Waitangi cannot be set aside by the Governor. By that Treaty, the Queen's name has become a protecting shade for the Maoris' land, and will remain such, so long as the Maoris yield allegiance to Her Majesty and live under Her Sovereignty, but no longer. Whenever the Maoris forfeit this protection, by setting aside the authority of the Queen and the Law, the land will remain their own so long only as they are strong enough to keep it:—might and not right will become their sole Title to possession.

The Governor sincerely hopes that a correct appreciation of the real interests of the Maori race will induce the adherents of the Native King to conform to Her Majesty's declared wishes, and to abandon the baneful and dangerous course they are pursuing.

Her Majesty has an earnest solicitude for the welfare of her Native people, and it will be the duty of the Governor to give the fullest effect to measures calculated to secure that end.

The Maoris cannot be more anxious than the Queen and her Governor for the complete establishment of law and order amongst the Maori people, and that the institutions of the Government should be, as far as practicable, in accordance with their interests and wishes; but the Maoris must not forget that these objects are unattainable without their own cordial co-operation.

The Governor last year convened a meeting of Chiefs to consult with him upon Native Affairs and has declared his intention again to assemble Chiefs from all parts of these Islands, for the same purpose. Her Majesty has been pleased to approve of these proceedings.

It is the Governor's wish that the coming Conference should devise measures for the introduction of law and order, and the establishment of useful institutions in Native districts, and it will be his earnest desire to give effect to any measures approved by the Conference, which appear likely to promote the welfare of the Native People, and to bring all Her Majesty's subjects in these Islands, both European and Maori, under one law, upon terms of equality. The Governor earnestly hopes that the Chiefs and people, who are adherents of the Maori King, will abandon their present perilous position: they will then receive the same invitation as the other Natives in New Zealand to choose some of their most respected and influential Chiefs to represent them in the approaching Conference, and to afford assistance in its deliberations.

The Governor now states specifically what his demands are:

1. From all,—Submission without reserve to the Queen's Sovereignty, and the authority of the law.
2. From those who are in possession of plunder, taken from Her Majesty's European or Native subjects,—Restoration of that plunder.
3. From those who have destroyed or made away with property belonging to Her Majesty's subjects, European or Native,—Compensation for the losses sustained.

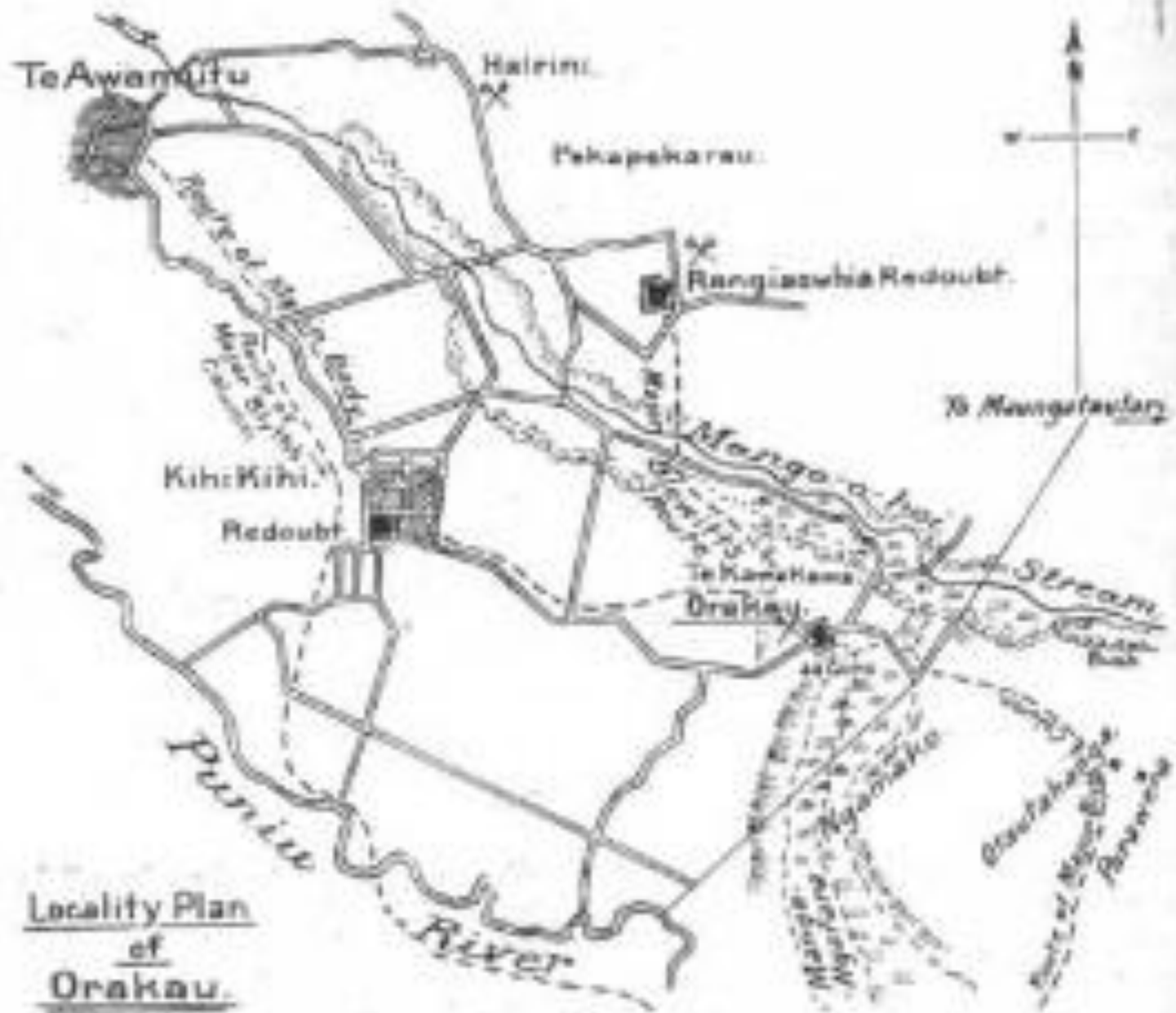
Compliance with these demands will satisfy the Queen and Her Governor, no other demand will be made on Waikato,—the past will be forgiven, and for the future the well conducted will be protected, offenders punished, and the rights and privileges of all maintained by the Queen and her Laws.

Government House, Auckland,
21st May, 1861.

Te Hapu o Te Wakaminenga Wahi o
Maniapoto of Nu Tireni

Land Wars

- Colonial Constabulary attacked Rangiriri, Paterangi, Rangiaowhia, Orakau.
- Maniapoto was fed misinformation to say that there was an attack on Maniapoto...when in fact it was on the Kingitanga
- After the battles kingitanga blamed Maniapoto for the War and this resulted in Maniapoto northern lands being confiscated in the Land Wars.

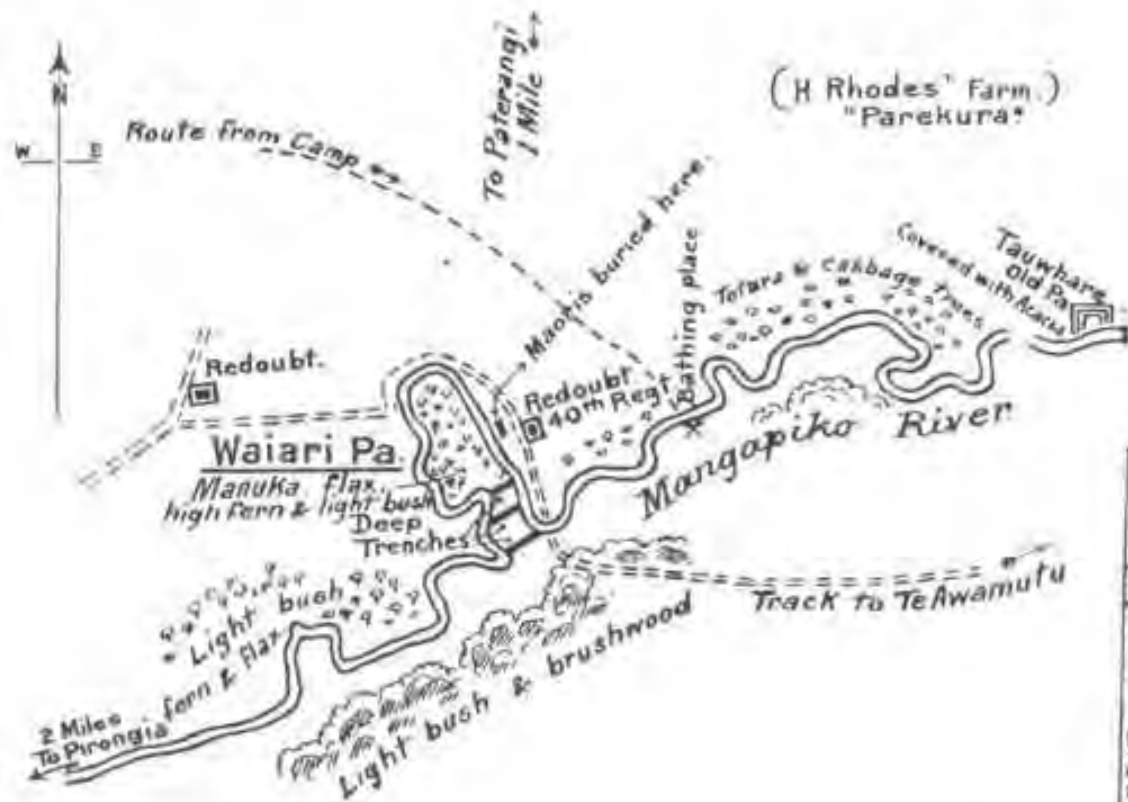


Locality Plan
of
Orakau.

Orakau and Surrounding Country

Te Hapu o Te Wakaminenga Wahi o
Maniapoto of Nu Tireni

Sketch of the center of the British week 1864



Plan of Waiari, on the Mangapiko River
 Scene of the engagement of 11th February, 1864. (See pages 346-9.)
 Te Hapu o Te Wakaminenga Wahi o
 Maniapoto of Nu Tirenī

Waikato and Kingitanga retreat into Maniapoto territory for 20 years

- Maniapoto chiefs independent of Kingitanga
- Waikato and Kingitanga refugeed in Maniapoto rohe

Aotea Rohe Potae

- Rewi, Taonui, Wahanui and other chiefs wanted to live under their own mana and customs and
- Told government that they did not want to indivisualize land.
- Told government to survey the external boundaries only and not to survey within boundary.

Enclosures.

Ki a Wahanui, ki a Taonui, ki a Rewi Maniapoto.

Awamutu, 19 Tihema, 1883.

TENA KOUTOU. Kua tae mai ta koutou pukapuka o tenei ra nei e whakahua ana i nga korero i whakatakotoria nei e tatou i te aroaro o te iwi. Tenei taku kupu whakahoki i ta koutou pukapuka, e whakaae ana te Kawanatanga ma nga kai ruri a te Kawanatanga e ruri i nga raina o te rohe potae o ta koutou poraka kia oti tika ai kia taea ai te puta o te Karauna Karaati ki a koutou ki o koutou iwi hoki, a e whakaae ana hoki kia kua te moni ruri mo tenei mahi e neke ake i te kotahi mano i te ono rau pauna, ko te moni e whakahoki mai e koutou ki a te Kawanatanga kia kua e neke ake i tenei £1,600 e whakaaetia ana tenei kupu hei kupu tuturu kahore he tikanga ke atu a te Kawanatanga a tetahi atu Kawanatanga ki muri ake nei, ko nga kupu o tenei pukapuka e whai tikanga ana ki te rohe Porotaka anake.

Na Te Mete, Tumuaki Kairuri.

[TRANSLATION.]

To Wahanui, to Taonui, to Rewi Maniapoto.

Awamutu, 19th December, 1883.

GREETING to you all. Your letter of this day's date has been received, in which you state the arrangements made by us in the presence of the people. This is my word in reply to your letter: The Government consent that the Government surveyors should make an accurate survey of the lines of the external boundary of your block, in order that a Crown grant may issue to you and your tribes; it is also agreed that the survey shall not exceed £1,600; the amount for you to refund the Government will not exceed £1,600. And it is agreed to as a definite word that neither the Government nor any other Government can make any other arrangement in the future. The terms of this document apply to the external boundaries only.

J. P. SMITH (Te Mete), Chief Surveyor.

Ki a Te Mete Tumuaki Kai-Ruri.

Kihikihi, 19th Tihema, 1883.

KUA whakaae matou ma te Kawanatanga e whakaaoti pai nga rurutanga tika o te rohe porotaka o to matou poraka e taea ai te whakaputa mai te Karauna Karaati ki a matou me o matou iwi me o matou hapu hoki, mo te utu kua whakaritea mai nei e koe e kore e neke atu i te kotahi mano i te ono rau pauna £1,600 hei utunga atu ma matou. Na ko ta matou kupu tuturu tenei kua rawa tenei whakaritenga e whakarereketia e tetahi atu tikanga, e tetahi atu Kawanatanga ranei a muri ake nei.

WAHANUI.

NGAHURU TE RANGIAIWHIRIA.

TAONUI.

TE HEREKIEKIE.

REWI MANIAPOTO.

TE PIKIKOTUKU.

[TRANSLATION.]

To Mr. Smith, Chief Surveyor.

Kihikihi, 19th December, 1883.

WE consent that the Government should make an accurate survey of the external boundary of our block in order that a Crown grant may issue to us, our tribes, and our hapus for the price as arranged by you, namely, that the cost to us should not exceed £1,600. Now, this is our decided word: this agreement must not be altered by any other arrangement or by any future Government.

WAHANUI.

NGAHURU TE RANGIAIWHIRIA.

TAONUI.

TE HEREKIEKIE.

REWI MANIAPOTO.

TE PIKIKOTUKU.

[Approximate cost of Paper:—Preparation: £1 14s. Printing (1,525 copies): £1 4s.]

By Authority: GEORGE DIMPSEY, Government Printer, Wellington.—1885.

1883.
NEW ZEALAND.

PETITION OF THE MANIAPOTO, RAUKAWA, TUWHARETOA, AND WHANGANUI TRIBES.

Presented to the House of Representatives, 26th June, and ordered to be printed.

[TRANSLATION.]

To the Governor of New Zealand and the Members of both Houses of Parliament.

This is a PETITION from us the MANIAPOTO, RAUKAWA, TUWHARETOA, and WHANGANUI TRIBES, to PARLIAMENT; GREETING.

Your petitioners pray that you will fully look into and carefully consider the matters which are the cause of much anxiety to us, and are raising a barrier in front of us, because these matters that are causing us anxiety have principally emanated from you, the Europeans, in the form of legislation.

We have carefully watched the tendency of the laws which you have enacted from the beginning up to the present day; they all tend to deprive us of the privileges secured to us by the second and third articles of the Treaty of Waitangi, which confirmed to us the exclusive and undisturbed possession of our lands.

We do not see any good in any of the laws which you have enacted affecting our lands, when they are brought into operation, in adjudicating upon lands before the Native Land Court at Cambridge and other places; and the practices carried on at the Land Courts have become a source of anxiety to us and a burden upon us.

Through our ignorance of those laws we have been induced by speculators (land-swallowers) and their agents to allow some of our lands to be adjudicated upon so that our lands might be secured to us.

Sirs, having allowed some of our lands to be adjudicated upon, who was it that became possessed of them? It is true that after the investigations the Natives received a certificate of title showing their right to the lands, but through the superior knowledge of the Europeans we accepted foolishly the lawyers recommended to us by the speculators (land-swallowers), thinking that they were to act in our interests, but in reality they were intended to prolong the investigations, thereby increasing the expenses to so great an extent that the Natives were unable to defray them, so that they (the speculators) might seize the land, the result being that we secure the shadow and the speculators (land-swallowers) the substance.

We are beset on every side by outrageous practices and the temptations we are exposed to by speculators and even Maoris and half-castes, whom the companies have secured to decoy us into the nets of the companies.

In our perplexity to devise some means by which we could extricate our lands from the disasters pointed out, we ask, is there not a law by which we could suppress these evils? and we are told that the only remedy is to go to the Court ourselves.

Now, while we are striving to keep our lands, we are aware that your Government is trying to open our country by making roads, carrying on trig. surveys and railways, thereby clearing the way for all these evils to be practised in connection with our lands before we have made satisfactory arrangements for the future.

Are we to allow the present system to be carried on without remonstrance?

We wish to state that, if the above-mentioned practices are to be carried on in future, we think that it would not be right that our land should be rendered liable to such an objectionable system.

What possible benefit would we derive from roads, railways, and Land Courts if they became the means of depriving us of our lands? We can live as we are situated at present, without roads, railways, or Courts, but we could not live without our lands.

We are not oblivious of the advantages to be derived from roads, railways, and other desirable works of the Europeans. We are fully alive to these advantages, but our lands are preferable to them all.

1883.
NEW ZEALAND.

PETITION OF MANUHIRI AND 488 OTHERS OF THE MANIAPOTO AND WAIKATO TRIBES

(AND CORRESPONDENCE RELATIVE THEREOF).

Presented to the House of Representatives, 21st August, 1883, and ordered to be Printed.

No. 1.

PETITION.

[TRANSLATION.]

To the Honourable the Speaker and Honourable Members of the Parliament of the Colony of New Zealand, in Session assembled.

This petition of ours we herewith address to you as our protest against Wahanui's petition, that is, against the paragraphs in it marked 3 and 4, which deals with the ancestral lands of Potatau and Tawhiao.

We know that, on the following grounds, Tawhiao's title to his land is unquestionable:—

1. Ancestral right.
2. Right by conquest.
3. It was land placed under the authority of Potatau, who was succeeded by Tawhiao.

Our hapus and our names are written hereunder.

FROM NGATIMANIAPOTO.

FROM WAIKATO.

FROM MANUHIRI, TUKORERU, NGATAPA, PAKU, TE NGARAU,
TANA TE WAHAROA, TATI WHAREKAWA, HATARA, NUI-
MOA TE PAEWARA, and 488 others.

Kite Tumauaki o te Paramete o te Koroni o Niu Tirenī me nga Memā e Noho Huihui ana i te Whare.

He pūhāna tenei na matou ka tukua atu nei kia koe he whakahu na matou mo te pūhāna a Wahanui e māi nei i te 3 i te 4 o nga rarangi o tana pūhāna. Mo nga whenua o nga Tupuna o Potatau a tae mai ana kia Tawhiao.

He tino mohio no matou ki te tika o Tawhiao ki runga i tona whenua. Koia tenei nga Take:—

1. Ko nga tipuna.
2. Ko te raukapa.
3. Ko te whenua toku ki raro kia Potatau a tae mai ana kia Tawhiao.

Koia ka tukua iho nei o matou hapu me o matou ingoa ki raro iho nei.

NA NGATIMANIAPOTO.

NA WAIKATO.

NA MANUHIRI, TUKORERU, NGATAPA, PAKU, TE NGARAU,
TANA TE WAHAROA, TATI WHAREKAWA, HATARA, NUI-
MOA TE PAEWARA, me ona hoa e 488.

No. 2.

Letter from Honana Maioha to Major te Wheoro, M.H.R.

[TRANSLATION.]

To Te Wheoro,—

Whaitiwhaiti, 24th July, 1883.

Friend, salutations. I am instructed by Tawhiao to inform you that he thoroughly disapproves of the petition of Wahanui, Manga, Taonui, and 412 others. This is the first letter to impress on you to be strong in condemning that petition. The next will be the principal one from Tawhiao, in which will be collected all the names of the tribes and chiefs, numbering about 4,000

Duplicity in History

- Aotea Rohe Potae
- Hapu and Rangatira
- Wanted to live under own mana and tino rangatiratanga gauranteed by Te Tiriti o Waitangi
- King Country Rohe Potae
- Kingitanga

Te Rohe Whenua raua ko Rohe Moana o Maniapoto

The Land and Sea Territory of Maniapoto

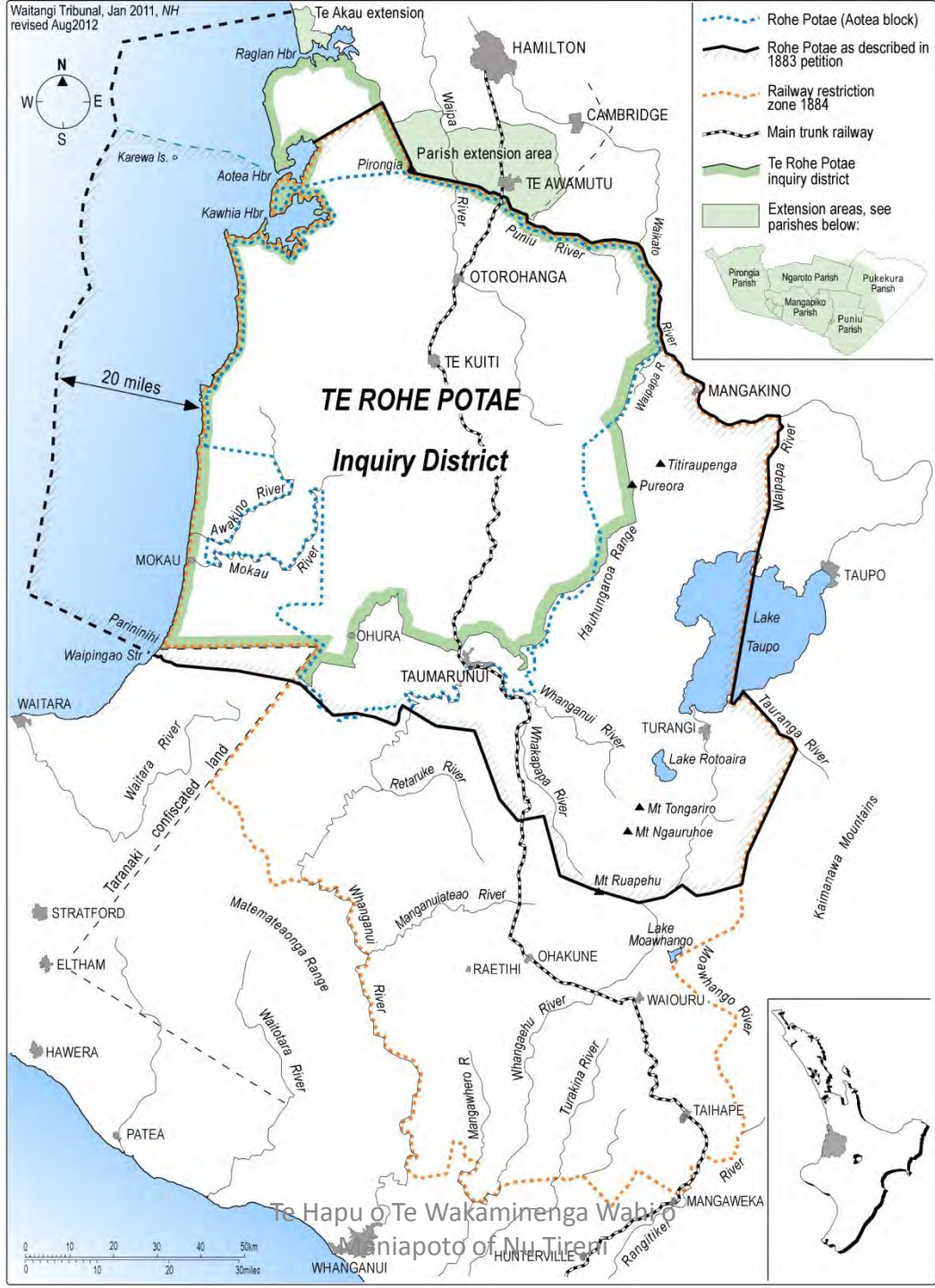
Koia tenei te rohe?—

Timata i Kawhia, ka rere mai ki Whitiura, tapahi tonu mai i runga o Pirongia, ka heke iho ki runga o Pukehoua, ki te puau o Mangauika, haere i roto o Waipa, te puau o Puniu, haere i roto o Puniu, te puau o Wairaka haere tonu, Mangakaretu, haere i uta, Mangere, ka makere ki roto o Waikato, haere tonu te puau o Mangakino haere tonu i roto o Waikato, te puau o Waipapa, haere i uta, te Parakiri, rere tonu Whangamata, Taporaroa, ka makere ki roto o Taupo, te au o Waikato, i waenganui o Taupo, ki Motuoapa, te Tokakopuru, Ngutunui, te Kopiha, te Whakamoenga, te Riaka, te Matau, rere tonu Hirihihi, Tauranga, rere tonu i roto o Tauranga te matapuna, ka tapahi i runga o Kaimanawa, te matapuna o Rangitikei, haere, i roto o Rangitikei, te Akeake, haere i te rohe o Ruamatua, te matapuna o Moeawhango haere i te rohe o Rangipo, Waipahihi, ka makere ki Waikato ka haere i te au o Waikato, Nukuhaupe, ka kati ki Paretetaitonga, ka huri ki tua a Paretetaitonga, te Kohatu, Mahuia, te Rerenga o Toakoru, te Tukatai, Piopioea, te Ruharuha, Hautawa, te Hunua, Manganui, te Murumuru, te Iringa o te Whiu, te Makahiroi, Pukehou, Huirau, ka makere ki roto o Whanganui, Paparoa, haere i roto o te awa a Paparoa, te Maanga a Whatihua, rere tonu i roto o Paparoa, Makahikatoa rere tonu, ka piki i te Upoki o Purangi, te Ruakerikeri, te Puta o te Hapi, rere tonu te Arawaere, te matapuna o Pikopiko te Tarua te Kaikoara, te Patunga o Hikairo, te Hiekie, ka makere ki Ohura rere tonu te Whauwhau, Kokopu, Oheao, haere i roto i Oheao, te Motumaire, piki tonu i te hiwi o te Motumaire, ka heke ki Taungarakau, rere tonu te puau o te Waitanga, haere tonu, te Rerepahupahu, haere, Opuhukoura, te Hunua, te Rotowhara, te Matai, Waitara te Matawai o Waipingao, ka puta ki te puaha, e ruatakeu maero ki te Moana nui, rere atu i waenga moana, ki te taha hauraro, ka huri mai ano ki Kawhia ki te timatanga.

Wahanui, Taonui, Rewi Maniapoto and 412 other tribal members Petition to the Native Land Court 3rd August 1883 AJHR_1883 I I_02a



Nga Mana Whenua raua ko Mana Moana o Maniapoto 1883



SCHEDULE.

Schedule.

NATIVE DISTRICT WHEREIN LAND IS SUBJECT TO THIS ACT.

ALL that area in the Provincial Districts of Auckland, Taranaki, and Wellington, bounded towards the North-west by Te Wharauoa Block from the Aotea Harbour to the Waitetuna River; thence towards the North-east generally by the said Waitetuna River to its intersection by a right line running from Mount Tahuanui over the Teriki Range where the Native track crosses the latter; thence by the said right line to Mount Tahuanui; thence by a right line to Mount Pirongia; thence by a right line to the confluence of the Waipa and the Puniu Rivers, and by the latter river and the Owairaka Stream to its source; thence by a right line to the confluence of the Mangare Stream with the Waikato River; thence by the last-mentioned river to the Waipapa Stream, and by that stream to its source; thence towards the East generally by the Tatua-Whangamata Block to Lake Taupo; thence by a right line across that lake to the mouth of the Tauranga River; thence by that river to its source in the Kaimanawa Range; thence by the summit of the said Kaimanawa Range to the source of the Moawhango River; and thence by that river and the Rangitikei River to the southern boundary-line of the Otairi No. 5 Block; thence towards the South generally by the southern boundary-line of that block and the Otairi No. 2A Block to the Mangapapa Stream; thence by the said Mangapapa Stream and the Turakina River to the southern boundary of the Maungakaretu Block; thence by the southern and south-western boundary-lines of the said Maungakaretu Block to the Wangaehu River; thence by the last-mentioned river and the Heao and the Paratieke Blocks to the Mangawhero River; thence by that river to the Mungakowai Stream, and by that stream to the north-western corner of the Ohineiti Block; thence by the production of the northern boundary line of the last-mentioned block to the Karewarewa Block; thence by that block and the Parihohou, Aratowaka, and Pukenui Blocks to the Wanganui River; thence towards the South-west generally by the said Wanganui River to the Wangamomona River; thence by the latter river and the Mangare Stream to its source; thence by a line due west to the Taranaki confiscation boundary-line; and thence by that boundary-line to the ocean; and thence towards the West by the ocean and the Aotea Harbour to the place of commencement.

WELLINGTON: Printed under authority of the New Zealand Government,
by GEORGE DRESSBURY, Government Printer.—1884.

No. 3.

The ASSISTANT SURVEYOR-GENERAL to the SURVEYOR-GENERAL.

District Survey Office, Auckland, 3rd July, 1885.

The Surveyor-General, Wellington.

Re Aotea or King Country Block.

In reply to your telegram as above, I beg to enclose herewith copies of two letters (C.S. 1838/4 and C.S. 1838/6), which contain the arrangement made for the survey of the above block between the chiefs therein mentioned and myself, acting under instructions of the Hon. the Native Minister, which letters passed immediately after the meeting held at Kihikihi on the 19th December, 1883, when the arrangements were made before the assembled tribes. The actual survey thereof referred to commenced on the 8th January, 1884, at which date Messrs. Edgecumbe and Spencer left Kihikihi to define the southern boundary from Ruapehu to the confiscation line near the White Cliffs. Mr. Spencer finished out his portion of the boundary to the confiscation line and reached Auckland on the 26th March. Mr. Edgecumbe completed his part to near Ruapehu by the 9th May. The northern portion of the boundary was commenced by Mr. Spencer on the 16th April, 1884—see your telegram 12th April—and finished on the 30th July, 1884. This completed all that was necessary to make a map for the Native Land Court, excepting the eastern boundary of the Mokau-Mohakatino Block, which is common to that block and the King country Block; and here an unforeseen difficulty arose in carrying out the order of the Native Land Court as to the boundary laid down in that order (interlocutory), which the Natives very strongly objected to when it was found where it would run to. As the adjustment of this boundary can only, I believe, be settled by the Court in the presence of the people concerned, and as no Court has sat in that district (Waitara, New Plymouth, &c.) since, the completion of the survey is thus delayed.

J. PERCY SMITH, Assistant Surveyor-General.







Map of North Island showing land held by supposedly friendly tribes, districts supplying combatants and land owned by the government by Charles Heaphy. Cartographic Collection, Reference No. MapColl 832gbbd [186-] 1744 Alexander Turnbull Library, Wellington, New Zealand.

Colony to a Dominion

- 26th September 1907
- Was used to take land and imply a change of constitution.



The Law	Statutes
PEOPLE make The Law by the acceptance/validation of Jury verdicts	PARLIAMENT makes Statutes by the en-Act-ments of Legislation
"The Law" is the People's "Common Law" , unlike Statutory "Colour of Law"	"Statutes" are " Legislative Instruments ", unlike the "Common Law"
Laws are moral CUSTOMS made effective by the CONSCIENCE of the People	Statutes are offered CONTRACTS made effective by the CONSENT of the Governed
' LAW . As a compound adjective "common-law" is understood as contrasted with or opposed to "statutory." ' [Black's Law Dictionary, 2nd Edition]	' STATUTE . The written will of the legislature...; This word is used in contradistinction to the common law.' [Bouvier's Law Dictionary, 1856]
THE LAW PROTECTS THE PEOPLE from harm, loss, and deceit	STATUTES GOVERN LEGAL ENTITIES as a franchise benefit to the State
We are ALL EQUAL in the eyes of The Law	We are NOT ALL EQUAL in the books of Statutes
Laws are based on PRINCIPLES	Statutes are based on PRACTICALITIES
Laws evolve over TIME and often endure	Statutes can QUICKLY come and go
LAWFUL refers to THE LAW	LEGAL refers to LEGISLATION
A Jury of People can overturn a Statute	The Legislature cannot overturn Case Law
Laws can be taken into Statutes but if repealed in Statute they remain in Law	Statutes can serve The Law but cannot diminish or expand The Law
De jure "in law"	De facto "in practice"
The People's Common Law "Law of the Land"	Admiralty Maritime Commercial "Law of the Sea"

Lawful

Common Law

Law of tradition

Set by precedence and established fact

The law that is common to all

Can only be determined after due process of law,
(a jury trial)

Deals in fact (living beings, truth)

Language -English

No crime without an injured party

Treats you as a man or woman

Broken when harm is caused to another

Has full force of Law

Seeks justice

LAWFUL

VS

LEGAL

Legal

Acts of Parliament

Set by corrupt politicians (often bribed by lobbyists)

Statutory Obligations

Forced compliance is unlawful

Unenforceable (without consent)

Deals in fiction,

(corporations, legal entities, statutes, codes, policies)

Language - Legalese (sounds like English, has different meanings)

To break legislation is an infraction of a policy.

Treats you as a corporate person

Broken when the rules are not adhered to,
essentially a breach of contract

Has no force of Law without consent

Seeks profit and control

Constitution Act 1986

Order a commercial print 

Search within this Act

SEARCH


By sections

View whole (66KB)

Versions and amendments

Print/Download PDF [514KB]



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Tag section



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26 United Kingdom enactments ceasing to have effect as part of the law of New Zealand

- (1) As from the commencement of this Act the following enactments of the Parliament of the United Kingdom, namely,—
 - (a) the New Zealand Constitution Act 1852 (15 and 16 Vict, c 72); and
 - (b) the Statute of Westminster 1931 (22 Geo V, c 4); and
 - (c) the New Zealand Constitution (Amendment) Act 1947 (11 Geo VI, c 4),—shall cease to have effect as part of the law of New Zealand.
- (2) The provisions of sections 20, 20A, and 21 of the Acts Interpretation Act 1924 shall apply with respect to the enactments specified in subsection (1) as if they were Acts of the Parliament of New Zealand that had been repealed by that subsection.
- (3) Without limiting the provisions of subsection (2), it is hereby declared that the effect of section 11 of the Statute of Westminster 1931 (22 Geo V, c 4) (which section declared that the expression **Colony** shall not, in any Act of the Parliament of the United Kingdom passed after the commencement of the Statute of Westminster 1931, include a Dominion or any Province or State forming part of a Dominion) shall not be affected by virtue of the Statute of Westminster 1931 ceasing, by virtue of subsection (1), to have effect as part of the law of New Zealand.

Imperial Laws Application Act 1988

5. Application of common law of England—After the commencement of this Act, the common law of England (including the principles and rules of equity), so far as it was part of the laws of New Zealand immediately before the commencement of this Act, shall continue to be part of the laws of New Zealand.

Cf. 1908, No. 55, s. 2

Sovereign Order

Halsbury (3rd Edition, volume 36-statutes paragraph 559 at page 337 of that volume)

12. As for the supremacy of New Zealand Parliament, the basis statement of principle as a first principle of law can be found in **Halsbury (3rd Edition, volume 36-statutes paragraph 559 at page 337 of that volume)** as follows:

‘559. Legislative supremacy of Parliament-The legislative authority of the Sovereign in Parliament is supreme (*e*), A statute, whether public or private (*f*), can define or override the common law (*g*), abrogate local custom (*h*) and amend or repeal the provision of earlier statutes (*i*). Since, however, every Parliament is supreme, one Parliament cannot derogate from a powers of a subsequent Parliament (*k*), and it follows that a statute can neither provide that it shall be incapable of repeal (*l*) nor dictate the form of subsequent legislation (*m*)’.

- 12.1** As can be found in (*i*) of above, [*para. 12*], New Zealand Parliament cannot derogate from the Sovereign Supremacy of England and England cannot derogate from the Sovereign Supremacy of the Maori Nation assembled in Parliament at Waitangi and following the principle found in (*k*) a statute does not need to state that it cannot be repealed because as found in (*i*) once put into force it cannot be repealed by any later Parliament, its provisions can merely be brought forward into current legislation, because a later Parliament cannot derogate from its forefathers legislation.

Te Hapu o Te Wakaminenga Wahi o
Maniapoto of Nu Tireni

Hapu Tikanga
from local Hapu
Wakaminenga

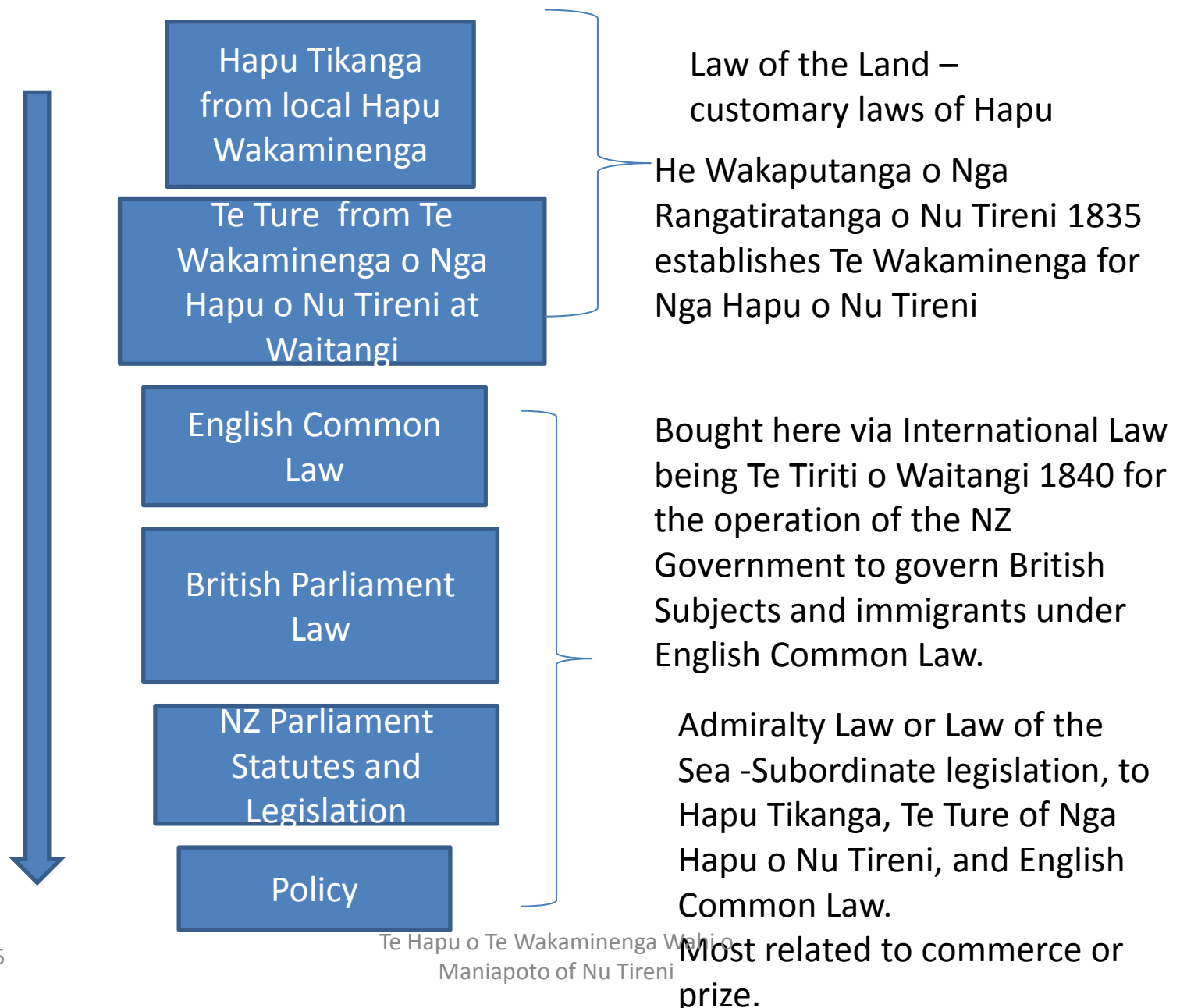
Te Ture from Te
Wakaminenga o Nga
Hapu o Nu Tireni at
Waitangi

English Common
Law

British Parliament
Law

NZ Parliament
Statutes and
Legislation

Policy



**Resources property rights transferred
Only through the Right of Pre-Emption**

Hapu

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangitira ki nga hapu – ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te Wenua – ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

Treaty of Waitangi

Her Majesty

Governor General

NZ Government

**Iwi Trust Boards
Maori TB Act**

**Regional Councils
RMA, Local Govt
Acts**

**Self Autonomous
Iwi Companies**

**Council
Controlled
Companies**

Re-enactment of Hapu Tikanga under He Wakaputanga o Te Rangatiratanga o Nu Tireni 1835 and Te Tiriti o Waitangi 1840

- After dismay over how the Treaty Settlements and corporate entities capturing hapu identity and resources, some hapu and whanau decided to remove themselves from the Treaty Settlement process. Also there were some that did not participate in the process to find out later of secret settlements being done which undermined existing treaty rights, the threat of corporate rule, and free trade agreements allowing foreign corporations to unlawfully take/privatise our natural resources for profit and excluding Hapu and whanau from their rohe or environment which sustains them via food, shelter, customs, history etc.
- 6th Feb 2015 A group of Maniapoto Rangatira went to Waitangi and proclaimed our right to Self Determination under He Wakaputanga o Te Rangatiratanga o Nu Tireni 1835 and Te Tiriti o Waitangi 1840. This proclamation was sent to the Ministry of Justice, Governor General, Waitangi Tribunal that we do not consent to iwi trust boards, trusts, or corporate entities to represent us, and that we have reverted back to operating under Hapu Tikanga and Hapu Customary Law via He Wakaputanga o Te Rangatiratanga o Nu Tireni 1835 and Te Tiriti o Waitangi 1840.
- 29th March 2015 Reenactment of Te Hapu o Te Wakaminenga Waahi o Maniapoto o Nu Tireni (Maniapoto tribal parliament) via Proclamation of Self Determination
- 22nd-23rd May 2015 Te Hapu o Te Wakaminenga Waahi o Maniapoto o Nu Tireni participated in the Reenactment of Te Wakaminenga o Nga Hapu o Nu Tireni at Waitangi with other Proclaimed Hapu
- Currently up to 200 hapu nationwide have now or are in the process of proclaiming themselves to operate under Hapu Tikanga and He Wakaputanga o Te Rangatiratanga o Nu Tireni 1835.

What does this mean for Government Departments?

- Proclaimed Maniapoto Hapu and Rangatira can operate under Hapu Tikanga, or English Common Law and has protection with “Diplomatic Immunity “ via Article II of Te Tiriti o Waitangi 1840 and the Vienna Convention on Diplomatic Relations 1961. Unproclaimed do not.
- Our people have a right to access their food, medicines, and natural resources eg, weaving, timber, water, minerals, to build marae, papakainga, within their rohe, without having to ask for permission, pay a fee, or taxed as all lands in our rohe are still customary due to the issues of historic land title fraud and land court being forced on us. They also have the right of free travel /passage within our rohe.
- No commercial resource , mining, fishing, logging consent can be given without our approval.
- All government public servants are required to have sworn an oath to Her Majesty the Queen and Te Tiriti o Waitangi 1840 operating in our rohe. (Please provide a list of people and organise a hui with us so our people can get to know them and give them an induction of our rohe and history). The British Crown are our Sovereign Protectors.
- Non-sworn government public servants, agents, organisations have no authority to operate in our rohe. They have to swear an oath to Her Majesty the Queen Elizabeth II and to He Wakaputanga o Nga Rangatiranga o Nu Tireni 1835 me Te Tiriti o Waitangi 1840
- In either case none are to interfere in the activities of Maniapoto hapu, whanau, or rangatira, unless we ask them to, or unless if it is a life and death situation and someone is going to be harmed.
- Trust boards and corporate entities purporting to represent us and are constituted under the NZ government (or other foreign governments), do not represent Maniapoto Hapu, Whanau, or Rangatira under Te Tiriti o Waitangi 1840 unless we warrant them to be so by “Hapu Assent” via Te Hapu o te Wakaminenga Waahi o Maniapoto o Nu Tireni or the national body of Te Wakaminenga o Nga Hapu o Nu Tireni (The United Tribes of New Zealand). We will send a letter confirming to be so. In such case such trusts and corporations would require being reconstituted under hapu jurisdiction.