

TRUST DEED REVIEW

Te Kotahitanga o Te Arawa Waka Fisheries Trust Board

Kiri Tahana 1 September 2020

KAUPAPA

- Purpose of review
- What has been removed?
- What has been added?
- What has been simplified?



PURPOSE

- 1. 10 years since changed
- 2. Enable TKOTA to achieve strategic objectives
- 3. Simplify terms
- 4. Māori Fisheries Act 2004
- 5. Trusts Act 2019

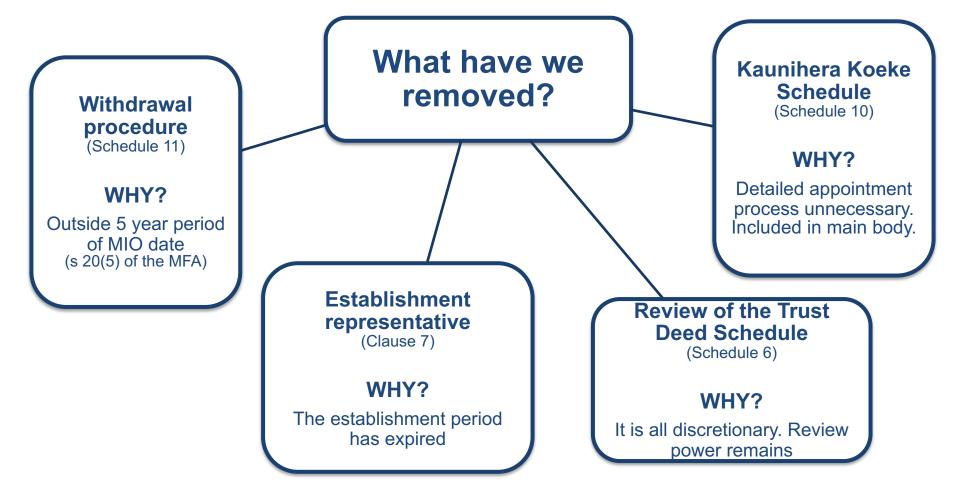


THEMES

- Accountability to members approvals
- 2. **Modernise** update to future proof
- 3. Simplify remove unnecessary parts
- 4. Shorten 67 to 56 pages



Removals





Additions – what have we added?

Guiding principles of the Trust Board

(Clause 2)

WHY?

Add "kotahitanga".
Ensures principles align with goals and objectives of Trust Board

Member Special Resolution

(Clause 6)

WHY?

Members approval required if over 50%

Objectives of the Trust Board

(Clause 3)

WHY?

Broadened so not solely fisheries focused.

Duties of the Representatives

(Clause 9)

WHY?

Compliance with the Trusts Act 2019.



Additions – what have we added?

Statement of Service Performance (Clause 18.3)

WHY?

Compliance with charity reporting standards.

Strategic plan

(Clause 19.2)

WHY?

Reporting requirements beyond financial performance.

Counting of votes

(Schedule 1, clause 3.10(c)(ii)

WHY?

Provide for a process where the election may result in a draw.

Associate representatives

(Clause 4.13)

WHY?

Provide for succession to enable the Trust to achieve long term goals.



Simplifications

Special resolution definition

(Clause 1.1)

WHY?

Clarify what requires Board or member approval.

What have we simplified?

Separate procedures for Trust Board meetings and General Meetings

(Schedules 4 and 5)

WHY?

Procedure not clear for general meetings – eg, quorum

Appointment of Kaunihera Koeke

(Clause 11)

WHY?

Simplify appointment process and require whakapapa to be verified by koeke from relevant iwi.

Signing requirements

(Clause 17)

WHY?

To require only two not three signatories.



Simplifications

