



## RANGITĀNE TŪ MAI RĀ TRUST Trust Deed Review 2021 – Iwi Survey

The Rangitāne Tū Mai Rā Trust (“**Tū Mai Rā**”) was established in 2014 to receive, manage, hold and administer Tū Mai Rā’s assets on behalf of and for the benefit of the present and future members of Rangitāne o Tamaki nui-ā-Rua (“**ROTNAR**”) and Rangitāne o Wairarapa (“**ROW**”).

Tū Mai Rā is currently undertaking a review of the Trust Deed and its operations, in particular the election process, Existing Rūnanga Agreements, and the representation of Rangitāne by the Trustees.

The reason for the mandatory review, four years after the Tū Mai Rā’s establishment, is because circumstances change and Tū Mai Rā do not want to be locked into rules that are not appropriate or limit progress, causing frustration for all.

Tū Mai Rā must act within the scope of the Trust Deed in proposing any amendments to those arrangements. The focus is on the rules and how they operate in context, focussing on the effectiveness of the arrangements in the Trust Deed. Tū Mai Rā seeks iwi input and consultation as part of this review and will consider all information collected via survey, hui and otherwise.

Following the review, a Special General Meeting will be convened for the purposes of seeking the approval of any proposed amendments to the Trust Deed.

Each question includes background information to provide context and assist you in your answers. The survey is anonymous, and all responses will be collated by the review team.

A copy of the Trust Deed can be found online [here](#).

*This survey has been distributed to Rangitāne members electronically and can be completed online, by clicking [here](#). Alternatively, print and complete this survey and return to:*

*Sarah Scrivener  
McCaw Lewis Lawyers  
PO Box 9348  
Hamilton 3240*

*Please return all completed surveys by **30 September 2022** to ensure that they are included for consideration as part of this review.*

## Kaupapa/Purpose

Tū Mai Rā is the post settlement governance entity representing iwi members of Rangitāne o Wairarapa and Rangitāne o Tamaki nui-ā-Rua, established to receive, hold, manage and administer the settlement assets in accordance with the Trust Deed, and include the following purposes:

- (a) preserving and enhancing the mana, honour and integrity of Rangitāne;
- (b) revitalising, preserving and maintaining of Rangitāne reo, tikanga and kawa for future generations;
- (c) promoting the identity, educational, spiritual, economic, social and cultural advancement for the wellbeing of Rangitāne;
- (d) promoting the health and wellbeing generally, including the rangatahi, the aged or those suffering from mental or physical sickness or disability of Rangitāne;
- (e) providing for the ongoing maintenance and establishment of places of cultural or spiritual significance to Rangitāne;
- (f) preserving, enhancing and maintaining the natural environment of Rangitāne.

Four core principles shaped and developed the Trust Deed:

- (a) **Kotahitanga** – To develop a post settlement governance model than embraces kotahitanga, so that overtime the people of Rangitāne o Tamaki nui-ā-Rua and Rangitāne o Wairarapa work as one.
- (b) **Mana Motuhake** – Although kotahitanga is sought, it is acknowledged that there are situations when it is appropriate to respect the ongoing mana and autonomy of Rangitāne o Tamaki nui-ā-Rua and Rangitāne o Wairarapa and their beneficiaries. This may include social, cultural, and commercial matters.
- (c) **Te Mana Tika** – To ensure that the post settlement governance model promotes getting the best governors and managers to achieve iwi aspirations.
- (d) **Rangitāne Rangatiratanga** – To develop a PSGE model that enhances the identity of Rangitāne as an iwi in Tamaki nui-ā-Rua and Wairarapa.

*Please provide comment on the following (circle one):*

- The current Trust gives effect to those purposes. Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- The current Trust gives effect to those principles. Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- The current purposes and objects under the Trust Deed need amending. Strongly Agree  
Agree

Neutral  
Disagree  
Strongly Disagree  
Don't Know.

*Other comments:*

### Operations and Planning

Tū Mai Rā operates with a Chairperson and a Deputy Chairperson. The Trustees have the ability to appoint an independent facilitator to assist at annual or special general meetings, if required.

The current Trust office is at 17 Perry Street, Masterton.

Currently the Trust Deed does not provide for trustees to be employed or contracted by Tū Mai Rā.

*Please provide comment on the following (circle one):*

- Tū Mai Rā's office in Masterton should remain the only physical office.  
Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- The continued requirement for a Chairperson/Deputy Chairperson is necessary and appropriate.  
Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- The Trust Deed should provide for Co-Chairs.  
Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- Trustees should be able to be employed or contracted by Tū Mai Rā.  
Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- The Trust Deed should be updated to provide flexibility to reflect the current Climate, in particular with COVID19 restrictions.  
Strongly Agree  
Agree  
Neutral  
Disagree

Strongly Disagree  
Don't Know.

- I prefer to hear from Tū Mai Rā through...
  - Hui/wānanga
  - Facebook
  - Email
  - Tū Mai Rā Website
  - Phone calls
  - Newspaper advertisements
  - Other (indicate in comments)
- Annual General Meetings and Special General Meetings are well notified.
  - Strongly Agree
  - Agree
  - Neutral
  - Disagree
  - Strongly Disagree
  - Don't Know.
- Annual General Meetings and Special General Meetings are well run.
  - Strongly Agree
  - Agree
  - Neutral
  - Disagree
  - Strongly Disagree
  - Don't Know.
- Documentation provided at Annual General Meetings and Special General Meetings is helpful and easy to understand.
  - Strongly Agree
  - Agree
  - Neutral
  - Disagree
  - Strongly Disagree
  - Don't Know.
- Annual General Meetings occur at a suitable time/date.
  - Strongly Agree
  - Agree
  - Neutral
  - Disagree
  - Strongly Disagree
  - Don't Know.
- The level of communication with Rangitāne members is...
  - Too high
  - Appropriate
  - Too low
- With regard to the Tū Mai Rā Strategic Plan...
  - I've never heard of it
  - I know there is a plan
  - I've seen the plan
  - I was involved in making it

- With regard to the Kotahitanga Plan...
  - I've never heard of it
  - I know there is a plan
  - I've seen the plan
  - I was involved in making it
- Trust representation of Rangitāne is embodied in these plans.
  - Strongly Agree
  - Agree
  - Neutral
  - Disagree
  - Strongly Disagree
  - Don't Know.

*Other comments (including comment on communications methods):*

### Rūnanga Involvement

In accordance with the Trust Deed, the Trustees at their sole discretion (within nine months of the Settlement Date), had the power to enter into agreement with either ROTNAR or ROW or both, to clearly define their relationship with the Trust (Existing Rūnanga Agreement). This Agreement was for the purpose of enabling ROTNAR and ROW to assist the Trust with social and cultural objectives. An annual review of any such agreement is a mandatory requirement of the Trust Deed.

The Trustees did not ultimately put an Existing Rūnanga Agreement in place, but continue to engage with the Rūnanga.

*Please provide comment on the following (circle one):*

- There should be an Existing Rūnanga Agreement (or similar) in place.
  - Strongly Agree
  - Agree
  - Neutral
  - Disagree
  - Strongly Disagree
  - Don't Know
- The relationship between Tū Mai Rā and ROTNAR is adequate.
  - Strongly Agree
  - Agree
  - Neutral
  - Disagree
  - Strongly Disagree
  - Don't Know
- The relationship between Tū Mai Rā and ROW is adequate.
  - Strongly Agree
  - Agree
  - Neutral
  - Disagree
  - Strongly Disagree

- The frequency of the communication between Tū Mai Rā and Rūnanga is sufficient.

Don't Know

Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know
- The quality of the communication between Tū Mai Rā and Rūnanga is sufficient.

Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know

*Other comments:*

### Management of Tū Mai Rā Assets

Subsidiaries may be established to manage Tū Mai Rā's assets in accordance with the Trust Deed. A Subsidiary holds the assets solely for the benefit of Rangitāne and is managed, controlled and monitored by Tū Mai Rā. The only current subsidiary is Tū Mai Rā Investments.

*Please provide comment on the following (circle one):*

- The structure of Tū Mai Rā Group's asset management is clear.

Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Agree.
- I am familiar with the asset base for Tū Mai Rā Group.

Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Agree.
- Governance of the current subsidiaries is sound.

Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Agree.
- Additional subsidiaries are required in order to manage the asset base.

Agree  
Neutral

Disagree  
Strongly Disagree  
Don't Agree.

*Other comments:*

### Trustee Elections and Related Matters

Trustee elections currently take place every four years. Nominees must meet the eligibility criteria in the Second Schedule of the Trust Deed and be supported by two adult registered members of Rangitāne (who are recorded in the Rangitāne Register). There will be 5-7 trustees.

Adult registered members who are either recorded in the Rangitāne Register or eligible adults who have completed and sent with their voting form an application for registration (of which if successful), are entitled to cast one vote (casting one vote means voting for up to the number of candidates to fill the number of trustee vacancies).

From time to time, as required, Tū Mai Rā must also appoint a Chief Returning Officer who will act in accordance with the Trust Deed and be responsible for co-ordinating Trustee elections.

*Please provide comment on the following (circle one):*

- The current election process promotes and supports fair and adequate representation of Rangitāne beneficiaries. Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Agree.
- A separate hui-ā-iwi should be convened for candidates to speak to iwi face to face, to confirm eligibility, prior to the conclusion of voting. Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- The current number of trustees is... Too high  
Appropriate  
Too low.
- The trustee term/election cycle should be... Two Years  
Three Years  
Four Years  
Don't Know.
- The trustees should retain the power to fill casual vacancies if/when they arise without holding an election. Strongly Agree  
Agree  
Neutral

- The trustees should retain the ability to co-opt additional trustees between elections to fill gaps in skills and/or expertise, or as needs arise.

Disagree  
Strongly Disagree  
Don't Know.

Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- The election process is easy to understand.

Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- The requirement for a Chief Returning Officer is necessary and appropriate.

Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- The requirement for a General Manager to manage the day to day administration of the Trust is necessary and appropriate.

Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.

*Other comments:*

### **Rangitāne Membership Register**

The First Schedule of the Trust Deed deals with the Rangitāne Register of Rangitāne beneficiaries. It is mandatory to have a register. The Register records full names, dates of birth, postal addresses, and email addresses Rangitāne members.

A Membership Validation Committee (3 to 5 members of Rangitāne appointed by Tū Mai Rā) is established to make decisions on all applications for membership. The Committee must include one trustee, one ROTNAR representative and one ROW representative.

*Please provide comment on the following (circle one):*

- Registration is easy to complete and/or update membership details for.

Strongly Agree  
Agree  
Neutral  
Disagree



- The process for confirming registration is sufficient.

Strongly Disagree  
Don't Know.

Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.
- The Register is generally well-managed.

Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.

*Other comments:*

### Dispute Resolution

The first step for a dispute is to be referred directly to Tū Mai Rā in writing. The party raising the dispute must meet Tū Mai Rā within 15 working days face to face to attempt to resolve the dispute.

Where a dispute cannot be settled within 15 working days by Tū Mai Rā, it is referred to either mediation (if the parties agree) or a Disputes Committee to assist with the resolution of any dispute. The Disputes Committee will have up to three members with the necessary skills and expertise to deal with the particular dispute. One member will be an independent person nominated by Tumuaki of Hunga Rōia Māori o Aotearoa and if the dispute requires input from Rangitāne, Tū Mai Rā will appoint two Adult Registered Members.

*Please provide comment on the following (circle one):*

- Allocating 15 working days to meet a-kanohi to consider a dispute is...

Not long enough  
Appropriate  
Too long  
An unnecessary step  
Don't Know.
- The Disputes Committee is an appropriate mechanism for Rangitāne.

Strongly Agree  
Agree  
Neutral  
Disagree  
Strongly Disagree  
Don't Know.

*Other comments:*

### Liability of Trustees

A trustee is only liable for losses that are because of his or her dishonesty or wilful commission or omission of a breach of this Trust Deed (knowingly, or that the trustee should have known of). Trustees are not bound to take proceedings against a co-trustee for any such breach or alleged breach of the Trust Deed.

*Please provide comment on the following (circle one):*

- The current level of trustee liability is...

Appropriate  
Doesn't cover enough  
Don't Know

*Other comments:*

### General Feedback

Thank you for completing this survey regarding the Tū Mai Rā Trust Deed and taking part in the review. We welcome any other feedback or comments you may have on the Trust Deed.

*Other comments:*