# Establishment of the Poukura Marae Charter Committee

### Background:

The Poukura Marae Charter was created in 2010 to govern the Trust and provide guidance for the operations of the marae. It has undergone one amendment since its inception.

On 20 June 2019 Judge LR Harvey ordered that “the trustees should file an amended charter following a review and after consultation with the beneficiaries within 12 months”. The Trust has sort an extension to the set date, and this has been approved. The amended charter is now due on 30 April 2022.

Various issues have been identified with the current charter and is required to be corrected to ensure that the charter:

Represents the values and intentions of the beneficiaries.

Represents the intentions of our tupuna who established the reservation.

Ensures accountability and transparency of the Trust to the beneficiaries.

Is in accordance with the law and regulations.

Incorporates tikanga Māori.

Enables the Trust to act with the mandate of the beneficiaries.

Describes the roles, responsibilities, and functions expected of the Trust and any committee formed by the Trust.

Describes a robust conflict resolution process.

Details a robust means of hui, voting, and eligibility.

# Charter Committee Roles and Responsibilities

### Conditions:

The Poukura Pa Reservation Trust mandates the Poukura Marae Charter Committee to:

1. Produce a charter for the Poukura Pā Reservation Trust (Poukura Marae) that:
   1. Represents the values and intentions of the beneficiaries.
   2. Represents the intentions of our tupuna who established the reservation.
   3. Ensures accountability and transparency of the Trust to the beneficiaries.
   4. Is in accordance with the law and regulations.
   5. Incorporates tikanga and kawa of Ngāti Parekaawa.
   6. Enables the Trust to act with the mandate of the beneficiaries.
   7. Describes the roles, responsibilities, and functions expected of the Trust and any committee formed by the Trust.
   8. Describes a robust conflict resolution process.
   9. Details a robust means of hui, elections and voting, and eligibility.
   10. Incorporates the recommendations of the Court.
   11. Enables the Trust to apply to be recognised as a Charitable Trust.
   12. Distinguishes the Trust from the administration of the surrounding land blocks.
   13. Defines the physical Trust reservation area of which the Poukura Pā Reservation Trust is responsible for.
2. ~~The committee will consist of no less than five (5) beneficiaries and no more than nine (9) with a quorum being fifty-one (51) percent of the committee.~~
3. ~~The Trust will appoint committee members as required to maintain the minimum committee positions.~~
4. Hold no less than ~~three (3)~~ two wānanga/hui (online or face-to-face) open to all beneficiaries to discuss, debate, and contribute to the development of the charter, and to understand the desires of the beneficiaries.
5. Receive recommendations and proposals from the beneficiaries for no less than three (3) months.
6. Produce a report to the Trust on progress of the charter committee each month, or as requested.
7. Seek professional counsel and expertise in the charter’s development, as needed.
8. Spend up to $3000.00 for the development of this charter, in accordance with the directions of the Trust Treasurer.
9. Remain transparent to the beneficiaries in the development of the charter, in particular to have all meetings and submissions recorded in Minutes.
10. Present the recommended proposed charter to the beneficiaries at a special general meeting to be held in February 2023 ~~April 2022~~, for approval.
11. Promulgate the recommended proposed charter to the beneficiaries no less than ~~21~~ seven (7) days before the special general meeting.
12. Operate until a charter has been approved and accepted by the beneficiaries.
13. Any additional tasks as required by the Trust.

# Conditions for Approving the Charter

### Conditions:

The following conditions are to be met in order for the Charter to be accepted and approved by the beneficiaries:

1. That the special general meeting be chaired and administered by the Trust.
2. At least fifty (50) beneficiaries of voting eligibility be present at the special general meeting to achieve a quorum.
3. At least seventy-five (75) percent of the total eligible votes, vote in favour of accepting and approving the recommended charter.
4. That voting by proxy be an acceptable form of voting.
5. That the charter meets those conditions in the Poukura Marae Charter Committee Roles and Responsibilities.
6. ‘Eligible beneficiaries’ is determined by the current Poukura Marae Charter (2010) which states:
   1. “The beneficiaries of Poukura Marae are the descendants of Parekaawa and those who have inherited land within the Hauhungaroa district whether by Whakapapa or traditional whangai tikanga.”
   2. According to Judge LR Harvey this definition has been further clarified to be either a descendant that has land inheritance OR are descendants of Parekaawa (401 Aotea MB page 110 line 27).
7. That a list of those in favour of the accepted charter be attached to the final copy of the charter.

On the occasion that the recommended proposed charter is not approved by the beneficiaries in April 2022, the Charter Committee will continue to function in accordance with this mandate. The Trust will seek advice from the Māori Land Court. This is not at all a preferred course of action.

Proposed by Poriwira. Seconded by Patience. All in favour. No objections. 25 Nov 21.