

NGATI PUKENGA ki PAKIKAIKUTU HUI

‘Representing Entity For Our Kainga’



Agenda

Welcome

Karakia

Apologies/Previous Minutes

Background of hui held 6 September 2015 to discuss setting up a Pakikaikutu kainga entity

Charitable Trust Information

Appointing the Board of Trustees – The Process

Next Hui

General Discussion

Closing Karakia

Refreshments

THE PURPOSE

To facilitate discussions around the formation of a representative entity to represent the best interests of all kainga whanau.

This is not about our land, but about the whole of our kainga.....all of us moving our waka positively forward

Hui held 6 September 2015

- Pakikaikutu discussed setting up a kainga entity
- Kevin McCaffrey, a governance expert, attended and outlined the different types of entities commonly used
- Commonly used entities
 - Incorporated societies
 - Companies
 - Charitable Trusts
- Own structure v an entity that funding agencies are familiar with.
- Pakikaikutu wanted to develop their own structure but recognised that if Pakikaikutu was to seek funding from government departments and charitable organisations such as Lotteries, it would have to be an entity that those organisations were familiar with.
- A charitable trust seemed to be the most suitable option

The Charitable Trust

- People are familiar with Trusts
- The types of activities Pakikaikutu will engage in are for the benefit of the Ngati Pukenga ki Pakikaikutu community, so most likely be charitable in nature
- Charitable trusts can be exempt from income tax
- Charitable trusts can continue in perpetuity, as compared to other types of trusts that can only continue for a maximum of 80 years.

Charitable Trust information

THINGS TO BE CONSIDERED ARE: -

- Establishment of a Trust requires a Trust Deed
- Name of the Trust
- The Purpose: i.e. what the trustees can apply the trust money towards
- What is a charitable purpose?
- Who is the Trust going to benefit?
- Who are the beneficiaries?
- To be registered with Charities Services and enjoy tax exemptions available to registered charitable entities, the purposes of the Trust must be “Charitable” under the Charities Act 2005.

For a purpose to be charitable

It must: -

- Fall within one of the four charitable purposes, namely

Relief of Poverty

The Advancement of Education

The Advancement of Religion

Or any other matter beneficial to the community

- Provide a public benefit (i.e. a benefit that is available to the general public or wide section of the public)
- Not be for the benefit of any private individual

Te Tawharau o Ngati Pukenga Trust Deed

Examples based on Te Tawharau Trust Deed are –

- Spiritual, educational, physical and cultural advancement of members of Ngati Pukenga and its Whanau.
- Promotion of health and wellbeing
- Relief of social and economic needs of the community of Ngati Pukenga
- Maintenance, upkeep and improvement of places of cultural or spiritual significance and marae of Ngati Pukenga
- Any other charitable purpose to the benefit of the community of Ngati Pukenga

Te Tawharau Activities include

- Providing assistance for kainga to develop strategic plans
- Organising an iwi signature event celebrating the culture of Ngati Pukenga
- Developing a low cost business start up model which will enable those who are unemployed to become self employed
- Providing financial contributions to the renovation or refurbishment of existing marae.

Appointing a Board of Trustees

The Process

It is crucial to understand that no matter who the Trustees are, they are Trustees for all of the beneficiaries and not just some.

Appointing Trustees

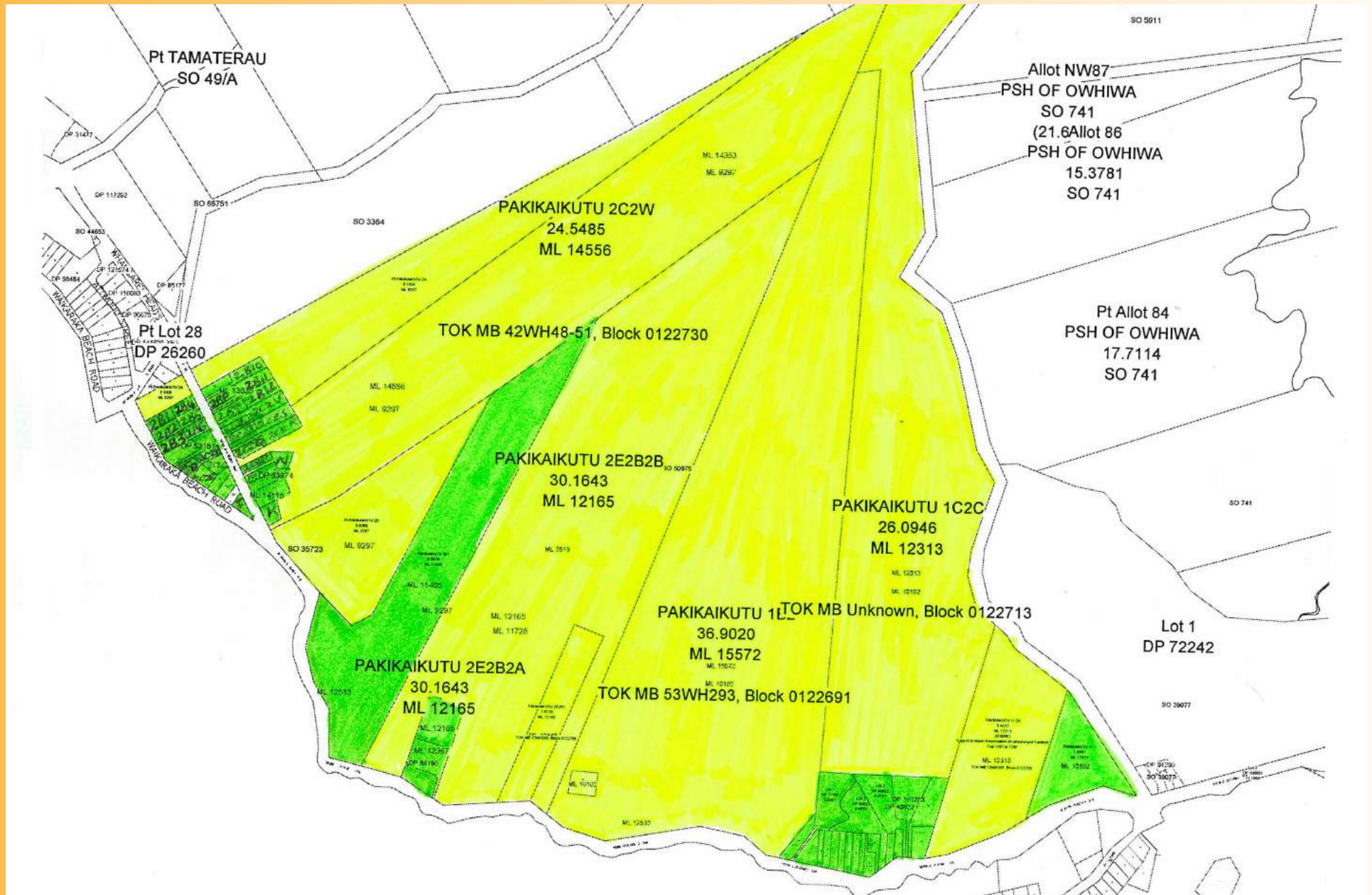
- Look toward our young people – the skills they bring, range of knowledge, views and experience (i.e. lateral thinking, visionary thinking, legal, financial management, business management, etc)
- How many trustees do we need?

CONSIDERATIONS

- Whether certain individuals, groups or entities should have the right to appoint any trustees (e.g. each whanau)
- Whether the trustees should include –
 - ✧ A person with specified level of experience in a specified industry
 - ✧ An accountant or lawyer
 - ✧ A person with significant amount of previous governance experience
 - ✧ Length of term – 3 years or more?
 - ✧ Should the term be staggered to ensure the Trust always has someone who has historical knowledge of the decisions made
 - ✧ Selection/election process (i.e. 3 elected at hui, 2 that are selected based on skills, etc)

Next Hui

- For the express purpose of appointing Trustees to the entity
- Opportunity for candidates to talk about themselves
- Voting in the Trustees
- Setting a Date



Pt TAMATERAU
SO 49/A

Pt Lot 28
DP 26260

PAKIKAIKUTU 2C2W
24.5485
ML 14556

TOK MB 42WH48-51, Block 0122730

PAKIKAIKUTU 2E2B2B
30.1643
ML 12165

PAKIKAIKUTU 1C2C
26.0946
ML 12313

PAKIKAIKUTU 1E2E2E
36.9020
ML 15572

TOK MB Unknown, Block 0122713

PAKIKAIKUTU 2E2B2A
30.1643
ML 12165

TOK MB 53WH293, Block 0122691

Allot NW87
PSH OF OWHIWA
SO 741
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PSH OF OWHIWA
15.3781
SO 741

Pt Allot 84
PSH OF OWHIWA
17.7114
SO 741

Lot 1
DP 72242

DP 31477

DP 11262

SO 66751

SO 44653

DP 20484

DP 121574

DP 119030

DP 89177

DP 90079

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Utilizing our whenua for the greater good of our people

- While much of the Ngati Pukenga Treaty Settlement Claims focussed on lands that were confiscated by the Crown in our other 3 kainga (Tauranga Moana, Hauraki & Maketu), Ngati Pukenga's vision is for all 4 Ngati Pukenga kainga to benefit in some way, from the assets derived from settlement.
- We need to consider ways in which we can help each other, our young people, and our future generations connect to our kainga, our turangawaewae (our place to stand), reinforcing our foundation, our place in the world, our home!
- How can we do this? What is our greatest need? What will be of benefit for our kainga?

Consolidation of land interests – Share Succession – Whanau Trusts?

- Papakainga – looking after our people
- Wharenui – providing a place to stand, to gather, to connect, to preserve
- Marae – an identifiable cultural/historical presence within the community
- Innovative Business and Economic Development Opportunities for Creating Sustainable Economies, i.e. An environmental, historical, and cultural educational/tourism resource

A Driving Force - Ngati Pukenga ki Pakikaikutu Kainga Entity

- Establish a Pakikaikutu Kainga representative body within the whole scheme of Ngati Pukenga.
- To receive and manage consolidated land assets on behalf of all Ngati Pukenga ki Pakikaikutu
- To drive agreed to initiatives that are beneficial to the greater good of our people

Thankyou for coming to connect and begin paddling the
Pakikaikutu Kainga waka toward the future.

