

**NGĀTI TAMA KI TE TAU IHU
CULTURAL TRUST**

AMENDMENT OF DEED OF TRUST

25 June 2014

This Deed is made on this 25th day of June 2014

BETWEEN Moetu Tuuta

Judith Billens

AND Margaret Little (**Trustees**)

RECITALS

- A. The Trustees are trustees of the Ngāti Tama ki Te Tau Ihu Charitable Trust (**Trust**) created under deed of trust dated 23 February 2014 (**Trust Deed**).
- B. Clause 2.5 of the Trust Deed provides that immediately following execution of the Trust Deed the Board will apply for incorporation of the Trust under the Charitable Trusts Act and apply for registration of the Trust under the Charities Act.
- C. The Board has applied for incorporation under the Charitable Trusts Act and the Trust was incorporated on 2 April 2014.
- D. The Board has applied for registration under the Charities Act and Charities Services requires amendments to the Trust Deed to protect against the conferral of private pecuniary profit.
- E. Clause 17.2 of the Trust Deed provides that the Trustees have the power to amend the Trust Deed by a majority of not less than 75% of the Trustees to make any amendment which is of a technical nature.
- F. The Trustees have determined that the amendments required by Charities Services are of a technical nature and have resolved by a majority of not less than 75% of the Trustees to make the amendments which are contained in this deed.

DEED

1 Interpretation

- 1.1 Unless the context otherwise requires, in this deed, the expressions have the same meaning as in the Trust Deed.

2 Amendments

- 2.1 The Trust Deed is amended by:

- 2.1.1 Deleting the definitions of **Perpetuity Period** and **Vesting Day** in clause 1.1;

- 2.1.2 deleting clause 19 and replacing it with the following clause 19:

"19 RESETTLEMENT

The Trustees have power at any time by deed to settle or resettle upon trust, in any manner which in the opinion of the Trustees advances the Charitable

Purposes benefiting Ngāti Tama ki Te Tau Ihu, the whole or any portion or portions of the capital or income of the Trust Fund provided that the resettlement:

- (a) is approved by the Trustees; and
- (b) is approved by Registered Adult Members by Special Resolution at a General Meeting of the Te Waipounamu Trust"; and

2.1.3 deleting clause 20 and replacing it with the following clause 20:

"20 INTENTIONALLY DELETED"

3 Effective Date

- 3.1 The amendments specified in this deed will take effect on and from the date of this deed.

4 Confirmation

- 4.1 The Trustees in all respects (other than the amendments set out in this deed) confirm the Trust Deed.

EXECUTION

Executed as a deed

SIGNED by Moetu Tuuta
as Trustee
in the presence of

) Moetu Tuuta
)

J.P. Westrupp, JP
#12126
NELSON
Justice of the Peace for New Zealand

J.P. Westrupp
Witness Signature

Name:
Occupation:
Residence:

SIGNED by Judith Billens
as Trustee
in the presence of

) Judith Billens
)

J.P. Westrupp
Witness Signature

Name: **J.P. Westrupp, JP**
Occupation: **#12126**
Residence: **NELSON**
Justice of the Peace for New Zealand

SIGNED by Margaret Little
as Trustee
in the presence of

) Margaret Little
)

J.P. Westrupp
Witness Signature

Name: **J.P. Westrupp, JP**
Occupation: **#12126**
Residence: **NELSON**
Justice of the Peace for New Zealand