

**IN THE HIGH COURT OF NEW ZEALAND
WHANGAREI REGISTRY**

CIV-2017-

IN THE MATTER OF

the Marine and Coastal
Area (Takutai Moana) Act
2011 (the Act)

AND IN THE MATTER OF

an application by the
Ngātiwai Trust Board for
orders recognising
Customary Marine Title
and Protected Customary
Rights.

MEMORANDUM OF COUNSEL FOR THE APPLICANT

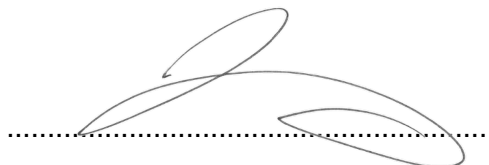
Dated 31 March 2017

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MAY IT PLEASE THE COURT:

1. Applications for Recognition Orders under the Marine and Coastal Area (Takutai Moana) Act 2011 are required to be filed no later than 3 April 2017.¹ The Applicant has filed its Application for Recognition Orders for Protected Customary Rights and Customary Marine Title within the statutory time frame.
2. The Applicant has also sought to engage directly with the Crown with a view to negotiating and entering into Recognition Agreements for Protected Customary Rights and Customary Marine Title.² The Applicant also intends to seek Crown funding to complete research in support of the Application.
3. The Applicant will serve the Application and publicly notify the application in accordance with the Act,³ following which Notices of Appearance may be filed in accordance with the Act.⁴
4. In light of the Applicant's desire to engage directly with the Crown in order to reach Recognition Agreements, the Applicant respectfully requests that the Court will not be seeking case management directions until there is greater certainty about the direct Crown engagement process and progress.⁵

31 March 2017

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a dotted line.

Justine Inns

Counsel for the Applicant

¹ Refer to Marine and Coastal Area (Takutai Moana) Act 2011, s100(2)

² Ibid s95

³ Ibid ss102 & 103

⁴ Ibid s103(3)

⁵ HCR7.1(8)