

Raukawa ki te Tonga Trust

24 January 2013

Tēnā koutou,
i ngā tini āhuatanga o te wā

As noted in the Public Notice, the Trustees intend to propose some amendments to the Trust Deed at the AGM to be held on Saturday 23rd February 2013, 10am at Tukorehe Marae, State Highway 1, Kuku, Ohau, Levin.

Clause 6.1(a)(i) of the Trust Deed provides the process for the amendment of the Trust Deed. In particular, we note that any resolution to change the Trust Deed must be approved by way of Special Resolution put and passed at a General Meeting in accordance with Part 1 of Schedule 3.

The proposed wording for the resolution to pass the Proposed Amendments is:

“Voting Resolution

THAT the Trust Deed of Raukawa ki te Tonga Trust be amended in accordance with the Proposed Amendments
YES / NO “

The proposed amendments are as follows:

1. Clause 5.6(a) of the Trust Deed is amended by:
 - (a) deleting “may” at the beginning of the sub-clause and inserting “shall”; and
 - (b) inserting “such” before “evidence” and “as the Trustees shall prescribe” after “evidence”,such that clause 5.6(a) will read as follows:

“The Trustees:

*(a) **shall** require any person seeking registration as a Member to provide **such** evidence **as the Trustees shall prescribe** verifying his or her eligibility to be registered as a member before that person’s registration is entered in the Members’ Register, together with such other information as the Trustees request that the person making the application for registration agrees (but the omission to provide such other information shall not be a reason for the Trustees to not accept the application for registration);...*”

2. Clause 5.7 of the Trust Deed is amended by inserting “after giving notice to the person concerned, and allowing 10 Working Days for him or her to invoke the process in clause 9.3, and” after “may” such that clause 5.7 will read as follows:

*“If the Trustees consider that any information about a person received under clause 5.5(a) or 5.6 is not accurate or complete, or that the existing information on the Members’ Register is not accurate or complete such that in either case the person concerned does not meet the qualifications required by this Deed for entry of that person in the Members’ Register, the Trustees may, **after giving notice to the person concerned, and allowing 10 Working Days for him or her to invoke the process in clause 9.3, and** following consultation with the relevant Iwi/Hapu Validation Committee, decline to register, or remove that person from the Members’ Register.”*

3. Clause 5.8 of the Trust Deed is amended by:

(a) inserting a new sub-clause (a) as follows “Where an applicant has named the hapu to which he or she claims to be affiliated to or, where the applicant claims to be affiliated to several hapu, one of which he or she claims to be most closely affiliated to, and the named hapu does not accept the claimed affiliation, the named hapu may refer the question of the applicant’s hapu affiliation to the Membership Committee in accordance with clause 9.3.”;

(b) re-numbering the existing clause as sub-clause (b);

(c) deleting “where” at the beginning of the new sub-clause (b) and inserting “before”, such that clause 5.8 will read as follows:

“5.8 Process when registration declined or removed

*(a) **“Where an applicant has named the hapu to which he or she claims to be affiliated to or, where the applicant claims to be affiliated to several hapu, one of which he or she claims to be most closely affiliated to, and the named hapu does not accept the claimed affiliation, the named hapu may refer the question of the applicant’s hapu affiliation to the Membership Committee in accordance with clause 9.3.”***

*(b) **Before** an application for registration is declined, or any decision is made by the Trustees to remove any person from the Members’ Register, the person concerned may dispute that decision of the Trustees in accordance with clause 9.3.*

4. Schedule 1 of the Trust Deed is amended by inserting **Te Hiiri** into the list of marae.

Nāku noa nā



Rachael Selby
Chair, Raukawa ki te Tonga Trust