

MINISTERS OF PARLIAMENT
30 Queen St, Levin 5571
siam@pobox.com

11th February 2013

To whom it may concern:

REF: MUAUPOKO TRIBAL AUTHORITY MANDATE PROCESS

I am writing to ministers due to my concerns at the serious processes being implemented by the Muaupoko Tribal Authority [MTA] in their endeavours to secure a Tribal mandate excluding us.

Wai 108 was filed back in 1989 and I Tama-i-ua Ruru kaumatua am the only surviving claimant of this original claim filed by me. The promoters of this claim have all passed on except myself. I am disturbed that the government may allow the MTA on the basis of a vote [whose members are not vetted as to whether they are actually tribal members] lead this mandate. If so, this will dissolve any further claims that have been filed like Wai 108 which was one of the original claims accepted by the Waitangi Treaty claims. It is our view that the Waitangi Tribunal should void our claim only not the Government as they allowed it in the first place.

As a claimant we have a statutory right to be heard under section 6 of the Treaty of Waitangi Act 1975. Until legislation settling the claims is passed, why is my right to be heard disallowed and an unvetted Muaupoko Tribal Authority [MTA] allowed to use my claim without even consulting me nor carrying out a diligent voting process which is totally flawed.

Now today as I write the Government is saying that PRIVATE LAND namely the Horowhenua Lake is and shall be for everyone yet it is PRIVATE LAND—I am an owner? I have a Title certificate?

I am writing this letter to the ministers as I want, and I am sure you want, that this mandate should be based on the following 3 important requirements. Each paragraph will exemplify the below words. It is up to you to base your enactments on the truth of what I say:

Integrity

Transparency

Honesty

Wai 108 have conducted research at our own cost; we know our history, our whakapapa, we work for our living, I have a business export background & am the only Maori farmer who farms their own land in the Horowhenua & lives on the Horowhenua Block 11 who has invested own monies at risk. Not one member of the MTA has ever invested their own money into any venture at risk to them just like Ngati Tama, yet they block or distort those they feel are a threat, those with business backgrounds & those Kaumatua who know their whakapapa & tikanga.

1/. I am a kaumatua & Ahi kaa where I reside.

2/. I descend directly to Major Kemp the major Chief who negotiated with the Horowhenua Block & the Crown agents in the 1800s. It is tikanga [tradition] that allows me to lodge this claim.

3/. I have a registered claim Wai 108 & waited over 20 years to be heard.

4/. I am witnessing a National Crown Government of today using divide and rule tactics just like the 1840s?

5/. I am seeing a mandate process that is not subject to whakapapa scrutiny nor been discussed with claimants & not carried out diligently for the betterment of all Claimants, just a few families?

6/. Wai 108 has never been approached by MTA to assist nor work as a team?

7/. A voting process allowing non tribal voting rights is in place?

Wai 108 have a claim we thought we could carry through. We had valid reasons as our tipuna was Kemp who assisted the colonial forces, then rules changed, yet we were one of the first claimants. Now the National Government are changing the goal posts & we do not have any grandfather clause status after waiting in limbo all these years to be told our claim may be thrown out by the government in favour of an MTA with no research complete, does not have a wider broad demographic base, holds no AGMs, no accounting we can even question & CFRT funding them with zero ground checks.

We have asked for nothing just the 3 words we have written down & now it seems to no avail as the MTA are attempting to take our claim off—why? We are direct descendents of Chiefs not indirect. Wai 52 has one original claimants Kahu Pene whose actually part of the opposing MCC [Muaupoko Cluster Group] not the MTA ----- so most are new, young and most have never been involved in the affairs over the last 30-40 years of the tribe & are not direct descendents by blood lines of Maori Chiefs. No one checks or vets their whakapapa nor work credentials nor those who have affiliated, least of all the Crown bodies who should be asking for transparency?

They [MTA] Muaupoko Tribal Authority want direct negotiations which excluding any other claimants; they do not even talk to other claimants; they do not even ask for help nor input, lack research, but are adapt to using tax payers. They live on Fisheries handouts which belong to the people and to my knowledge were \$500,000 in debt as at 2012. Wai108, as an independent want to go to Tribunal hearings. Wai 108 know history of the lands here as we live on the Horowhenua Block and as said we farm it and I am the only Maori farmer in this area on their own land on the Horowhenua Block 11. MTA asked for \$150,000 to do their own research so as you see they have no research of their own yet they run on funded money & no one vets the money coming in nor out? No communication or questions on who makes what? No vetting of the election process of who actually is eligible to vote as us kaumatua are not allowed to view?

The last Kaumatua Kaunihera meeting was in June 2011 which failed to even meet & not one to date so no tikanga is followed; noone knows what salaries the MTA are on; no AGM as the 2012 November AGM hui only 21 people attended requiring 25 persons to make up the quorum?

At the AGM 2011 [Refer: www.tekeepa.com/mta.php] a constitution draft was given out at the meeting whereby a show of hands indicted noone had read or fully understood the constitution contents. Minutes were never available until 2012 [I asked 3 times, 3 times failed to receive minutes]? But the then Chairman Mahanga Williams said the minutes would be available at the November 2011 AGM at a meeting I held with him. No AGM took place in Nov 2011 —no minutes were available until mid 2012 when a High Court Case pending was filed & the Chairman resigned as his seat was getting too hot. [still no hearing date 2 years later—nor to this day why?]

The attendance list was wrong & the minutes have somehow been distorted & not true as I asked for General business & a motion to the floor [missing] & this was not even included in the minutes—in fact the minutes presented were made up to suit. [Refer: www.tekeepa.com/mta2.php] & [Refer: www.tekeepa.com/mta3.php] I also have minutes on tape? You will see that they mentioned some 80 people were present yet this marae venue can only seat max 31-35 people & they said they lost the attendance list??. At this AGM Mahanga Williams said it was too small & that they needed to hold the AGM at a better bigger venue to accommodate numbers in the future for all AGMs. Now if the register says 1600 people how can they listen inside a marae that can hold seated 31?

The 2012 AGM [Refer: www.tekeepa.com/mta.php] was held in the exact same marae on the 28th Oct 2012 as advertised in the Chronicle Friday Sept 28th 2012 contrary to what was said previous. Once again we see an agenda that does not allow for General Business nor Matters arising or questions that tribal members can ask eg. Salaries of the execs; the CEOs resume which noone knows, why no hui to explain the changes & how the constitution will affect those of our young members etc? Only 21 members attended. The required quorum was 25. The AGM meeting started at 10.6am by Chairman Brenton Tukapua with minutes being taken by CEO Steve Hirini but ended as soon as it started. A fight broke out the moment it started over Vivienne Taueki having a cam corder against the wishes of one Sandra Paki to record the event & [remembering the last AGM in 2011 was doctored & made up witnessed by 2 Legal Aid lawyers present who were disgusted] which is why we are waiting for a High Court hearing—Rudd vs MTA] to no avail after waiting since 2011??

The MTA sent out a news item in the Dominion/ Horowhenua Chronicle dated 16th Nov 2012 **Annex 1 & 2**: accompanied with a voting form that they receive the fisheries mandate by answering yes/no. There has been no hui to explain to the people the constitution that has been amended ---no discussion with the people at any level & nothing was mentioned in the Levin Chronicle until a small article appeared on their monthly writeup . So now they have gathered further votes even at a tangi from people but are never given a copy of the constitution to read before they sign or told they can have a copy to take home , read then sign?? Voting took place, Hirini was the minute taker. 31 attended then others arrived numbering 35. MTA were not present in numbers as they have already voted.

The vote was in favour of the MTA. But in saying that are they not \$500,000 in the red?? And this was submitted to the Waitangi Tribunal by one of the lawyers.

This happened also at the Fisheries vote but the reasoning of recording was the MTA had doctored the last AGM and the minutes were definitely not true and correct. Also those with valid questions could be shut down easier. So having a recording minutes not doctored could be truly recorded. The minute taker Maia Putaki was not present to be questioned but the AGM 2012 never took place as Police were called and the meeting stopped abruptly before it even started.

I want the ministers to question this process & look closely at:

Ingrety—Honestly --- Transparency---- voting processes ---whakapapa

The MTA now want the Mandate to run all our claims & advertised in a voting form 16th December 2012 **See Annex 3**. Of course they won as they have all their known members including kids, non members etc voted yet no one vets them to check whakapapa. Not one person has asked me if they can use Wai 108? Not one kaumatua meeting has been held? No one can question them & get reliable answers? No further AGM has been held—why & email never returned.

1/. What right have MTA got to take my claim for my tipuna when it was Kemp that negotiated with the Crown and was conned by the Crown agents.

2/. What right have MTA got to exclude me when they have no business concepts—never had business of their own—never invested their own funds at risk to themselves & now want to use our tribal monies with no accountability nor election members vetted. We are not allowed to see the election lists? Why.

3/. This claim was filed and accepted by the Waitangi Tribunal back in 1989. The Waitangi Tribunal can only make me sign out ---- not the people as I represent Kemp and his descendents and the Crown nor the MTA or those in the election process who are not descendents of Kemps as under tikanga. We have our right after waiting 20 years to be heard and I am in my 60s. If this goes ahead you have destroyed our tikanga and rights?

4/. I want to see a Crown Government Entity for the settlement process initiated and VETED not just looked at by the Crown on their business experience to all the names put forward otherwise we will be another Ngati Tama? [Refer: www.tekeepa.com/mtastart.php]

5/. Why does not CFRT Crown Forestry Rental Trust provide funding yet do not scrutinize where this funding money goes. Simple. Because they have decided to fund and are funding the MTA & cannot retract as then it makes them become an incapable dept?

6/. Why is there no accountability with members being allowing to question? No whakapapa questioned or checked?

7/. No Kaumatua meetings at all:

Date: Wed, 14 Sep 2011 11:21:11 +1200
From: Kevin Hill <kevin@muaupoko.iwi.nz>
Subject: RE: Kaunihera Kaumatua Council
To: siam@pobox.com

Kia ora as soon as a date and location is sorted will email you

No meetings even as I write? So a small bunch make all the decisions?

8/. No AGM and noone knows what the CEO job was before he came to jopin nor any salaries that these members are on told to the tribe. All meetings are secretive.

On the 9th December at 11am [Refer: www.tekeepa.com/mandate2013.php] I attended the Mandate Discussion by contractor for the MTA Mark Moses the facilitator regarding the MTA mandate process. A total of 27 attended. By ¾ the way thru there were only 5 people listening to the presentation. So in essence the Crown suggests a large natural grouping? Moses outlined the processes but it still did not answer questions regarding my right to have my Wai 108 claimant being taken over by the MTA. No MTA answered questions so basically it was purely outlining with a Chairman sitting at the back not even interested. Not good enough. This hui did not suggest my research could be used nor that I would be able to have a say about the Horowhenua Block 11 [refer www.tekeepa.com] website. No MTA members presented their answers to us which they were supposed to do at the end but clearly it was because of lack of interest as most at the hui had left?? By using the vote system where noone attends hui, is an easy out especially as those on the voting list are neither determined by whakapapa as to are they really tribal members? For those of us with direct descendency and land owners we have no say.

On Wednesday 19th December 2012 Te Puni Kokiri [TPK] held a meeting for those Wai claimants outlining the Kimberly and Horowhenua Hospital sites for landbanking. No members of the MTA were present which was strange or are they having their own private meeting. John Clarke the facilitator presented a good background of the Optus report study on these complexes and subsequent questions answered in full. Approx 15 turned up. There seems to be a lack of communication between parties.

CONCLUSION:

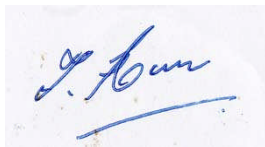
I am a semi retired businessman with some 17 years in SE Asia having owned a Company involved in Publishing, export/imports & shipping. I understand the values of NZ /Asian exports & also am familiar that social intercourse for Maori can only be achieved through business & exports not social programmes alone that will drain any settlement Muaupoko may receive. I have worked hard all my life; am educated, farm my whanau property and it is sad to see those with no business experience and those politicians who are turning a blind eye on what is so important—tikanga;---- [not following tradition for the sake of a quick settlement and closed casebook yet do not wish to allow this true story which I have documented]. We have a legitimate claim to participate in the Treaty process following the misguided crown agents tactics of the 1800s & even if no monies were to come back its being able to tell our story on the hardships endured by maori land owners in their survival to hold their lands today. I have witnessed it---many have not. I have no protection after waiting over 20 years? Why is my claim being hijacked by Crown entities ? Why am I excluded from having my Claim heard by the

Waitangi Tribunal? Why do they, the MTA not want business minds to assist in a tribal claim—am I a threat to their intelligence levels ? Plus why do I not want nor need legal representation?

I am very disappointed with the government that is no different than the time when my tipuna Kemp was coerced & manipulated by Crown agents as I am being submitted to the same tactics. This is not fair & for a government to sanction an MTA is totally unjust and the Crown needs to rethunk its stance as you will be doing a grave injustice to our tribe.

I remain in hope.

Naku noa na



Tama-i-uia Ruru Wai 108

CC: to other Ministers to whom it may concern

Annex1

Public Notices

**Muaūpoko Tribal Authority
Proposed Mandate for Treaty Settlements**



The Crown has recognised Muaūpoko as a large natural group. The Muaūpoko Tribal Authority (MTA) is the entity seeking a mandate to represent Muaūpoko in Direct Negotiations for Treaty Settlements with the Crown. The mandate sought is to negotiate a comprehensive settlement of all of the historical claims of Muaūpoko whether registered or unregistered relating to Crown actions and omissions that occurred prior to 21 September 1992. This includes the following claims, as far as they relate to Muaūpoko: Wai 52, 108, 237, 493, 623, 624, 770, 1490, 1491, 1621, 1622, 1629, 1631, 2045, 2046, 2048, 2050, 2051, 2052, 2053, 2054, 2056, 2093, 2139, 2140, 2173, 2175, 2284, 2306, 2326.

For the purposes of the mandate being sought by the MTA, Muaūpoko is defined as the descendants of Tara, Tuteremoana and Tupatunui who also affiliate to one of the following hapū: Ngāti Te Ao, Ngārue, Ngāti Hine, Ngāti Pāiri, Ngāti Tamarangi, Ngāti Whanokirangi and Punahau.

This mandate also covers the following historical hapū as far as they relate to Muaūpoko; Ngāti Tairatu, Ngāti Kuratuauru, Ngāti Rongopatahi, Ngāti Te Riunga, Ngāti Puri, Ngāti Akahu and Ngāti Rangī.

Adult Muaūpoko Iwi Members will have the opportunity to vote on the Mandate from Monday 19 November 2012 to 12 noon Sunday 16 December 2012. There will be special votes for those who are not currently registered with MTA or for those who do not wish to register with MTA but wish to vote. MTA will be using an independent election company, ElectionZ. The mandate voting process will include postal votes, internet voting, voting at mandate information hui and a Special General Meeting.

The resolution put to the vote will be that: The Muaūpoko Tribal Authority is mandated to represent Muaūpoko in Treaty settlement negotiations with the Crown, regarding the comprehensive settlement of the Muaūpoko historical Treaty of Waitangi claims.

Mandate Information hui will be held on:

Date	Time	Venue
Saturday, 8 December 2012	11 am	Angus Hotel, 507 Railway Road, Hastings
Saturday, 8 December 2012	5 pm	Kingsgate Hotel Palmerston North, 110 Fitzherbert Ave, Palmerston North
Sunday, 9 December 2012	11 am	Kawiu Marae, 290 Kawiu Road, Levin
Sunday, 9 December 2012	5 pm	Te Puni Kōkiri House, 143 Lambton Quay, Wellington

A Special General Meeting will be held on Sunday 16 December 2012 at Kohuturoa Marae, Hokio Beach Road, Levin, between 10am and 12 noon, for those who wish to vote in person.

For more information contact Steve at MTA, phone (06) 367 3311 or email treatyinfo@muaupoko.iwi.nz



QUAL GENERAL MEETING
 SATURDAY, OCTOBER 6, 2012
 Time: 10.00am
 LODGE PALMERSTON NORTH
 CUBA STREET PALMERSTON NORTH
Agenda
 Whakataua / Karakia
 Apologies
 Minutes of 2011 AGM
 Chairman's Report
 Financial Report
 Appointment of Auditor
 Managing Trustees
 General Business
 Whakamutunga
 Terms of Managing Trustees
 Iwe-Parata, Jeanie
 Mellish and Anne
 I expire at the General Meeting
 are eligible to offer is for re-election
Report enquiries
 (Tours) - Taranaki 755 1525
 Or
 Office Wellington 173 2502

Notice - Business in England
ON AB
 on to Cease to exist in New Zealand on 341(1) of the 1993
 given that the company, being a company registered in Sweden is an overseas company under Part XVIII of the 1993, intends to cease to do business in New Zealand the company will apply to the Registrar to be struck off any from the date of the date of

He Panui

Muaupoko Tribal Authority

Notice is hereby given of the Special General Meeting of Muaupoko Tribal Authority Incorporated Society which will be held at Kohuturoa Marae, Hoki Beach Road in Levin on Sunday 14th October 2012 starting at 10.00am.



AGENDA

1. Karakia
2. **Special Business -**

A vote will be taken to:

- Amend and ratify the Rules of **Muaupoko Tribal Authority Incorporated Society** and approve the Authority as the Mandated Iwi Organisation for Muaupoko under the Maori Fisheries Act 2004 and Iwi Aquaculture Organisation for Muaupoko Iwi under the Maori Commercial Aquaculture Claims Settlement Act 2004.

Voting packs including ballot papers will be sent to all registered adult members of Muaupoko. Ballot papers must be received by post or online no later than 12noon on Friday 12th October 2012 **OR** in person at the Special General Meeting by 12noon.

If you are of Muaupoko descent but are not a registered adult member of Muaupoko you may still make a written request for a voting pack and registration form from the Muaupoko Tribal Authority office.

For further information, explanatory documentation or to obtain a copy of the Rules of Muaupoko Tribal Authority go to www.muaupoko.iwi.nz or contact:

Steve Hirini
 Muaupoko Tribal Authority Office
 306 Oxford St, Levin,
 PO Box 1080, Levin 5540
 Phone: 06 367 3311; Fax: 06 367 3322
 Email: steve@muaupoko.iwi.nz



Turners Auctions
 Good people • Best results

Dominion
 Sat 15th Sept 2012

Jan 16 2013

**Muaūpoko Tribal Authority
2012 Deed of Mandate Ratification
DECLARATION OF RESULT**



The final result for the Deed of Mandate that closed at 12 noon on Sunday 16 December 2012 is:

2012 Mandate

That the Muaūpoko Tribal Authority be the Mandated Entity to enter into direct negotiations for the settlement of Historical (pre 1992) Treaty claims with the Crown for Muaūpoko.

	Votes Received
I AGREE	340 (86.73%)
I DISAGREE	51 (13.01%)
INFORMAL	0
BLANK VOTING PAPERS	1 (0.26%)

The majority (being 86.73%) of those voting agreed with the Mandate.

I therefore declare that the Deed of Mandate is ACCEPTED.

The voter return was 22.99%, being 392 votes received from 1,705 eligible voters, of which 84.69% voted by post or Hui and 15.31% voted on the internet.

Dated at Christchurch this 20th day of December 2012.

Anthony Morton
Returning Officer - Muaūpoko Tribal Authority Inc.
0508 666 557

electionz.com
voting made easy 