

Agenda Item 10.2.1

Rule Changes to Trust Deed - Objects

The Trustees seek support from the Owners to make changes to the Trust Deed through the following motion. The Trustees have made comments on these changes in the Trustees Recommendations document.

Trustees Motion

"To amend the Rakiura Maori Land Trust Deed Section 2 Objects by replacing the existing section 2 Objects with the following new section 2 Objects".

2. OBJECTS

- (a) To use and manage the land and the trust funds to the best advantage of the equitable owners of the land and successive successors to their individual interests in the land and to ensure by all reasonable means that the land or as much as possible thereof is retained and that all of the land or every part thereof is either made revenue producing or made available to the equitable owners for the time being for the use and enjoyment of such of them, their families and friends as shall from time to time wish to use and enjoy the same. By way of illustration and not by way of limitation the use and enjoyment of the land or a particular part thereof may include use as a meeting place, use as a place of permanent or intermittent residence and use for pastoral, forestry, agricultural or horticultural purposes and whether for production for domestic communal or commercial purposes
- (b) The Trustees shall determine whether the interest of the equitable owners for the time being would be best served by making the land or any particular part thereof revenue producing or available for the use or occupation of the equitable owners.
- (c) Using and managing the land to the best advantage of the equitable owners for the time being shall include the making of provisions for any special needs of such equitable owners as a family group or groups.
- (d) For the benefit of the equitable owners of the land, to maintain and increase the assets and revenues of the Trust by purchasing, leasing or otherwise acquiring any other land situated on Rakiura, or situated elsewhere where any such land is used or to be used or acquired for carrying on the activities of the Trust, and all improvements thereon whether or not such land is Maori Freehold land and to purchase, lease or otherwise acquire or carry on any business where such business operates primarily on Rakiura or on the seas surrounding Rakiura.
- (e) The Trustees shall represent the equitable owners on all matters relating to the land and to the use and enjoyment thereof, and as citizens within the communities associated with the land and may contribute to those communities as the Trustees may decide from time to time, and in any dealings with the Local Authority in respect of rating matters.
- (f) Without limiting the powers of the Trustees and notwithstanding any other provision of this order, it is acknowledged that where no trust funds are held the Trustees fiduciary obligations are limited to a holding trust.

- (g) To represent and protect the position of the equitable owners on all matters relating to Taonga, Tekanga, historical, cultural, customary rights, customary use associated with the land and its customary extensions covering rivers, waterways, wetlands, foreshore and sea beds traditionally used by the equitable owners and their Tipuna.