



# HAPU SOVEREIGNTY

## Manatu Ohaanga - Ministry of Development



### HAPU TINO ATUATIRATANGA - TINORANGATIRATANGA

#### HAPU SUZERAINTY & SOVEREIGNTY

#### CONSTITUTION AS ACKNOWLEDGED IN THE HAGUE IN HOLLAND

1. **NAME:**  
**TE MARSICH WHANAU O NGATI IO O AOTEAROA AND COOPERATIVE SOCIETY UNINCORPORATED FOUNDATION**

**AND:** That we, the Hereditary Rangatira (Chiefs) of Hapu Sovereign States and Republics of Aotearoa and as Hapu Mahitahi (cooperatives) of each Providence, are most grateful to “Io” (Almighty God) for our natural prerogative, our Tikanga and Kawa which He hath so long permitted us to enjoy, and looking to Him for further guidance and blessings upon our best endeavors to protect, secure and to transmit the same, unimpaired to succeeding Whanau generations of mokopuna hereby do ordain affirm this understanding and reaffirm this Kaupapa Ture for self determination governance as Kaitiaki o nga Atuatiratanga rawako. Tinorangatiratanga.

**2. OBJECTIVES:**

- a To restore the tenure for the administration and management of resources of Hapu for sustainable development of Sovereignty interest through;
  - i) Re-registration of Land, Foreshore, Seabed and Air Space.
  - ii) Kaitiakitanga and ownership.
  - iii) Continued Social and Economic Development as of requirements supported by the Labour Hui Taumata Summit Conference 1984.
  - iv) To negotiate Mainindustry Cooperatives with professional and skilled personnel with Government Departments, Maaori Land Court, the office of Treaty Settlements O.T.S, Te Puni Kokiri TPK, and Land information NZ LINZ. F.O.M.A.
- b To provide an effective tenure and development Trade System Data Base for Hapu transactions of interests in resource registration for identifying use and options towards resource protection and development to promote effective use of all Hapu, Whanau tribal interests.
- d To Utilise the Mainindustry Infrastructure and economic base for Maaori Economic Development to set policy and pass laws/lore set in congress assembled on the 28<sup>th</sup> October each year, and ensure smooth transition processes of Tikanga Maaori structural correction responsibilities supported by Te Tiriti O Waitangi and acting on all obligations in good faith when implemented.
- f To establish registered standards for training courses for the advancement of Trade Training and Trade within the A.P.E.C Framework, for national and international standards recognition.
- g To ensure Moderation and Assessment of Education, Health, Welfare, Conservation, within the Hapu network.
- h To develop a Cultural Mainindustry for social economic and environmental management programs, for self determination - interdependence acknowledged by the Declaration of Independence of 1835.
- i To Co-operate with other Hapu Cooperatives to manage the business within Hapu cooperative boundaries and to work in good faith.
- j To foster promote and expand the social welfare of Sovereignty and Suzerainty with spiritual, recreational interests with all Hapu members and to retain, foster, promote and expand our Tikanga of Customary values, practices and lore's.
- k To consider any matter affecting the interests of the Hapu members, the Maaori people and their public interests under the fee simple certificate of Title process and/or Mauri Allodial Land Titles.

- l To provide training and work experience in all aspects of Mainindustry or industry and related fields.
- m To partake in the constructive trust between the Sovereign of England and Hapu Sovereign States, to receive and to hold in assurance and good faith of Tribal interest of assets which it may send and receive or wishes to maintain titles from the register of “Ministry of Maaori Customary Land” with the Maaori Land Court, Crown held Hapu land for Maaori, Local government reserves, incorporations, public authority or department or any other persons or body with the intent that such asserts made to the executors may be made for the benefit of the general purposes of the “Hapu Sovereign Resource Entirety” HSRE or may be or made for some purposes within the general purposes of the Hapu specified in particular cases by the donor or donor and lenders or lenders.
- n To promote charitable causes in the area of the Tribal boundaries and other such reasons where the descendants or beneficiaries of Nga Mokopuna may permanently reside or have interest.
- o To encourage self-determination of independence within an interdependent cooperative society of self-governance with terms and conditions or rules of engagement.
- p To forge cooperative joint ventures and alliances with tinorangatiranga Hapu Sovereign States of the “United World Tribes of IO’ Foundation for economic trade and commerce of common interests in conscience conscious, communities of common unity in peaceful union with all.
- q To acquire resources to establish a self-sustainable resource economy for future generations that are not driven by materialism but accumulated inherited, shared wealth and expansion of contributing shareholders.
- r To sponsor new affiliate marketing members/subscribers to earn ongoing credit residuals within the parameters of the administration infrastructure of the trading platform(s) to initiate trade exchange alliances and a self-sustainable tinorangatiranga Hapu Sovereign Cooperative Trust that establishes a global network and business enterprise for its members.

### **3. REGISTERED OFFICE:**

The registered office of the Co-operative Society shall be at: Opononi, RD3 Kaikohe or such other address as may be later advised to the registrar after receipt of application.

### **4. ADMISSION OF MEMBERS AND TRANSFER OF SHARES:**

- a) Application for membership or transfer of shares shall be made in writing to the Secretary who shall promptly convene a management committee meeting to consider any such application.
- b) Approved applicants or transferees must satisfy any conditions of approval and pay for heir shares or come to some arrangement with the management committee concerning such conditions or payment before shares are allocated or transferred to them and their name is entered in the Society's register of members.
- c) No member other than a registered society shall hold more than four thousand (1,000) shares in the Society.

### **5. REGISTER OF MEMBERS:**

A register of members or shares shall be kept by the Secretary to record the names of members; the date they became a member; the number of shares held by them, the amount paid or agreed to be considered as paid on any such shares and the date any member ceased to be a member.

### **6. NOTICE TO MEMBERS -.**

Any notice required to be given by the Society to members shall be deemed to have been served if it is posted to the member's last known address.

### **7. SHARES:**

- a) The capital of the Society shall be raised in shares of one dollar each or one unit/point value, and each member shall hold at least one share, which must be paid up in full on joining the Society.
- b) The Society shall have a first and paramount lien upon the capital of any member for any monies owing to the Society.

- c) The management committee may make such calls on the shares, as it deems necessary.

## **8. CESSATION OF MEMBERSHIP**

Membership of the Society shall cease in the following circumstances:

- a) by a member giving notice to this effect to the secretary upon, the management committee determining that a member has failed to pay a call on his or her share.
- b) upon failure to maintain the financial commitment of any affiliation to systems.
- c) upon the death of any member.
- d) upon the bankruptcy of any member.
- e) In all the above cases of cessation of membership the member's shares shall be forfeited and no moneys shall be payable in respect of such shares unless the management committee determines otherwise.

## **9. MANAGEMENT COMMITTEE:**

- a) The management committee of the Society shall consist of a facilitator, Secretary, Treasurer and not less than 2 nor more than 5 committee members who must all be members of the Society.
- b) The Secretary, Treasurer and the other members of the first management committee shall be those people detailed in the attached schedule.
- c) Every year a meeting of the Society shall be convened to elect a new management committee PROVIDED HOWEVER that if nominations received by the Secretary are the minimum needed to constitute a management committee and do not exceed the maximum and are received by the time fixed by the Secretary for the closing date for nominations then the Secretary, shall declare that those nominees constitute the new management committee and the meeting of the Society for that purpose shall not be held. The committee shall appoint officers from among their number.
- d) The management committee or any member(s) of the committee may be removed on the authority of a Special Resolution passed at a meeting of the Society, 7 days notice of which has been given to all members. The notice of any such meeting must specify if the meeting is to consider the removal of the committee as a whole or if it is to consider the removal of a particular member or members.
- e) The remuneration, if any, payable to any member of the management committee or the Society shall be such as is determined by the management committee with the person whose remuneration is being considered not being present at the meeting which decides same and provided that any such remuneration must be no more than reasonable.

## **10: POWERS AND MEETINGS OF MANAGEMENT COMMITTEE:**

- a) The committee shall manage all business carried on by the Society including the taking on or laying off of employees and the terms and conditions of employment.
- b) The committee may invest all or any part of the capital of the Society in any way it sees fit provided only that such investment is within the terms of the objectives of the Society.
- b) The committee shall determine how often and in what manner it holds its meetings PROVIDED HOWEVER that the quorum for such meetings shall be the facilitator and three committee members.
- d) The Secretary or such other member so directed by the committee shall be responsible for giving notice of all meetings of the committee.
- e) Any member of the management committee who is absent from 3 consecutive meetings without leave of the committee shall no longer be a member of the committee.

The audit shall be conducted in the manner provided by Section 8 (iii) of the Industrial and Provident Societies Act 1908 and the Secretary and Treasurer of the Society shall be the persons responsible for the conduct and verification of the audit.

## **11. MEETINGS OF THE SOCIETY:**

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- a) A meeting of the Society may, be convened at any time by a resolution of the management committee and shall be convened within seven (7) days of notice to the Secretary of a requisition of not less than 5 members of the Society.
- b) No business shall be dealt with at any meeting unless there is a quorum of 5 members.
- c) Voting shall be by whatever mode the meeting directs.
- d) Every member shall have only one vote on each matter considered at a meeting.
- e) The Secretary shall give notice of meetings or such other member of the management committee as the Society directs.

## **12. NON-PROFIT:**

All monies received by the Society shall be applied in furthering the objectives of the Society. No part of monies received shall be distributed to members as a dividend.

## **13. DISSOLUTION:**

The Society may be dissolved by three fourths of the members signing an instrument of dissolution as provided by Section 15 of the Industrial and Provident Societies Act 1908. The assets of the Society shall be distributed in such manner as the Society determines.

## **14. ALTERATIONS OF RULES:**

No deletions from or alterations or additions to the rules of the Society shall be made except by special resolution. Notice of all proposed deletions, alterations or additions to the rules must be given to the Secretary not less than 7 days before the meeting at which they are to be considered.

## **15. COMMON SEAL:**

The Common Seal shall be held in the custody of the Secretary and shall be affixed pursuant by, with any of the management committee in the presence of three members forth with, or by the Secretary and one member of the committee.

## **16. LIMITED LIABILITY:**

The liability of the members of the Society is limited to any unpaid amounts in respect of their shares in the Society.

## **17. MAAORI TIKANGA & TAONGA RESPONSIVENESS TO (QUALITY)**

**THE INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1908 ITS GUIDE AND USE IN GOOD FAITH TO ACKNOWLEDGE MAAORI CUSTOMARY VALUES AND PRACTICES**

Tuturu Maaori (Maaori Tikanga interpretation) of the Industrial Provident Societies Act 1908, No.81 An Act to consolidate certain enactments of the General Assembly relating to Maindustry of the Industrial and Provident Societies, 4th of August 1908.and the Te Ture Whenua Act 1993 section 3, and sec 20.

Interpretation of Maaori terms---In this Act, unless the context otherwise requires.

## **18. INTERPRETATIONS OF MAAORI TERMS RECOGNISED IN TE TURE WHENUA ACTS BY CROWN AND GOVERNMENT.**

1. "Ahi Ka" means fires of occupation. Land not ceded to.
2. "Kai tiaki" means guardian" - Quality Sustainable Activity.
3. "Tikanga Maaori" means Maaori customary values and practices:-Total Sovereign Control.
4. "Tipuna" means ancestor: - Mana Tapu Mauri Noa.
5. "Whanaunga" means a person related by blood:
6. "Whangai" means a person adopted in accordance with Tikanga includes settlers Taonga and the Resource Management Act 1993 sec 6,7,8,
7. TinoAtuatiratanga Handing back
8. Tinorangatiratanga. Receiving
9. **ANALYSIS:**

The Industrial and Provident Societies Act 1908, The Securities Act, Te Tuturu Maaori (Maaori interpretation) relating to specific Terminology with respect to page :Marsich-Crown-Kingdom:©™ aka; :Matawherongāoko-Karauna-Mātāmuatanga:©™ Hokianga, Te Tai Tokerau, [New Zealand], Aotearo[h]a

- 3, Section 1, (1) (2) (a) (b). Short title etc. and page 4, Section 2 etc. interpretation - in this act, if not inconsistent with the context.
10. The purpose of this Act by Hapu Sovereignty is for interdependence between Sovereignty and Suzerainty.

**Maaori Lawful Interpretation:**

11. Kawa Means "Analysis" the division of a physical or abstract whole into its constituent parts to examine or determine their relationship or value, Mauri Means, the act or process of "interpretation" or explaining elucidation including allocation of significance to the terms of a purely formal system, by specifying ranges for the variables, denotations for the individual constants, etc.; a function from the formal language to such elements of a possible world.
12. Tono Means "The" Phrase (Phrasis, phrazein) to indicate a particular person, object etc, including Tohu, the thy, se, seo, sio, thi, thin, der, diu.
13. Kai-mahi Means "Maindustry industrial" of relating to, derived from, characteristic of Maaori industry, including industria from industrius.
14. Huri-Huri Means "and" emphasis or indicate repetition or continuity including anda, ande, anti, atha.
15. Te Hiri o Mahuta means " Seal O Mahuta" The seal is known of the Ngati Rangatahi Hapu Raukawa and Tainui. Te Hiri Marae.
16. Mata-kite Means "Provident" providing for future needs includes exercising for sight in management of affairs, resources, characterized by wairua, proceeding from for sight; including providens, providere.
17. Nga-Iwi Means "societies" a system of human organizations generating distinctive cultural patterns and institutions and usually providing protection, security, continuity, and a national, international identity for its members, mode of social and economic organizations including societe, societias, socius.
18. Hapu Means "Area" of mass potential used by human organisations that identify themselves through genealogy to the land including by origin, original,
19. Kai-taonga Means "Act " on, to regulate one's behaviour in accordance with advice, information, etc; including "Act" upon, to have effect on, action, actio, agere.
20. Tohi-rite Means "1908: dare, date, the years of a person's birth and death, including the beginning and end of an event, period, time, tima, tid, timi, zime, symbolum, sumbolon, sumballein, synballein.
21. Whaka-noa Means "Amendment of rule" includes a new rule and a resolution rescinding a rule in-addition the Act of amending; correction, addition, alteration, or improvement to a motion, document etc, amender, emendare, emend.
22. Tinana Means "Hapucoop Authority", means the committee of management or other directing body of a cooperative, society, including a group of people chosen or appointed to perform a specified service of function, committere, rohe.
23. Papa-tu-a-nuku Means "Land" includes hereditaments and chattels real including any kind of property capable of being inherited, heredite, hereditas, an interest in land, less than a freehold, such as a lease, chattel, capitale, lant.
24. Mana whenua "Means" Land or any trace of ground capable of being owned as property, together with any buildings on it, extending above and below the surface.).

25. Hui-hui Means "Meeting" includes the rules of a society) a meeting of delegates appointed by members including to come into or be in conjunction or contact with (something or each other); metan, moeta, motian, gemaete, maza, maetr.
26. Kai-ti-a-ki Means "officer" extends to any trustee, treasurer, secretary, owner member of the committee of management of a society, manager, or servant other than a servant appointed by the committee of a society.
27. Kaitiaki-Maori-ake Means "persons claiming through a member" includes the executors, administrators, and assigns of a member and also his nominees where nomination is allowed.
28. Taonga Means "Property" means all real and personal estate (including books and paper), the right to possess, use and dispose of anything, proprietie, proprietas, proprius.
29. Waka Means "Independent Registered Society" means a society registered or deemed to be registered under this Act as an international common lore/law.
30. Whare-Nui Means "Registrar" means the Registrar of Maindustry industrial or and Provident Societies appointed under this Act; The Maaori Registrar or 3rd Party record keeping. and "Hapu Sovereign Registrar", in relation to any Hapucoop. whose office of the Hapu records relating to the management of the Hapu cooperative or its members are kept:
31. Ture Means "Rules" for the time being including an order by a Hapu Sovereign State, Maaori Koti, Koti Kaitiakitanga Koti Rangatiratanga, court or judge, riule, regula.
32. Tino Matua Mahi means Maindustry the first works of Io - Whaea Rikoriko.
33. Tino Atuatiratanga means The Origins of Maaori Tikanga.
34. Tika-nga Means Tika - "Honesty including to be Right" nga means numerous every thing that is done in Tikanga
35. Hapu Tino Rangatiratanga mahitahi means the Hapu Sovereign Cooperation.
36. The following Hapu members hereby acknowledge cooperation with the 2002 Memorandum of understanding with te Whakaminenga o Nga Hapu Ngapuhi. 18 of this constitution and the Industrial and Provident Societies Act 1908, to be used as a guide and instruction document with the Declaration of Independence 1835 for the partnership of Te Tiriti O Waitangi 1835.

**We also hereby acknowledge in Part attachment of the National and International Constitution for any of the Republics of the Hapu Sovereignty & Suzerainty States.**

## COOPERATIVE AMALGAMATION FOR

*We The following Executors hereby acknowledge the constitution herewith.*

TE MARSICH WHANAU O NGATI IO O AOTEAROA AND COOPERATIVE SOCIETY UNINCORPORATED  
FOUNDATION

**Name: ARIKI-NUI KAWENATA :MARSICH-CROWN:**

19 WAIOTEMARAMA GORGE ROAD, OPONONI 0473,  
RD3 KAIKOHE, NORTHLAND, [NEW ZEALAND]

*Ariki-nui Kawenata :Marsich-Crown:*

Signed by: \_\_\_\_\_ ( Secretary ) \_\_\_\_\_

*Address, Please Do not use Post Box*

**Name: GAVIN-JOHN :MARSICH:**

19 WAIOTEMARAMA GORGE ROAD, OPONONI 0473,  
RD3 KAIKOHE, NORTHLAND, [NEW ZEALAND]

*Gavin-John :Marsich:*

Signed by: \_\_\_\_\_ ( Treasurer ) \_\_\_\_\_

**Name: JEROME-JOHN :MARSICH:**

19 WAIOTEMARAMA GORGE ROAD, OPONONI 0473,  
RD3 KAIKOHE, NORTHLAND, [NEW ZEALAND]

*Jerome-John :Marsich:*

Signed by: \_\_\_\_\_

**Name: RENAE-FRANCES :MARSICH:**

19 WAIOTEMARAMA GORGE ROAD, OPONONI 0473,  
RD3 KAIKOHE, NORTHLAND, [NEW ZEALAND]

*Renae-Frances :Marsich:*

Signed by: \_\_\_\_\_

**3.REGISTRATION FOR AMALGAMATION OF THE INDUSTRIAL AND  
PROVIDENT SOCIETIES ACT 1908 AND THE AFFIRMATION 2002  
TO HER MAJESTY THE QUEEN OF ENGLAND.**

We make this solemn declaration conscientiously believing the same to be true under and by virtue of the Sovereign Seal as an order of Sovereignty and Suzerainty to protect and practice Maaori Tikanga Customary Values and Practices and is Acknowledgment by the Te Ture Whenua Land Act 1993 Sec 3. And sec 20, the Declaration of Independence 1835, Te Tiriti O Waitangi 1840.

The Hapu Sovereign Accord 2002 Affirmation to Queen Elizabeth, The Governor General Hon, Dame Silvia Cartwright and the Hapu Proclamation to the Prime Minister Helen Clark at Kaikohe 12/04/02, and the Hapu Sovereign and Suzerainty International and international constitution 2003.

Therefore, we the following Hapu members hereby acknowledge the constitution 2003 and the Industrial and Provident Societies Act 1908 to be used in good faith as a guide and instruction document for partnerships with the attached Constitution, with the signatures and Seal being adopted as the;

**Cooperative Society Unincorporated Foundation.**

**We also hereby acknowledge the Part attachment of the National and  
International Constitution for any of the Republics of the Hapu Sovereignty  
& Suzerainty States.**



**KAUPAPA TURE O NGA HAPU TINO ATUATIRATAINGA -  
TINORANGATIRATANGA O AOTEAROA NU TIRENI**  
(Constitution of Hapu Sovereignty & Suzerainty Republic of Aotearoa New Zealand)

**PREAMBLE :**

We, the Hereditary Chiefs of the Republic Sovereign States of Hapu Mahitahi (cooperatives) and each Providence, are most grateful to Almighty God for our natural prerogative, our Tikanga and Kawa which He hath so long permitted us to enjoy, which we are now looking to Him for further blessings upon our endeavors to justify, quantify, qualify, to protect, secure our republic and to transmit the same, unimpaired, to succeeding whanau generations of mokopuna hereby do ordain affirm this understanding and reaffirm this Kaupapa Ture for our self determination republic of governance as kaitiaki and Tangata Whenua.

**ARTICLE I**

**DECLARATION OF CERTAIN CONSTITUTIONAL RIGHTS AND PRINCIPLES.**

In order effectually to secure the Tikanga and supporting freedom established by our venerated ancestors, and to preserve the same for our posterity, we do declare that the essential and unquestionable rights and principles hereinafter mentioned that are established, maintained, and preserved, and shall be of paramount obligation in all legislative, judicial and executive proceedings and reaffirmed at Waitangi on the 6<sup>th</sup> February 2002 and in congress assembled at Waitangi on the 28<sup>th</sup> October 2002 with a memorandum of understanding.

**Section 1. Right to make and alter Constitution obligatory upon all.**

In the words of Io Matua, Whaea Rikoriko o Te Toi O Nga Rangi, Tapu Mana Mauri Noa of our natural prerogative o Te Ao Turoa, we declare that "the basis of our Supreme Hapu Mahitahi Systems and developments by OHCS is the right of the Maaori people to make and alter their constitutions of Sovereignty and Suzerainty SAS governance; however this constitution which at any time exists, till changed improved by an explicit and authentic act of the whole Hapu Cooperative people, is sacredly obligatory upon all".

**Section 2.**

**Tikanga, Lores / lawful for good of whole Burdens to be equally distributed Due process Equal protection Discrimination No right to abortion granted.**

All free SS Hapu are instituted for the protection, safety, interest, and happiness of the people. All lore / laws, therefore, should be made for the good of the whole; and the burdens of the state ought to be fairly distributed among its citizens. No person shall be deprived of life, liberty or property without due process of Tikanga Lore / law,

- 1 Nor shall any person be denied equal protection by the laws in New Zealand.
- 2 No otherwise qualified person shall, solely by reason of race, gender or be subject to discrimination by any Hapu Coop State, its agents or any person or entity doing business with the Hapu Coop State.
- 3 Nothing in this section shall be construed to grant or secure any right relating to abortion or funding thereof.

**Section 3. Freedom of Tikanga (religion).**

Whereas Almighty God hath created the mind free; and all attempts to influence it by temporal punishments or burdens, or by civil incapacitation's, tend to beget habits of hypocrisy and meanness; and whereas a principal object of our venerable ancestors, in their migration to this country and their settlement of this state, was, as they expressed it, to hold forth a lively experiment that a flourishing civil state may stand and be best maintained with full liberty in Tikanga (religious) concernments; we, therefore, declare that no person shall be compelled to frequent or to support any religious worship, place, or ministry whatever, except in fulfillment of such person's voluntary contract; nor enforced, restrained, molested, or burdened in body or goods; nor disqualified from holding any office; nor otherwise suffer on account of such person's religious belief; and that every person shall be free to worship God with respect for his creation according to our Tikanga.

The dictates of such ancestral whakapapa, person's conscience, and to profess and by argument to maintain such person's opinion in matters of Tino Atua Tiratanga (religion); and that the same shall in no way diminish, enlarge, or affect the civil capacity of any person.

**Section 4.**

**Entitlement to remedies for injuries and wrongs right to justice.**

Every person within his/her Hapu Sovereign State ought to find a certain remedy, by having recourse to the lore's / laws, for all injuries or wrongs which may be received in one's person, property, or character. Every person ought to obtain right and justice freely, and without purchase, completely and without denial; promptly and without delay; conformably to the lores / laws.

## **Section 5.**

### **Search and seizure.**

The right of the people to be secure in their persons, papers and possessions, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, but on complaint in writing, upon probable cause, supported by oath or affirmation, and describing as nearly as may be, the place to be searched and the persons or things to be seized.

## **Section 6.**

### **Requirement of presentment or indictment Information by attorney general Grand juries' Double jeopardy.**

Except in cases of impeachment, or in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger, no person shall be held to answer for any offense which is punishable by death or by imprisonment for life unless on presentment or indictment by a grand jury, and no person shall be held to answer for any other felony unless on presentment or indictment by a grand jury or on information in writing signed by the attorney general or one of the attorney general's designated assistants, as the general assembly may provide and in accordance with procedures enacted by the general assembly.

## **Section 7.**

The **general assembly may authorize** the impaneling of Council of "Sovereign Holy Order" with authority to indict for offenses committed any place within the Hapu States and it may provide that more than one grand jury may sit simultaneously within a Hapu.

No person shall be subject for the same offense to be twice put in jeopardy. Nothing contained in this article shall be construed as in any wise impairing the inherent common law powers of the Congress of a Te Kooti Kaitiakitanga and jury.

## **Section 8.**

**Bail, fines and punishments.** Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted; and all punishments ought to be proportioned to the offense.

## **Section 9.**

**Right to bail Habeas corpus.** All persons imprisoned ought to be bailed by sufficient surety, unless for offenses punishable by imprisonment for life, or for offenses involving the use or threat of use of a dangerous weapon by one already convicted of such offense or already convicted of an offense punishable by imprisonment for life, or for offenses involving the unlawful sale, distribution, manufacture, delivery, or possession with intent to manufacture, sell, distribute or deliver any controlled substance or by possession of a controlled substance punishable by imprisonment for ten (10) years or more, when the proof of guilt is evident or the presumption great. Nothing in this section shall be construed to confer a right to bail, pending appeal of a conviction. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion, the public safety shall require it; nor ever without the authority of the general assembly.

## **Section 10.**

**Rights of accused persons in criminal proceedings.** In all criminal prosecutions, accused persons shall enjoy the right to a speedy and public trial, by Council of "Sovereign Holy Order" jury; to be informed of the nature and cause of the accusation, to be confronted with the witnesses against them, to have compulsory process for obtaining them in their favor, to have the assistance of counsel in their defense, and shall be at liberty to speak for themselves; nor shall they be deprived of life, liberty, or property, unless by the judgment of their peers, or the law of the land.

## **Section 11.**

**Relief of debtors from prison.** The person of a debtor, when there is not strong presumption of fraud, ought not to be continued in prison, after such person shall have delivered up property for the benefit of said person's creditors, or society in such manner as shall be prescribed by the council of Council of "Sovereign Holy Order" elders in lore.

## **Section 12.**

**Ex post facto laws impairing obligation of contract.** No ex post facto law, or law impairing the obligation of contracts, shall be passed.

## **Section 13.**

**Selfcrimination.** No person in a court of common law shall be compelled to give selfcriminating evidence over this constitution of Hapu Sovereignty.

**Section 14.**

**Presumption of innocence Securing accused persons.** Every person being presumed innocent, until pronounced guilty by the law, no act of severity, which is not necessary to secure an accused person, shall be permitted.

**Section 15.**

**Trial by jury.** The right of trial by jury shall remain inviolate. In civil cases the general assembly may fix the size of the “ Te Kooti Kaitiakitanga” Council of “Sovereign Holy Order” or the petit jury at less than twelve but not less than six.

**Section 16.**

**Compensation for taking of private property for public use Regulation of fishery rights and shore privileges not public taking.** Private property shall not be taken for public uses, without just compensation.

The powers of the Hapu State and of its municipalities to regulate and control the use of land, waters, and all resource in the furtherance of the preservation, regeneration, and restoration of the natural environment, and in furtherance of the protection of the rights of the Hapu to enjoy and freely exercise the rights of fisheries and the privileges of the foreshore and the 400 nautical mile Sea Title held by the Tangata moana , as those rights and duties are set forth in Section 17, shall be an exercise of the police powers of the state, shall be liberally construed, and shall not be deemed to be a public use of private property.

**Section 17.**

**Fishery rights Shore privileges Preservation of natural resources.** The people shall continue to enjoy and freely exercise all the rights of fishery, and the privileges of the shore, to which they have been heretofore entitled under the charter and usages of this state, including but not limited to fishing from the shore, the gathering of seaweed, leaving the shore to swim in the sea and passage along the shore; and they shall be secure in their rights to the use and enjoyment of the natural resources of the state with due regard for the preservation of their values; and it shall be the duty of the general assembly to provide for the conservation of the air, land, water, plant, animal, mineral and other natural resources of the state, and to adopt all means necessary and proper by law to protect the natural environment of the people of the state by providing adequate resource planning for the control and regulation of the use of the natural resources of the state and for the preservation, regeneration and restoration of the natural environment of the state.

**Section 18.**

**The Registration of this constitution with the Ministry of Economic Development.** The purpose of this Constitution is for notification as to the Tiriti O Waitangi 1840. It is not subject to any laws of any other Sovereign or any statute of New Zealand Law it is purely for the purposes of Good Faith and Maaori Tikanga.