

## Te Kapu o Waitaha Charter Summary of Proposed Amendments

## For Special Resolution Vote

Change Topic	Clause	Proposed Change	Reasons for Change
SECOND SCHEDULE Nomination Application form [page 46]	6.4	<p>Clause 6.4 will read;</p> <p>The nomination of a candidate for election as a Trustee shall be in writing on the candidate application form approved by the Trustees and signed by not less than three (3) Adult Registered Members of Waitaha shown on the Waitaha Register as being entitled to vote in respect of the election in accordance with the First Schedule.</p> <p>Consent of nominee:</p> <p>The consent of each candidate to their nomination shall be endorsed on the nomination paper, provided that a candidate may at any time, by notice to the Trust, withdraw their nomination.</p>	To ensure the opportunity exists for all Candidates to demonstrate the appropriate skills for assessment by the independent panel.
SECOND SCHEDULE Every nominee must also possess the following skills: [page 47]	6.5(b)	<p>Clause 6.5(b) shall now read;</p> <p>Every nominee will be assessed on the following skills:</p> <p>(i) an understanding of Waitaha tikanga, reo, and cultural values;</p>	Te reo to be included as a skill.

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		<ul style="list-style-type: none"> <li>(ii) an understanding of the Waitaha Treaty Settlement;</li> <li>(iii) undergone formal governance training or have the requisite experience in this area;</li> <li>(iv) ability to think strategically including the ability to understand and direct strategy);</li> <li>(v) common sense, integrity a strong sense of ethics, and sound judgement;</li> <li>(vi) general computer literacy; and</li> <li>(vii) financial literacy.</li> </ul>	
<p>SCHEDULE 2            Clause 6.5(c)            Every Nominee must also possess the following skills:            [page 48]</p>	<p>6.5(c)</p>	<p>6.5(c) clause is new:</p> <p>The Trustees will appoint a panel (the Assessment Panel) to assess candidates against criteria 6.6(b) above. Only candidates whom the panel certify as meeting the</p>	<p>To introduce a proper due diligence process ensuring that those nominees who satisfy the skills requirements are eligible to stand for election as Trustee.</p>

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		eligibility criteria may stand for election or be appointed Trustee.	
SECOND SCHEDULE Candidate Meeting [page 48]	6.6	Remove role of confirming qualifications from Candidates meeting and replace with; <b>Candidates Meeting:</b> 6.6 will now read;  Candidates for election as Trustee are expected to attend a Candidates Meeting to enable Iwi members to ask questions and hear from the Candidates.  At a Candidates Meeting, each candidate will be given an equal opportunity to present to the meeting and will be expected to remain to answer questions from the floor.	To ensure that there is an equal opportunity to meet and hear from qualified candidates before the election and ask questions. No longer restricted to only two persons per whānau and not used to qualify candidates.
SECOND SCHEDULE Mode of voting [page 49]	Second Schedule Clause 7.1	Clause 7.1 will now read;  Mode of Voting at Elections  Subject to rule 7.2 of this Schedule, voting at all elections shall be by way of secret ballot. Voting forms may be delivered to the Chief Returning Officer by post, to a	To encourage participation by accommodating whanau circumstance and preferences on how they wish to vote.

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		<p>digital or electronic address for the Chief returning officer by way of an electronic voting process approved by the Trustees where available, or placed in a ballot box at a location or locations determined by the Trustees. The candidates in each election who receive the highest number of valid votes for the relevant vacancies will be elected as Trustees.</p>	
<p>SECOND SCHEDULE No elections where nominations equal vacancies [page 49]</p>	<p>Schedule 2 Clause 7.2</p>	<p>Clause 7.2 will now read;  No elections where nominees equal vacancies:  In the event that the total number of nominations for Trustees certified by the Assessment Panel as meeting the eligibility criteria is equal to the total number of vacancies, no Candidates Meeting or election shall be necessary and the person or persons nominated shall be deemed to have been duly appointed.</p>	<p>To ensure consistency in respect of appropriate skills to stand for election.</p>

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SECOND SCHEDULE Period of notice [page 50]	8.2	<p>Clause 8.2 grammar amendment, the word “method” is replaced with “methods”</p> <p>Clause 8.2 will now read;</p> <p>Period of notice:</p> <p>The Trust shall give not less than 28 days notice of the closing date for the elections and the methods by which votes may be cast as set out in rule 7.1 of this Schedule.</p>	Grammar change
SECOND SCHEDULE Method of giving notice [page 50]	8.3(a)	<p>Clause 8.3(a) will now read;</p> <p>sending notice to each Member of Waitaha shown on the Waitaha Register as entitled to vote at the election (being an Adult Registered Member of Waitaha who is recorded in the Waitaha Register as a Member of Waitaha). Notices will be sent by electronic form where an email address has been given, but where a member has provided only a postal address, or has asked (at any time prior to the close of the register) to remain on a postal register, voting forms will be sent by post to the last known physical address provided that mail has not previously been returned from that address as no longer valid.</p>	<p>This gives the option for beneficiaries to opt for a hard copy form that can be emailed or posted to their address.</p> <p>They will remain on a postal register.</p> <p>If the voting form comes back to the office by “return mail”, no further voting forms will be posted to them until they update their address with the Trust.</p>

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<p>SECOND SCHEDULE Additional content of notice: [page 51]</p>	<p>8.5(a) and (b)</p>	<p>Clause 8.5 will now read Each notice given in accordance with rule 8.3(a) of this Schedule shall also contain:</p> <ul style="list-style-type: none"> <li>(b) a voting form that contains information that is sufficient to identify the voter and the voting documents issued to that voter; and</li> <li>(c) details of the procedure to be followed in making a vote, including the date by which the voting form must be received by the Chief Returning Officer.</li> </ul>	<p>Amended to enable all forms of voting to be included in instructions.</p>
<p>SECOND SCHEDULE Clause 8.7 **NEW** Replacement voting papers [page 52]</p>	<p>8.7</p>	<p>Clause 8.7 is new and will read; Replacement voting papers: A member entitled to vote may be issued a replacement voting paper on request provided that it is clearly marked as a replacement form and contains the same information as the original voting form to identify the voter and the voting documents issued to that Voter .</p>	<p>To provide a process to manage replacement voting forms.</p>

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<p>SECOND SCHEDULE Timing of votes [page 52]</p>	<p>8.8</p>	<p>Clause 8.8 is amended to include ballot box, and will now read:  Electronic votes and votes placed in any ballot box must be made no later than the closing date for the election of the Trustees to which the vote relates. Postal votes otherwise validly cast are valid and able to be counted if they are received by the Chief Returning Officer no later than five (5) working days after the closing date for the election, but only if the envelope containing the voting form is date stamped on or before the closing date for the election.</p>	<p>To include ballot box voting.</p>
<p>SECOND SCHEDULE Postal voting to cease</p>	<p>16</p>	<p>Delete Clause 16 below entirely;  Postal voting to cease  Notwithstanding any other provisions in this Deed, as at 1 July 2022 every reference in this schedule to postal notices or voting by post shall be deemed to be deleted this deed shall be read with such amendment as is necessary so that all voting after 1 July 2022 is by way of electronic voting.</p>	<p>To remove all clauses that refer to cessation of postal voting.</p>

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<p>THIRD SCHEDULE Trustees to appoint [page 58]</p>	<p>4.1</p>	<p>Delete the wording that says “The Chairperson and Deputy Chairperson must have served at least one term”</p> <p>Clause 4.1 will now read: At the first meeting of the Trustees following an election the Trustees shall appoint one of the Trustees to be Chairperson, and (at their discretion) one to be Deputy Chairperson.</p>	<p>Deemed irrelevant and unnecessary</p>
<p>FOURTH SCHEDULE Clause 2. Voting on a special resolution [page 62]</p>	<p>2.</p>	<p>Clause 2 amended to include Ballot box, will now read:</p> <p>Voting on a Special Resolution shall be by way of secret ballot. Voting forms may be delivered to the Chief Returning Officer by post, to a digital or electronic address for the Chief returning officer by way of an electronic voting process approved by the Trustees where available, or placed in a ballot box at a location or locations determined by the Trustees.</p>	<p>To support and encourage whanau participation and preferences and to make wording consistent with 7.1 in the Second Schedule. .</p>



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<p>FOURTH SCHEDULE Notice for special resolution [page 62-63]</p>	<p>4.2(a)</p>	<p>Clause 4.2(a) will now read;</p> <p>Method of giving notice:</p> <p>Notice of a vote for the purposes of considering a Special Resolution shall be:</p> <p>(a) in writing and sent to all Adult Registered Members of Waitaha in electronic form where an email address has been given, but where a member has provided only a postal address, or has asked at any time prior to the close of the register for voting purposes to remain on a postal register, voting forms will be sent by post to the last known physical address provided that mail has not previously been previously returned from that address as no longer valid.</p>	<p>To include notice for Special resolution which can be emailed or posted to a beneficiary, as with a voting form.</p>
<p>FOURTH SCHEDULE Content to notice for members [page 63]</p>	<p>4.3 (c) and (e)</p>	<p>Clause 4.3(c) will now read;</p> <p>details of the procedure to be followed in making a vote ;</p> <p>Clause 4.3(e) has been deleted</p>	<p>Clause (c) is amended for consistency with 8.4(b) in the Second Schedule.</p> <p>Clause (e) is unnecessary as it is dealt with by the other clauses.</p>

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FOURTH SCHEDULE Clause 5.1 Voting Forms	5.1(a)  5.1(b)	Clause 5.1(a) clause numbering amended from 5.1 to read 5.1(a)  Clause 5.1 (b) is new and reads as below:  (b) A member entitled to vote may be issued a replacement voting paper on request provided that it is clearly marked as a replacement form and contains the same information as the original voting form to identify the voter and the voting documents issued to that Voter	To introduce a process that managed any replacement voting forms requested by whanau. This is to ensure consistency with the Charter in that each registered member may cast 1 vote only.
FOURTH SCHEDULE Voting on a Special Resolution [page 62]	2.	Clause 2. will now read;  Voting on a Special Resolution shall occur by post or electronic voting or by placing a voting paper in a ballot box at a location or locations determined by the Trustees.	This clause is amended to enable whanau to vote in person by ballot box
FOURTH SCHEDULE Cessation of Postal Voting [page 65]	Schedule 4 Clause 8. Clause 8.1; (a), (b), (c)	Cessation of postal voting.  Propose all clauses in relation to the cessation of postal voting be deleted.	To remove all clauses that refer to cessation of postal voting.