

Original Trust order

Ataiti Te Rehu Hoterene Armstrong
Whanau Trust Deed.

NP-JE3

MB Ref: 2 KH(S) 73

11/30

WHANAU TRUST ORDER

Te Ture Whenua Maori Act 1993
Section 214 and
Section 219(1)

IN THE MAORI LAND COURT
OF NEW ZEALAND
TAITOKERAU DISTRICT

IN THE MATTER of the estate of ATAITI TE REHU
HOTERENE and the Maori freehold
interests set out in the schedule
hereto

At a sitting of the Court held at Kaikohe on 14 October 1993 before Andrew Duncan Spencer,
Esquire, Judge

WHEREAS the Court at Kaikohe on 14 October 1993 did constitute a Whanau Trust and appointed
the said SAMUEL ARMSTRONG herein called the responsible trustee

NOW THEREFORE upon hearing SAMUEL ARMSTRONG in support and being satisfied on all
matters upon which the Court is required to be satisfied THE COURT HEREBY ORDERS pursuant
to Section 219(1) of the said Act that the trustee shall hold the said interests set out in the schedule
hereto upon the terms and trusts following:

TITLE

This trust shall be known as the ATAITI TE REHU HOTERENE ARMSTRONG WHANAU
TRUST and shall apply to the said interests set out in the schedule hereto.

OBJECTS

Subject to any express restrictions set out in this order, the objects of the trust shall be to administer
and preserve the interests of the whanau and to use the income derived from those interests to be
applied for the purposes of promoting health, social, cultural and economic welfare, education and
vocational training and general advancement in the life of the descendants of ATAITI TE REHU
HOTERENE ARMSTRONG.

POWERS

The trustee is empowered:

I GENERAL

To do all or any of the things required to achieve the objects of the trust in accordance with
the powers conferred by this order, PROVIDED HOWEVER that the trustee shall not alienate
any of the interests in land or other assets vested in them.

PREPARED 24/11/93
CHECKED

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II SPECIFIC

Without limiting the general powers in the preceding provision the trustee is expressly authorised:

1 To set aside cash reserves

To accumulate income and to set aside such cash reserves as the trustee in their discretion shall think fit for contingencies or for expenditure to achieve the objects of the trust.

2 To distribute

To allocate or distribute all or any of the funds arising from the trust in accordance with the objects of the trust as the trustee in his discretion shall think fit or subject to an order of the Court.

3 To acquire shares or assets

Subject to confirmation by the Court, to purchase other interests in land or assets which the trustee may think necessary or convenient for the purpose of the trust.

4 To invest

To invest the income from the trust or any portion thereof PROVIDED HOWEVER that any investment in respect of Maori land interests shall be subject to confirmation by the Court.

5 To employ

To employ, engage, dismiss professional advisers, agents, servants, workmen required to carry out the objects of the trust provided that the trustee shall first consider employment of the descendants who are suitably qualified. The trustee may employ himself, provided that remuneration shall not exceed the market rate and the amount of payment and the name of the payee shall be separately identified in the annual accounts of the trust.

6 To pay own costs

From the revenue derived from the operation of the trust to pay all costs expenses and disbursements incurred by them including the costs of any person or body employed by them in the administration of the trust or in the furtherance of any of the objects of the trust.

7 To represent descendants

The trustee shall represent all the descendants of the tupuna of this trust in any matter concerning the lands or assets and exercise such voting rights as attach to the shares vested in the trustee.

III OBLIGATIONS

8 General meetings

- (a) The trustee shall call general meetings of descendants at least once every year. No general meeting shall be deemed to be constituted unless at least three (3) descendants are present in person throughout the meeting.

- (b) A general meeting shall be called by the trustee upon service of a notice of a requisition in writing signed by not less than three (3) of the descendants stating the purpose for which the meeting is required.
- (c) At least fourteen (14) days notice is to be given prior to a general meeting of descendants. Any descendant may attend and vote personally without proxy.

9 Control of funds

All monies received by or on behalf of the trust shall forthwith be paid to the credit of the trust's bank account. All payments from the trust bank account shall first be approved by the trustee. All cheques and withdrawal slips drawn on the account shall be signed by the treasurer and the trustee.

10 Reports and accounts

- (a) The trustee shall keep a proper written record of all resolutions passed and business transacted at every meeting and shall present the annual accounts and a report which shall include particulars of the number of meetings held and resolutions passed to the general meeting of descendants.
- (b) Within one (1) month following the general meeting the Chairperson of trustee shall file in the Taitokerau Registry of the Maori Land Court the following:
 - (i) a copy of the report and accounts submitted to the general meeting and minutes of that meeting
 - (ii) the current address of the trust.

11 Review of trust

The trustee shall in the fifth year after the constitution of the trust and thereafter apply to the Court for a review of the trust.

12 Trustee report

The trustee at any time, upon being required to by the Court, shall file in the Court a written report and make themselves available to the Court for questioning on any matter relating to the administration of the trust or the performance of his/her duties as a trustee.

13 Election of trustee

- (a) Nomination for election or replacement of trustee shall be made at general meetings or special general meetings called for that purpose.
- (b) A trustee may be replaced if he/she resigns, dies or becomes of unsound mind, declared bankrupt, commit an offence resulting in imprisonment for a period of six (6) months or more or continues to be absent from three (3) consecutive trust meetings without leave or approval of the trust, by application to the Court.

14 To refrain from dealings with the trust

The trustee shall refrain from entering into any dealings whatsoever with the trust (except as permitted in clause 5) PROVIDED HOWEVER the trustee may apply to the Court for directions in respect of any transaction proposed to be entered into between the trust.

SCHEDULE

Maori freehold interests

Formerly held in the name of	Land	Shares
Ataiti Armstrong or Te Rehu	Motatau 2 Sec 64B	6.666
Ataiti Armstrong or Te Rehu	Te Horo 2B2B2B	940.516
Ataiti Te Rehu	Maungapohatu North	0.370

AS WITNESS the hand of the Judge and the seal of the Court.



Judge