

Election of Trustees for



for the 2018-2021 Term

CANDIDATE BOOKLET

There are four (4) Whanganui Iwi positions for a 3-year term



Election of Trustee Candidate Handbook



This booklet outlines information which may be of interest to you as a candidate in the 2018-2021 Election of Trustees for Ngā Tāngata Tiaki o Whanganui.

This handbook has been prepared as a guide to assist possible candidates and others interested in election issues with general information on the election. Candidates or other persons requiring more detailed information should contact the Returning Officer, Warwick Lampp.

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Introduction

The Whanganui River Deed of Settlement, Ruruku Whakatupua, was signed at Rānana on 5 August 2014. Ruruku Whakatupua represents the culmination of many years of dedicated work by our people to have the mana of our Awa and the mana of the Iwi recognised by the Crown. Ruruku Whakatupua heralds the creation of a new and unprecedented legal framework for Te Awa Tupua, which recognises Te Awa Tupua as an indivisible and living whole from the mountains to the sea, affirms the mana of hapū and Iwi and our inalienable connection with the Awa, and provides for the health and wellbeing of both the Iwi and the Awa.

Ngā Tāngata Tiaki o Whanganui is the post settlement governance entity for Whanganui Iwi for the purposes of Ruruku Whakatupua - the Whanganui River Deed of Settlement. Seven (7) Trustees of Ngā Tāngata Tiaki o Whanganui took office in September 2015 with the responsibility of representing the interests of Whanganui Iwi as a whole. Their term will expire in September 2018 and all seven (7) Trustees will vacate their seats (though they are eligible to stand again).

Seven (7) Trustees will be elected to Ngā Tāngata Tiaki o Whanganui as required by the Trust Deed. Candidates for election are called for in two stages:

- Stage One: Nominations for three (3) Trustee positions from Te Rūnanga o Te Awa Tupua.
- Stage Two: Nominations for four (4) Trustee positions from Whanganui Iwi members generally.

There are three (3) confirmed candidates from the election process of Te Rūnanga o Te Awa Tupua on 10 February 2018.

Nominations are now being called for four (4) Trustee positions from Whanganui Iwi members.



Role of Trustees

The responsibility of all persons elected as a Trustee to Ngā Tāngata Tiaki o Whanganui is to act in the interests of Whanganui Iwi and consistently with the purposes of Ngā Tāngata Tiaki o Whanganui, which include:

- the promotion and protection of the health and wellbeing of Te Awa Tupua;
- the promotion of the social, cultural, spiritual, educational, environmental and economic advancement and wellbeing of Whanganui Iwi and its members;
- acting as the post-settlement governance entity for Whanganui Iwi for the purpose of the settlement of the historical Treaty of Waitangi claims for Whanganui Iwi relating to the Whanganui River; and
- implementing the terms of the settlement for the historical Treaty of Waitangi claims of Whanganui Iwi relating to the Whanganui River contained in Ruruku Whakatupua and the Te Awa Tupua (Whanganui River Claims) Settlement Act 2017.

The role of Trustees is therefore not to represent their particular hapū, marae or tūpuna rohe, or to act for personal gain, but rather have a fiduciary obligation as Trustees to act for the benefit of all Whanganui Iwi members. To this end, each Trustee must:

- a) act in good faith and in a manner that the Trustee believes (on reasonable grounds) is in the interests of Whanganui Iwi;
- b) not act or agree to act in a manner which unfairly prejudices or unfairly discriminates against any particular members of Whanganui Iwi;
- c) not act in a manner which brings or is likely to bring Whanganui Iwi, the Trust or any Trust entity into disrepute;
- d) exercise the care, diligence and skill to be reasonably expected of a person acting as a Trustee, taking into account any special skills or experience that the Trustee has.
- e) Accept the duties, obligations and liabilities outlined in the Trust Deed; and
- f) Note that a Trustee will be personally liable for any losses that are attributable to his or her dishonesty or to his or her wilful commission of an act that he or she knows or should have known to be a breach of the Trust Deed.

Collective Responsibility

While many Trustees will have the support of their whānau and hapū, once appointed as a Trustee they, in effect, represent the collective whole of Whanganui Iwi. This means a Trustee is obligated to act in the best interests of all Whanganui uri, hapū and Iwi and to work towards the common goals of the Trust.

Board Meeting and Remuneration

Meeting Frequency

The Trust's ordinary meetings are generally held on a monthly basis at the Whanganui office of Ngā Tāngata Tiaki o Whanganui Trust. The meetings generally are a full day and members are required to attend all meetings.

Board Quorum and Voting

To meet the quorum requirements of the Trust Deed, at least 50% of Trustees must be present in person or by telephone for any meeting to discuss ordinary resolutions. Voting is by way of majority vote.

Meeting Packs

Before each meeting members will receive their meeting pack via email, post or courier and are required to read the reports, consider the associated recommendations and participate in the discussions during the meeting.

Remuneration and Expenses

In respect of the remuneration and expenses for Trustees:

- a) the Trustees may at their discretion, after seeking external professional advice about suitable remuneration, recommend reasonable remuneration for the Trustees;
- b) unless prescribed by a third party in the terms of any funding contract, and
- c) subject to paragraph (d) such recommended remuneration must be approved by a resolution of Adult Registered Members; and
- d) such remuneration may be prescribed and approved in the form of a meeting fee or as a total amount payable per annum.

Board Meeting and Remuneration cont.

- e) Trustees are entitled to be reimbursed for all reasonable expenses properly incurred in the conduct of his or her duties as a Trustee.

In accordance with clause 21 of the Trust Deed, Trustees must hold an annual general meeting at which the Trustees' remuneration is approved.

Having sought external professional advice, the current remuneration was approved for the Trustees at the 2017 Annual General Meeting held at Raetihi Pā, Raetihi.

Term of Office

Those Trustees elected at this 2018 election will hold office for a three (3) year term to 2021.

Returning Officer

The role of the Returning Officer (RO) is to conduct the election in accordance with the requirements of the Trust Deed, as well as in accordance with standard election management practices. The Trust has appointed Warwick Lampp from electionz.com as the Returning Officer. electionz.com will be handling the administrative matters pertaining to the election process.

electionz.com is an elections management company based in Christchurch. electionz.com has considerable experience conducting elections in New Zealand including numerous polls and elections for Iwi trusts.

Subject to the statutory regulations the RO has complete and final control over how the election process is carried out. The RO is engaged by the Trust but does not take direction from the Trust. The RO is responsible for all staff, systems, resources, policies, procedures and actions to ensure that the democratic process is carried out with utmost integrity, security and fairness for all parties.

Queries regarding the actions or performance of the RO for Ngā Tāngata Tiaki o Whanganui should be directed to:

Blair Anderson, General Manager
Ngā Tāngata Tiaki o Whanganui
06 281 3375

Nominations



Key Dates:

15 June 2018

6 July 2018, 5.00 pm

Nominations open

Nominations close

In the event an election is required, voting papers will be sent to all verified adult members on the Whanganui Iwi Register who have current contact details, as at 23 July 2018.

30 July 2018

29 August 2018, 12 noon

Voting opens

Voting closes

Nominations Papers

Nominations must be completed on the official form available from the Returning Officer by downloading from www.electionz.com/NTTOW2018 emailing iro@electionz.com or phoning 0800 666 042.

Nomination papers may also be obtained online at www.ngatangatatiaki.co.nz or from the Ngā Tāngata Tiaki o Whanganui office at 116 Liverpool Street, Whanganui.

Each nomination paper must be received before **5:00pm on Friday 6 July 2018** by the Returning Officer.

Note: The Returning Officer does not recommend posting nomination papers. Please contact the Election Helpline if emailing the completed nomination papers does not suit.

In the event an election is required, the Candidate Curriculum Vitae and nomination papers will be distributed in the voting pack. The Returning Officer reserves the right to:

1. Collate information to be included in voting material to be forwarded to Iwi registered members, if an election is required.
2. Redact personal phone numbers and street addresses of the candidate and their nominators, for privacy.

Nominations cont.

Eligibility

In accordance with Ngā Tāngata Tiaki o Whanganui Trust Deed - Second Schedule Trustee Elections clause (2) **2. ELIGIBILITY FOR APPOINTMENT**

Nominee to be registered

2.1 Subject to *rule 2.2* of this Schedule, a person is eligible to be a Trustee if he or she is:

- a) aged eighteen years of age; and
- b) a Registered Member; and
- c) resident in New Zealand.

2.2 A person is not eligible to be a Trustee if he or she:

- a) does not meet the requirements of rule 2.1 of this Schedule;
- b) is bankrupt and or has within the last five (5) years been adjudged bankrupt;
- c) is or has ever been convicted of:
 - (i) an offence involving dishonesty as defined in section 2(1) of the Crimes Act 1961; or
 - (ii) an offence under section 373(4) of the Companies Act 1993, unless that person is an eligible individual for the purposes of the Criminal Records (Clean Slate) Act 2004;
- d) is or has ever been disqualified from being a director of a company registered under the Companies Act 1955 or the Companies Act 1993;
- e) is or has ever been removed as a trustee of a trust by order of a Court on the grounds of breach of trust, lack of competence or failure to carry out the duties of a trustee satisfactorily;
- f) becomes subject to a compulsory treatment order under the Mental Health (Compulsory Assessment and Treatment) Act 1992;
- g) becomes subject to a property order made under section 30 or section 31 of the Protection of Personal and Property Rights Act 1988; or
- h) has within the last three (3) years been removed from the office of Trustee in accordance with clause 24 of this Deed or rule 12 of Second Schedule of the Trust Deed.

Nominations cont.

Curriculum Vitae

The nomination papers must be accompanied by a brief curriculum vitae no more than four (4) A4 pages in length. The curriculum vitae must be provided electronically as a Word document.

Curriculum Vitae are to contain details of the nominee's experience relevant to the role of Trustees (rule 4.12 C).

It is recommended that the curriculum vitae be structured on the following basis:

- Short pepeha
- Tribal affiliation/s
- Occupation
- Current qualification/Personal interests
- Community involvement
- Candidate statement (a maximum of 250 words) must be confined to the information concerning the candidate and the candidate's policies and intentions if elected.

The English and Māori text must be plain black and white, special formatting (macrons, bold, italics, underlining, quote marks) is permitted.

Photo

Candidates must include a recent photograph, no less than one year old of the candidate only (i.e. not part of a group). The photograph should preferably be in an electronic format (scanned as a jpeg attachment by email), hard copies will be accepted and scanned at 300 dpi by the Returning Officer. Photos will be printed in black and white only but can be supplied in colour (Please note: the photo will not be returned to candidates).

Ministry of Justice Reports

Candidates must supply a request for criminal convictions history. A copy of the relevant form can be downloaded from www.electionz.com/NTTOW2018

Nominations cont.



Eligibility to vote

In the event an election is required, voting papers will be sent to all verified adult members on the Whanganui Iwi Register who have current contact details as at 23 July 2018.

Those who register after 23 July 2018 will be sent a special vote, which will be provisional until the details provided are checked and verified.

Registrations to be included on the Whanganui Iwi Register for this election can be accepted up to the close of the voting which is at 12 noon on Wednesday 29 August 2018.

Invitation to Register as a Member

The Trust invites anyone who has not already registered, aged 18 years and over and with the appropriate whakapapa, to apply to be included on the Whanganui Iwi register.

Downloading a registration form:

www.ngatangatatiaki.co.nz

www.electionz.com/NTTOW2018

Phone

Trust Office 0800 AWA TUPUA (292 8878)

Election Helpline 0800 666 042



Campaigning and Vote Processing



Campaigning

In the event an election is required, campaigning can be undertaken on the following basis:

- Campaigning can commence at any time;
- If a candidate chooses to undertake advertising as part of their campaigning, those advertising costs are the responsibility of the candidate. There is no monetary limit for campaigning costs;
- Advertising material should not include any Ngā Tāngata Tiaki o Whanganui Trust logos or branding;
- No election material can contain any untrue statement defamatory of any candidate and be calculated to influence the vote of any elector;
- No election material may contain an imitation voting paper which has the names of the candidates with any direction or indication as to the candidate a person should vote for, or in any way contain such direction or indication likely to influence the voter;
- Voting papers are not permitted to be collected from electors by candidates or persons on their behalf. Each elector is required to post or deliver his or her own voting paper to the Returning Officer (or exercise their own vote electronically if they choose that voting method);
- Any acts committed by candidates that constitute criminal offences will be referred to the Police for their action.

Electoral Rolls

The Electoral Roll (being the list of Registered Members) is not available to candidates for electioneering purposes.

Campaigning and Vote Processing cont.



Vote Processing and Election Results

The processing of the voting papers is being carried out by electionz.com at its premises at 3/3 Pukaki Road, Yaldhurst, Christchurch. Postal voting papers should be returned in the reply freepost envelope to the Returning Officer.

Voting papers will be posted on Monday 30 July 2018. Voting will close at 12 noon on Wednesday 29 August 2018.

The election results will be available as soon as all special voting papers have been checked. It is intended this will be completed by 4 September 2018. The Returning Officer will email the election results to all the candidates as soon as they are available. The election results will be posted shortly thereafter on the Ngā Tāngata Tiaki o Whanganui Trust website.

Election results will be officially announced at the next annual general meeting of Ngā Tāngata Tiaki o Whanganui on Sunday 23 September 2018 (venue yet to be confirmed) where the new Trustees for the 2018 election will take office at the conclusion of the annual general meeting.

Scrutineers

There is no provision in the Ngā Tāngata Tiaki o Whanganui Trust Deed rules for candidates to appoint scrutineers.

