

MINUTES

Ngati Pukenga ki Pakikaikutu

Date | time 4/23/2017 10:30 AM | Meeting called by June Pitman

In Attendance

From register: June Pitman, Leanne Brownie, Karen Lee, Areta Gray, Muriel Sexton, Taina H. Mohi Jnr, Henry Pitman, Rimi Pitman, Andre Pitman, Andrew Dickey, Mike & Diane Lee, Diana Ellis, Caroline Downs, Yvonne Donaldson, Nita M. Perrott, Roger Perott, Patrick Ruka, Jonathan Ruka, Tanya Pepi

Apologies were received from Hannah Bucknell & Rosemarie Maier.

Te Timatanga

Leanne Brownie opened with a karakia.

June Pitman, Kainga representative Trustee of Te Taawhaarau o Ngati Pukenga acknowledged everyone for attending, provided an overview of the items for discussion.

June also introduced Areta Gray, Chief Executive Officer of Te Taawhaarau, who had travelled from Tauranga to support this hui a kainga, and the Interim Trustees of the Pakikaikutu Kainga entity.

Apologies were received from Hannah Bucknell & Rosemarie Maier.

Formalities

June described the purpose of this meeting was to present the Draft Charitable Trust Deed for Ngati Pukenga ki Pakikaikutu, to discuss Elections for Trustees to Te Taawhaaro o Ngati Pukenga, and to discuss Te Taawhaaro's decision not to sign the Pare Hauraki Collective Settlement Deed.

Each item of discussion was supported by a Slide Show presentation.

June introduced Paikikaikutu Kainga interim Trustees Leanne Brownie and Karen Lee to speak to the Draft Charitable Trust Deed. Tania Pepi and Jonathan Ruka arrived soon after resulting in full representation of Interim Trustees.

Agenda Item 1: Draft Charitable Trust Deed for Ngati Pukenga ki Pakikaikutu

Leanne Brownie opened this discussion by providing a background of the 'journey' of the Draft Deed to this point. Some of the interim Trustees had dropped away, that she (Leanne) Karen, Tania and Jonathon continued on. The interim Trustees have held 3 official meetings. Karen and Leanne drafted the deed to bring back to the meeting. The Deed needs to be finalized and agreed to in order to proceed with the application. It contains most of what's needed to go ahead. Projects need to be identified and decided upon in order to determine funding streams. Leanne then handed over to Karen Lee.

Karen addressed and spoke to each numbered section of the Draft Charitable Trust Deed.

1. Te Ingoa/Name:

The name of the Charitable Trust needs to be decided and confirmed. Ngati Pukenga ki Pakikaikutu Charitable Trust was proposed and unanimously moved by whanau.

2. Beneficiaries:

2. **Kaiwhakakapi or Uri or other kupu:** Discussion took place about the appropriate kupu (word) Maori to describe Beneficiaries. It was agreed that 'Uri' be the kupu Maori. Changes to the wording in the opening paragraphs' second sentence in this section needs to be changed to read

'The following explanations define the beneficiaries'.

2.1: Kaumatua Pat Ruka spoke about Tupuna, and provided an historic account of what took place that led to Ngapuhi's tukuwhenua to Ngati Pukenga Rangitira Moeroa Pareteaau. That he is the Tupuna beneficiaries need to whakapapa back to.

It was agreed that 2.1: be amended to read as follows: -

2.1 Beneficiary

A beneficiary is an Uri (descendant) of Moeroa Pareteaau.

Beneficiaries have full beneficiary and voting rights in all aspects relating to the Trust.

2.2 Honorary Beneficiaries – questions were raised around the sentence that states 'Honorary beneficiaries can vote on day to day administrative issues but cannot vote on issues relating to the sale or disposition of Trust assets or in the alteration of this charter'. Karen explained that they can vote on every other issue but not on changes to the Trust Deed, Trust Continuation or sale or disposition of Trust assets. Beneficiary rights go to the Tamariki (not spouse or partner).

Pat Ruka gave an explanation of Heke (Toto – blood), and Keke (Whangai – adopted). He also talked about Whangai and the need to show where they fit. Whangai is somebody who has been Whangai Keke (under the armpits of the person). Andrew Tiki (Dickey) talked about child entitlement.

3. **Principles** – Karen explained that these were as per Tauranga Moana Trust Deed. To seek and gain support of the community. To maintain whanau and hapu direction. The Strategic Plan doesn't need to be referenced in this Trust Deed, but in the Ngati Pukenga ki Pakikaitu Charitable Trust's Strategic Plan.

3.7 Whanaungatanga: -

3.7.1 be amended to read – 'connecting positively with Te Tawharau O Ngati Pukenga'

4. **Purpose** – The four purposes outlined under this heading were agreed to with some minor changes to be made as follows: -

4.1 Advance education by: -

4.1.5: There was a query around the wording 'individual responsibility'. That it should read 4.1.5 promoting Maori self-awareness, self-esteem and individual responsibility/identity.

4.3 Be beneficial to the Pakikaikutu Whanau by: -

4.3.1 preserving and maintaining urupa and wahi tapu

Pat Ruka said that this needs to be shifted to a more important place. We need to think about where this should sit.

4.3.3: promoting employment opportunities to whanau

Areta Gray pointed out that we need to be careful with wording of charitable purposes. 'Employment' is not a

charitable purpose, so wording needs to be carefully considered. June Pitman suggested that the wording be changed to 'promoting advancement opportunities to whanau'. All agreed.

5. *Nga Mahi Ki Aotearoa Anake/Activities Limited to Aotearoa/New Zealand: All agreed*
Areta Grey explained that charitable activities can only happen in NZ.

6. *Tari/Office:*

This was left floating as is.

7. *Te Runanga Whakahaere/ The Board of Trustees:*

7.2 The wording needs to be changed to: -

Trustees must be a beneficiary (uri) of Moeroa Pareteua

7.3 There was some discussion around bankruptcy and whether someone who has previously been bankrupt can be a Trustee. Leanne explained about the criteria – nominees are required to provide CVs that state they are suitable to fit the role.

7.3.6 Some discussion took place around the meaning of this point

7.6 Some discussion took place around the number of Trustees. That there should be 3 Trustees minimum , and up to 7.

8. *Kupu Maori / Roles Of The Board:*

Kupu Maori – Te Mahi e te Runanga Whakahaere

9. *Nga Hui o Te Runanga Whakahaere/Meetings of the Board*

9.1.2: Some discussion took place in relation to a quorum. The Facilitator can take a casting vote. Their needs to be 3, 5 or 7 Trustees present. Areta mentioned that a split vote shows how crucial a decision is.

10. *Kupu Maori/Annual General Meeting (AGM)*

Kupu Maori – Hui A Tau

Discussion took place around notice of AGM. The AGM would be advertised one month out, and two weeks prior. Ngati Hine offer free advertising for these purposes. Communication via Facebook/Radio/Newspapers

Trustees appointed at AGM

11. *TAKETAKE/POWERS – Pat Ruka said the kupu Maori should be Manawhakahaere/Powers*

11.1 Discussions around use of funds raised the point that Projects/budgets must be agreed.

11.4 It was agreed that this point should be deleted

12. *KO NGA RAWA HEI PAINGA MO TE IWII/INCOME, BENEFIT OR ADVANTAGE TO BE APPLIED TO CHARITABLE PURPOSES – All agreed with this section.*

13. *PUTEA/FINANCIAL ARRANGEMENTS*

13.4: This clause needs to be amended to read –

The Board may arrange for the accounts of the Trust for that financial year to be audited/reviewed by a suitably qualified person appointed for that purpose

14. *TAUNAHA/TRUSTEE LIABILITY – All agreed with this section.*

15. *Kupu Maori/Dissolution of the Trust*

Kupu Maori – Whaka Kahori?

Some changes need to be made to clauses 15.1 & 15.2 replacing the word 'members' with 'beneficiaries'.

16. WHAKAREREKETANGA TURE/ALTERATION OF THIS DEED

16.1 Some discussion took place around the content of this clause, whereby a General Meeting or a Special Meeting should be called for any alterations or additions to terms or provisions of the Deed.

Areta Gray agreed to send a Clause to Leanne.

PROXY VOTING: *Some discussion took place around Proxy's for the AGM of the Ngati Pukenga ki Pakikaikutu Kainga Trust.*

It was agreed that one proxy person per attendee be specified in the Agenda, and that the Resolution be included in the Deed. Notice of Proxy needs to be in writing. (This was agreed to unanimously)

An additional clause to be added to Section 10 of the Draft Deed as follows: -

10.5: Proxy votes will be accepted as Agenda Items for AGM & SMG, in writing before the AGM/SGM.

OTHER:

The current Ngati Pukenga ki Pakikaikutu Facebook name needs to be changed

The altered Ngati Pukenga ki Pakikaikutu Charitable Trust Deed needs to go up onto the website

TE TAWHAARAU O NGATI PUKENGA ELECTIONS

Areta Gray addressed the hui informing them of this year's intended elections for Trustee Representatives for both Maketu and Pakikaikutu Kainga, explained the reasons why two representatives were needed, and that they would both be referred to as Trustees rather than a Trustee and an Alternative Trustee.

PARE HAURAKI COLLECTIVE REDRESS DEED

Areta Gray addressed the hui about the reasons why Te Tawhaarau o Ngati Pukenga decided not to sign the Pare Hauraki Collective Redress Deed, and the difficulty some of our Kainga were experiencing as a result. Pakikaikutu were in full support of this decision and Areta was going to feed that back to the relevant Kainga.

CONFIRMATIONS:

Changes/alterations to the Draft Deed were confirmed as follows: -

- 1. That the Trust be named Ngati Pukenga ki Pakikaikutu Charitable Trust*
- 2. Kupu Maori for Beneficiaries be Te Uri*
- 3. Clauses 2.1 & 2.3 – Tupuna confirmed as Moeroa Pareteua*
- 4. That the term 'Beneficial Owner' be changed to 'Beneficiary(s)'*
- 5. Clause 3.7.1 – The words 'strategic plan' to be deleted*
- 6. Clause 4.3: 4.3.3. The word 'employment' be changed to 'advancement'*
- 7. Clause 7.2 – wording to read 'Trustees must be a beneficiary (uri) of Pakikaikutu*
- 8. Section 8: Kupu Maori for Roles of the Board to be Te Mahi e te Runanga Whakahaere*
- 9. Section 10: Kupu Maori for Annual General Meeting be Hui A Tau*
- 10. Clause 10.5 – First Notice of AGM one month out, Second Notice two weeks prior*
- 11. Clause 10.6 – Proxy votes will be accepted as Agenda items for AGM & SGM, in writing before AGM & SGM*

All agreed unanimously.

The Beneficiaries agreed that the four Interim Trustees make the changes and sign the Deed.

June Pitman brought the meeting to a close by acknowledging everyone for continuing to work in a connected and supportive way in moving 'our waka' forward. She acknowledged the work of the four Interim Trustees for their work thus far, Areta Gray for her support as Te Taawharau CEO, and our Kaumatua. The meeting closed at 1.30pm with a Karakia.

Koha

Thanks to Mike Lee for his koha of \$10, which was given to Leanne Brownie for assistance with Interim Trustee meeting costs.