

**IN THE MĀORI LAND COURT OF NEW ZEALAND
TAITOKERAU DISTRICT**

**A20130010198
CJ 2013/41**

UNDER Section 45, Te Ture Whenua Māori Act 1993

IN THE MATTER OF Here Wiremu Ihaka Ututaonga and a succession
order made at 46 Whangarei MB 120-121 on 24
August 1970

NGAIRE LORNA SMITH OR LORNA SMITH
Applicant

Hearing: 6 July 2018, 2018 Chief Judge's MB 365-377
(Heard at Whangarei)

Judgment: 5 September 2018

RESERVED JUDGMENT OF DEPUTY CHIEF JUDGE C L FOX

Introduction

[1] Ngaire Lorna Smith or Lorna Smith (the applicant) seeks an order under section 45 of Te Ture Whenua Māori Act 1993 (the Act) to amend a succession order made on 24 August 1970 at 46 Whangarei MB 120-121 relating to Here Wiremu Ihaka Ututaonga.

[2] The applicant claims the said order is incorrect due to a mistake, error or omission in the presentation of the facts of the case to the Court, because the vesting was in favour of only one child, Pane Puhipuhi Frances Ututaonga, solely.

[3] The applicant claims that she has been adversely affected by the orders complained of as her father, Rapata (Robert) Reti Ututaonga, was one of the children excluded and there was no family arrangement or agreement ever made.

Background

[4] The Registrar's Report and Recommendation dated 18 June 2015 sets out the background to the application. The report is reproduced in full as follows:

REPORT AND RECOMMENDATION

Introduction

1. This application, filed by Ngaire Lorna Smith (the applicant) pursuant to section 45 of Te Ture Whenua Māori Act 1993 (the Act), seeks to amend a succession order dated 24 August 1970 at 46 Whangarei MB 120-121 relating to Here Wiremu Ihaka Ututaonga (the deceased). The deceased is the applicant's grandfather and the blocks affected by succession are Waimangaro and Ngamokooneone.
2. The applicant claims the said order is incorrect because of a mistake, error or omission in the presentation of facts of the case presented to the Court in that the Court made orders vesting the blocks in favour of Pane Puhipuhi Frances Ututaonga solely. The Court named other children who were entitled to these shares but did not receive any.
3. The applicant claims that she has been adversely affected by the order complained of because:
 - i. Her father, Rapata Robert Reti Ututaonga was one of the children excluded; and
 - ii. There was no family arrangement or agreement that took place for the Court to have made orders vesting in Pane solely.

4. The applicant seeks to amend the orders to include all the children of the deceased.

Concise history of Order sought to be amended/cancelled

5. On 24 August 1970 at 46 Whangarei MB 120-121, the Court made orders pursuant to sections 135 and 136 of the Māori Affairs Act 1953. The minute is set out in full:

Here Wiremu Ihaka Ututaonga dec'd 135/53

Pane Puhipuhi Frances Ututaonga sworn.

Deceased was my father.

Ownership in Ngamoko-oneone and Waimangaro as Here Ututaonga same person. Died 4 September 1949 at Opuā. I was present. No will. Married once only to Kiri Keretene. Died 27/3/1958. Issue:

1.	Ihipera Mete Joyce	fa	[Paihia]
2.	Tamati Ututaonga	ma	Opuā
3.	Mokeke (Dolly) Chapman	fa	Opuā
4.	Maraea Ututaonga Cross	fa	Hukenenia (present)
5.	Wiremu Ihaka Ututaonga Jnr	ma	Christchurch
6.	Whare Ututaonga	ma	Rotorua
7.	Hone Te Aho Ututaonga	ma	Moerewa
8.	Roy Ututaonga	ma	Paihia
9.	Pane Puhipuhi Frances Ututaonga	fa	Hospital Kawakawa
10.	Paratene Ututaonga	md	Issue (1)
11.	Rapata Ututaonga	md	Issue (2)
12.	Pereri Ututaonga	md	Issue (2)

Issue of No 10:

13.	Wera Moko	fa	Oramahoe
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Issue of No 11:

14.	Lorna Ngaire Ututaonga	f17	
15.	Robert Ututaonga	ma	Opuā
16.	Frederick Ututaonga	ma	Opuā
17.	Brownie Ututaonga	ma	Kawakawa

Persons entitled No's 1-12 with subs of issue.

Order 136/53

Ngamoko-oneone	\$17.50)	Pane Puhipuhi
Waimangaro	7.00)	Frances Ututaonga

Ben card 22115...Wiremu Ihaka Ututaonga is No 5 above.

Identification of evidence that may be of assistance in remedying the mistake or omission

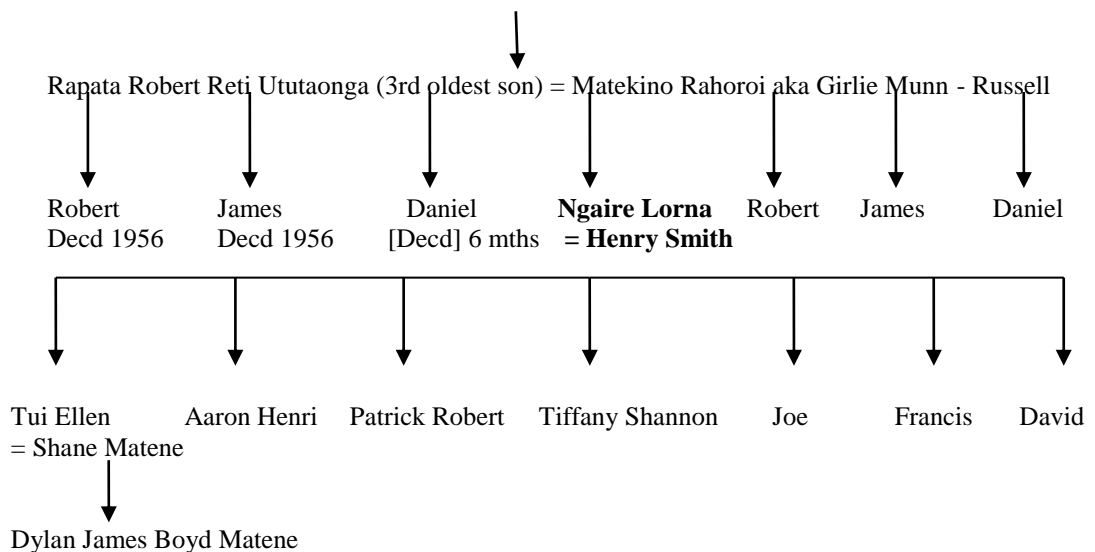
6. The applicant has provided the following documents in support of her application:
- a) Copies of the minutes and orders complained of;

- b) Section 136 legislation print out of – disposition of interests of deceased owner in Maori Land paying reference to section 136(2)(b) and (c) of the Māori Affairs Act 1953;
- c) Whānau meeting minutes at Opua dated 30th June 2012 to include the six names omitted from the order complained of;
- d) Timeline of events of the creation of Waimangaro block dated 2 January 1867 through to the present day;
- e) Copy of list of owners/memorial schedule/historical records dated 29 June 2012 of Waimangaro block; and
- f) Correspondence in support of the applicant listed below:

<u>Date of letter of support</u>	<u>Name</u>	<u>Relationship to deceased</u>
2 November 2013	Margaret Caldwell	Grand-daughter
1 November 2013	Gloria Helen Joyce	Grand-daughter
25 October 2013	Susan Mary Gent	Great grand-daughter
	Rangi Maude Bernecter	Grand-daughter
29 October 2013	Mary Gent	Grand-daughter
31 October 2013	Andrea Michelle Hackett (nee Joyce)	Great grand-daughter
	Rebecca Huia Christine Joyce	Great grand-daughter
31 October 2013	Lynda Dawn Joyce	Great grand-daughter
	Terri – Anne Joyce	Great grand-daughter

- g) Whakapapa of Rapata Robert Reti Ututaonga as set out below:

Te Herehere Wiremu Ihaka Ututaonga raua ko Ngakirikiri Keretene Cherrington (Ututaonga)



- h) A copy of a Registrar's letter dated 10 August 1970 to Pane Ututaonga suggesting that Pane should discuss with the family as to the distribution of the blocks.

The Court records show

7. On 2 May 1950 at 97 Rotorua MB 322 the Court made previous orders to this deceased under the name, Te Here Ututaonga:

Okoheriki 1H worth 3 - Te Here Ututaonga
Application by....

Whare Wiremu Ututaonga – sworn – decd my father – died 19th Sept
1949 – no will, issue namely:

Paratene Ututaonga	ma
Pereri Ututaonga	ma
Rapata Ututaonga	ma
Tame Ututaonga	ma
Whare Ututaonga	ma
Wiremu Ututaonga	ma
Haki Ututaonga	ma
Roi Ututaonga	ma
Ihipera Ututaonga	fa
Mokeke Ututaonga	fa
Pani Ututaonga	fa
Maraea Ututaonga	fa

No objections

Order accy

Same to issue:

5/ Punawhakareia No.2 and 5/ Paratekoata No.5

History of how the deceased acquired his interest in Waimangaro and Ngamokooneone

Waimangaro

8. The deceased succeeded to his father, Wiremu Ututaonga alias Ututaonga in Waimangaro block on 24 October 1889 at 9 N 366-368 together with his siblings. He acquired further shares in the block from a relative, Henare Ngapipi on 25 August 1893 at 12 N 44.

Ngamokooneone

9. The deceased under the name Here Ututaonga acquired shares in Ngamokooneone on succession to Anaru Te Namuheke, dated 25 August 1893 at 12 N 42, a relative, of the deceased.
10. On 27 September 1911, Ngamokooneone was partitioned into Ngamokooneone 2 with an area of 92 acres 2 roods 2 perches. The deceased is listed as an owner in the block together with his siblings and four other owners to a $\frac{1}{4}$ proportion in the block.

Details of subsequent Orders affecting lands to which application this relates

11. On 20 January 1986 at 15 KH 11 the Court made an order pursuant to section 30(1)(a) of the Māori Affairs Act 1953 that the dwelling house erected on the block is the sole and exclusive property of Pane Puhipuhi Frances Ututaonga.
12. The Court made orders transferring the interests of Pane Puhipuhi Frances Ututaonga in Ngamokooneone 2 and Waimangaro to whānau, pursuant to s 213 of the Māori Affairs Act 1953. All transfers were made by way of gift set out in the table below:

Ngamokooneone 2 (0.125 shares)

Transferor	Shares gifted	Transferee	Relationship	Date of order	Balance of shares held
Pane Puhipuhi Frances Ututaonga	0.012	Paraone Frederick Ututaonga	nephew	19 KH 183-184 of 10 December 1991	0.113
Pane Puhipuhi Frances Ututaonga	0.024	Heka Chapman	nephew	19 KH 183-184 of 10 December 1991	0.089
Pane Puhipuhi Frances Ututaonga	0.012	Denny Ihaka Ututaonga	nephew	19 KH 183-184 of 10 December 1991	0.077
Pane Puhipuhi Frances Ututaonga	0.022	Ronald William Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.055
Pane Puhipuhi Frances Ututaonga	0.022	Stephen Te Ohia Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.033
Pane Puhipuhi Frances Ututaonga	0.011	David John Pungawaka Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.022
Pane Puhipuhi Frances Ututaonga	0.011	Michael Neitana Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.011
Pane Puhipuhi Frances Ututaonga	0.011	Murray Te Paki Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.000
Pane Puhipuhi Frances Ututaonga					0.000 shares

Waimangaro (2.500 shares)

Transferor	Shares gifted	Transferee	Relationship	Date of order	Balance of shares held
Pane Puhipuhi Frances Ututaonga	0.228	Paraone Frederick Ututaonga	nephew	19 KH 183-184 of 10 December 1991	2.272

Pane Puhipuhi Frances Ututaonga	0.228	Heka Chapman	nephew	19 KH 183- 184 of 10 December 1991	2.044
Pane Puhipuhi Frances Ututaonga	0.228	Denny Ihaka	nephew	19 KH 183- 184 of 10 December 1991	1.816
Pane Puhipuhi Frances Ututaonga	0.227	Alexander Chapman	nephew	19 KH 183- 184 of 10 December 1991	1.589
Pane Puhipuhi Frances Ututaonga	0.227	Joanne Frances Ututaonga	niece	20 KH 5-6 of 3 June 1992	1.362
Pane Puhipuhi Frances Ututaonga	0.227	Ronald William Ututaonga	nephew	20 KH 5-6 of 3 June 1992	1.135
Pane Puhipuhi Frances Ututaonga	0.113	Michael Neitana Ututaonga	nephew	20 KH 5-6 of 3 June 1992	1.022
Pane Puhipuhi Frances Ututaonga	0.227	Stephen Te Ohia Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.795
Pane Puhipuhi Frances Ututaonga	0.113	Murray Te Paki Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.682
Pane Puhipuhi Frances Ututaonga	0.227	David John Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.455

13. Pane Puhipuhi Frances Ututaonga holds no shares in Ngamokooneone 2 and holds a balance of 0.455 shares in the Waimangaro block.

Details of payments made as a result of the Order

14. Both blocks are administered by a private trust. The land is not leased.

Reference to areas of difficulty

15. There are two applications before the Lower Court pending the outcome of this application:
- i. A20120002168 – 18(1)(a)/93 – Waimangaro Block – application to determine ownership of dwelling; and
 - ii. A20120002167 – 113, 118/93 – Pane Puhipuhi Frances Ututaonga.
16. At the 1950 order there is a name recorded as Haki Ututaonga. In the order complained of there is a name recorded as Hone Te Aho Ututaonga. The applicant confirmed by email 16 April 2015 that Haki and Hone Ututaonga is one and the same person.

Consideration of whether matter needs to go to full hearing

17. There is no need for this application to go to hearing as the matter can be dealt with on the papers before the Court.
18. At the 1970 order (46 Whangarei [MB] 120-121) the Court made orders pursuant to [sections] 135 and 136 of the Māori Affairs Act 1953. However, previous succession was not brought to the Courts attention that the deceased had been previously succeeded to in 1950 at 97 Rotorua MB 322.
19. The deceased acquired his shares in Waimangaro in 1889 and the again in 1893, and Ngamokooneone in 1893. Had the Court been made aware of these blocks in 1950 the Court would have included both blocks and vested in all children as set out in the 1950 order.
20. Section 133 of the Māori Affairs Act 1953 (the 1953 Act) provides that:
 - (1) This Part of this Act, [in] so far as it relates to the disposal on the death of the [beneficial] owner thereof of freehold interests in Māori land, shall apply with respect to all such interests that form part of the estate, whether [testate] or intestate, of:
 - (a) Any Māori or any descendant of a Māori who dies after the commencement of this Act:
 - (b) Any Māori who has died before the commencement of this Act if in respect of his interests a succession order has **not** been made;
21. Section 136 of the 1953 Act should not have applied to the order complained of as:
 - i. The deceased died in 1949;
 - ii. The Court had made previous succession orders in 1950; and
 - iii. There was no family arrangement.

Recommendation of course of action to be taken

22. If the Chief Judge is of a mind to exercise his jurisdiction, then it would be my recommendation that:
 - a) A copy of this report be sent to **all affected parties to give them an opportunity to comment or respond, in writing, within 28 days of the date of this Report.**
 - b) If no objections are received then an order be made pursuant to section 44(1) of Te Ture Whenua Māori Act 1993 amending the order at 46 Whangarei MB 120-121 by:
 - a. Amending the proportion of Pane Puhipuhi Frances Ututaonga interests in Ngamoko-oneone and Waimangaro from 'solely' to a 1/12 proportion; and
 - b. Including the following beneficiaries/successors in the Ngamokooneone and Waimangaro blocks:

	<u>Name</u>	<u>Sex</u>	<u>Proportion</u>
1.	Ihipera Mete Joyce	m	1/12
2.	Tamati Ututaonga	m	1/12
3.	Makere (Dolly) Chapman	m	1/12
4.	Maraea Ututaonga Cross	fa	1/12
5.	Wiremu Ihaka Ututaonga Jnr	ma	1/12
6.	Whare Ututaonga	ma	1/12
7.	Hone Te Aho Ututaonga	ma	1/12
8.	Roy Ututaonga	ma	1/12
9.	Paratene Ututaonga	ma	1/12
10.	Rapata Ututaonga	md	1/12
11.	Perei Ututaonga	md	1/12

- c) And a further order be made pursuant to section 47(4) of Te Ture Whenua Māori Act 1993 by making all consequential amendments cancelling the vesting orders in Ngamokooneone 2 and Waimangaro block as set out below:

Ngamokooneone 2 (0.125 shares)

Transferor	Shares gifted	Transferee	Relationship	Date of order	Balance of shares held
Pane Puhipuhi Frances Ututaonga	0.012	Paraone Frederick Ututaonga	nephew	19 KH 183-184 of 10 December 1991	0.113
Pane Puhipuhi Frances Ututaonga	0.024	Heka Chapman	nephew	19 KH 183-184 of 10 December 1991	0.089
Pane Puhipuhi Frances Ututaonga	0.012	Denny Ihaka Ututaonga	nephew	19 KH 183-184 of 10 December 1991	0.077
Pane Puhipuhi Frances Ututaonga	0.022	Ronald William Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.055
Pane Puhipuhi Frances Ututaonga	0.022	Stephen Te Ohia Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.033
Pane Puhipuhi Frances Ututaonga	0.011	David John Pungawaka Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.022
Pane Puhipuhi Frances Ututaonga	0.011	Michael Neitana Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.011

Pane Puhipuhi Frances Ututaonga	0.011	Murray Te Paki Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.000
Pane Puhipuhi Frances Ututaonga					0.000 shares

Waimangaro (2.500 shares)

Transferor	Shares gifted	Transferee	Relationship	Date of order	Balance of shares held
Pane Puhipuhi Frances Ututaonga	0.228	Paraone Frederick Ututaonga	nephew	19 KH 183- 184 of 10 December 1991	2.272
Pane Puhipuhi Frances Ututaonga	0.228	Heka Chapman	nephew	19 KH 183- 184 of 10 December 1991	2.044
Pane Puhipuhi Frances Ututaonga	0.228	Denny Ihaka	nephew	19 KH 183- 184 of 10 December 1991	1.816
Pane Puhipuhi Frances Ututaonga	0.227	Alexander Chapman	nephew	19 KH 183- 184 of 10 December 1991	1.589
Pane Puhipuhi Frances Ututaonga	0.227	Joanne Frances Ututaonga	[niece]	20 KH 5-6 of 3 June 1992	1.362
Pane Puhipuhi Frances Ututaonga	0.227	Ronald William Ututaonga	nephew	20 KH 5-6 of 3 June 1992	1.135
Pane Puhipuhi Frances Ututaonga	0.113	Michael Neitana Ututaonga	nephew	20 KH 5-6 of 3 June 1992	1.022
Pane Puhipuhi Frances Ututaonga	0.227	Stephen Te Ohia Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.795
Pane Puhipuhi Frances Ututaonga	0.113	Murray Te Paki Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.682
Pane Puhipuhi Frances Ututaonga	0.227	David John Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.455

d) If objections are received then the matter should be set down for hearing.

Procedural History

[5] On 26 June 2015 the Registrar's Report and Recommendation was distributed to all affected parties, for whom addresses were known, with written responses or objections to the report to be filed with the Court no later than 31 July 2015.

[6] On 9 July 2015 counsel Wayne Coutts, for Mrs Frances Brunton, filed correspondence indicating that his client is unlikely to file any objections to the proposed orders.

[7] On 21 July 2015 Meri Gent filed a letter raising objections, however, after Court staff clarified such matters with Meri via email, she withdrew her objections on 11 August 2015.

[8] On 4 October 2017 (2017 Chief Judge's MB 391) the Chief Judge delegated the matter to me for completion, pursuant to section 8A of the Act.

[9] The application was heard before me in Whangarei on 6 July 2018 (2018 Chief Judge's MB 365-377) whereat evidence was given by parties and I reserved my judgment.

The Law

[10] The Chief Judge's jurisdiction to amend or cancel an order of the Māori Land Court is set out in section 44(1) of the Act:

44 Chief Judge may correct mistakes and omissions

(1) On any application made under section 45 of this Act, the Chief Judge may, if satisfied that an order made by the Court or a Registrar (including an order made by a Registrar before the commencement of this Act), or a certificate of confirmation issued by a Registrar under section 160 of this Act, was erroneous in fact or in law because of any mistake or omission on the part of the Court or the Registrar or in the presentation of the facts of the case to the Court or the Registrar, cancel or amend the order or certificate of confirmation or make such other order or issue such certificate of confirmation as, in the opinion of the Chief Judge, is necessary in the interests of justice to remedy the mistake or omission.

[11] The principles that are applied to section 45 decisions have been previously set out in numerous decisions made by the Chief Judge and myself. These are to be found in the judgment *Ashwell - Rawinia or Lavinia Ashwell (nee Russell)*¹ and in *Tau v Nga Whanau O Morven & Glenavy - Waihao 903 Section IX Block*.² I do not propose to repeat those principles again in this judgment.

[12] However, for the benefit of the parties, I note that section 44 explicitly refers to situations where the Court has made an incorrect decision due to a flaw in the evidence presented, or in the interpretation of the law, and it is necessary in the interests of justice to correct its record. For this reason, section 45 applications must be accompanied by proof of the flaw identified, either through the production of evidence not available or not known of at the time the order was made or through submissions on the law.

Issue

[13] The simple issue to determine is whether the order made on 24 August 1970 at 46 Whangarei MB 120-121 pursuant to section 136 of the Māori Affairs Act 1953 (the 1953 Act) was wrong in law.

Discussion

[14] As noted by the Registrar, on 2 May 1950 at 97 Rotorua MB 322 the Court made previous an order under the Māori Land Act 1931 for succession to the Māori land interests of Te Here Ututaonga. His son Whare Wiremu Ututaonga told the Court that his father died on 19th September 1949 without leaving a will. His evidence was that Te Here Ututaonga left the following children:

Paratene Ututaonga *ma*

Pereri Ututaonga *ma*

Rapata Ututaonga *ma*

Tame Ututaonga *ma*

¹ [2009] Chief Judge's MB 209-225 (2009 CJ 209)

² [2010] Maori Appellate Court MB 167 (2010 APPEAL 167)

Whare Ututaonga ma

Wiremu Ututaonga ma

Haki Ututaonga ma

Roi Ututaongama

Ihipera Ututaonga fa

Mokeke Ututaonga fa

Pani Ututaonga fa

Maraea Ututaonga fa

[15] The Court found that there were no objections and an order was made vesting in all the people above in equal shares. The blocks dealt with at the time were Punawhakareia No.2 and Paratekoata No. 5. This order was not brought to the attention of the presiding Judge in 1970 when the order for succession complained of was made. He made an order under section 136 of the Māori Affairs Act 1953. The problem was section 133 prevented him from making such an order. Therefore, the order made in 1970 at 46 Whangarei MB 120-121 relating to succession to Here Wiremu Ihaka Ututaonga was erroneous in fact or in law because of the mistake or omission in the presentation of facts to the Court.

[16] Section 133 of the 1953 Act provided that:

- (1) This Part of this Act, in so far as it relates to the disposal on the death of the beneficial owner thereof of freehold interests in Māori land, shall apply with respect to all such interests that form part of the estate, whether testate or intestate, of:
 - (a) Any Māori or any descendant of a Māori who dies after the commencement of this Act:
 - (b) Any Māori who has died before the commencement of this Act if in respect of his interests a succession order has **not** been made

...

[17] The Judge in 1970 should not have made the order complained of as:

- (a) the deceased died in 1949; and
- (b) The Court had made previous succession orders in 1950; and
- (c) There was no family arrangement agreeing that Pane Puhipuhi Francis Ututaonga should take the deceased's land interests in the land blocks Ngamoko-oneone and Waimangaro; and
- (d) Section 133 of the 1953 Act prevented him from making such an order.

Decision/Orders

[18] Accordingly, in terms of section 44(1) of Te Ture Whenua Māori Act 1993, I consider that it is necessary in the interests of justice that I exercise my jurisdiction and amend the succession order made on 24 August 1970 at 46 Whangarei MB 120-121, relating to the interests of Here Wiremu Ihaka Ututaonga, by:

- (a) Amending the proportion of Pane Puhipuhi Frances Ututaonga's interests, in the Ngamoko-oneone and Waimangaro blocks, from 'solely' to a 1/12 proportion; and
- (b) Including the following beneficiaries/successors in the Ngamoko-oneone and Waimangaro blocks:

	<u>Name</u>	<u>Sex</u>	<u>Proportion</u>
1.	Ihipera Mete Joyce	m	1/12
2.	Tamati Ututaonga	m	1/12
3.	Makere (Dolly) Chapman	m	1/12
4.	Maraea Ututaonga Cross	fa	1/12
5.	Wiremu Ihaka Ututaonga Jnr	ma	1/12
6.	Whare Ututaonga	ma	1/12
7.	Hone Te Aho Ututaonga	ma	1/12

8.	Roy Ututaonga	ma	1/12
9.	Paratene Ututaonga	ma	1/12
10.	Rapata Ututaonga	md	1/12
11.	Perei Ututaonga	md	1/12

[19] A further order is made, pursuant to section 47(4) of the Act, making all consequential amendments necessary to give full effect to the order made above, including cancelling the vesting orders in the Ngamokooneone 2 and Waimangaro blocks as set out below:

Ngamokooneone 2 (0.125 shares)

Transferor	Shares gifted	Transferee	Relationship	Date of order	Balance of shares held
Pane Puhipuhi Frances Ututaonga	0.012	Paraone Frederick Ututaonga	nephew	19 KH 183- 184 of 10 December 1991	0.113
Pane Puhipuhi Frances Ututaonga	0.024	Heka Chapman	nephew	19 KH 183- 184 of 10 December 1991	0.089
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Pane Puhipuhi Frances Ututaonga	0.011	David John Pungawaka Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.022
Pane Puhipuhi Frances Ututaonga	0.011	Michael Neitana Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.011
Pane Puhipuhi Frances Ututaonga	0.011	Murray Te Paki Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.000
Pane Puhipuhi Frances Ututaonga					0.000 shares

Waimangaro (2.500 shares)

Transferor	Shares gifted	Transferee	Relationship	Date of order	Balance of shares held
Pane Puhipuhi Frances Ututaonga	0.228	Paraone Frederick Ututaonga	nephew	19 KH 183- 184 of 10 December 1991	2.272
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Pane Puhipuhi Frances Ututaonga	0.228	Denny Ihaka	nephew	19 KH 183- 184 of 10 December 1991	1.816
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Pane Puhipuhi Frances Ututaonga	0.227	David John Ututaonga	nephew	20 KH 5-6 of 3 June 1992	0.455

[20] The foregoing orders are to issue immediately pursuant to rule 7.5(2)(b) of the Māori Land Court Rules 2011.

[21] The Case Manager is directed to distribute a copy of this reserved judgment to all parties.

Pronounced at 3.00 pm in Gisborne on Wednesday, this 5th day of September 2018.

C L Fox
DEPUTY CHIEF JUDGE